

February 2023

# London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 7 Other Documents

**7.01 Planning Statement**

**Appendix E - Policy Compliance Tables**

Application Document Ref: TR020001/APP/7.01

APFP Regulation: 5(2)(c)



**The Planning Act 2008**

**The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**

**London Luton Airport Expansion Development Consent Order 202x**

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**7.01 PLANNING STATEMENT APPENDIX E: POLICY COMPLIANCE TABLES**

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## Appendix E – Policy Compliance Tables

- E1.1.1 This Appendix of the Planning Statement comprises Policy Compliance Tables which present a consideration of the Scheme against the national aviation policies and the national and local planning policies that the Applicant considers likely to be important and relevant to the determination of the application for development consent.
- E1.1.2 The Policy Compliance Tables disaggregate relevant policy by themes which relate to and are informed by the assessment topics set out in Section 8 of the Planning Statement. Each policy is presented and supported by a brief compliance commentary which makes reference to where and the extent to which the associated policy requirements have been met by the Proposed Development.
- E1.1.3 The relevant policy documents for which this exercise was undertaken are ordered to mirror the policy context in Section 6 of the Planning Statement and are comprised of:
- a. Aviation Policy Statement;
  - b. Airports National Policy Statement;
  - c. Beyond the Horizon: The future of UK aviation – Making best use of existing runways;
  - d. Flightpath to the Future;
  - e. Jet Zero Strategy;
  - f. National Network National Policy Statement;
  - g. National Planning Policy Framework;
  - h. Luton Borough Council Local Plan 2011-2031;
  - i. Central Bedfordshire Council Local Plan 2015-2035;
  - j. North Hertfordshire District Council Local Plan 2011-2031; and,
  - k. Dacorum Borough Council Core Strategy 2006-2031.

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
Principle of Development	5	The Government's primary objective is to achieve long-term economic growth. The aviation sector is a major contributor to the economy and we support its growth within a framework which maintains a balance between the benefits of aviation and its costs, particularly its contribution to climate change and noise. It is equally important that the aviation industry has confidence that the framework is sufficiently stable to underpin long-term planning and investment in aircraft and infrastructure.	This matter is discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
	9	One of our main objectives is to ensure that the UK's air links continue to make it one of the best connected countries in the world. This includes increasing our links to emerging markets so that the UK can compete successfully for economic growth opportunities. To achieve this objective, we believe that it is essential both to maintain the UK's aviation hub capability and develop links from airports which provide point-to-point services (i.e. carrying few or no transfer passengers). This should be done in a balanced way, consistent with the high-level policies set out in this document and acknowledging Government's commitment to economic growth.	The <b>Need Case [TR020001/APP/7.04]</b> covers this matter and <b>Chapter 11</b> of the <b>ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.
	11	In the medium and long term beyond 2020 we recognise that there will be a capacity challenge at all of the biggest airports in the South East of England. There is broad consensus on the importance of maintaining the UK's excellent connectivity over the long term, but currently no consensus on how best to do this. A robust and generally agreed evidence base is needed before a decision can be made on the scale and timing of any requirement for additional capacity to maintain the UK's position as	<b>Sections 2, 8 and 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the <b>Need Case [TR020001/APP/7.04]</b> justify the principle of development for Proposed Development which to make the best use of the existing runway at Luton airport.

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
		Europe's most important aviation hub. This is why Government established the Airports Commission in 2012.	
	1.41	The demand for aviation in the UK is concentrated in the South East, a densely populated region whose economy comprises multiple high-value sectors including finance, professional services, technology, media and fashion. This drives consistently high demand for aviation in the region, so that the five main South Eastern airports (Heathrow, Gatwick, Stansted, Luton and London City) account for nearly two-thirds of passengers at UK airports and nearly half of all air transport movements.	
Biodiversity and Ecological Conservation	3.55	It is likely that any proposals for any new hub airport or nationally significant infrastructure would be taken forward through an Airports National Policy Statement (NPS). This would take a similar approach to existing NPSs and be consistent with the Government's stated policies on sustainability and environmental protection. Loss of protected habitats, protected species, protected landscape and built heritage, and significant impacts on water resources and ecosystems would only be advocated if there were no feasible alternatives and the benefits of proposals clearly outweighed those impacts. Any unavoidable impacts would be mitigated or compensated for. Our policy will be to ensure there is full consideration of the environmental impacts of the most credible options for maintaining our international connectivity.	Full consideration (including assessment and mitigation measures) of the environmental impacts resulting from the Proposed Development are found across the <b>Environment Statement (ES) [TR020001/APP/5.01]</b> . Environmental matters are also discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
Climate Change	12	Aviation’s environmental impacts are both global (climate change) and local (primarily noise, as well as air pollution and surface access traffic congestion).	It is recognised that expansion of the airport has the potential to increase the airport’s environmental effects, notwithstanding that the proposals put forward will do their utmost to avoid or ameliorate those effects. Green Controlled Growth (GCG), as explained in the Green <b>Controlled Growth Explanatory Note [TR020001/APP/7.07]</b> binding framework for managing the growth and operation of the airport through the coming decades within definitive environmental limits. The <b>ES [TR020001/APP/5.01]</b> addresses 15 separate environmental topics in addition to the in-combination and cumulative effects of the Proposed Development. It is proposed that GCG focuses on four key environmental topics which are directly linked to the throughput of the airport and where, therefore, environmental effects on communities have the greatest potential to change as the numbers of flights and passengers using the airport increase over time. These are:
	2.4	Our objective is to ensure that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions.	

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
			<ul style="list-style-type: none"> <li>a. Aircraft noise, via a Noise Envelope;</li> <li>b. Air quality;</li> <li>c. Greenhouse gas emissions (for airport operations and surface access); and</li> <li>d. Surface access.</li> </ul>
Socio-economic Development	1.57	<p>One of our main aviation objectives is to ensure that the UK's air links continue to make it one of the best connected countries in the world. This includes increasing our links to emerging markets so that the UK can compete successfully for economic growth opportunities. To achieve this objective, we recognise the importance of both maintaining the UK's aviation hub capability and developing links from airports which provide point-to-point services (i.e. carrying very few or no transfer passengers). This must be done in a way consistent with the high level policies set out in this document.</p>	<p>The <b>Need Case [TR020001/APP/7.04]</b> covers this matter and <b>Chapter 11</b> of the <b>ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p>
Health and Community	1.17	<p>In addition to its economic contribution, aviation provides wider social benefits, enabling UK citizens to experience different cultures or enjoy a well-earned holiday. In an increasingly globalised society visiting friends and relatives is an increasingly important reason for flying; for example in 2011 it was the most common purpose of travel at Heathrow (36% of trips), Stansted (45%) and Luton (43%). Visiting friends and relatives also forms a significant proportion of business for airports outside London and the South East, which in some cases helps maintains the viability of their air links.</p>	<p>The <b>Need Case [TR020001/APP/7.04]</b> covers this matter and <b>Chapter 11</b> of the <b>ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p>



Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
Noise and Vibration	17	Our overall objective on noise is to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise. The document makes clear that the acceptability of growth in aviation depends to a large extent on the industry continuing to tackle its noise impact and confirms that the Government expects the industry at all levels to continue to address noise. We recognise that the manufacturing industry across Europe has committed to ambitious long-term goals to reduce aviation emissions to one-quarter of 2000 levels by 2050 and to halve perceived aviation noise. To achieve this, we want to incentivise noise reduction and mitigation, and we also want to encourage better engagement between airports and local communities and greater transparency to facilitate an informed debate.	The assessment years for identifying the likely significant effect of air noise are set out in <b>Section 16.3 of ES Chapter 16 [TR020001/APP5.01]</b> . A description of the noise sources included in the assessment are set out in <b>Section 16.5</b> of the same ES Chapter. The assessment of significant effects covering the identified source of noise and vibration are described in <b>Section 16.9</b> of the same ES chapter. The effect of noise on sensitive landscape and visual receptors is covered in <b>Chapter 14 of the ES [TR020001/APP/5.01]</b> . The characteristics of the existing noise environment are provided in <b>Section 16.7 of ES Chapter 16 [TR020001/APP5.01]</b> . An assessment of effects due to construction activities and predictions on how the noise environment will change as a result of the Proposed Development is provided in <b>Section 16.9</b> of the same ES Chapter. Measures to be employed in mitigating the effects of
	3.12	The Government's overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise, as part of a policy of sharing benefits of noise reduction with industry.	

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
			noise are described in <b>Section 16.10</b> of the same ES Chapter. Furthermore, the Noise Envelope is described in <b>Section 16</b> of the same ES Chapter. Best practice construction noise mitigation measures are secured through the <b>Code of Construction Practice (CoCP) (Appendix 4.2 of the ES [TR020001/APP/5.02])</b> . Therefore, these matters are considered policy compliant.
Surface Access	1.97	We are committed to working with airport operators, transport operators, local authorities and LEPs to improve surface access to airports across the country, whilst taking into account the associated environmental impacts. We are already contributing funding to make this happen. For example, through the Regional Growth Fund (RGF), the Government has awarded: <ul style="list-style-type: none"> <li>£19.5 million to Luton Borough Council for junction enhancements which will improve access from the M1 to Luton Airport.</li> </ul>	The highway and public transport networks, both existing and future with committed improvements, are described in <b>Section 18.7 of ES Chapter 18 [TR020001/APP/5.02]</b> . This demonstrates the quality of the access from the airport to the motorway network and the improvements to rail services that have been introduced recently which, when tied into the opening of the Luton DART link, will provide a very convenient service for air passengers and employees working at the airport and associated offices.  The commitments for the increase in use of public transport by air
	5.11	All proposals for airport development must be accompanied by clear surface access proposals which demonstrate how the airport will ensure easy and reliable access for passengers, increase the use of public transport by passengers to access the airport, and minimise congestion and other local impacts.	

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
			<p>passengers are described in <b>Section</b> Error! Reference source not found. of the same ES Chapter. A Framework Travel Plan (FTP) <b>[TR020001/APP/7.13]</b> which will support the achievement of those targets has been prepared and tested through a series of workshops attended by representatives of National Highways, Luton Borough Council (LBC), Central Bedfordshire Council (CBC), Hertfordshire County Council (HCC), and North Herts Council. The <b>FTP [TR020001/APP/7.13]</b> outlines proposals for a comprehensive monitoring process.</p> <p>Traffic models described in <b>Section 18.1 of ES Chapter 18 [TR020001/APP/5.02]</b> demonstrate that the Highway Interventions that have been proposed and are listed in <b>Table 4.2 of Chapter 4 of the ES [TR020001/APP/5.01]</b> minimise congestion and other local impacts.</p>

Aviation Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
			The Highway Interventions referred to above form part of the Proposed Development and as such will be funded by the Applicant thereby complying with the general position in the document that developers should pay the costs of upgrading or enhancing road, rail or other transport networks or services where there is a need to cope with additional passengers travelling to and from expanded or growing airports.
Safety and Security	5.15	Our basic policy objective remains not to increase the number of people living, working or congregating in PSZs and, over time, to see the number reduced. Where necessary, we expect airport operators to offer to buy property which lies wholly or partly within those parts of the zones where the risk is greatest. We will continue to protect those living near airports by maintaining and, where justified, extending the PSZ system.	Public Safety Zones have been considered in the design of the Proposed Development and are covered in <b>Section 15.8</b> of the <b>ES Chapter 15 [TR020001/APP/5.01]</b> .
	31	Air transport is one of the safest forms of travel and the UK is a world leader in aviation safety. Maintaining and improving that record, while ensuring that regulation is proportionate and cost-effective, remains of primary importance to the UK. Since 2003, rules and standards for aviation safety in Europe have increasingly been set by the European Aviation Safety Agency (EASA). The UK will continue to work closely with EASA to ensure that a high and uniform level of civil aviation safety is	The potential risks to safety in the event of a Major Accidents & Disasters (MA&D) during construction and operation of the Proposed Development across the study area have been assessed within <b>Section 15.9</b> of <b>Chapter 15</b> of the <b>ES [TR020001/APP/5.01]</b> . Hazards that may pose a risk to the

Aviation Policy Framework			
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		maintained across Europe. In 2009, the UK was one of the first countries to publish a State Safety Programme, in line with new International Civil Aviation Organisation (ICAO) standards. The Civil Aviation Authority (CAA) published its own Safety Plan in 2011 outlining the additional action it will be taking to improve UK aviation safety performance.	safety of sensitive receptors, including airport infrastructure, passengers and personnel, construction workers, residential properties and surrounding environmental receptors, have been assessed and conclusions on the significance of the risk determined. The results of the assessment of hazards and significance of the risks are outlined in <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b> .
	32	The threat to UK aviation remains high. To keep pace with the rapidly changing nature of the threat, the Government is seeking to move to an outcome-focused, risk-based regime for aviation security regulation in the future. To facilitate this the Government is working with industry to develop and roll out the implementation of Security Management Systems (SeMS), modelled on the Safety Management Systems (SMS) approach already in widespread use by the aviation industry and its safety regulators. We believe this will provide even better aviation security by enabling more responsive and flexible approaches to new and emerging threats. In the future, it should also provide the industry with greater scope for innovation and efficiency in delivering security processes, potentially enabling security outcomes to be delivered in more passenger-friendly way.	
	5.8	The National Planning Policy Framework (NPPF) makes clear that local planning authorities should 'identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen choice'. This could apply to airport infrastructure.	

Aviation Policy Framework			
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Community Engagement	20	Those who live closest to airports bear a particular burden of the costs, but also benefits, such as employment and convenient access to air travel. We therefore want to strengthen the arrangements for involving communities near airports in decisions which affect them. Chapter 4 focuses on the theme of working in partnership, particularly at a local level. It covers Airport Consultative Committees (ACCs), airport master plans and Airport Transport Forums (ATFs). Our objective is to encourage the aviation industry and local stakeholders to strengthen and streamline the way in which they work together.	Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation periods (2019 and 2022) as described in the introduction of this Planning Statement. The pre-application consultation undertaken is documented within the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application.
	4.3	Government's objective is to encourage the aviation industry and local stakeholders to strengthen and streamline the way in which they work together. Local stakeholders have the experience and expertise to identify solutions tailored to their specific circumstances. We therefore want to encourage good practice rather than propose a 'one size fits all' model for local engagement.	

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Principle of Development	4.4	<p>In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will take into account:</p> <ul style="list-style-type: none"> <li>• Its potential benefits, including the facilitation of economic development (including job creation) and environmental improvement, and any long term or wider benefits; and</li> <li>• Its potential adverse impacts (including any longer term and cumulative adverse impacts) as well as any measures to avoid, reduce or compensate for any adverse impacts.</li> </ul>	This matter is discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
	4.5	In this context, environmental, safety, social and economic benefits and adverse impacts should be considered at national, regional and local levels. These may be identified in the Airports NPS, or elsewhere. The Secretary of State will also have regard to the manner in which such benefits are secured, and the level of confidence in their delivery.	This matter is discussed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
	4.7	Where the applicant's proposals in relation to surface access meet the thresholds to qualify as nationally significant infrastructure projects under the Planning Act 2008, or is associated development under section 115 of the Planning Act 2008, the Secretary of State will consider those aspects by reference to both the National Networks NPS and the Airports NPS, as appropriate. To the extent that discrete aspects of the surface access proposals do	This matter is addressed in <b>Section 1.7</b> of <b>Chapter 1</b> of the <b>ES [TR020001/APP/5.01]</b> .

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		not qualify as nationally significant and cannot be included in a development consent application as associated development (for example), the applicant will be expected to pursue or secure necessary consent(s) through the most appropriate alternative consenting regime. This might include, for example, the Town and Country Planning Act 1990, the Highways Act 1980, or the Transport and Works Act 1992, promoted by a third party if need be.	
	4.8	The Secretary of State will consider any relevant nationally significant road and rail elements of the applicant’s proposals in accordance with the National Networks NPS and with the Airports NPS. If there is conflict between the Airports NPS and other NPSs, the conflict should be resolved in favour of the NPS that has been most recently designated. The Airports NPS and the National Networks NPS may also be a material consideration in decision making on applications for road and rail schemes associated with or related to the preferred scheme that fall under the Town and Country Planning Act 1990, the Transport and Works Act 1992, or other legislation relating to planning. Whether, and to what extent, the Airports NPS and the National Networks NPS are a material consideration will be judged on a case-by-case basis by the relevant decision makers	



<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Agricultural Land	5.111	The applicant should identify existing and proposed land uses near the project, including any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. The applicant should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors.	The detailed Site and Surroundings are documented in <b>Chapter 2</b> of the <b>ES [TR020001/APP/5.01]</b> . Relevant information is also set out in <b>Section 6.3 of ES Chapter 6 [TR020001/APP/5.01]</b> , and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> . Therefore, this matter is considered policy compliant.
	5.112	Existing open space, sports and recreational buildings and land should not be developed unless the land is no longer needed or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. If the applicant is considering proposals which would involve developing such land, it should have regard to any local authority's assessment of need for such types of land and buildings.	This is addressed in the Open Space Assessment (see <b>Appendix C of the Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.113	During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is	The Host Authorities have been consulted at various stages of development of the scheme proposed. The <b>Consultation Report [TR020001/APP/6.01]</b> covers this matter in greater depth.

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		no longer needed. These are also matters that local authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.	
	5.114	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances which are already the subject of Government guidance. The applicant should therefore determine whether the proposal, or any part of it, is within an established Green Belt and, if so, whether its proposal may be considered inappropriate development within the meaning of Green Belt policy. Metropolitan Open Land and land designated a Local Green Space in a local or neighbourhood plan are subject to the same policies of protection as Green Belt, and inappropriate development should not be approved except in very special circumstances.	This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special

Airports National Policy Statement			
Theme	Policy Reference	Policy Description	Compliance commentary
			circumstances exist and therefore the policy test is met.
	5.115	The applicant should take into account the economic and other benefits of best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, the applicant should seek to use areas of poorer quality land in preference to that of a higher quality. The applicant should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed.	Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b> . The Proposed Development has sought to avoid impacting on high quality Best and Most Versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2 of the ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits. The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
			land is Subgrade 3a, rather than the higher subgrades 1 or 2.

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	5.116	For developments where land may be affected by contamination, or existing mitigation is in place in respect of historic contamination, the applicant should have regard to the statutory regime contained in Part IIA of the Environmental Protection Act 1990 and relevant Government guidance relating to or dealing with contaminated land.	<p>A set of land contamination assessments for human health and controlled waters provided as <b>Appendices 17.1 to 17.4</b> of the <b>ES [TR020001/APP5.02]</b> have been undertaken for the Proposed Development in accordance with the required statutory guidance and best practice. A summary of the findings is presented in <b>Section 17.7 of ES Chapter 17 [TR020001/APP5.01]</b>.</p> <p>An <b>Outline Remediation Strategy (Appendix 17.5 of the ES [TR020001/APP5.02])</b> has been produced which identifies mitigation measures to address land contamination. These measures are summarised in <b>Section 17.8 of ES Chapter 17 [TR020001/APP5.01]</b> as embedded and best practice mitigation.</p> <p>Therefore, this matter is considered policy compliant.</p>

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	5.117	The applicant should safeguard any mineral resources on the proposed site for the preferred scheme as far as possible.	This is addressed in the <b>Section 17.9 of ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.
	5.118	The applicant can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site, by the application of good design principles, including the layout of the project and the protection of soils during construction.	The sustainable use of soil as part of the Proposed Development is considered in <b>Sections 6.7, 6.8, 6.9 and 6.11 of ES Chapter 6 [TR020001/APP/5.01]</b> . Also see <b>Appendices 6.1 to 6.6 of the ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.
	5.119	Where green infrastructure is affected, the applicant should aim to ensure the functionality and connectivity of the green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to National Trails and other public rights of way.	The mitigation measures set out in <b>Sections 14.8 and 14.10 of ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. Therefore, this matter is considered policy compliant.

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	5.120	The Secretary of State must also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of requirements, planning obligations, or any other means, for example to provide exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, any replacement land provided under those sections will need to conform to the requirements of those sections.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.121	Where the preferred scheme has an impact on a mineral safeguarding area, the Secretary of State must ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.	This is addressed in the <b>Section 17.9 of ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.
	5.122	Where a project has a sterilising effect on land use, there may be scope for this to be mitigated through, for example, using the land for nature conservation or wildlife corridors.	The Replacement Open Space proposals (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) include provision of open space that is greater than that which will be lost. Therefore, this matter is considered policy compliant.

<b>Airports National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	5.123	Public rights of way, National Trails and other rights of access to land are important recreational facilities for walkers, cyclists and equestrians. The applicant is expected to take appropriate mitigation measures to address adverse effects on National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way, consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures might be attached to any grant of development consent.	The mitigation measures set out in <b>Sections 14.8</b> and <b>14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. Therefore, this matter is considered policy compliant.
	5.124	The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be no longer needed, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified.



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	5.125	Where networks of green infrastructure have been identified in development plans, they should normally be protected from development and, where, possible, strengthened by or integrated within it. The Secretary of State will also have regard to the effect of the development upon and resulting from existing land contamination, as well as the mitigation proposed.	The <b>Soil Management Plan (SMP) [TR020001/APP/5.02]</b> will ensure that impacts on soils or soil resources are minimised in accordance with the ANPS. Therefore, this matter is considered policy compliant.
	5.126	The Secretary of State will take into account the economic and other benefits of the best and most versatile agricultural land, and ensure the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.	Studies used to determine soil resources within the Main Application Site available for reuse as part of the Proposed Development have been carried out and are provided in <b>Appendices 6.3 to 6.5</b> of the <b>ES [TR020001/APP/5.02]</b> . The findings are summarised at <b>Section 6.7</b> of <b>ES Chapter 6 [TR020001/APP/5.01]</b> . <b>Section 6.8</b> of the same chapter describes the mitigation measures outlined to minimise impacts on soils. An assessment of the likely significant effects of the Proposed Development on soil resources is made at <b>Section 6.9</b> of the same Chapter. The SMP will ensure that impacts

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			on soils or soil resources are minimised in accordance with the ANPS.
	5.127	When located in the Green Belt, projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development. In exchange for, or so as to ensure the re-provision of, lost Green Belt land, the Secretary of State may require the provision of other land by the	This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In

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		applicant, to be declared as Green Belt under the Green Belt (London and the Home Counties) Act 1938. The provision of such land should be in accordance with the National Planning Policy Framework or any successor document, and take into account relevant development plan policies.	both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
Air Quality	4.70	The construction and use of airports infrastructure has the potential to affect people's health, wellbeing and quality of life. Infrastructure can have direct impacts on health because of traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluting water, hazardous waste and pests.	The negative health impacts arising as a result of the Proposed Development have been largely mitigated against and have been assessed in <b>Sections 13.8, 13.9 and 13.10 of ES Chapter 13 [TR020001/APP/5.01]</b> .
	4.71	New or enhanced airports infrastructure may also have indirect health impacts, for example if they affect access to key public services, local transport, opportunities for cycling and walking, or the use of open space for recreation and physical activity. It should also be noted, however, that the increased employment stemming from airport expansion may have indirect positive health impacts.	These impacts have been considered in <b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> . Additionally, to ensure that the local area benefits from the new employment opportunities, the application for development consent includes an <b>Employment and Training Strategy (ETS) [TR020001/APP/7.05]</b> which sets out measures to enable the local workforce to attain skills relevant to

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			employment opportunities resulting from airport growth.
	4.72	As described elsewhere in the Airports NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant health impacts.	The entirety of <b>ES Chapter 13 [TR020001/APP/5.01]</b> covers these matters in depth.
	4.73	The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, the Examining Authority and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.	<b>Sections 13.8 and 13.10 of ES Chapter 13 [TR020001/APP/5.01]</b> cover mitigation measures to ameliorate any negative impacts on Health and Community as a result of the Proposed Development.
	5.33	The environmental statement should assess: <ul style="list-style-type: none"> <li>•Existing air quality levels for all relevant pollutants referred to in the Air Quality Standards Regulations 2010 and the National Emission Ceilings Regulations 2002 (as amended) or referred to in any successor regulations;</li> <li>•Forecasts of levels for all relevant air quality pollutants at the time of opening, (a) assuming that the scheme is not built (the 'future baseline'), and (b) taking account of the impact of the scheme, including when at full capacity; and</li> <li>•Any likely significant air quality effects of the scheme, their mitigation and any residual likely significant effects, distinguishing between those applicable to the</li> </ul>	The <b>ES</b> includes an assessment of existing air quality levels for all pollutants at risk of exceeding the air quality limit values in the study area. For detail of the air quality baseline, please see baseline information provided in <b>Section 7.7 of ES Chapter 7 [TR020001/APP/5.01]</b> .  The assessment (see <b>Section 7.7</b> of the same ES Chapter) forecasts

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		construction and operation of the scheme including any interaction between construction and operational changes and taking account of the impact that the scheme is likely to cause on air quality arising from road and other surface access traffic.	<p>levels for all relevant air quality pollutants at the time of opening, with and without the Proposed Development in operation. A summary of impacts has been provided in <b>Section 7.9 [TR020001/APP/5.01]</b>.</p> <p>The assessment determines the significance of effects from all Proposed Development related activities (both construction and operation). See <b>Appendix 7.1</b> of the <b>ES [TR020001/APP/5.02]</b> for the methodology. A summary of impacts has been provided in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b>.</p> <p>These matters are considered policy compliant.</p>
	5.34	The Department for Environment, Food and Rural Affairs (DEFRA) publishes future national projections of air quality based on evidence of future emissions. Projections may be updated as the evidence base changes. The applicant's assessment should, in so far as practicable, be based on the latest available projections.	Relevant and recent data from DEFRA has been used for the assessment of air quality impacts arising from the Proposed Development. This can be found in

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			<b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01].</b>
	5.35	The Secretary of State will need to be satisfied that the mitigation measures put forward by the applicant are acceptable, including at the construction stage. A management / project plan may help record and secure mitigation measures.	The range of mitigation measures in place regarding the impact to air quality as a result of the Proposed Development are found in <b>Section 7.8 of ES Chapter 7 [TR020001/APP/5.01]</b> . Additionally, there is the <b>Code of Construction Practice (CoCP)</b> provided as <b>Appendix 4.2 of the ES [TR020001/APP/5.02]</b> and in the <b>Outline Operational Air Quality Plan</b> provided as <b>Appendix 7.5 of the ES [TR020001/APP/5.02]</b> which outline further mitigation and good
	5.36	Mitigation measures may affect the project design, layout, construction and operation, and / or may comprise measures to improve air quality in pollution hotspots beyond the immediate locality of the scheme.	
	5.37	While the precise package of mitigations should be subject to consultation with local communities and relevant stakeholders to ensure the most effective measures are taken forward, an extensive range of mitigation measures is likely to be required.	

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	5.39	<p>Other mitigation measures which may be put forward by the applicant could include, but are not limited to:</p> <ul style="list-style-type: none"> <li>•Landing charges structured to reward airlines for operating cleaner flights (for example NOx emissions charging);</li> <li>•Zero- or low-emission hybrid or electric vehicle use (ultra-low emission vehicles), charging and fuel facilities;</li> <li>•Reduced or single engine taxiing (improved taxiing efficiency);</li> <li>•Reducing emissions from aircraft at the gate (for example installation of fixed electrical ground power and preconditioned air to aircraft stands to reduce the use of auxiliary power unit);</li> <li>•Modernised heating supplies in airport buildings;</li> <li>•Changes to the layout of surface access arrangements;</li> <li>•Traffic restrictions and / or traffic relocation around sensitive areas;</li> <li>•An emissions-based access charge; and</li> <li>•Physical means, including barriers to trap or better disperse emissions and speed control on roads.</li> </ul>	<p>practice measures during the construction and operational assessment phases of the Proposed Development.</p> <p>The <b>Mitigation Route Map [TR020001/APP/5.09]</b> identifies all the mitigation measures proposed and sets out how they will be secured.</p>

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	5.40	<p>Mitigation measures at the construction stage should also be provided and draw on best practice from other major construction schemes, including during the procurement of contractors. Specific measures could include but are not limited to:</p> <ul style="list-style-type: none"> <li>•Development of a construction traffic management plan (which may include the possible use of rail and consolidation sites or waterways);</li> <li>•The use of low emission construction plant / fleet, fitting of diesel particulate filters, and use of cleaner engines;</li> <li>•The use of freight consolidation sites;</li> <li>•Active workforce management / a worker transport scheme;</li> <li>•Construction site connection to grid electricity to avoid use of mobile generation; and</li> <li>•Selection of construction material to minimise distance of transport and increase recycling percentages of the material where appropriate.</li> </ul>	
	5.41	The implementation of mitigation measures may require working with partners to support their delivery.	
	5.42	The Secretary of State will consider air quality impacts over the wider area likely to be affected, as well as in the vicinity of the scheme. In order to grant development consent, the Secretary of State will need to be satisfied that, with mitigation, the scheme would be compliant with legal obligations that provide for the protection of human health and the environment.	A summary of impacts has been provided in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b> . The assessment in the same section includes consideration of all areas which are likely to be particularly relevant to the decision-



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	5.43	<p>Air quality considerations are likely to be particularly relevant where the proposed scheme:</p> <ul style="list-style-type: none"> <li>•is within or adjacent to Air Quality Management Areas, roads identified as being above limit values, or nature conservation sites (including Natura 2000 sites and Sites of Special Scientific Interest);</li> <li>•would have effects sufficient to bring about the need for new Air Quality Management Areas or change the size of an existing Air Quality Management Area, or bring about changes to exceedances of the limit values, or have the potential to have an impact on nature conservation sites; and</li> <li>•after taking into account mitigation, would lead to a significant air quality impact in relation to Environmental Impact Assessment and / or to a deterioration in air quality in a zone or agglomeration.</li> </ul>	<p>making by the Secretary of State. Therefore, these matters are considered policy compliant.</p>
	5.233	<p>Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of dust, odour, artificial light, smoke and steam, and describe these in the environmental statement.</p>	<p>Amenity value has been built into various chapters, including <b>Chapter 7</b> Air Quality [TR020001/APP/5.01], <b>Chapter 8</b>, Biodiversity, [TR020001/APP/5.01], <b>Chapter 14</b>, Landscape and Visual [TR020001/APP/5.01], <b>Chapter 13</b>, Health and Community [TR020001/APP/5.01], <b>Chapter 16</b> Noise [TR020001/APP/5.01] and <b>Chapter 18</b> Traffic and Transport</p>
	5.234	<p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> <li>•The type and quantity of emissions;</li> <li>•Aspects of the development which may give rise to emissions during construction, operation and decommissioning;</li> </ul>	

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		<ul style="list-style-type: none"> <li>•Premises or locations that may be affected by the emissions;</li> <li>•Effects of the emission on identified premises or locations; admeasures to be employed in preventing or mitigating the emissions.</li> </ul>	<p><b>[TR020001/APP/5.01]</b>. Additionally, mitigation measures to minimise dust, emissions, noise have been embedded into the design and detailed in <b>Chapter 7</b> Air Quality of the <b>ES [TR020001/APP/5.01]</b>, <b>Chapter 16</b> Noise and Vibration of the <b>ES [TR020001/APP/5.01]</b> and <b>Chapter 18</b> Traffic and Transport of the <b>ES [TR020001/APP/5.01]</b>.</p>
	5.235	The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency, about the scope and methodology of the assessment.	
Biodiversity and Ecological Conservation	5.89	The applicant should ensure that the environmental statement submitted with its application for development consent clearly sets out any likely significant effects on internationally, nationally and locally designated sites of ecological or geological importance, protected species, and habitats and other species identified as being of principal importance for the conservation of biodiversity.	<p>The likely significant effects of the Proposed Development upon internationally, nationally and locally designated nature conservation sites are detailed within <b>Section 8.9</b> of <b>ES Chapter 8 [TR020001/APP/5.01]</b> and summarised in <b>Table 8.17</b> of the same Chapter.</p> <p>The construction of the Proposed Development will result in the loss of Wigmore Park County Wildlife Site</p>
	5.90	The Environmental Impact Assessment should reflect the principles of Biodiversity 2020 and identify how the effects on the natural environment will be influenced by climate change, and how ecological networks and their physical and biological process will be maintained.	

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	5.91	The applicant should show how the project has taken advantage of and maximised opportunities to conserve biodiversity and geological conservation interests.	<p>(CWS) (a hedgerow to the north east will be retained and incorporated into the replacement provision of open space). Additional locally designated nature conservation sites, including Winch Hill Wood CWS/Local Wildlife Site (LWS), Luton Parkway Verges District Wildlife Site (DWS), Dairyborn Scarp DWS and Burnt Wood LWS are located within or in close proximity to the Proposed Development.</p> <p>The assessment reflects the principles of Biodiversity 2020: A Strategy for England's wildlife and ecosystem services in identifying how climate change is likely to affect the future environment (detailed within <b>Section 8.12</b> of the same ES Chapter). It also reflects how ecological networks will be maintained through the use of a biodiversity offsetting metric and through studies into connectivity through the study area and wider landscape, for particularly</p>

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			<p>sensitive/valuable species. The Proposed Development includes measures, such as habitat creation, to mitigate the effects of the Proposed Development and contribute to achieving Biodiversity Net Gain (BNG). The Proposed Development's embedded and good practice mitigation measures are detailed within <b>Section 8.8</b> of the same ES Chapter and potential additional mitigation measures are detailed within <b>Section 8.10</b> of the same ES Chapter. Based on this, this matter is considered to be policy compliant.</p>

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	5.92	The Secretary of State will consider what requirements should be attached to any consent and / or in any planning obligations entered into in order to ensure that mitigation measures are delivered and monitored for their effectiveness.	The measures detailed within <b>Sections 8.8 and 8.10 of ES Chapter 8 [TR020001/APP/5.01]</b> have been designed to ensure that impacts of the Proposed Development on ecological receptors are avoided, reduced or mitigated where effects are unavoidable. Furthermore, the measures detailed in <b>Sections 8.8 and 8.10</b> of the same ES Chapter have been designed to achieve 10% BNG, as per the future requirements of the Environment Act 2021 using the DEFRA biodiversity offsetting metric (now Natural England 3.1) as another mechanism. Detailed Ecological Mitigation strategies, <b>Appendices 8.6 - 8.10</b> of the <b>ES [TR020001/APP/5.02]</b> , in relation to badgers, bats and Roman snail ( <i>Helix pomatia</i> ), have been submitted to Natural England, for approval.
	5.93	The Secretary of State will take account of any mitigation measures agreed between the applicant and Natural England, and whether Natural England has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	
	5.94	The applicant's proposal should address the mitigation hierarchy (which supports efforts to conserve and enhance biodiversity), which is set out in the National Planning Policy Framework.	

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	5.95	Compensation ratios relating to the effects of the preferred scheme should be considered in more detail during the design. The application of 2:1 compensation ratio is considered to represent the minimum requirement. However, there are other mechanisms for establishing compensation ratios, such as DEFRA's biodiversity offsetting metric. Equally, it is important to note that habitat ratios form only one part of potential compensation which should be considered, and the location and quality of any compensation land is of key importance. In this regard, habitat creation, where required, should be focused on areas where the most ecological and ecosystems services benefits can be realised.	As detailed within <b>Section 8.5</b> of the same ES Chapter a DEFRA biodiversity offsetting calculation has been undertaken which provides a measurable and transparent method for assessing the value of impacts, mitigation and compensation associated with the Proposed Development. The detailed results of the DEFRA metric Biodiversity Net Gain (BNG) assessment are provided within <b>Appendix 8.5</b> of the <b>ES [TR020001/APP/5.02]</b> . Therefore, these matters are considered policy compliant.
	5.96	As a general principle, and subject to the specific policies set out below and the Infrastructure Planning (Decisions) Regulations 2010, development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. The applicant may also wish to make use of biodiversity offsetting in devising compensation proposals to counteract any impacts on biodiversity which cannot be avoided or mitigated. Where significant harm cannot be avoided or mitigated, as a last resort appropriate compensation measures should be	The biodiversity assessment in <b>Section 8.9</b> of <b>ES Chapter 8 [TR020001/APP/5.01]</b> provides an assessment of the potential effects that the Proposed Development will have on designated nature conservation sites, habitats and species as per the policies listed within the Plan. The Proposed Development applies the mitigation hierarchy identified within the policy.

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		sought. The development consent order, or any associated planning obligations, will need to make provision for the long-term management of such measures.	<p>Addressed in <b>ES Chapter 8 Sections 8.9 and 8.14 [TR020001/APP/5.01]</b> and the BNG assessment <b>Appendix 8.5</b> of the <b>ES [TR020001/APP/5.02]</b>.</p> <p>In addition to the measures described within <b>Section 8.8</b> of <b>ES Chapter 8 [TR020001/APP/5.01]</b> further off-site enhancement measures are proposed within <b>Section 8.10</b> of the same ES chapter, these are further detailed within the <b>Outline Landscape and Biodiversity Management Plan Appendix 8.2</b> of the <b>ES [TR020001/APP/5.02]</b>.</p> <p>These matters are considered policy compliant.</p>
	5.97	In taking decisions, the Secretary of State will ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species, habitats and other species of principal importance for the conservation of biodiversity, and to biodiversity and geological interests within the wider environment.	
	5.98	<p>The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for European sites and require an assessment of impacts upon such sites. The Government considers that the following wildlife sites should have the same protection as European sites:</p> <ul style="list-style-type: none"> <li>•Potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>•Listed or proposed Ramsar sites; and</li> <li>•Sites identified or required as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</li> </ul>	

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	5.100	Many Sites of Special Scientific Interest are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of Sites of Special Scientific Interest that are not covered by an international designation, will be given a high degree of protection. All National Nature Reserves are notified as Sites of Special Scientific Interest.	
	5.101	Where a proposed development on land within or outside a Site of Special Scientific Interest is likely to have an adverse effect on the site (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect on the site's notified special interest features is likely, an exception should be made only where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. The Secretary of State will ensure that the applicant's proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest, are acceptable. Where necessary, requirements and / or planning obligations should be used to ensure these proposals are delivered.	



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	5.102	Sites of regional and local biodiversity interest (which include Local Nature Reserves, Local Wildlife Sites and Nature Improvement Areas) have a fundamental role to play in meeting overall national biodiversity targets, contributing to the quality of life and the wellbeing of the community, and supporting research and education. The Secretary of State will give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent, although adequate compensation should always be considered, and ecological corridors and their physical processes should be maintained as a priority to mitigate widespread impacts.	
	5.103	Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost, it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the	

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		applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.	
	5.104	The proposed development comprised in the preferred scheme should provide many opportunities for building in beneficial biodiversity as part of good design. When considering proposals, the Secretary of State will consider whether the applicant has maximised such opportunities in and around developments, and particularly to establishing and enhancing green infrastructure. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.	
	5.105	In addition to the habitats and species that are subject to statutory protection or international, regional or local designation, other habitats and species have been identified as being of principal importance for the conservation of biodiversity in England and Wales and therefore requiring conservation action. The Secretary of State will ensure that the applicant has taken measures to ensure that these other habitats and species are protected from the adverse effects of development. Where appropriate, requirements or planning obligations may be used in order to deliver this protection. The Secretary of State will refuse consent where harm to these other	The matter is discussed in <b>Section 8</b> and weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .

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		habitats, or species and their habitats, would result, unless the benefits of the development (including need) clearly outweigh that harm. In such cases, compensation will generally be expected to be included in the design proposals.	
Climate Change	4.45	New airports infrastructure will typically be a long-term investment which will need to remain operational over many decades, in the face of a changing climate. Consequently, the applicant must consider the impacts of climate change when planning design, build and operation. Any accompanying environmental statement should set out how the proposal will take account of the projected impacts of climate change.	The impacts of climate change on the Proposed Development are considered within the <b>ES</b> chapter and have been throughout the sifting and optioneering planning stages as presented in <b>Chapter 3</b> of the <b>ES [TR020001/APP/5.01]</b> . The Climate Change Resilience (CCR) assessment covered in <b>ES Chapter 9 [TR020001/APP/5.01]</b> covers design, build (construction) and operation. Therefore, this matter is considered policy compliant.
	4.46	Detailed consideration must be given to the range of potential impacts of climate change using the latest UK Climate Projections available at the time, and to ensuring any environmental statement that is prepared identifies appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of any environmental statement, the Examining Authority should	The assessment methodology outlined in <b>ES Chapter 9 [TR020001/APP/5.01]</b> includes identification of climate change impacts using UKCP18 (the latest set of UK climate projections) reflecting a number of time periods, covering the lifetime of the Proposed Development, as

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		consider whether it needs to request additional information from the applicant.	described in <b>Section 9.5</b> of the same ES Chapter. <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> set out how embedded environmental measures will be implemented in relation to climate change. Therefore, this matter is considered policy compliant.
	4.47	Where transport infrastructure has safety-critical elements, and the design life of the asset is 60 years or greater, the applicant should apply the latest available UK Climate Projections, considering at least a scenario that reflects a high level of greenhouse gas emissions at the 10%, 50% and 90% probability levels, to assess the impacts of climate change over the lifetime of the development.	The assessment in <b>Section 9.9</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> has considered a scenario that reflects a high level of Greenhouse Gas (GHG) emissions at the 10%, 50% and 90% probability levels to assess the impact of climate change over the lifetime of the Proposed Development. For this reason, Representative Concentration Pathway (RCP) 8.5, as described in <b>Section 9.5</b> has been used. RCP 8.5 is the highest emissions scenario available on UKCP18 representing a global temperature increase of approximately 4.3°C by 2100, relative to pre-industrial

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			temperatures. Therefore, this matter is considered policy compliant.
	4.48	The applicant should demonstrate that there are no critical features of infrastructure design which may be seriously affected by more radical changes to the climate beyond those projected in the latest set of UK Climate Projections. Any potential critical features should be assessed, taking account of the latest credible scientific evidence on, for example, sea level rise, and on the basis that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime through potential further mitigation or adaptation.	<p>In line with the ANPS, more radical changes to the climate beyond those projected in the latest set of UKCP18 have been considered in the <b>ES</b> (as outlined in <b>Section 9.7 of ES Chapter 9 [TR020001/APP/5.01]</b>) using plausible higher and lower end climate change projections from both the H++/L-- scenarios, and the UKCP18 probabilistic projections of climate extremes (PPCE).</p> <p>Within the limitations and uncertainties of the data available on future climate change projections as outlined in <b>Section 9.6 of ES</b></p>

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			<p><b>Chapter 9 [TR020001/APP/5.01]</b>, critical features of infrastructure have been assessed and no significant impacts have been identified.</p> <p>Therefore, this matter is considered policy compliant.</p>
	4.49	Any adaptation measures should be based on the latest set of UK Climate Projections, the most recent UK Climate Change Risk Assessment, consultation with statutory consultation bodies, and any other appropriate climate projection data. Any adaptation measures must themselves also be assessed as part of any Environmental Impact Assessment and included in the environmental statement, which should set out how and where such measures are proposed to be secured.	<p>The consideration of the UK Climate Change Risk Assessment in the methodology is described in <b>Section 9.5 of ES Chapter 9 [TR020001/APP/5.01]</b>. <b>Section 9.3</b> of the same chapter sets out the responses to comments received from Planning Inspectorate (PINS) via the Scoping Opinion. <b>Section 9.4</b> of the same chapter outlines engagement with statutory consultation bodies and other key stakeholders. Mitigation measures have been developed to manage risks. These are described in <b>Section 9.8</b> of the same chapter. Therefore, this matter is considered policy compliant.</p>

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	4.50	If any proposed adaptation measures themselves give rise to consequential impacts, the Secretary of State will consider the impact in relation to the application as a whole and the assessment principles set out in the Airports NPS.	No consequential environmental impacts have been identified in ES <b>Chapter 9 [TR020001/APP/5.01]</b> as a result of proposed adaptation measures.
	4.51	Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so.	Adaptation measures have been incorporated into the design of the Proposed Development to be constructed. Adaptation/mitigation measures during construction have been identified in <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> .
	4.52	Where adaptation measures are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project or the surrounding environment, the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development.	Adaptation measures to be incorporated throughout the operational lifetime of the Proposed Development are set out in <b>Section 9.8</b> and <b>Table 9.29</b> , <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> .

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	5.76	Pursuant to the terms of the Environmental Impact Assessment Regulations, the applicant should undertake an assessment of the project as part of the environmental statement, to include an assessment of any likely significant climate factors. The applicant should provide evidence of the carbon impact of the project (including embodied carbon), both from construction and operation, such that it can be assessed against the Government's carbon obligations, including but not limited to carbon budgets. The applicant should quantify the greenhouse gas impacts before and after mitigation to show the impacts of the proposed mitigation. This will require emissions to be split into traded sector and non-traded sector emissions, and for a distinction to be made between international and domestic aviation emissions.	<p>The construction and operational (Greenhouse Gas) GHG impact of the Proposed Development is set out in <b>Section 12.7</b> and <b>Section 12.9 of ES Chapter 12 [TR020001/APP/5.01]</b> which includes GHG emissions for the Future Baseline scenario (i.e. the Proposed Development is not consented) and the Core Planning Case with embedded mitigation scenarios.</p> <p>An assessment of the impact of the Proposed Development against the Government's carbon obligations, including the Jet Zero Strategy High Ambition Scenario for Aviation emissions and national carbon budgets for non-aviation emissions, is set out in <b>Section 12.9</b> of the same ES Chapter. Therefore, this matter is considered policy compliant.</p>



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	5.77	<p>As far as possible, the applicant's assessment should also seek to quantify impacts including:</p> <ul style="list-style-type: none"> <li>•Emissions from surface access due to airport and construction staff;</li> <li>•Emissions from surface access due to freight and retail operations and construction site traffic.</li> <li>•Emissions from surface access due to airport passengers / visitors; and</li> <li>•Emissions from airport operations including energy and fuel use. This should be undertaken in both a 'do minimum' and also in the 'do something' scenario for the opening, peak operation, and worst-case scenarios.</li> </ul>	<p>GHG emissions impacts for each of the required emissions sources are presented in <b>Section 12.9 of ES Chapter 12 [TR020001/APP/5.01]</b>. This includes Do-Minimum and Do-something with embedded mitigation scenarios for the year of opening, year of peak operation and the worst-case scenario. Therefore, this matter is considered policy compliant.</p>
	5.78	<p>The Secretary of State will need to be satisfied that the mitigation measures put forward by the applicant are acceptable, including at the construction stage. A management / project plan may help clarify and secure mitigation at this stage. The applicant is expected to take measures to limit the carbon impact of the project, which may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>•Zero or low-emission hybrid or electric vehicle use (ultra-low emission vehicles), charging and fuel facilities;</li> <li>•Reduced engine taxiing (improved taxiing efficiency);</li> <li>•Reducing emissions from aircraft at the gate;</li> <li>•Reduced emissions from airport buildings (for example from lower carbon heating);</li> <li>•Changes to the layout of surface access arrangements; and</li> </ul>	<p>Mitigation measures suggested in the policy have been considered in the embedded and additional measures to mitigate GHG emissions from the construction and operation of the Proposed Development which are presented in <b>Section 12.8 and Section 12.10 of ES Chapter 12 [TR020001/APP/5.01]</b>. These measures have been collated into the <b>Outline GHG Action Plan</b> available in <b>Appendix 12.1</b> in of the <b>ES [TR020001/APP/5.02]</b>.</p>

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		<ul style="list-style-type: none"> <li>•Encouraging increased use of public transport by staff and passengers.</li> </ul>	
	5.82	Any 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.	Following the tables set out here in <b>Section 12.2 of ES Chapter 12 [TR020001/APP/5.01]</b> , a summary description is provided (from <b>Section 12.2.5</b> of the same ES Chapter) for how the Proposed Development GHG assessment is being carried out including the assessment of significance and for the materiality of its emissions with respect to the Government's ability to meet its carbon reduction targets and budgets as referenced in paragraph 5.82 of the ANPS. Further description to this is also given from <b>Section 12.11</b> of the same ES Chapter. Therefore, this
	5.83	Evidence of appropriate mitigation measures (incorporating engineering plans on configuration and layout, and use of materials) in both design and construction should be presented as part of any application for development consent. The Secretary of State will consider the effectiveness of such mitigation measures in order to ensure that, in relation to design and construction, the carbon footprint is not unnecessarily high. The Secretary of State's view of the adequacy of the mitigation measures relating to design, construction and operational phases will be a material factor in the decision-making process.	

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			matter is considered policy compliant.
Cultural Heritage	5.193	As part of the environmental statement, the applicant should provide a description of the significance of the heritage assets affected by the proposed development, and the contribution of their setting to that significance. The level of detail should be proportionate to the asset's importance, and no more than is sufficient to understand the potential impact of the proposal on the significance of the asset. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. At a minimum, the relevant Historic Environment Record should be consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation. The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage asset affected can be adequately understood from the application and supporting documents.	<p>A description of the significance of heritage assets, and their setting, is set out in <b>Appendix 10.1 of ES Chapter 10 [TR020001/APP/5.01]</b> and in <b>Section 10.9</b> of the same ES Chapter.</p> <p>A list of data sources consulted to inform the cultural heritage baseline conditions is set out in <b>Section 10.5 of ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p>Cumulative effects are discussed in <b>Chapter 21</b> of the <b>ES [TR020001/APP/5.01]</b>.</p> <p>The approach to the assessment of the likely significant effects is described in <b>Section 10.9 of ES Chapter 10 [TR020001/APP/5.01]</b>. Therefore, these matters are considered policy compliant.</p>

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	5.194	Detailed studies will be required on those heritage assets affected by noise, light and indirect impacts based on the guidance provided in The Setting of Heritage Assets and the Aviation Noise Metric. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to assess the impact.	
	5.195	<p>The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>•Enhancing, through a range of measures such as sensitive design, the significance of heritage assets or setting affected;</li> <li>•Considering measures that address those heritage assets that are at risk, or which may become at risk, as a result of the scheme; and</li> <li>•Considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to or interpretation, understanding and appreciation of the heritage assets affected by the scheme.</li> </ul> <p>Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.</p>	

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	5.205	Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.	This assessment is presented in the <b>Section 9</b> and in <b>Appendix D</b> (Heritage Statement) of the <b>Planning Statement [TR020001/APP/7.01]</b> .  Recommendations to mitigate the loss of heritage significance (value) are set out in <b>Section 10.10</b> of <b>ES Chapter 10 [TR020001/APP/7.01]</b> , and comprise a staged programme of archaeological investigation, and reporting. The Heritage Statement, prepared to support the Cultural Heritage assessment, is found in <b>Appendix D</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> concluded that within the Luton Hoo RPG there are a number of designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (National Heritage List for England (NHLE) 1321301). While the setting of these assets, namely the park, will experience change as
	5.209	A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.	
	5.210	Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the nature and level of the asset's significance. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.	
	5.211	Where appropriate, the Secretary of State will impose requirements to the development consent order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in the Airports NPS and has been	

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		agreed in writing with the relevant local authority, and that the completion of the exercise is properly secured.	a result of the operational assessment phase of the Proposed Development, there will be no harm to the significance of the assets themselves. Therefore, this matter is considered policy compliant.
	5.212	Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	
Design	4.29	The applicant should include design as an integral consideration from the outset of a proposal.	The importance of good design acknowledged in <b>Section 7</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>DAS [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b> . Additionally, the <b>Sustainability Statement [TR020001/APP/7.07]</b> considers how the Proposed Development addresses policy and legislation relevant to sustainability.
	4.30	Visual appearance should be an important factor in considering the scheme design, as well as functionality, fitness for purpose, sustainability and cost. Applying 'good design' to airports projects should therefore produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, and matched by an appearance that demonstrates good aesthetics as far as possible.	
	4.31	A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the adverse impacts of the development, for example by improving operational conditions. It should also mitigate any existing adverse impacts wherever possible, for example in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable,	

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		taking into account capital cost, economics and environmental impacts.	
	4.32	Scheme design will be an important and relevant consideration in decision making. The Secretary of State will need to be satisfied that projects are sustainable and as aesthetically sensitive, durable, adaptable and resilient as they can reasonably be, having regard to regulatory and other constraints and including accounting for natural hazards such as flooding. The Secretary of State will also need to be satisfied that extant security, customs and immigration measures are maintained or reproved.	
	4.33	The scheme should take into account, as far as possible, both functionality, including fitness for purpose and sustainability, and aesthetics, including the scheme's contribution to the quality of the area in which it would be located. The applicant will want to consider the role of technology in delivering new airports projects. Professional, independent advice on the design aspects of a proposal should be undertaken to ensure good design principles are embedded into infrastructure proposals.	
	4.34	There may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical	

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		character and function, landscape permeability, landform, and vegetation.	
	4.35	The applicant should be able to demonstrate in its application how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, the applicant should set out the reasons why the favoured choice has been selected. The Examining Authority and Secretary of State will take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security standards which the design has to satisfy.	
Flood Risk	5.152	Applications for projects in the following locations should be accompanied by a flood risk assessment: <ul style="list-style-type: none"> <li>•Flood Zones 2 and 3 (medium and high probability of river and sea flooding);</li> <li>•Flood Zone 1 (low probability of river and sea flooding)</li> </ul> for projects of 1 hectare or greater, or projects which may be subject to other sources of flooding (local watercourses, surface water, groundwater or reservoirs), or where the Environment Agency has notified the local planning authority that there are critical drainage problems.	The <b>Flood Risk Assessment (FRA)</b> has been completed in line with the requirements outlined in the ANPS and provided in <b>Appendix 20.1 of the ES [TR020001/APP/5.07]</b> . Therefore, these matters are considered policy compliant.
	5.153	The applicant should identify and assess the risks of all forms of flooding to and from the preferred scheme, and demonstrate how these flood risks will be managed, taking climate change into account.	



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	5.154	<p>In preparing a flood risk assessment the applicant should:</p> <ul style="list-style-type: none"> <li>•Consider the risk of all forms of flooding arising from the development comprised in the preferred scheme, in addition to the risk of flooding to the project, and demonstrate how these risks will be managed and, where relevant, mitigated, so that the development remains safe throughout its lifetime;</li> <li>•Take into account the impacts of climate change, clearly stating the development lifetime over which the assessment has been made;</li> <li>•Consider the need for safe access and exit arrangements;</li> <li>•Include the assessment of residual risk after risk reduction measures have been taken into account, and demonstrate that this is acceptable for the development;</li> <li>•Consider if there is a need to remain operational during a worst case flood event over the preferred scheme's lifetime; and</li> <li>•Provide evidence for the Secretary of State to apply the Sequential Test and Exception Test, 198 as appropriate.</li> </ul>	
	5.155	<p>Where the preferred scheme may be affected by, or may add to, flood risk, the applicant is advised to seek early pre-application discussions with the Environment Agency, and, where relevant, other flood risk management bodies such as lead local flood authorities, Internal Drainage Boards, sewerage undertakers, highways authorities and reservoir owners and operators. These discussions can</p>	

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		be used to identify the likelihood and possible extent and nature of the flood risk, help scope the flood risk assessment, and identify the information that may be required by the Secretary of State to reach a decision on the application. If the Environment Agency has concerns about proposals on flood risk grounds, the applicant is encouraged to discuss these concerns at a sufficiently early stage with the Environment Agency and explore ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns, before the application for development consent is submitted.	
	5.156	For local flood risk (surface water, groundwater and ordinary watercourse flooding), local flood risk management strategies and surface water management plans provide useful sources of information for consideration in a flood risk assessment. Surface water flood issues need to be understood to allow them to be taken into account, for example by clearly identifying and managing flow routes.	
	5.157	When assessing the potential impacts of climate change on airports which can be wider than flooding impacts, such as implications from heat and water availability and the potential adaptation strategies for them, the applicant should take into account the latest UK Climate Change Risk Assessment, the latest set of UK Climate	

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		Projections, and other relevant sources of climate change evidence.	
	5.158	The applicant should ensure that the preferred scheme design takes into account flood risk, and should put forward measures to mitigate the impact of flooding.	The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and described in <b>Section 20.8</b> of <b>ES Chapter 20 [TR020001/APP/5.01]</b> . The sequential approach has been applied in the completion of the <b>FRA</b> provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b> . Therefore, most matters regarding
	5.159	Mitigation measures will need to be developed as part of the applicant's application for development consent to ensure that it is safe from flooding, and will not increase flood risk elsewhere for the proposed development's lifetime, taking into account climate change.	
	5.160	To satisfactorily manage flood risk and the impact of the natural water cycle on people, property and ecosystems, good design and infrastructure may need to be secured using requirements or planning obligations. This may include the use of sustainable drainage systems but could also include vegetation to help to slow runoff, hold back peak flows, and make landscapes more able to absorb the impact of severe weather events.	
	5.161	In the Airports NPS, the term sustainable drainage systems is used and taken to cover the whole range of sustainable approaches to surface water drainage management including: <ul style="list-style-type: none"> <li>•Source control measures including rainwater recycling and drainage;</li> <li>•Infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal</li> </ul>	

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		facilities; <ul style="list-style-type: none"> <li>•Filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>•Filter drains and porous pavements to allow rainwater and runoff to infiltrate into permeable material below ground and provide storage if needed;</li> <li>•Basins and ponds to hold excess water after rain and allow controlled discharge that avoids flooding; and</li> <li>•Flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</li> </ul>	drainage are considered policy compliant.
	5.162	Site layout and surface water drainage systems should be able to cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	
	5.163	The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, taking into account climate change, unless specific off-site arrangements are made and result in the same net effect.	
	5.164	It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the main application site. There may be	

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		circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation or a development consent order requirement.	
	5.165	The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. The applicant should seek opportunities where appropriate to use open space for multiple purposes such as amenity, wildlife habitat, and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using sustainable drainage systems.	
	5.166	Where flood risk is a factor in determining an application for development consent, the Secretary of State will need to be satisfied that, where relevant: <ul style="list-style-type: none"> <li>•The application is supported by an appropriate flood risk assessment; and</li> <li>•The Sequential Test has been applied as part of site selection and, if required, the Exception Test.</li> </ul>	
	5.167	When determining an application, the Secretary of State will need to be satisfied that flood risk will not be increased elsewhere, and will only consider development appropriate in areas at risk of flooding where, informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test, it can be	

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		<p>demonstrated that:</p> <ul style="list-style-type: none"> <li>•Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and</li> <li>•Over its lifetime, development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning, and that priority is given to the use of sustainable drainage systems.</li> </ul>	
	5.168	The applicant should take into account the potential impacts of climate change using the latest UK Climate Change Risk Assessment, the latest set of UK Climate Projections, and other relevant sources of climate change evidence. The applicant should also ensure any environment statement that is prepared identifies appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of an environmental statement, the Examining Authority or the Secretary of State will consider whether they need to request additional information from the applicant as part of the development consent application.	The consideration of the UK Climate Change Risk Assessment in the methodology is described in <b>Section 9.5 of ES Chapter 9 [TR020001/APP/5.01]</b> . <b>Section 9.3</b> of the same ES Chapter sets out the responses to comments received from the Planning Inspectorate via the Scoping Opinion. <b>Section 9.4</b> of the same ES Chapter outlines engagement with statutory consultation bodies and other key stakeholders. Mitigation measures have been developed to manage risks. These are described in <b>Section 9.8</b> of the same. Therefore,
	5.169	When determining an application, the Secretary of State will need to be satisfied that the potential effects of climate	

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		change on the development have been considered as part of the design.	this matter is considered policy compliant.
Health and Community	4.70	The construction and use of airports infrastructure has the potential to affect people’s health, wellbeing and quality of life. Infrastructure can have direct impacts on health because of traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluting water, hazardous waste and pests.	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ul style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result from negative perceptions and uncertainty in relation to all assessment phases of the Proposed Development.</li> <li>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House</li> </ul>
	4.71	New or enhanced airports infrastructure may also have indirect health impacts, for example if they affect access to key public services, local transport, opportunities for cycling and walking, or the use of open space for recreation and physical activity. It should also be noted, however, that the increased employment stemming from airport expansion may have indirect positive health impacts.	
	4.72	As described elsewhere in the Airports NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant health impacts.	

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	4.73	The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, the Examining Authority and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.	<p>Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until assessment Phase 2a works commence in the period 2031 – 2033 and that the commitment to support relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p>



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			<p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p> <p>f. There are no likely significant effects on community resources during operation.</p>
Open Space and Green Belt	5.111	The applicant should identify existing and proposed land uses near the project, including any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. The applicant should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors.	The detailed Site and Surroundings also documented in <b>Chapter 2</b> of the <b>ES [TR020001/APP/5.01]</b> . Relevant information is also set out in <b>Section 6.3</b> of <b>ES Chapter 6 [TR020001/APP/5.01]</b> , and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> . Therefore, this matter is considered policy compliant.

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	5.112	Existing open space, sports and recreational buildings and land should not be developed unless the land is no longer needed or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. If the applicant is considering proposals which would involve developing such land, it should have regard to any local authority's assessment of need for such types of land and buildings.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.113	During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is no longer needed. These are also matters that local authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.	The Host Authorities have been consulted at various stages of development of the scheme proposed. The <b>Consultation Report [TR020001/APP/6.01]</b> covers this matter in greater depth.
	5.114	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances which are already the subject of Government guidance. The applicant should therefore determine whether the proposal, or any part of it, is within an established Green Belt and, if so, whether its proposal	This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the

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		may be considered inappropriate development within the meaning of Green Belt policy. Metropolitan Open Land and land designated a Local Green Space in a local or neighbourhood plan are subject to the same policies of protection as Green Belt, and inappropriate development should not be approved except in very special circumstances.	Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
	5.115	The applicant should take into account the economic and other benefits of best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, the applicant should seek to use areas of poorer quality land in preference to that of a higher quality. The applicant should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed.	Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b> . The Proposed Development has sought to avoid impacting on high quality best and most versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of

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			<p>the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2</b> of the <b>ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits.</p> <p>The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land is Subgrade 3a, rather than the higher subgrades 1 or 2.</p>
	5.116	<p>For developments where land may be affected by contamination, or existing mitigation is in place in respect of historic contamination, the applicant should have regard to the statutory regime contained in Part IIA of the Environmental Protection Act 1990 and relevant Government guidance relating to or dealing with contaminated land.</p>	<p>A set of land contamination assessments for human health and controlled waters provided as <b>Appendices 17.1 to 17.4</b> of the <b>ES [TR020001/APP5.02]</b> have been undertaken for the Proposed Development in accordance with the required statutory guidance and best practice. A summary of the findings is presented in <b>Section 17.7</b> of <b>ES Chapter 17 [TR020001/APP5.01]</b>.</p> <p>An <b>Outline Remediation Strategy</b></p>

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			<p>(<b>Appendix 17.5 of the ES [TR020001/APP5.02]</b>) has been produced which identifies mitigation measures to address land contamination. These measures are summarised in <b>Section 17.8 of ES Chapter 17 [TR020001/APP5.01]</b> as embedded and best practice mitigation.</p> <p>Therefore, this matter is considered policy compliant.</p>
	5.117	The applicant should safeguard any mineral resources on the proposed site for the preferred scheme as far as possible.	This is addressed in the <b>Section 17.9 of ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.
	5.118	The applicant can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site, by the application of good design principles, including the layout of the project and the protection of soils during construction.	The sustainable use of soil as part of the Proposed Development is considered in <b>Sections 6.7, 6.8, 6.9 and 6.11 of ES Chapter 6 [TR020001/APP/5.01]</b> . Also see <b>Appendices 6.1 to 6.6 of the ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.

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	5.119	Where green infrastructure is affected, the applicant should aim to ensure the functionality and connectivity of the green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to National Trails and other public rights of way.	The mitigation measures set out in <b>Sections 14.8 and 14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. Therefore, this matter is considered policy compliant.
	5.120	The Secretary of State must also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of requirements, planning obligations, or any other means, for example to provide exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, any replacement land provided under those sections will need to conform to the requirements of those sections.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.121	Where the preferred scheme has an impact on a mineral safeguarding area, the Secretary of State must ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.	This is addressed in the <b>Section 17.9 of ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.

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	5.122	Where a project has a sterilising effect on land use, there may be scope for this to be mitigated through, for example, using the land for nature conservation or wildlife corridors.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.123	Public rights of way, National Trails and other rights of access to land are important recreational facilities for walkers, cyclists and equestrians. The applicant is expected to take appropriate mitigation measures to address adverse effects on National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way, consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures might be attached to any grant of development consent.	The mitigation measures set out in <b>Sections 14.8</b> and <b>14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. This is also considered in <b>Section 13.9</b> of <b>ES Chapter 13 [TR020001/APP/5.01]</b> from the perspective of access and impact on community. Therefore, this matter is considered policy compliant.
	5.124	The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the

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		local authority or independently, which has shown the open space or the buildings and land to be no longer needed, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.	Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.125	Where networks of green infrastructure have been identified in development plans, they should normally be protected from development and, where, possible, strengthened by or integrated within it. The Secretary of State will also have regard to the effect of the development upon and resulting from existing land contamination, as well as the mitigation proposed.	The <b>Soil Management Plan (SMP) [TR020001/APP/5.02]</b> will ensure that impacts on soils or soil resources are minimised in accordance with the ANPS. Therefore, this matter is considered policy compliant.
	5.126	The Secretary of State will take into account the economic and other benefits of the best and most versatile agricultural land, and ensure the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.	Studies used to determine soil resources within the Main Application Site available for reuse as part of the Proposed Development have been carried out and are provided in <b>Appendices 6.3 to 6.5</b> of the <b>ES [TR020001/APP/5.02]</b> . The findings are summarised at <b>Section 6.7</b> of <b>ES Chapter 6 [TR020001/APP/5.01]</b> . <b>Section 6.8</b> of the same chapter describes the mitigation measures outlined to



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			<p>minimise impacts on soils. An assessment of the likely significant effects of the Proposed Development on soil resources is made at <b>Section 6.9</b> of the same Chapter.</p> <p>The SMP will ensure that impacts on soils or soil resources are minimised in accordance with the ANPS.</p>
	5.127	<p>When located in the Green Belt, projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development. In exchange for, or so as to ensure the re-provision of, lost Green Belt land, the Secretary of State may require the provision of other land by the applicant, to be declared as Green Belt under the Green</p>	<p>This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt.</p> <p>There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been</p>

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		Belt (London and the Home Counties) Act 1938. The provision of such land should be in accordance with the National Planning Policy Framework or any successor document, and take into account relevant development plan policies.	demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
Landscape and Visual Impact	5.214	Where the development is subject to an Environmental Impact Assessment, the applicant should undertake an assessment of any likely significant landscape and visual impacts and describe them in the environmental statement. The landscape and visual assessment should reference any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the preferred scheme. In addition, the applicant's assessment should take account of any relevant policies based on these assessments in local development documents.	An assessment of the likely landscape and visual effects of the Proposed Development is presented in <b>Section 14.9 of ES Chapter 14 [TR020001/APP5.01]</b> . This assessment refers to relevant landscape character and green infrastructure studies as a means of assessing the landscape effects. As this matter has been sufficiently addressed, it is considered to be policy compliant.
	5.215	The applicant's assessment should include any significant effects during construction of the preferred scheme and / or the significant effects of the completed development and its operation on landscape components and landscape character, including historic characterisation. This should include assessment of any landscape and visual impacts as a result of the development, for example surface access proposals or aviation activity.	An assessment of the likely landscape and visual effects of the Proposed Development during both the construction and operational periods is presented in <b>Section 14.9 of ES Chapter 14 [TR020001/APP5.01]</b> . As this matter has been sufficiently

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	5.216	The assessment should include the visibility and conspicuousness of the preferred scheme during construction and the presence and operation of the preferred scheme and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquillity and nature conservation.	addressed, it is considered to be policy compliant.
	5.218	Landscape effects depend on the nature of the existing landscape likely to be changed and nature of the effect likely to occur. Both these factors need to be considered in judging the impact of the preferred scheme on the landscape. The preferred scheme needs to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the development should aim to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	

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	5.219	Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a statutory duty to have regard to in decisions.	<p>The Chilterns Area of Outstanding Natural Beauty (AONB) is located approximately 3km north and 5km west of the airport. The Study Area for the LVIA includes, for the purpose of considering impacts on tranquillity, land within the Chilterns AONB where aircraft would be below 7,000 ft. above mean sea level (AMSL).</p> <p>The Chilterns AONB is identified in <b>Section 14.7 of ES Chapter 14</b></p>

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	5.222	The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The development should aim to avoid compromising the purposes of designation, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints.	<p><b>[TR020001/APP5.01]</b> and is used in <b>Section 14.9</b> of the same ES Chapter to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor. Officers from The Chilterns Conservation Board were consulted on the Proposed Development pre-statutory consultation, as summarised in <b>Section 14.4</b> of the same ES Chapter.</p> <p>The increase in aircraft movements is also assessed to result in a significant adverse effect on the aesthetic and perceptual characteristics of the landscape within the Chilterns AONB. Although the application to extend the AONB is at a very early stage, a sensitivity test of the proposed boundary extension to the AONB is included at <b>Appendix 14.9</b> of the <b>ES [TR020001/APP/5.02]</b>.</p>

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	5.223	Outside nationally designated areas, there are local landscapes and townscapes that are highly valued locally and may be protected by local designation. Where a local development document in England has policies based on landscape character assessment, these should be given particular consideration. However, local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development.	Areas of landscape that are highly valued locally and/or protected by a local landscape/visual designation are identified in <b>Section 14.7 of ES Chapter 14 [TR020001/APP5.01]</b> and are used in <b>Section 14.9</b> to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor. As this matter has been sufficiently addressed, it is considered to be policy compliant.
	5.224	In taking decisions, the Secretary of State will consider whether the preferred scheme has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.	
	5.225	The Secretary of State will judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development.	The Landscape and Visual Impact Assessment (LVIA) also considers tranquillity when undertaking the assessment of effects on landscape receptors (specifically where identifying the value of a landscape receptor and when considering the magnitude of landscape impacts on that receptor) as presented in <b>Section 14.9 of ES Chapter 14 [TR020001/APP5.01]</b> .

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			The mitigation measures to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton.
Noise and Vibration	4.70	The construction and use of airports infrastructure has the potential to affect people's health, wellbeing and quality of life. Infrastructure can have direct impacts on health because of traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluting water, hazardous waste and pests.	The negative health impacts arising as a result of the Proposed Development have been largely mitigated against and have been assessed in <b>Sections 13.8, 13.9 and 13.10 of ES Chapter 13 [TR020001/APP/5.01]</b> .
	4.71	New or enhanced airports infrastructure may also have indirect health impacts, for example if they affect access to key public services, local transport, opportunities for cycling and walking, or the use of open space for recreation and physical activity. It should also be noted, however, that the increased employment stemming from airport expansion may have indirect positive health impacts.	These impacts have been considered in <b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> . Additionally, to ensure that the local area benefits from the new employment opportunities, the application for development consent includes an <b>Employment and Training Strategy (ETS) [TR020001/APP/7.05]</b> which sets out measures to enable the local workforce to attain skills relevant to

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			employment opportunities resulting from airport growth.
	4.72	As described elsewhere in the Airports NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant health impacts.	The entirety of <b>ES Chapter 13 [TR020001/APP/5.01]</b> covers these matters in depth.
	4.73	The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, the Examining Authority and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.	<b>Sections 13.8 and 13.10 of ES Chapter 13 [TR020001/APP/5.01]</b> cover mitigation measures to ameliorate any negative impacts on Health and Community as a result of the Proposed Development.



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	5.52	<p>Pursuant to the terms of the Environmental Impact Assessment Regulations, the applicant should undertake a noise assessment for any period of change in air traffic movements prior to opening, for the time of opening, and at the time the airport is forecast to reach full capacity, and (if applicable, being different to either of the other assessment periods) at a point when the airport's noise impact is forecast to be highest. This should form part of the environmental statement. The noise assessment should include the following:</p> <ul style="list-style-type: none"> <li>•A description of the noise sources;</li> <li>•An assessment of the likely significant effect of predicted changes in the noise environment on any noise sensitive premises (including schools and hospitals) and noise sensitive areas (including National Parks and Areas of Outstanding Natural Beauty);</li> <li>•The characteristics of the existing noise environment, including noise from aircraft, using noise exposure maps, and from surface transport and ground operations associated with the project, the latter during both the construction and operational phases of the project;</li> <li>•A prediction on how the noise environment will change with the proposed project; and</li> <li>•Measures to be employed in mitigating the effects of noise. These should take into account construction and operational noise (including from surface access arrangements) and aircraft noise.</li> </ul>	<p>The assessment years for identifying the likely significant effect of air noise are set out in <b>Section 16.3 of ES Chapter 16 [TR020001/APP5.01]</b>. A description of the noise sources included in the assessment are set out in <b>Section 16.5</b> of the same ES Chapter. The assessment of significant effects covering the identified source of noise and vibration are described in <b>Section 16.9</b> of the same ES chapter. The effect of noise on sensitive landscape and visual receptors is covered in <b>Chapter 14</b> of the <b>ES [TR020001/APP/5.01]</b>. The characteristics of the existing noise environment are provided in <b>Section 16.7 of ES Chapter 16 [TR020001/APP5.01]</b>. An assessment of effects due to construction activities and predictions on how the noise environment will change as a result of the Proposed Development is provided in <b>Section 16.9</b> of the</p>

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		<p>The applicant’s assessment of aircraft noise should be undertaken in accordance with the developing indicative airspace design. This may involve the use of appropriate design parameters and scenarios based on indicative flightpaths.</p>	<p>same ES Chapter. Measures to be employed in mitigating the effects of noise are described in <b>Section 16.10</b> of the same ES Chapter.</p> <p>The airspace change for London Luton Airport is at very early stages of development (initial options appraisal) and hence there is not sufficient detail to assess the implications of airspace change (which is assessed separately through the Civil Aviation Authority’s Airspace Change Process). Consequently, the assessment has been undertaken based on current operational procedures. However, a sensitivity test has been undertaken to demonstrate how airspace change is expected to be accommodated within the Noise Envelope (see <b>Section 16.9</b>). Details on how sensitivity tests including airspace change are addressed in the <b>ES</b> is provided in <b>Section 5.4 of Chapter 5 of the ES [TR020001/APP/5.01]</b>.</p>

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	5.53	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. For the prediction, assessment and management of construction noise, reference should be made to any British Standards and other guidance which give examples of mitigation strategies. In assessing the likely significant impacts of aircraft noise, the applicant should have regard to the noise assessment principles, including noise metrics, set out in the national policy on airspace.	The noise requirements of the relevant policy, guidance and British Standards are set out in <b>Table 16.2</b> and <b>Table 16.4</b> of <b>ES Chapter 16 [TR020001/APP/5.01]</b> . The assessment methodology, described in <b>Section 16.5</b> of the same ES Chapter, has been developed in line with the requirements set out in policy, guidance and British Standards. Therefore, this matter is considered to be policy compliant.
	5.54	Noise management at airports where a noise problem has been identified is subject to the concept of a 'Balanced Approach', referred to above. EU Regulation 598/2014, which adopts the Balanced Approach, also lays down a procedure for the adoption of noise-related operating restrictions, in particular a requirement for prior consultation.	The 'Balanced Approach' to noise control in was followed when defining the mitigation measures identified in <b>ES Chapter 16</b> (see <b>Section 16.8</b> and <b>Section 16.10</b> ) <b>[TR020001/APP5.01]</b> . The Noise Envelope is described in <b>Section 16</b> of the same ES Chapter. Best practice construction noise mitigation measures are secured through the <b>Code of Construction Practice (CoCP)</b> ( <b>Appendix 4.2</b> of the <b>ES [TR020001/APP/5.02]</b> ).
	5.55	The Government recognises that aircraft noise is a significant concern to communities affected and that, as a result of additional runway capacity, noise-related action will need to be taken. Such action should strike a fair balance between the negative impacts of noise and positive impacts of flights.	

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	5.56	The Government also recognises that predictable periods of relief from aircraft noise (known as respite) are important for communities affected, and that noise at night is widely regarded as the least acceptable aspect of aviation noise for those communities, with the costs on communities of aircraft noise during the night (particularly the health costs associated with sleep disturbance) being higher.	Therefore, these matters are considered policy compliant.
	5.58	The Secretary of State will consider whether the mitigation measures put forward by the applicant following consultation are acceptable. The noise mitigation measures should ensure the impact of aircraft noise is limited and, where possible, reduced compared to the 2013 baseline assessed by the Airports Commission.	
	5.60	The applicant should put forward plans for a noise envelope. Such an envelope should be tailored to local priorities and include clear noise performance targets. As such, the design of the envelope should be defined in consultation with local communities and relevant stakeholders, and take account of any independent guidance such as from the Independent Commission on Civil Aviation Noise. The benefits of future technological improvements should be shared between the applicant and its local communities, hence helping to achieve a balance between growth and noise reduction. Suitable review periods should be set in consultation with the	

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		parties mentioned above to ensure the noise envelope's framework remains relevant.	
	5.64	Noise mitigation measures at the construction stage should also be provided. These should draw on best practice from other major construction schemes, with due regard given to any relevant British Standards and other guidance, and should be taken into account during the procurement of contractors.	
	5.65	Other measures to mitigate noise during the construction and operation of the development may include one or more of the following: <ul style="list-style-type: none"> <li>•Reducing noise at point of generation and containment of noise generated;</li> <li>•Where possible, optimising the distance between source and noise-sensitive receptors, and incorporating good design to minimise noise transmission through screening by natural barriers or other buildings; and</li> <li>•Restricting activities allowed on the site.</li> </ul>	
	5.66	The Secretary of State will expect the applicant to put forward proposals as to how these measures may be secured and enforced, including the bodies who may enforce the measures. These bodies might include the Secretary of State, local authorities (including those over a wider area), and / or the Civil Aviation Authority.	

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	5.67	The proposed development must be undertaken in accordance with statutory obligations for noise. Due regard must have been given to national policy on aviation noise, and the relevant sections of the Noise Policy Statement for England, the National Planning Policy Framework, and the Government's associated planning guidance on noise. However, the Airports NPS must be used as the primary policy on noise when considering the Heathrow Northwest Runway scheme, and has primacy over other wider noise policy sources.	Although this statement concludes with reference to the Heathrow Northwest Runway scheme, this information is considered relevant to the DCO application for the Proposed Development. The requirements of statutory obligations and policies cited are presented in <b>Table 16.1</b> and <b>Table 16.2</b> of <b>ES Chapter 16 [TR020001/APP5.01]</b> . Therefore, this matter is considered policy compliant.
	5.68	Development consent should not be granted unless the Secretary of State is satisfied that the proposals will meet the following aims for the effective management and control of noise, within the context of Government policy on sustainable development: <ul style="list-style-type: none"> <li>•Avoid significant adverse impacts on health and quality of life from noise;</li> <li>•Mitigate and minimise adverse impacts on health and quality of life from noise; and</li> <li>•Where possible, contribute to improvements to health and quality of life.</li> </ul>	<p><b>Section 16.9</b> of <b>ES Chapter 16 [TR020001/APP5.01]</b> shows that noise during the Project will reduce from 2019 Actuals baseline scenario due to fleet transition to less noisy new generation aircraft, therefore, there will be no increase in significant adverse impacts on health and quality of life from noise as less people will be affected by significant levels of noise in the future.</p> <p>The application of the Noise Envelope (<b>Section 16.8</b> of <b>ES</b></p>

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			<p><b>Chapter 16 [TR020001/APP5.01]</b> and noise insulation (<b>Section 16.10</b> of the same ES Chapter) demonstrates how the Project will mitigate and minimise adverse impacts on health and quality of life.</p> <p>Provision of noise insulation will improve acoustic conditions within dwellings and improve health and quality of life for occupants when compared to a ‘with Proposed Development scenario’ in which noise insulation is not provided. The noise envelope will provide a mechanism for predictable growth and the sharing of noise benefits from new aircraft technology with local communities.</p> <p>Therefore, this matter is considered policy compliant.</p>
Land Contamination and Instability	5.227	Where necessary, land stability should be considered in respect of new development, as set out in the National Planning Policy Framework and supporting planning guidance. Specifically, proposals should be appropriate for the location, including preventing unacceptable risks	<p>Geotechnical assessment has been undertaken which takes into account potential land stability issues.</p> <p><b>Section 17.8 of ES Chapter 17 [TR020001/APP5.01]</b> summarises</p>

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		from land instability. If land stability could be an issue, the applicant should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected. Applicants should liaise with the Coal Authority if necessary.	how land stability risks would be mitigated and minimised. Therefore, these matters are considered policy compliant.
	5.228	A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed application for development consent is prepared. The applicant should ensure that any necessary investigations are undertaken to confirm that their sites are and will remain stable, or can be made so as part of the development. The site needs to be assessed in the context of surrounding areas where subsidence, landslides and land compression could threaten the development during its anticipated life or damage neighbouring land or property. This could be in the form of a land stability or slope stability risk assessment report.	
	5.229	The applicant has a range of mechanisms available to mitigate and minimise risks of land instability. These include: <ul style="list-style-type: none"> <li>•Establishing the principle and layout of new development, for example avoiding mine entries and other hazards;</li> <li>•Ensuring proper design of structures to cope with any movement expected and other hazards such as mine and / or ground gases; or</li> </ul>	



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		<ul style="list-style-type: none"> <li>•Requiring ground improvement techniques, usually involving the removal of poor material and its replacement with suitable inert and stable material.</li> </ul> For development on land previously affected by mining activity, this may mean prior extraction of any remaining mineral resource.	
	5.109-5.127	Policies concerned with land contamination. For developments where land may be affected by contamination, or existing mitigation is in place in respect of historical contamination, the applicant should have regard to the statutory regime contained in Part IIA of the Environmental Protection Act 1990 and relevant Government guidance relating to or dealing with contaminated land. Where the development is subject to an Environmental Impact Assessment (EIA), the applicant should undertake an assessment of any likely significant land quality effects and describe them in the ES. How they have been avoided/minimised/addressed should be documented. The objective is to ensure that the site is suitable for its intended use.	A set of land contamination assessments for human health and controlled waters provided as <b>Appendices 17.1 to 17.4</b> of the <b>ES [TR020001/APP5.02]</b> have been undertaken for the Proposed Development in accordance with the required statutory guidance and best practice. A summary of the findings is presented in <b>Section 17.7 of ES Chapter 17 [TR020001/APP5.01]</b> . Therefore, this matter is considered policy compliant.  An <b>Outline Remediation Strategy (Appendix 17.5 of the ES [TR020001/APP5.02])</b> has been produced which identifies mitigation measures to address land contamination. These measures are

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			summarised in <b>Section 17.8</b> of <b>ES Chapter 17 [TR020001/APP5.01]</b> as embedded and best practice mitigation. Therefore, this matter is considered policy compliant.
	5.117	The applicant should safeguard any mineral resources on the proposed site for the preferred scheme as far as possible.	This is addressed in the <b>Section 17.9</b> of <b>ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.
Surface Access	4.70	The construction and use of airports infrastructure has the potential to affect people's health, wellbeing and quality of life. Infrastructure can have direct impacts on health because of traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluting water, hazardous waste and pests.	The negative health impacts arising as a result of the Proposed Development have been largely mitigated against and have been assessed in <b>Section 13.8</b> of <b>ES Chapter 13 [TR020001/APP5.01]</b> .

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	4.71	New or enhanced airports infrastructure may also have indirect health impacts, for example if they affect access to key public services, local transport, opportunities for cycling and walking, or the use of open space for recreation and physical activity. It should also be noted, however, that the increased employment stemming from airport expansion may have indirect positive health impacts.	These impacts have been considered in <b>ES Chapter 13 [TR020001/APP5.01]</b> . Additionally, the Proposed Development includes an Employment and Training Strategy to benefit the local population. The E S covers mitigation measures to ameliorate any negative impacts. An Equalities Impact Assessment <b>[TR020001/APP7.11]</b> has also been conducted. Therefore, these matters have been considered policy compliant.
	4.72	As described elsewhere in the Airports NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant health impacts.	
	4.73	The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, the Examining Authority and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.	
	4.74	The Government is committed to creating a more accessible and inclusive transport network that provides a range of opportunities and choices for all people to connect with jobs, services and leisure opportunities. This commitment extends to all the users of new airports infrastructure, and to the associated surface access facilities.	

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	4.76	<p>In accordance with legal and best practice in relation to accessibility:</p> <ul style="list-style-type: none"> <li>•The Government requires the applicant to include clear details of how plans will improve access on and around the airport by designing and delivering schemes (both new construction and upgrade or refurbishment) that address the accessibility needs of all those who use, or are affected by, surface access infrastructure, including those with physical and/or mental impairments as well as older users. Every opportunity to deliver improvements in accessibility on and to the existing national road network should also be taken;</li> <li>•The Government will continue to work to ensure that all bus and train fleets comply with legal access standards by 2020, and to improve rail station access for those with impairments in accordance with legislation and best practice; and the car will continue to play an important role, providing disabled people with independence where other forms of transport are not accessible or available. Easy access and car parking provision at the airports is essential to this goal and must meet standards set down in guidance (such as the Department for Transport's Inclusive Mobility)</li> </ul>	<p>The <b>DAS [TR020001/APP/7.03]</b> outlines those considerations factored into the design of the Proposed Development to ensure that the airport is providing equal access for all potential users.</p>

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	5.9	<p>The applicant must prepare an airport surface access strategy in conjunction with its Airport Transport Forum, in accordance with the guidance contained in the Aviation Policy Framework. The airport surface access strategy must reflect the needs of the scheme contained in the application for development consent, including any phasing over its development, implementation and operational stages, reflecting the changing number of passengers, freight operators and airport workers attributable to the number of air traffic movements. The strategy should reference the role of surface transport in relation to air quality and carbon. The airport surface access strategy must contain specific targets for maximising the proportion of journeys made to the airport by public transport, cycling or walking. The strategy should also contain actions, policies and defined performance indicators for delivering against targets, and should include a mechanism whereby the Airport Transport Forum can oversee implementation of the strategy and monitor progress against targets alongside the implementation and operation of the preferred scheme.</p>	<p>The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3 in Appendix 18.2</b> of the <b>ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.</p> <p>The <b>SAS [TR020001/APP/7.12]</b> in <b>Section 6.1</b> notes that the Applicant's toolbox approach</p>

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			<p>ensures that under any future scenario the Applicant will be able to reduce the impact of surface access on air quality. Air quality, which includes emissions from traffic, is covered in <b>Chapter 7</b> of the <b>ES [TR020001/APP/5.01]</b> and carbon in <b>Chapter 12</b> of the <b>ES [TR020001/APP/5.01]</b>.</p> <p><b>Section 5</b> of the SAS <b>[TR020001/APP/7.12]</b> outlines the approach to determining Key Performance Indices and the way this will be managed and funded is described in <b>Section 8</b> of the document.</p> <p>Based on the above, these matters are considered policy compliant.</p>
	5.10	The applicant should assess the implications of airport expansion on surface access network capacity using the Web TAG methodology stipulated in the Department for Transport guidance, or any successor to such methodology. The applicant should consult Highways England, Network Rail and highway and transport authorities, as appropriate, on the assessment and	<p>The transport modelling follows the WebTAG methodology. Engagement that has been undertaken is summarised in <b>Section 18.4</b> of <b>ES Chapter 18 [TR020001/APP5.01]</b>. Separate assessments for construction and</p>

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		proposed mitigation measures. The assessment should distinguish between the construction and operational project stages for the development comprised in the application.	operation are presented in <b>Section 18.9 in ES Chapter 18 [TR020001/APP5.01]</b> . Overall, this matter is considered policy compliant.
	5.11	The applicant should also consult with Highways England, Network Rail and relevant highway and transport authorities, and transport operators, to understand the target completion dates of any third party or external schemes included in existing rail, road or other transport investment plans. It will need to assess the effects of the preferred scheme as influenced by such schemes and plans. Such consultation and assessment, both of third party schemes on which the preferred scheme depends, and others which interact with it, all of which may be subject to their own planning, funding and approval processes, must be understood in terms of implications of the timings for the applicant's own surface access proposals.	
	5.13	For schemes and related surface access proposals or other works impacting on the strategic road network, the applicant should have regard to DfT Circular 02/2013, The Strategic Road Network and the delivery of sustainable development (or prevailing policy), and the National Networks NPS. This sets out the way in which the highway authority for the strategic road network will	

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		engage with communities and the development industry to deliver sustainable development and economic growth, whilst safeguarding the primary function and purpose of the network.	
	5.14	The surface access systems and proposed airport infrastructure may have the potential to result in severance in some locations. Where appropriate, the applicant should seek to deliver improvements or mitigation measures that reduce community severance and improve accessibility.	The proposals for surface access as set out in <b>Chapter 6</b> of the <b>TA [TR020001/APP/7.02]</b> and <b>Section 18.8</b> of <b>ES Chapter 18 [TR020001/APP5.01]</b> will improve accessibility to the airport for both air passengers and employees. Severance is considered in <b>Section 18.8</b> of the same ES Chapter. Therefore, this matter is considered policy compliant.
	5.15	In its application, the applicant should set out the mitigation measures that it considers are required to minimise and mitigate the effect of expansion on existing surface access arrangements.	<b>Section 18.8</b> and <b>18.10</b> of <b>ES Chapter 18 [TR020001/APP5.01]</b> cover mitigation measures associated with the Proposed Development and any resultant impacts on traffic and transport.
	5.16	The applicant should demonstrate in its assessment that the proposed surface access strategy will support the additional transport demands generated by airport expansion. This should be appropriately secured.	The <b>SAS [TR020001/APP/7.12]</b> together with the <b>TA [TR020001/APP/7.02]</b> form part of the documentation for the



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	5.18	The applicant should commit to annual public reporting on performance against these specific targets. The airport surface access strategy should consider measures and incentives which could help to manage demand by car users travelling to and from the airport, as well as physical infrastructure interventions, having at all times due regard to the effect of its strategy on the surrounding area and transport networks. The strategy should also include an assessment of the feasibility of the measures proposed as well as the benefits and disbenefits related to those measures, including any implications for Highways England, Network Rail and affected relevant highway authorities and transport providers. These measures could be used to help achieve mode share targets and should be considered in conjunction with measures to mitigate air quality impacts as described in the Airports NPS.	application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3 in Appendix 18.2</b> of the <b>ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.
	5.20	Where a surface transport scheme is not solely required to deliver airport capacity and has a wider range of beneficiaries, the Government, along with relevant stakeholders, will consider the need for a public funding contribution alongside an appropriate contribution from the airport on a case by case basis. The Government recognises that there may be some works which may not be required at the time the additional runway opens, but will be needed as the additional capacity becomes fully utilised. The same principle applies that, where a	<b>Section 18.8 and 18.10 of ES Chapter 18 [TR020001/APP5.01]</b> cover mitigation measures associated with the Proposed Development and any resultant impacts on traffic and transport.

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		transport scheme is not solely required to deliver airport capacity, the Government, along with relevant stakeholders, will consider the need for a public funding contribution alongside an appropriate contribution from the airport on a case by case basis.	
	5.21	The applicant's proposals will give rise to impacts on the existing and surrounding transport infrastructure. The Secretary of State will consider whether the applicant has taken all reasonable steps to mitigate these impacts during both the development and construction phase and the operational phase. Where the proposed mitigation measures are insufficient to effectively offset or reduce the impact on the transport network, arising from expansion, of additional passengers, freight operators and airport workers, the Secretary of State will impose requirements on the applicant to accept requirements and / or obligations to fund infrastructure or implement other measures to mitigate the adverse impacts, including air quality.	
	5.22	Provided the applicant is willing to commit to transport planning obligations to satisfactorily mitigate transport impacts identified in the transport assessment (including environment and social impacts), with costs being considered in accordance with the Department for Transport's policy on the funding of surface access schemes, development consent should not be withheld on surface access grounds.	

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Waste and Resource Management	5.137	Paragraph 5.137 states that the targets for preparation for reuse and recycling of municipal waste (50%), and for construction and demolition waste (70%) set out by the Waste Framework Directive should be considered 'minimum acceptable practice' for the construction and operation of any new airport infrastructure. Exceeding these targets if possible, by aiming for exemplar performance in resource efficiency and waste management is recommended, to align with the principles of the EU Action Plan for the Circular Economy.	<p>The following targets are set in the <b>CoCP (Appendix 4.2 of the ES [TR020001/APP/5.02])</b> and Outline Site Waste Management Plan (<b>Appendix 19.1 of the ES [TR020001/APP/5.02]</b>):</p> <ul style="list-style-type: none"> <li>a. Achieve at least 90% (by weight) material recovery of non-hazardous construction and demolition waste. Uncontaminated excavated soil and stones (European Waste Catalogue/List of Wastes code 17 05 04) are specifically excluded from this target. Recovery is deemed to include reuse, recycling and recovery (e.g. energy recovery).</li> <li>b. Achieve at least 50% preparation for reuse, reuse and recycling of municipal waste (waste materials such as paper, metal, plastic and glass as far as these waste streams are similar to waste from households).</li> </ul>

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	5.141	The applicant should set out the arrangements that are proposed for managing any waste produced in the application for development consent. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental, social and economic outcome when considered over the whole lifetime of the project.	The assessment outlined in <b>Section 19.9 of ES Chapter 19 [TR020001/APP5.01]</b> presents arrangements that are proposed for managing waste produced including information on the proposed waste recovery and disposal system for all waste generated by the Proposed Development. Therefore, this matter is considered policy compliant.
	5.143	The applicant should set out a comprehensive suite of mitigations to eliminate or significantly reduce the risk of adverse impacts associated with resource and waste management.	Embedded and good practice mitigation measures are described in <b>Section 19.8 of ES Chapter 19 [TR020001/APP5.01]</b> . Mitigation measures for environmental impacts associated with the management of waste on water resources, air quality, noise or traffic resulting from the generation, handling, on-site temporary storage or off-site transport of waste are outlined in other relevant chapters. Therefore, this matter is considered policy compliant.

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	5.145	<p>The Secretary of State will consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous waste arising from all stages of the lifetime of the development. The Secretary of State should be satisfied that the process set out provides assurance that:</p> <ul style="list-style-type: none"> <li>•Waste produced will be properly managed, both onsite and offsite;</li> <li>•The waste from the proposed development can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arising should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arising in the area; and</li> <li>•Adequate steps have been taken to ensure that all waste arising from the site is subject to the principles of the waste hierarchy and are dealt with at the highest possible level within the hierarchy.</li> </ul>	<p>The assessment outlined in <b>Section 19.9 of ES Chapter 19 [TR020001/APP5.01]</b> presents arrangements that are proposed for managing waste produced including information on the proposed waste recovery and disposal system for all waste generated by the Proposed Development. Therefore, this matter is considered policy compliant.</p>
	5.146	<p>Where necessary, the Secretary of State will require the applicant to develop a resource management plan to ensure that appropriate measures for sustainable resource and waste management are secured.</p>	

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Water Quality and Resources	5.175	The applicant should make sufficiently early contact with the relevant regulators, including the Environment Agency, for abstraction licensing and environmental permitting, and with the water supply company likely to supply the water. Where the proposed development is subject to an Environmental Impact Assessment and the development is likely to have significant adverse effects on the water environment, the applicant should ascertain the existing status of, and carry out an assessment of, the impacts of the proposed project on water quality, water resources and physical characteristics as part of the environmental statement.	A Water Framework Directive (WFD) Compliance Assessment has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping Report and is provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.
	5.176	Any environmental statement should describe: <ul style="list-style-type: none"> <li>•The existing quality of water affected by the proposed project;</li> <li>•Existing water resources affected by the proposed project and the impacts of the proposed project on water resources;</li> <li>•Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project, and any impact of physical modifications to these characteristics;</li> <li>•Any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones around potable groundwater abstractions; and</li> <li>•Any cumulative effects.</li> </ul>	An assessment of the impacts of the Proposed Development on water quality and water resources has been undertaken and is outlined in <b>Section 20.9 of ES Chapter 20 [TR020001/APP5.01]</b> . Therefore, this matter is considered policy compliant.

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	5.177	The applicant should assess the effects on the surrounding water and wastewater treatment network in cooperation with the relevant water and sewerage undertaker(s). It should also address any future water infrastructure needed for the preferred scheme, including for supplies and sewerage treatment, and the effects on the surrounding water and wastewater treatment network. This assessment would be based on the additional wastewater flows which would need to be treated at sewage treatment works and should be developed through liaison with the relevant water and sewerage undertaker(s).	An assessment of the cumulative effects of the Proposed Development on the water environment is provided in <b>Section 21.9 of Chapter 21 of the ES [TR020001/APP/5.01]</b> .  Foul water is currently discharged to the public foul water network owned and operated by Thames Water. This is collected via the airport's own private foul water pipe network operated by Veolia Water. The public water supply assets are owned and operated by Affinity Water.
	5.178	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling.	The Proposed Development will include measures to minimise water consumption and maximise water reuse, such as rainwater harvesting are to be implemented to prevent a net increase in water supply requirements. This is set out in <b>Section 20.8 of ES Chapter 20 [TR020001/APP5.01]</b> .
	5.179	The Secretary of State will need to consider whether the mitigation measures put forward by the applicant which are needed for operation and construction (and which may be over and above any which may form part of the development consent application) are acceptable.	

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	5.180	The project should adhere to any national standards for sustainable drainage systems, which introduce a hierarchical approach to drainage design that promotes the most sustainable approach but recognises the feasibility and use of conventional drainage systems as part of a sustainable solution for any given site given its constraints.	The drainage design for the Proposed Development (see <b>Section 20.8 of ES Chapter 20 [TR020001/APP5.01]</b> ) has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Therefore, this matter is considered policy compliant.
	5.181	The risk of impacts on the water environment can be reduced through careful design to adhere to good pollution practice.	The <b>CoCP</b> provided as <b>Appendix 4.2</b> of the <b>ES [TR020001/APP/5.02]</b> sets out proposed measures to be implemented by the construction contractors to protect surface water and groundwater resources. These include undertaking monitoring of groundwater and leachate from the former landfill, preparing a construction surface water management strategy, implementing good practice measures to minimise the risk of pollution, and preparing a pollution incident plan. Therefore, this matter is considered policy compliant.



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	5.182	Activities that discharge to the water environment are subject to pollution control, and the considerations set out at paragraphs 4.53-4.59 above covering the interface between planning and environmental permitting therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the environment, and to the control regimes relating to works to, and structures in, on, or under, a controlled water.	A new Water Treatment Plant (see <b>Section 20.8 of ES Chapter 20 [TR020001/APP5.01]</b> ) is proposed to treat sewage, from the new terminal and other facilities in the Proposed Development, including aircraft, and contaminated surface water runoff from the aprons, runways and taxiways. Sewage would be collected from within the Main Application Site via a new dedicated foul drainage system and combined with surface water runoff prior to treatment. Clean and treated effluent would be discharged into the ground under an Environmental Permit regulated by the EA. Therefore, this matter is considered policy compliant.
	5.183	The Secretary of State will generally need to give more weight to impacts on the water environment where a project would have adverse effects on the achievement of the environmental objectives established under the Water Framework Directive.	A WFD Compliance Assessment has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping Report and

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	5.184	The Secretary of State will need to be satisfied that a proposal has had regard to the Thames river basin management plan and the Water Framework Directive and its daughter Directives on priority substances and groundwater. In terms of Water Framework Directive compliance, the overall aim of development should be to prevent deterioration in status of water bodies, to support the achievement of the objectives in the Thames river basin management plan and not to jeopardise the future achievement of good status for any affected water bodies. If the development is considered likely to cause deterioration of water body status or to prevent the achievement of good groundwater status or of good ecological status or potential, compliance with Article 4.7 of the Water Framework Directive must be demonstrated. Any use of Article 4.7 must be reported in the Thames river basin management plan.	is provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.
	5.185	The Secretary of State will need to consider the interactions of the preferred scheme with other plans, such as statutory water resources management plans.	The drainage design for the Proposed Development (see <b>Section 20.8 of ES Chapter 20 [TR020001/APP5.01]</b> ) has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Therefore, this matter is considered policy compliant.

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	5.186	<p>The Secretary of State will need to consider proposals put forward by the applicant to mitigate adverse effects on the water environment, taking into account the likely impact of climate change on water availability, and whether appropriate requirements should be attached to any development consent and / or planning obligations. If the Environment Agency continues to have concerns, and objects to the grant of development consent on the grounds of impacts on water quality / resources, the Secretary of State can grant consent, but will need to be satisfied that all reasonable steps have been taken by the applicant and the Environment Agency to try to resolve the concerns.</p>	<p>The methodology, definition of baseline conditions and assessment provided in the <b>ES</b> has been informed by ongoing engagement with the EA regarding permitting, water quality (including WFD requirements) and water resources. A summary of this engagement is provided in <b>Section 20.4 of ES Chapter 20 [TR020001/APP5.01]</b>.</p> <p>The impacts of the Proposed Development on water quality and water resources (including WFD) have been provided in the WFD Assessment provided as <b>Appendix 20.2 of the ES [TR020001/APP/5.02]</b>.</p> <p>The assessment of potential effects on water resources during operation has been undertaken. With measures embedded within the design to prevent discharge of polluted water to the environment and prevent an increase in water supply requirements, as described</p>

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			above, no likely significant adverse effects were identified. Therefore, this matter is considered policy compliant.
	5.250	The applicant should seek to minimise impacts on local people, to consult on the details of its works, and to put them in place quickly. The Government also looks to the applicant to consult on the detail of a community compensation fund.	Full details on the proposed noise insulation scheme and a new discretionary property compensation scheme are presented in the <b>Draft Compensation Policies, Measures and Community First</b> submitted as part of the application for development consent <b>[TR020001/APP/7.10]</b> .  The document provides details of the proposal for the creation of Community First which will help put more back into local communities. Money from the Community First fund will be allocated to projects that tackle deprivation in Luton and neighbouring counties, and for local decarbonisation projects. It will split 60% to Luton, and 40% to
	5.252	The Secretary of State will also consider whether the applicant has consulted on the details of a community compensation fund, including source of revenue, size and duration of fund, eligibility, and how delivery will be ensured.	

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	5.253	The Secretary of State will expect the applicant to demonstrate how these provisions are secured, and how they will be operated. The applicant will also need to show how these measures will be administered to ensure that they are relevant to planning when in operation. The mechanisms for enforcing these provisions should also be demonstrated, along with the appropriateness of any identified enforcing body, which may include the Secretary of State.	neighbouring counties, recognising that Luton has some of the most deprived areas within the East of England.  As well as this, part of the Proposed Development, the current noise insulation scheme administered by London Luton Airport Operations Limited (LLAOL), will be replaced if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the government proposals set out in Aviation 2050.

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Safety and Security	4.5	safety, social and economic benefits and adverse impacts should be considered at national, regional and local levels. These may be identified in the Airports NPS, or elsewhere. The Secretary of State will also have regard to the manner in which such benefits are secured, and the level of confidence in their delivery.	In line with the requirements of Paragraph 4.5, potential risks to safety in the event of a Major Accidents & Disasters (MA&D) during construction and operation of the Proposed Development across the study area have been assessed within <b>Section 15.9 of Chapter 15</b> of the <b>ES [TR020001/APP/5.01]</b> . Hazards that may pose a risk to the safety of sensitive receptors, including airport infrastructure, passengers and personnel, construction workers, residential properties and surrounding environmental receptors, have been assessed and conclusions on the significance of the risk determined. The results of the assessment of hazards and significance of the risks are outlined in <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b> . Therefore, this matter is considered to be policy compliant.

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	4.35	The Examining Authority and Secretary of State will take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security standards which the design has to satisfy	The requirements in paragraph 4.35 have been considered in <b>Section 15.8 of ES Chapter 15 [TR020001/APP5.01]</b> . Operational safety and security standards are identified in this section and are considered to form part of tertiary mitigation in the assessment of MA&D hazards in <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b> . Therefore, this matter is considered to be policy compliant.
	4.47	Where transport infrastructure has safety-critical elements, and the design life of the asset is 60 years or greater, the applicant should apply the latest available UK Climate Projections high emissions scenario against the 2080 projections at the 10%, 50% and 90% probability levels, so as to include high impact, low likelihood scenarios.	The assessment of natural hazards related to climate change, as presented within <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b> , considers the reasonably foreseeable worst-case environmental consequence of these hazards. These natural hazards have been identified in line with the assessment of a high emissions scenario presented in <b>Chapter 9 of the ES [TR020001/APP/5.01]</b> . Therefore,

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			this matter is considered to be policy compliant.
	4.63	National security considerations apply across all national infrastructure sectors. The Department for Transport acts as the sector sponsor department for the aviation sector, and in this capacity has lead responsibility for security matters and for directing the security approach to be taken, working with the Civil Aviation Authority. The Department for Transport works closely with Government agencies, including the Centre for the Protection of National Infrastructure, to reduce the vulnerability of the aviation sector to terrorism and other national security threats.	In accordance with Paragraph 4.63, the project team has engaged with the Department for Transport (DfT) and the Civil Aviation Authority (CAA) on the design of the Proposed Development, as summarised within <b>Section 15.4 of ES Chapter 15 [TR020001/APP/5.01]</b> . Engagement with the CAA is summarised in the <b>Consultation Report [TR020001/APP/6.01]</b> . Throughout design development, safety and security considerations, including the threat of terrorism have been taken into account. MA&D risks resulting from safety and security incidents have been covered in the assessment of MA&D hazards in



<b>Airports National Policy Statement</b>			
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			<b>Section 15.9 of ES Chapter 15 [TR020001/APP/5.01]</b> . Therefore, this matter is considered to be policy compliant.
	4.64	Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. The nature of the aviation sector as a target for terrorism means that security considerations will likely apply in the case of the infrastructure project for which development consent may be sought under the Airports NPS.	The risks associated with terrorism is considered in <b>Section 15.8 of ES Chapter 15 [TR020001/APP5.01]</b> , therefore this matter is considered policy compliant.
	4.65	Where national security implications have been identified, the applicant should consult with relevant security experts from the Centre for the Protection of National Infrastructure and the Department for Transport to ensure that physical, procedural and personnel security measures have been adequately considered in the design process, and that adequate consideration has been given to the management of security risks. If the Department for Transport, taking advice from the Civil Aviation Authority, Centre for the Protection of National Infrastructure and others it considers appropriate, forms the opinion that it is satisfied that current and potential future security needs are adequately addressed in the project and that relevant	The requirements of Paragraph 4.65 are considered in <b>Section 15.4 of ES Chapter 15 [TR020001/APP5.01]</b> , where relevant technical engagement is identified, and in <b>Section 15.8 of ES Chapter 15 [TR020001/APP5.01]</b> , where it is acknowledged how the design of the Proposed Development has been developed in accordance with legislative and industry requirements. Therefore,

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		guidance on these matters has been appropriately taken into account in the application, it will provide confirmation of this to the Secretary of State, and the Examining Authority should not need to give any further consideration to the details of the security measures during the examination.	this matter is considered policy compliant.
	4.66	The applicant should only include such security-related information in the application as is necessary to enable the Examining Authority to examine the development consent issues and make a properly informed recommendation on the application.	The requirements of paragraph 4.66 are considered within <b>Section 15.8 of ES Chapter 15 [TR020001/APP/5.01]</b> , where it is acknowledged how the Proposed Development will comply with security and safety regulations and industry standards to manage the risk of MA&D events occurring. Therefore, this matter is considered policy compliant.
	4.69	There remains a considerable threat to aviation security from terrorism. The UK meets this threat with a multi-layered aviation security regime built on intelligence, effective risk management and robust, proportionate measures, brought together under the National Aviation Security Programme. The regulations governing aviation security in the UK have their basis in UK and European law, and are enforced by the Civil Aviation Authority on behalf of the Secretary of State. The design and operation	The requirements of paragraphs 4.68 and 4.69 are considered in <b>Section 15.8 of ES Chapter 15 [TR020001/APP5.01]</b> , where it is acknowledged that the airport will comply with all relevant UK aviation laws, guidance and standards. In particular, it is acknowledged that once operational, the Proposed

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		of the Heathrow Northwest Runway scheme, to which the Airports NPS relates, must comply with aviation security regulations and guidance in the same way as existing airports. There may also be other security considerations linked to any application for development consent under the Airports NPS.	Development will continue to operate in compliance with the Aerodrome Certificate, either under the existing airport operating procedures or equivalent. Therefore, this matter is considered policy compliant.
Community Engagement	5.258	The applicant must engage constructively with the community engagement board throughout the planning process, with its membership (including an independent chair), and with any programme(s) of work the community engagement board agrees to take forward.	Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation periods (2019 and 2022) as described in <b>Section 1</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> . The pre-application consultation undertaken is documented within the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application. Therefore, these matters are considered policy compliant.
	5.259	The Secretary of State will consider whether the applicant has engaged constructively with this community engagement board throughout the planning process.	
Light Pollution	5.233	Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of	The <b>Light Obtrusion Assessment [TR020001/APP/5.02]</b> demonstrates that the Proposed

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		dust, odour, artificial light, smoke and steam, and describe these in the environmental statement.	Development is substantially below the acceptable limits set out for Upward Flux Ratio (sky glow) and nuisance caused by the lighting installation. In accordance with the findings set out in the <b>Light Obtrusion Assessment</b> provided as <b>Appendix 5.2</b> of the <b>ES [TR020001/APP/5.02]</b> , it is assumed that the predicted impact of sitewide construction and operational lighting to be delivered by the Proposed Development on views from the surrounding area would be negligible. Therefore, the Proposed Development is considered to be policy compliant in this matter.
	5.234	In particular, the assessment provided by the applicant should describe: <ul style="list-style-type: none"> <li>•The type and quantity of emissions;</li> <li>•Aspects of the development which may give rise to emissions during construction, operation and decommissioning;</li> <li>•Premises or locations that may be affected by the emissions;</li> <li>•Effects of the emission on identified premises or locations; admeasures to be employed in preventing or mitigating the emissions.</li> </ul>	
	5.235	The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency, about the scope and methodology of the assessment.	
	5.236	The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of dust, odour, artificial light, smoke and steam from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A	

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		construction management plan may help clarify and secure mitigation.	
	5.237	The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of dust, odour, artificial light, smoke and steam. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	
	5.238	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the development consent order.	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Principle of Development	1.25	As a result of the consultation and further analysis to ensure future carbon emissions can be managed, government believes there is a case for airports making best of their existing runways across the whole of the UK.	This matter is discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
	1.29	Therefore, the government is supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have negative as well as positive local impacts, including on noise levels. We therefore consider that any proposals should be judged by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts and proposed mitigations. This policy statement does not prejudge the decision of those authorities who will be required to give proper consideration to such applications. It instead leaves it up to local, rather than national government, to consider each case on its merits.	
Air Quality	1.22	The government recognises the impact on communities living near airports and understands their concerns over local environmental issues, particularly noise, air quality and surface access. As airports look to make the best use of their existing runways, it is important that communities surrounding those airports share in the economic benefits of this, and that adverse impacts such as noise are mitigated where possible.	It is recognised that expansion of the airport has the potential to increase the airport's environmental effects, notwithstanding that the proposals put forward will do their utmost to avoid or ameliorate those effects. Green Controlled Growth (GCG), as explained in the Green

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			<p><b>Controlled Growth Explanatory Note [TR020001/APP/7.07].</b>                      GCG is a binding framework for managing the growth and operation of the airport through the coming decades within definitive environmental limits. The <b>ES [TR020001/APP/5.01]</b> addresses 15 separate environmental topics in addition to the in-combination and cumulative effects of the Proposed Development. It is proposed that GCG focuses on four key environmental topics which are directly linked to the throughput of the airport and where, therefore, environmental effects on communities have the greatest potential to change as the numbers of flights and passengers using the airport increase over time. These are:</p> <ul style="list-style-type: none"> <li>a. Aircraft noise, via a Noise envelope;</li> <li>b. Air quality;</li> </ul>

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			<p>c. Greenhouse gas emissions (for airport operations and surface access); and</p> <p>d. Surface access.</p>
Noise and Vibration	1.22	The government recognises the impact on communities living near airports and understands their concerns over local environmental issues, particularly noise, air quality and surface access. As airports look to make the best use of their existing runways, it is important that communities surrounding those airports share in the economic benefits of this, and that adverse impacts such as noise are mitigated where possible.	<p>It is recognised that expansion of the airport has the potential to increase the airport’s environmental effects, notwithstanding that the proposals put forward will do their utmost to avoid or ameliorate those effects. Green Controlled Growth (GCG), as explained in the <b>Green Controlled Growth Explanatory Note [TR020001/APP/7.07]</b>. GCG is a binding framework for managing the growth and operation of the airport through the coming decades within definitive environmental limits. The <b>ES [TR020001/APP/5.01]</b> addresses 15 separate environmental topics in addition to the in-combination and cumulative effects of the Proposed Development. It is proposed that GCG focuses on four key</p>



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Theme	Policy Reference	Policy Description	Compliance commentary
			<p>environmental topics which are directly linked to the throughput of the airport and where, therefore, environmental effects on communities have the greatest potential to change as the numbers of flights and passengers using the airport increase over time. These are:</p> <ul style="list-style-type: none"> <li>a. Aircraft noise, via a Noise envelope;</li> <li>b. Air quality;</li> <li>c. Greenhouse gas emissions (for airport operations and surface access); and</li> <li>d. Surface access.</li> </ul>
	1.28	<p>Given the likely increase in ATMs that could be achieved through making best use of existing runways is relatively small (2% increase in ATMs “without Heathrow expansion” scenario; 1% “with Heathrow”), we do not expect that the policy will have significant implications for our overall airspace capacity. However, it is important to note that any flightpath changes required as a result of a development at an airport will need to follow the CAA’s</p>	<p>The assessment years for identifying the likely significant effect of air noise are set out in <b>Section 16.3 of ES Chapter 16 [TR020001/APP5.01]</b>. A description of the noise sources included in the assessment are set out in <b>Section 16.5</b> of the same ES Chapter. The assessment of significant</p>

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Theme	Policy Reference	Policy Description	Compliance commentary
		<p>airspace change process. This includes full assessment of the likely environmental impacts, consideration of options to mitigate these impacts, and the need to consult with stakeholders who may be affected. Approval for the proposed airspace change will only be granted once the CAA has been satisfied that all aspects, including safety, have been addressed. In addition, government has committed to establish an Independent Commission on Civil Aviation Noise (ICCAN) to help ensure that the noise impacts of airspace changes are properly considered and give communities a greater stake in noisemanagement.</p>	<p>effects covering the identified source of noise and vibration are described in <b>Section 16.9</b> of the same ES chapter. The effect of noise on sensitive landscape and visual receptors is covered in <b>Chapter 14</b> of the <b>ES [TR020001/APP/5.01]</b>. The characteristics of the existing noise environment are provided in <b>Section 16.7</b> of <b>ES Chapter 16 [TR020001/APP5.01]</b>. An assessment of effects due to construction activities and predictions on how the noise environment will change as a result of the Proposed Development is provided in <b>Section 16.9</b> of the same ES Chapter. Measures to be employed in mitigating the effects of noise are described in <b>Section 16.10</b> of the same ES Chapter. Furthermore, the Noise Envelope is described in <b>Section 16</b> of the same ES Chapter. Best practice construction noise mitigation</p>

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			measures are secured through the <b>Code of Construction Practice (CoCP) (Appendix 4.2 of the ES [TR020001/APP/5.02])</b> . Therefore, these matters are considered policy compliant.
Surface Access	1.22	The government recognises the impact on communities living near airports and understands their concerns over local environmental issues, particularly noise, air quality and surface access. As airports look to make the best use of their existing runways, it is important that communities surrounding those airports share in the economic benefits of this, and that adverse impacts such as noise are mitigated where possible.	The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3 in Appendix 18.2 of the ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa),

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Theme	Policy Reference	Policy Description	Compliance commentary
			2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.
Safety and Security	1.28	Given the likely increase in ATMs that could be achieved through making best use of existing runways is relatively small (2% increase in ATMs “without Heathrow expansion” scenario; 1% “with Heathrow”), we do not expect that the policy will have significant implications for our overall airspace capacity. However, it is important to note	The potential risks to safety in the event of a Major Accidents & Disasters (MA&D) during construction and operation of the Proposed Development across the study area have been assessed within <b>Section 15.9</b> of <b>Chapter 15</b>

<b>Beyond the Horizon: The future of UK aviation – Making best use of existing runways</b>			
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		that any flightpath changes required as a result of a development at an airport will need to follow the CAA's airspace change process. This includes full assessment of the likely environmental impacts, consideration of options to mitigate these impacts, and the need to consult with stakeholders who may be affected. Approval for the proposed airspace change will only be granted once the CAA has been satisfied that all aspects, including safety, have been addressed. In addition, government has committed to establish an Independent Commission on Civil Aviation Noise (ICCAN) to help ensure that the noise impacts of airspace changes are properly considered and give communities a greater stake in noise management.	of the <b>ES [TR020001/APP/5.01]</b> . Hazards that may pose a risk to the safety of sensitive receptors, including airport infrastructure, passengers and personnel, construction workers, residential properties and surrounding environmental receptors, have been assessed and conclusions on the significance of the risk determined. The results of the assessment of hazards and significance of the risks are outlined in <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b> .
Community Engagement	1.24	As part their planning applications airports will need to demonstrate how they will mitigate local environmental issues, which can then be presented to, and considered by, communities as part of the planning consultation process. This ensures that local stakeholders are given appropriate opportunity to input into potential changes which affect their environment and have their say on airport applications.	Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation periods (2019 and 2022) as described <b>Section 1</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> . The pre-application consultation undertaken is documented within

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			the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application.

<b>Flightpath to the Future</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Principle of Development	3	Support growth in airport capacity where it is justified, ensuring that capacity is used in a way that delivers for the UK – airport expansion has a key role to play in enhancing the UK’s global connectivity and we remain supportive of sustainable airport growth. We will also support the sector to drive forward continued quality improvements, so slot capacity is used effectively and delivers the best possible results for the UK. An important aspect of this will be carrying out a detailed review of the airport slot allocation system to look at how we can improve it. This will ensure that the system meets the needs of the UK now that we have left the European Union, and we will consult on this shortly.	This matter is discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
Socio-economic Development	6	Unlock local benefits and level up – recognise how our extensive airport, airfield and aviation infrastructure network acts as a catalyst for national and local benefits. This includes through trade, air freight, aerospace, investment and tourism, as well as allowing people to benefit from improved connections across the union and regions. We are bolstering air connectivity within the union through a 50% cut in domestic Air Passenger Duty (APD), while further aligning APD with UK environmental objectives by adding a new ultra-long-haul distance band. We will also support routes that are in danger of being lost, through our Public Service Obligation policy for	The <b>Need Case [TR020001/APP/7.04]</b> covers this matter and <b>Chapter 11</b> of the <b>ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development. Additionally, to ensure that the local area benefits from the new employment

<b>Flightpath to the Future</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>domestic aviation. Where journeys are too long to be reasonably taken by road or rail, our PSO policy can provide support. As part of the independent Union Connectivity Review there were recommendations on PSO policy which will be carefully considered as part of the Government’s response. Airport expansion also has a key role to play in unlocking benefits to the UK and levelling up. Our existing policy frameworks on airport planning provide a robust and balanced framework for sustainable growth, and continue to have full effect.</p>	<p>opportunities, the application for development consent includes an <b>Employment and Training Strategy (ETS) [TR020001/APP/7.05]</b> which sets out measures to enable the local workforce to attain skills relevant to employment opportunities resulting from airport growth.</p>



<b>Jet Zero Strategy</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Principle of Development	3.7	We will support airspace modernisation, providing £9.2m funding between 2020-2023 to drive forward progress in redesigning the UK's 'motorways in the sky' with the aim to deliver quicker, quieter, and cleaner journeys for those who use and are affected by UK airspace. From 2020 we supported sponsors to continue through stage 2 of the airspace change process. In January 2022, we announced a further £3.7m to continue this support, helping airports develop more efficient flight routes that make use of modern technology, such as performance-based navigation.	This matter is discussed in <b>Section 8</b> and the benefits and adverse impacts of the Proposed Development are weighed in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> . The <b>Need Case [TR020001/APP/7.04]</b> covers this matter and <b>Chapter 11</b> of the <b>ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.
	3.12	We will ensure that operational improvements are made wherever possible and that the appropriate forums are used to consider these. There are a number of potential improvements in operations which may not be fully covered by other policies, such as formation flight, differential airspace charging for more efficient aircraft, and advanced airport operations, which will need collaboration between different parts of the sector to deliver. We will continue to track such developments and ensure they are being addressed by industry through ongoing engagement with industry working groups and the CAA. This will include continued support to the work of Sustainable Aviation and	

<b>Jet Zero Strategy</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		addressing issues around new operational requirements for zero emissions aircraft through the Jet Zero Council's Zero Emission Flight Delivery Group.	
	3.56	The Government remains committed to growth in the aviation sector and working with industry to ensure a sustainable recovery from the pandemic. In our recently published strategic framework for the future of aviation – 'Flightpath to the Future' – we recognise that airport expansion has a role to play in realising benefits for the UK through boosting our global connectivity and levelling up. The framework is clear that we continue to be supportive of airport growth where it is justified, and our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. We have also been clear expansion of any airport in England must meet our climate change obligations to be able to proceed.	
Climate Change	3.5	Our ambition remains for all airport operations in England to be zero emission by 2040. Whilst airport operations account for a relatively small percentage of total aviation emissions, it is right to place more ambitious targets on airports, reflecting that the aviation sector will face difficulties to reduce emissions overall. It is also an area where significant co-benefits, especially when combined	It is recognised that expansion of the airport has the potential to increase the airport's environmental effects, notwithstanding that the proposals put forward will do their utmost to avoid or ameliorate those effects. Green Controlled Growth

Jet Zero Strategy			
Theme	Policy Reference	Policy Description	Compliance commentary
		with the introduction of new generation aircraft, can be realised by reducing local air pollution and noise for local communities. The Mott MacDonald Feasibility of Zero Emissions Airport Operations in England by 2040 report provides an early indication of the extent to which certain airport activities can be decarbonised by 2040 and highlights that our ambition can be achieved.	(GCG), as explained in the <b>Green Controlled Growth Explanatory Note [TR020001/APP/7.07]</b> . GCG is a binding framework for managing the growth and operation of the airport through the coming decades within definitive environmental limits. The <b>ES [TR020001/APP/5.01]</b> addresses 15 separate environmental topics in addition to the in-combination and cumulative effects of the Proposed Development. It is proposed that GCG focuses on four key environmental topics which are directly linked to the throughput of the airport and where, therefore, environmental effects on communities have the greatest potential to change as the numbers of flights and passengers using the airport increase over time. These are: <ul style="list-style-type: none"> <li>a. Aircraft noise, via a Noise envelope;</li> <li>b. Air quality;</li> </ul>
	3.8	We will support ACOG, together with the CAA, to ensure carbon savings are realised as part of the wholesale changes to UK airspace being developed as part of the Airspace Change Masterplan, and plans for airspace modernisation account for the introduction of zero emission aircraft. In January 2022, the CAA published ACOG's Airspace Change Masterplan Iteration 2. With the programme still in its relatively early stages, Iteration 2 of the Masterplan provides a system-wide view of when, where, and why changes are needed and the sequence of those changes. It describes how and where environmental inefficiency occurs in the current system (such as aircraft following longer flight paths and suboptimal climb and descent profiles), which helps determine the four regional clusters for optimisation to ensure emissions savings are realised. It is estimated that the first two clusters of airspace changes will begin deployment in 2025, with the last, most complex cluster around London airspace estimated to begin deployment	

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		around 2027. Further iterations of the Masterplan will give more detail of the system wide impacts in terms of environmental goals, with the third iteration due towards the beginning of 2023.	<p>c. Greenhouse gas emissions (for airport operations and surface access); and</p> <p>d. Surface access.</p> <p>The consideration of the UK Climate Change Risk Assessment methodology outlined in <b>ES Chapter 9 [TR020001/APP/5.01]</b> includes identification of climate change impacts using UKCP18 (the latest set of UK climate projections) reflecting a number of time periods, covering the lifetime of the Proposed Development, as described in <b>Section 9.5</b> of the same ES Chapter. <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> set out how embedded environmental measures will be implemented in relation to climate change.</p>
	3.57	Our approach to sustainable growth is supported by our analysis (set out in the supporting analytical document) which shows that we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth. The analysis uses updated airport capacity assumptions consistent with the latest known expansion plans at airports in the UK. The analysis indicates that it is possible for the potential carbon emissions resulting from these expansion schemes to be accommodated within the planned trajectory for achieving net zero emissions by 2050, and consequently that our planning policy frameworks remain compatible with the UK's climate change obligations.	
	3.61	We will support airport growth where it can be delivered within our environmental obligations. The aviation sector is important for the whole of the UK economy in terms of connectivity, direct economic activity, trade, investment, and jobs. Before COVID-19, it facilitated £95.2 billion of UK's non-EU trade exports; contributed at least £22 billion directly to GDP; directly provided at least 230,000 jobs across all regions of the country and underpins the competitiveness and global reach of our national and our	

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		regional economies. We are committed to enabling a green recovery of the sector, as well as sustainable growth in the coming years. The Government's existing planning policy frameworks, along with the Jet Zero Strategy and the Flightpath to the Future strategic framework for aviation, have full effect and are material considerations in the statutory planning process for proposed airport development.	
	3.68	We will work closely with atmospheric scientists, other researchers, industry and internationally to better understand the science and potential mitigations of non-CO2 impacts from aviation. Furthermore, we will carefully consider any need for additional research and development activity on non-CO2, including working with UK Research and Innovation (UKRI). We are also committed to working through ICAO to lead research into the non-CO2 impacts of international aviation and their mitigation. As the evidence base develops, we will support the consideration of appropriate international measures to address non-CO2 impacts alongside reducing CO2 emissions.	
Community Engagement	3.62	It is vital that local communities and the wider public have confidence that the impacts of airport expansion have been properly considered. Applicants should therefore provide sufficient detail regarding the likely environmental and other effects of airport development to enable	Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation

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		communities and planning decision-makers to give these impacts proper consideration. Applicants should engage with the relevant planning authority at an early stage of the planning process to agree an appropriate approach.	periods (2019 and 2022) as described in <b>Section 1</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
	3.63	Planning authorities and applicants should consider all relevant policy, guidance and other material considerations that may assist appraisal for airport development proposals and decision-making. Applicants should clearly set out their approach and findings in an accessible way that can be easily understood by the general public and decision-makers. The Government recognises the importance of a clear and consistent approach in relation to the assessment of a development's impacts in the process, and will keep under review whether further guidance is needed to assist airport planning decision-making, with particular reference to environmental impacts.	The pre-application consultation undertaken is documented within the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application.

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Agricultural Land	5.168	Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the	The quality of agricultural land, including any best and most versatile (BMV) agricultural land, is covered in

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		Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality. Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed. Where possible, developments should be on previously developed (brownfield) sites provided that it is not of high environmental value.	this <b>Chapter 6</b> of the <b>ES [TR020001/APP/5.01]</b> mainly in <b>Sections 6.7, 6.9 and 6.11</b> . Also see <b>Appendices 6.1 and 6.2</b> of the <b>ES [TR020001/APP/5.02]</b> for Agricultural Land Classification surveys within the Order Limits. The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land is Subgrade 3a, rather than the higher subgrades 1 or 2. The Soil Management Plan (SMP) will ensure that impacts on soils or soil resources are minimised in accordance with the ANPS.
	5.176	The decision-maker should take into account the economic and other benefits of the best and most versatile agricultural land. The decisionmaker should give little weight to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	Having regard to the above, it is considered that limited negative weight should be attributed in the planning balance to the loss of economic and other benefits resulting from the removal of BMV from agricultural production, together with the residual loss to soil resources.
Air Quality	5.6	Where the impacts of the project (both on and off-scheme) are likely to have significant air quality effects in	The <b>ES</b> includes an assessment of existing air quality levels for all

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		relation to meeting EIA requirements and / or affect the UKs ability to comply with the Air Quality Directive, the applicant should undertake an assessment of the impacts of the proposed project as part of the environmental statement.	pollutants at risk of exceeding the air quality limit values in the study area. For detail of the air quality baseline, please see baseline information provided in <b>Section 7.7 of ES Chapter 7 [TR020001/APP/5.01]</b> .
	5.7	The environmental statement should describe: <ul style="list-style-type: none"> <li>· existing air quality levels;</li> <li>· forecasts of air quality at the time of opening, assuming that the scheme is not built (the future baseline) and taking account of the impact of the scheme; and</li> <li>· any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of road traffic generated by the project.</li> </ul>	<p>The assessment forecasts levels for all relevant air quality pollutants at the time of opening, with and without the Proposed Development in operation (see <b>Section 7.7</b> of the same ES Chapter). A summary of impacts has been provided in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b>.</p> <p>The assessment determines the significance of effects from all Proposed Development related activities (both construction and operation). See <b>Appendix 7.1</b> of the <b>ES [TR020001/APP/5.02]</b> for the methodology. A summary of impacts has been provided in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b>.</p>



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			Therefore, these matters are considered policy compliant.
	5.8	Defra publishes future national projections of air quality based on evidence of future emissions, traffic and vehicle fleet. Projections are updated as the evidence base changes. Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local impacts.	Relevant and recent data from DEFRA has been used for the assessment of air quality impacts arising from the Proposed Development. This can be found in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b> .
	5.9	In addition to information on the likely significant effects of a project in relation to EIA, the Secretary of State must be provided with a judgement on the risk as to whether the project would affect the UK's ability to comply with the Air Quality Directive.	Compliance with the Air Quality Framework Directive is covered in <b>Tables 7.1, 7.2</b> and assessed in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b> . The results show that the Proposed Development is not predicted to impact compliance with the air quality standards.
	5.10	The Secretary of State should consider air quality impacts over the wider area likely to be affected, as well as in the near vicinity of the scheme. In all cases the Secretary of State must take account of relevant statutory air quality thresholds set out in domestic and European	Therefore, this matter is considered to be policy compliant.

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		legislation. Where a project is likely to lead to a breach of the air quality thresholds, the applicant should work with the relevant authorities to secure appropriate mitigation measures with a view to ensuring so far as possible that those thresholds are not breached.	
	5.11	Air quality considerations are likely to be particularly relevant where schemes are proposed: roads identified as being above Limit Values or nature conservation sites (including Natura 2000 sites and SSSIs, including those outside England); and · within or adjacent to Air Quality Management Areas (AQMA ); · where changes are sufficient to bring about the need for a new AQMA or change the size of an existing AQMA; or bring about changes to exceedances of the Limit Values, or where they may have the potential to impact on nature conservation sites.	These matters are noted in <b>Section 7.3 of ES Chapter 7 [TR020001/APP/5.01]</b> and the impact to air quality has been assessed accordingly in <b>Section 7.9</b> , with mitigation measures set out in <b>Sections 7.8 and 7.10</b> of the same ES Chapter.
	5.12	The Secretary of State must give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to EIA and / or where they lead to a deterioration in air quality in a zone/agglomeration	The range of mitigation measures in place regarding the impact to air quality as a result of the Proposed Development are found in <b>Section 7.8 of ES Chapter 7 [TR020001/APP/5.01]</b> . Additionally, there is the <b>Code of Construction Practice (CoCP)</b> provided as <b>Appendix 4.2 of the ES</b>
	5.13	The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will: · result in a zone/agglomeration which is currently	

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		reported as being compliant with the Air Quality Directive becoming non-compliant; or · affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision.	<b>[TR020001/APP/5.02]</b> and in the <b>Outline Operational Air Quality Plan</b> provided as <b>Appendix 7.5</b> of the <b>ES [TR020001/APP/5.02]</b> which outline further mitigation and good practice measures during the construction and operational assessment phase s of the Proposed Development.
	5.14	The Secretary of State should consider whether mitigation measures put forward by the applicant are acceptable. A management plan may help codify mitigation at this stage. The proposed mitigation measures should ensure that the net impact of a project does not delay the point at which a zone will meet compliance timescales.	
	5.15	Mitigation measures may affect the project design, layout, construction, operation and/or may comprise measures to improve air quality in pollution hotspots beyond the immediate locality of the scheme. Measures could include, but are not limited to, changes to the route of the new scheme, changes to the proximity of vehicles to local receptors in the existing route, physical means including barriers to trap or better disperse emissions, and speed control. The implementation of mitigation measures may require working with partners to support their delivery	
	5.84	Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of	

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		odour, dust, steam, smoke and artificial light and describe these in the Environmental Statement.	
	5.85	In particular, the assessment provided by the applicant should describe: <ul style="list-style-type: none"> <li>· the type and quantity of emissions;</li> <li>· aspects of the development which may give rise to emissions during construction, operation and decommissioning;</li> <li>· premises or locations that may be affected by the emissions;</li> <li>· effects of the emission on identified premises or locations; and</li> <li>· measures to be employed in preventing or mitigating the emissions.</li> </ul>	
	5.86	The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment.	
	5.87	The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam, smoke and artificial light. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	

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	5.88	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the Development Consent Order.	
	5.89	The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of odour, dust, steam, smoke, artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help codify mitigation.	
Biodiversity and Ecological Conservation	5.22	Where the project is subject to EIA the applicant should ensure that the environmental statement clearly sets out any likely significant effects on internationally, nationally and locally designated sites of ecological or geological conservation importance (including those outside England) on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity and that the statement	The likely significant effects of the Proposed Development upon internationally, nationally and locally designated nature conservation sites are detailed within <b>Section 8.9 of ES Chapter 8 [TR020001/APP/5.01]</b> and summarised in <b>Table 8.17</b> . The construction of the Proposed

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		considers the full range of potential impacts on ecosystems.	Development will result in the loss of Wigmore Park County Wildlife Site (CWS) (a hedgerow to the north east will be retained and incorporated into the replacement provision of open space). Additional locally designated nature conservation sites, including Winch Hill Wood CWS/Local Wildlife Site (LWS), Luton Parkway Verges District Wildlife Site (DWS), Dairyborn Scarp DWS and Burnt Wood LWS are located within or in close proximity to the Proposed Development. The assessment reflects the principles of Biodiversity 2020: A Strategy for England's wildlife and ecosystem services in identifying how climate change is likely to affect the future environment (detailed within <b>Section 8.12</b> ). It also reflects how ecological networks will be maintained through the use of a biodiversity offsetting metric and through studies into connectivity through the study area and wider landscape, for particularly
	5.23	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.	
	5.24	The Government's biodiversity strategy is set out in Biodiversity 2020: A Strategy for England's wildlife and ecosystem services. Its aim is to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge of climate change: failure to address this challenge will result in significant impact on biodiversity.	
	5.25	As a general principle, and subject to the specific policies below, development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. The applicant may also wish to make use of biodiversity offsetting in devising compensation proposals to counteract any impacts on biodiversity which cannot be avoided or mitigated. Where significant harm cannot be avoided or mitigated, as a last resort, appropriate compensation measures should be sought.	

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	5.26	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species, habitats and other species of principal importance for the conservation of biodiversity, and to biodiversity and geological interests within the wider environment.	sensitive/valuable species.  The Proposed Development includes measures, such as habitat creation, to mitigate the effects of the Proposed Development and contribute to achieving BNG. A Defra BNG calculation has been undertaken on a voluntary basis following guidance produced by Defra and uses The Biodiversity Metric 3.1 developed by Natural England to allow biodiversity losses and gains to be quantified. This metric was the version available at the time this ES was produced and has been used to guide the habitat creation measures designed into the Proposed Development to ensure a net gain in biodiversity. The results are presented in <b>Appendix 8.5</b> of the <b>ES [TR020001/APP/5.02]</b> .
	5.31	<b>Regional and Local Sites</b> Sites of regional and local biodiversity and geological interest (which include Local Geological Sites, Local Nature Reserves and Local Wildlife Sites and Nature Improvement Areas) have a fundamental role to play in meeting overall national biodiversity targets, in contributing to the quality of life and the well-being of the community, and in supporting research and education. The Secretary of State should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	
	5.32	<b>Irreplaceable habitats including ancient woodland and veteran trees</b> Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent	The Proposed Development's embedded and good practice mitigation measures are detailed within <b>Section 8.8</b> and potential

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		for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.	additional mitigation measures are detailed within <b>Section 8.10</b> .  Detailed Ecological Mitigation strategies, <b>Appendices 8.6 - 8.10</b> of the <b>ES [TR020001/APP/5.02]</b> , in relation to badgers, bats and Roman snail ( <i>Helix pomatia</i> ), have been submitted to Natural England, for approval.
	5.33	Biodiversity within and around developments Development proposals potentially provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should consider whether the applicant has maximised such opportunities in and around developments. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.	Based on this, this matter is considered to be policy compliant.
	5.34	Protection of other habitats and species Many individual wildlife species receive statutory protection under a range of legislative provisions	



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	5.35	Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and therefore requiring conservation action. The Secretary of State should ensure that applicants have taken measures to ensure these species and habitats are protected from the adverse effects of development. Where appropriate, requirements or planning obligations may be used in order to deliver this protection. The Secretary of State should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits of the development (including need) clearly outweigh that harm.	
	5.36	Applicants should include appropriate mitigation measures as an integral part of their proposed development, including identifying where and how these will be secured. In particular, the applicant should demonstrate that: <ul style="list-style-type: none"> <li>· during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>· during construction and operation, best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised (including as a consequence of transport access arrangements);</li> </ul>	The measures detailed within <b>Sections 8.8 and 8.10 of ES Chapter 8 [TR020001/APP/5.01]</b> , along with those within the <b>CoCP (Appendix 4.2, of the ES [TR020001/APP/5.02])</b> , have been designed to ensure that impacts of the Proposed Development on ecological receptors are avoided, reduced or mitigated where effects are unavoidable. Furthermore, the measures detailed in <b>Sections 8.8 and 8.10 of ES Chapter 8 [TR020001/APP/5.01]</b> have been

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		<ul style="list-style-type: none"> <li>· habitats will, where practicable, be restored after construction works have finished;</li> <li>· developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable;</li> <li>· opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals, for example through techniques such as the 'greening' of existing network crossing points, the use of green bridges and the habitat improvement of the network verge.</li> </ul>	<p>designed to achieve 10% Biodiversity Net Gain (BNG), in accordance with the future requirements of the Environment Act 2021 using the Defra biodiversity offsetting metric (now Natural England 3.1) as another mechanism. The BNG Report is found in <b>Appendix 8.5</b> of the <b>ES [TR020001/APP/5.02]</b>.</p> <p>The Proposed Development's embedded and good practice mitigation measures are detailed within <b>Section 8.8</b> and potential additional mitigation measures are detailed within <b>Section 8.10</b>.</p> <p>Detailed Ecological Mitigation strategies, <b>Appendices 8.6 - 8.10</b> of the <b>ES [TR020001/APP/5.02]</b>, in relation to badgers, bats and Roman snail (<i>Helix pomatia</i>), have been submitted to Natural England, for approval.</p>
	5.38	The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and Natural England and/or the MMO, and whether Natural England and/or or the MMO has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	
Climate Change	4.40	New national networks infrastructure will be typically long-term investments which will need to remain operational over many decades, in the face of a changing climate.	The impacts of climate change on the Proposed Development are considered within the <b>ES</b> chapter and

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		Consequently, applicants must consider the impacts of climate change when planning location, design, build and operation. Any accompanying environment statement should set out how the proposal will take account of the projected impacts of climate change	have been throughout the sifting and optioneering planning stages as presented in <b>Chapter 3</b> of the <b>ES [TR020001/APP/5.01]</b> . The Climate Change Resilience (CCR) assessment covered in <b>ES Chapter 9 [TR020001/APP/5.01]</b> covers design, build (construction) and operation. Therefore, this matter is considered policy compliant.
	4.41	Where transport infrastructure has safety-critical elements and the design life of the asset is 60 years or greater, the applicant should apply the UK Climate Projections 2009 (UKCP09) high emissions scenario (high impact, low likelihood) against the 2080 projections at the 50% probability level.	The assessment in <b>Section 9.9</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> has considered a scenario that reflects a high level of Greenhouse Gas (GHG) emissions at the 10%, 50% and 90% probability levels to assess the impact of climate change over the lifetime of the Proposed Development. For this reason, Representative Concentration Pathway (RCP) 8.5, as described in <b>Section 9.5</b> has been used. RCP 8.5 is the highest emissions scenario available on UKCP18 representing a global temperature increase of approximately 4.3°C by 2100, relative to pre-industrial temperatures.

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			Therefore, this matter is considered policy compliant.
	4.42	The applicant should take into account the potential impacts of climate change using the latest UK Climate Projections available at the time and ensure any environment statement that is prepared identifies appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of any environment statement, the Examining Authority should consider whether they need to request additional information from the applicant.	The assessment methodology outlined in the <b>ES</b> includes identification of climate change impacts using UKCP18 (the latest set of UK climate projections) reflecting a number of time periods, covering the lifetime of the Proposed Development, as described in <b>Section 9.5 of ES Chapter 9 [TR020001/APP/5.01]</b> . <b>Section 9.8 and Table 9.29 and Table 9.30</b> of the same ES Chapter set out how embedded environmental measures will be implemented in relation to climate change. Therefore, this matter is considered policy compliant.

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	4.43	The applicant should demonstrate that there are no critical features of the design of new national networks infrastructure which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections. Any potential critical features should be assessed taking account of the latest credible scientific evidence on, for example, sea level rise (e.g. by referring to additional maximum credible scenarios such as from the Intergovernmental Panel on Climate Change or Environment Agency) and on the basis that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime through potential further mitigation or adaptation.	<p>In line with the ANPS, more radical changes to the climate beyond those projected in the latest set of UKCP18 have been considered in the <b>ES</b> using plausible higher and lower end climate change projections from both the H++/L-- scenarios, and the UKCP18 probabilistic projections of climate extremes (PPCE).</p> <p>Within the limitations and uncertainties of the data available on future climate change projections as outlined in <b>Section 9.6 of ES Chapter 9 [TR020001/APP/5.01]</b>, critical features of infrastructure have been assessed and no significant impacts have been identified.</p> <p>Therefore, this matter is considered policy compliant.</p>
	4.44	Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's national Climate Change Risk Assessment and consultation with statutory consultation bodies. Any adaptation measures must themselves also be assessed as part of any	<p>The consideration of the UK Climate Change Risk Assessment in the methodology is described in <b>Section 9.5 of ES Chapter 9 [TR020001/APP/5.01]</b>. <b>Section 9.3 of</b></p>

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		environmental impact assessment and included in the environment statement, which should set out how and where such measures are proposed to be secured.	the same chapter sets out the responses to comments received from Planning Inspectorate (PINS) via the Scoping Opinion. <b>Section 9.4</b> of the same chapter outlines engagement with statutory consultation bodies and other key stakeholders. Mitigation measures have been developed to manage risks. These are described in <b>Section 9.8</b> of the same chapter. Therefore, this matter is considered policy compliant.
	4.45	If any proposed adaptation measures themselves give rise to consequential impacts the Secretary of State should consider the impact in relation to the application as a whole and the impacts guidance set out in this part of this NPS (e.g. on flooding, water resources, biodiversity, landscape and coastal change).	No consequential environmental impacts have been identified in <b>ES Chapter 9 [TR020001/APP/5.01]</b> as a result of proposed adaptation measures.
	4.46	Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so.	Adaptation measures have been incorporated into the design of the Proposed Development to be constructed. Adaptation/mitigation measures during construction have been identified in <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> .

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	4.47	Where adaptation measures are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (e.g. coastal processes), the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (e.g. reserving land for future extension, increasing the height of an existing sea wall, or requiring a new sea wall).	Adaptation measures to be incorporated throughout the operational lifetime of the Proposed Development are set out in <b>Section 9.8 and Table 9.29, Table 9.30 of ES Chapter 9 [TR020001/APP/5.01]</b> .
	5.17	Carbon impacts will be considered as part of the appraisal of scheme options (in the business case), prior to the submission of an application for DCO. Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA Directive. It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.	These policies have been taken into account in relation to the highway improvements proposed as part of the Proposed Development. The assessment of Greenhouse Gas (GHG) emissions provides preliminary evidence of the carbon impact against the Government's carbon obligations and quantifies the GHG effects of the Proposed Development, presented in <b>Section 12.7 of ES Chapter 12 [TR020001/APP/5.01]</b> . Mitigation measures have been incorporated into the Proposed Development design, construction and operation to minimise and mitigate the
	5.18	The Government has an overarching national carbon reduction strategy (as set out in the Carbon Plan 2011) which is a credible plan for meeting carbon budgets. It	

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		includes a range of non-planning policies which will, subject to the occurrence of the very unlikely event described above, ensure that any carbon increases from road development do not compromise its overall carbon reduction commitments. The Government is legally required to meet this plan. Therefore, any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.	impacts of GHG emissions on climate change from the Proposed Development, these are set out in <b>Section 12.8</b> and <b>Section 12.10</b> of the same ES Chapter.
	5.19	Evidence of appropriate mitigation measures (incorporating engineering plans on configuration and layout, and use of materials) in both design and construction should be presented. The Secretary of State will consider the effectiveness of such mitigation measures in order to ensure that, in relation to design and construction, the carbon footprint is not unnecessarily high. The Secretary of State's view of the adequacy of the mitigation measures relating to design and construction will be a material factor in the decision-making process.	
Cultural Heritage	5.126	Where the development is subject to EIA the applicant should undertake an assessment of any likely significant heritage impacts of the proposed project as part of the Environmental Impact Assessment and describe these in the environmental statement.	A description of the significance of heritage assets, and their setting, is set out in <b>Appendix 10.1</b> of <b>ES Chapter 10 [TR020001/APP/5.01]</b> and in <b>Section 10.9</b> of the same ES



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	5.127	The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.	Chapter. A list of data sources consulted to inform the cultural heritage baseline conditions is set out in <b>Section 10.5 of ES Chapter 10 [TR020001/APP/5.01]</b> . Cumulative effects are discussed in <b>Chapter 21 of the ES [TR020001/APP/5.01]</b> . The approach to the assessment of the likely significant effects is described in <b>Section 10.9 of ES Chapter 10 [TR020001/APP/5.01]</b> .
	5.128	In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development (including by development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise from: <ul style="list-style-type: none"> <li>· relevant information provided with the application and, where applicable, relevant information submitted during examination of the application;</li> <li>· any designation records;</li> <li>· the relevant Historic Environment Record(s), and similar sources of information;</li> <li>· representations made by interested parties during the</li> </ul>	Recommendations to mitigate the loss of heritage significance (value) are set out in <b>Section 10.10 of ES Chapter 10 [TR020001/APP/5.01]</b> , and comprise a staged programme of archaeological investigation, and reporting.  A Heritage Statement (see <b>Appendix D of the Planning Statement [TR020001/APP/7.01]</b> ) prepared to support the Cultural Heritage

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		examination; and · expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.	assessment in <b>Section 8</b> the <b>Planning Statement [TR020001/APP/7.01]</b> concluded that within the Luton Hoo RPG there are a number of designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (NHLE 1321301). While the setting of these assets, namely the park, will experience change as a result of the operational assessment phase of the Proposed Development, there will be no harm to the significance of the assets themselves. Therefore, this matter is considered policy compliant.
	5.129	In considering the impact of a proposed development on any heritage assets, the Secretary of State should take into account the particular nature of the significance of the heritage asset and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	
	5.130	The Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities – including their economic vitality. The Secretary of State should also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment,	

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		materials, use and landscaping (for example, screen planting).	
	5.131	When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given that heritage assets are irreplaceable, harm or loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including World Heritage Sites, Scheduled Monuments, grade I and II* Listed Buildings, Registered Battlefields, and grade I and II* Registered Parks and Gardens should be wholly exceptional.	
	5.132	Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the	

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		harm to the significance of the heritage asset, the greater the justification that will be needed for any loss.	
	5.133	Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm, or alternatively that all of the following apply: <ul style="list-style-type: none"> <li>· the nature of the heritage asset prevents all reasonable uses of the site; and</li> <li>· no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</li> <li>· conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and</li> <li>· the harm or loss is outweighed by the benefit of bringing the site back into use.</li> </ul>	
	5.134	Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.	

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	5.135	Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The Secretary of State should treat the loss of a building (or other element) that makes a positive contribution to the site's significance either as substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the elements affected and their contribution to the significance of the Conservation Area or World Heritage Site as a whole.	
	5.136	Where the loss of significance of any heritage asset has been justified by the applicant based on the merits of the new development and the significance of the asset in question, the Secretary of State should consider imposing a requirement that the applicant will prevent the loss occurring until the relevant development or part of development has commenced.	
	5.137	Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.	
	5.138	Where there is evidence of deliberate neglect of or damage to a heritage asset the Secretary of State should	

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		not take its deteriorated state into account in any decision.	
	5.139	A documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.	
	5.140	Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the importance and the impact. Applicants should be required to deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it.	
	5.141	The Secretary of State may add requirements to the development consent order to ensure that this is undertaken in a timely manner in accordance with a written scheme of investigation that meets the requirements of this section and has been agreed in writing with the relevant Local Authority (or, where the development is in English waters, with the Marine Management Organisation and English Heritage) and that the completion of the exercise is properly secured.	

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Design	4.28	Applicants should include design as an integral consideration from the outset of a proposal.	This is acknowledged in <b>Section 7</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>DAS [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b> .
	4.49	Visual appearance should be a key factor in considering the design of new infrastructure, as well as functionality, fitness for purpose, sustainability and cost. Applying “good design” to national network projects should therefore produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, matched by an appearance that demonstrates good aesthetics as far as possible.	
	4.3	It is acknowledged however, that given the nature of much national network infrastructure development, particularly SRFIs, there may be a limit on the extent to which it can contribute to the enhancement of the quality of the area.	
	4.31	A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts.	

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	4.32	Scheme design will be a material consideration in decision making. The Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable and as aesthetically sensitive, durable, adaptable and resilient as they can reasonably be (having regard to regulatory and other constraints and including accounting for natural hazards such as flooding).	
	4.33	The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme's contribution to the quality of the area in which it would be located). Applicants will want to consider the role of technology in delivering new national networks projects. The use of professional, independent advice on the design aspects of a proposal should be considered, to ensure good design principles are embedded into infrastructure proposals.	
	4.34	Whilst the applicant may only have limited choice in the physical appearance of some national networks infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.	
	4.35	Applicants should be able to demonstrate in their application how the design process was conducted and	



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		how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected. The Examining Authority and Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy.	
Socio-economic Development	4.87	SFRIs can provide many benefits for the local economy. For example because many of the on-site functions of major distribution operations are relatively labour intensive, this can create many new job opportunities. The existence of an available and economic local workforce will therefore be an important consideration for the applicant.	<p><b>The Need Case [TR020001/APP/7.04] and Chapter 11 of the ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p> <p>Additionally, an <b>Employment and Training Strategy (ETS)</b> has been prepared and submitted as part of the application for development consent <b>[TR020001/APP/7.05]</b> in liaison with key stakeholders. The ETS proposes actions and initiatives with a vision to create quality careers and make the airport an inclusive and aspirational</p>

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			<p>place to work. The ETS specifically focuses on maximising employment opportunities at the local level (Luton) and Three Counties in particular.</p> <p>Therefore, these matters are considered to be policy compliant.</p>
Flood Risk	5.92	<p>Applications for projects in the following locations should be accompanied by a Flood Risk Assessment (FRA):</p> <ul style="list-style-type: none"> <li>· Flood Zones 2 and 3, medium and high probability of river and sea flooding;</li> <li>· Flood Zone 1 (low probability of river and sea flooding) for projects of 1 hectare or greater, projects which may be subject to other sources of flooding (local watercourses, surface water, groundwater or reservoirs), or where the Environment Agency has notified the local planning authority that there are critical drainage problems.</li> </ul>	<p>The <b>Flood Risk Assessment (FRA)</b> has been completed in line with the requirements outlined in the ANPS and provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>. Therefore, these matters are considered policy compliant.</p>
	5.93	<p>This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	

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	5.94	<p>In preparing an FRA the applicant should:</p> <ul style="list-style-type: none"> <li>· consider the risk of all forms of flooding arising from the project (including in adjacent parts of the United Kingdom), in addition to the risk of flooding to the project, and demonstrate how these risks will be managed and, where relevant, mitigated, so that the development remains safe throughout its lifetime;</li> <li>· take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made;</li> <li>· consider the vulnerability of those using the infrastructure including arrangements for safe access and exit;</li> <li>· include the assessment of the remaining (known as ‘residual’) risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project;</li> <li>· consider if there is a need to remain operational during a worst case flood event over the development’s lifetime;</li> <li>· provide the evidence for the Secretary of State to apply the Sequential Test and Exception Test, as appropriate.</li> </ul>	
	5.96	<p>Applicants for projects which may be affected by, or may add to, flood risk are advised to seek sufficiently early pre-application discussions with the Environment Agency, and, where relevant, other flood risk management bodies such as lead local flood authorities, Internal Drainage</p>	<p>The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of</p>

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		Boards, sewerage undertakers, highways authorities and reservoir owners and operators. Such discussions can be used to identify the likelihood and possible extent and nature of the flood risk, to help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application once it has been submitted and examined. If the Environment Agency has concerns about the proposal on flood risk grounds, the applicant is encouraged to discuss these concerns with the Environment Agency and look to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns, preferably before the application for development consent is submitted.	infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and described in <b>Section 20.8</b> of <b>ES Chapter 20 [TR020001/APP/5.01]</b> .
	5.97	For local flood risk (surface water, groundwater and ordinary watercourse flooding), local flood risk management strategies and surface water management plans provide useful sources of information for consideration in Flood Risk Assessments. Surface water flood issues need to be understood and then account of these issues can be taken, for example flow routes should be clearly identified and managed.	The sequential approach has been applied in the completion of the <b>FRA</b> provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b> .
	5.98	Where flood risk is a factor in determining an application for development consent, the Secretary of State should be satisfied that, where relevant: <ul style="list-style-type: none"> <li>· the application is supported by an appropriate FRA;</li> </ul>	During assessment Phase 1, there will be a net increase in discharge to the Thames Water system which they have agreed to accept. During assessment Phases 2a and 2b, there will be net decrease in the discharge to the TW network.

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		<ul style="list-style-type: none"> <li>the Sequential Test (see the National Planning Policy Framework) has been applied as part of site selection and, if required, the Exception Test (see the National Planning Policy Framework).</li> </ul>	Therefore, matters regarding drainage are considered policy compliant.
	5.99	<p>When determining an application the Secretary of State should be satisfied that flood risk will not be increased elsewhere and only consider development appropriate in areas at risk of flooding where (informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test), it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and</li> <li>development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and priority is given to the use of sustainable drainage systems.</li> </ul>	
	5.100	For construction work which has drainage implications, approval for the project’s drainage system will form part of any development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water	

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		Management Act 2010.93 In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any Sustainable Drainage Systems (SuDS), including any necessary access rights to property. The Secretary of State, should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body such as the Internal Drainage Board.	
	5.101	If the Environment Agency continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the Environment Agency to try and resolve the concerns.	
	5.102	The Secretary of State should expect that reasonable steps have been taken to avoid, limit and reduce the risk of flooding to the proposed infrastructure and others. However, the nature of linear infrastructure means that there will be cases where: <ul style="list-style-type: none"> <li>· upgrades are made to existing infrastructure in an area at risk of flooding;</li> </ul>	

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		<ul style="list-style-type: none"> <li>· infrastructure in a flood risk area is being replaced;</li> <li>· infrastructure is being provided to serve a flood risk area; and</li> <li>· infrastructure is being provided connecting two points that are not in flood risk areas, but where the most viable route between the two passes through such an area.</li> </ul>	
	5.103	The design of linear infrastructure and the use of embankments in particular, may mean that linear infrastructure can reduce the risk of flooding for the surrounding area. In such cases the Secretary of State should take account of any positive benefit to placing linear infrastructure in a flood-risk area.	
	5.104	Where linear infrastructure has been proposed in a flood risk area, the Secretary of State should expect reasonable mitigation measures to have been made, to ensure that the infrastructure remains functional in the event of predicted flooding.	
	5.105	The Sequential Test Preference should be given to locating projects in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, then projects can be located in Flood Zone 2. If there is no reasonably available site in Flood Zones 1 or 2, then national networks infrastructure projects can be located in Flood Zone 3, subject to the Exception Test. If the development is not essential transport infrastructure that has to cross the area at risk, it is not appropriate in	

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		Flood Zone 3b, the functional floodplain where water has to flow and be stored in times of flood.	
	5.106	The Exception Test If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3a, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur.	
	5.107	The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site, taking into account the need for national networks infrastructure to remain operational during floods.	
	5.108	Both elements of the test will have to be passed for development to be consented. For the Exception Test to be passed: <ul style="list-style-type: none"> <li>· it must be demonstrated that the project provides wider sustainability benefits to the community that outweigh flood risk; and</li> <li>· a FRA must demonstrate that the project will be safe for its lifetime, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.</li> </ul>	
	5.110	To satisfactorily manage flood risk and the impact of the natural water cycle on people, property and ecosystems,	



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		good design and infrastructure may need to be secured using requirements or planning obligations. This may include the use of sustainable drainage systems but could also include vegetation to help to slow runoff, hold back peak flows and make landscapes more able to absorb the impact of severe weather events.	
	5.111	<p>In this document the term Sustainable Drainage Systems (SuDS) is frequently used and taken to cover the whole range of sustainable approaches to surface water drainage management including:</p> <ul style="list-style-type: none"> <li>· source control measures including rainwater recycling and drainage;</li> <li>· infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>· filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>· filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>· basins and ponds to hold excess water after rain and allow controlled discharge that avoids flooding; and</li> <li>· flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</li> </ul>	

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	5.112	Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	
	5.113	The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.	
	5.114	It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.	
	5.115	The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using SuDS.	

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Health and Community	5.84	Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of odour, dust, steam, smoke and artificial light and describe these in the Environmental Statement.	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ol style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result from negative perceptions and uncertainty in relation to all assessment phase s of the Proposed Development.</li> <li>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House</li> </ol>
	5.85	In particular, the assessment provided by the applicant should describe: <ul style="list-style-type: none"> <li>· the type and quantity of emissions;</li> <li>· aspects of the development which may give rise to emissions during construction, operation and decommissioning;</li> <li>· premises or locations that may be affected by the emissions;</li> <li>· effects of the emission on identified premises or locations; and</li> <li>· measures to be employed in preventing or mitigating the emissions.</li> </ul>	
	5.86	The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment.	
	5.87	The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam, smoke and artificial light. This includes the impact of light pollution from artificial	

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		light on local amenity, intrinsically dark landscapes and nature conservation.	<p>Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until assessment Phase 2a works commence in the period 2031 – 2033 and that the commitment to support relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p> <p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p>
	5.88	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the Development Consent Order.	
	5.89	The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of odour, dust, steam, smoke, artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help codify mitigation.	

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			f. There are no likely significant effects on community resources during operation.
Open Space and Green Belt	5.165	The applicant should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate.	The detailed Site and Surroundings also documented in <b>Chapter 2 of the ES [TR020001/APP/5.01]</b> . Relevant information is also set out in <b>Section 6.3 of ES Chapter 6 [TR020001/APP/5.01]</b> , and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> . Therefore, this matter is considered policy compliant.
	5.166	Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority's assessment of need for such types of land and buildings.	
	5.167	During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land-use, having regard to the development plan and relevant applications, and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. These are also matters that local	
			The Host Authorities have been consulted at various stages of development of the scheme proposed. <b>The Consultation Report [TR020001/APP/6.01]</b> covers this matter in greater depth.

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		authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.	
	5.168	Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality. Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed. Where possible, developments should be on previously developed (brownfield) sites provided that it is not of high environmental value. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b> . The Proposed Development has sought to avoid impacting on high quality best and most versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2</b> of the <b>ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits. The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land

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			is Subgrade 3a, rather than the higher subgrades 1 or 2.
	5.169	Applicants should safeguard any mineral resources on the proposed site as far as possible.	This is addressed in the <b>Section 17.9 of ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.
	5.170	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and, if so, whether their proposal may be considered inappropriate development within the meaning of Green Belt policy. Metropolitan Open Land, and land designated as Local Green Space in a local or neighbourhood plan, are subject to the same policies of protection as Green Belt, and inappropriate development should not be approved except in very special circumstances.	This is addressed in the Green Belt Assessment (see <b>Appendix B of the Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these

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	5.171	Linear infrastructure linking an area near a Green Belt with other locations will often have to pass through Green Belt land. The identification of a policy need for linear infrastructure will take account of the fact that there will be an impact on the Green Belt and as far as possible, of the need to contribute to the achievement of the objectives for the use of land in Green Belts.	cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
	5.174	The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.175	Where networks of green infrastructure have been identified in development plans, they should normally be protected from development, and, where possible, strengthened by or integrated within it. The value of linear infrastructure and its footprint in supporting biodiversity and ecosystems should also be taken into account when assessing the impact on green infrastructure.	The mitigation measures set out in <b>Sections 14.8</b> and <b>14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east



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			of Luton. Therefore, this matter is considered policy compliant.
	5.176	The decision-maker should take into account the economic and other benefits of the best and most versatile agricultural land. The decisionmaker should give little weight to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	<p>Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b>. The Proposed Development has sought to avoid impacting on high quality best and most versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2 of the ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits.</p> <p>The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land</p>

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			is Subgrade 3a, rather than the higher subgrades 1 or 2.
	5.178	When located in the Green Belt national networks infrastructure projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development.	This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
	5.179	Applicants can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction.	
	5.180	Where green infrastructure is affected, applicants should aim to ensure the functionality and connectivity of the	
			The mitigation measures set out in <b>Sections 14.8</b> and <b>14.10</b> of ES

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		green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to new coastal access routes, National Trails and other public rights of way.	<b>Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. Therefore, this matter is considered policy compliant.
	5.181	The Secretary of State should also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of any planning obligations, for example, to provide exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, any replacement land provided under those sections will need to conform to the requirements of those sections.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.182	Where a proposed development has an impact on a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.	This is addressed in the <b>Section 17.9</b> of <b>ES Chapter 17 [TR020001/APP/5.01]</b> . No impact is expected to the Mineral Safeguarding Areas (MSAs) identified near the application site.

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	5.183	Where a project has a sterilising effect on land use there may be scope for this to be mitigated through, for example, using the land for nature conservation or wildlife corridors or for parking and storage in employment areas.	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.
	5.184	Public rights of way, National Trails, and other rights of access to land (e.g. open access land) are important recreational facilities for walkers, cyclists and equestrians. Applicants are expected to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements in respect of these measures might be attached to any grant of development consent.	The mitigation measures set out in <b>Sections 14.8</b> and <b>14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east of Luton. Therefore, this matter is considered policy compliant.
	5.185	Public rights of way can be extinguished under Section 136 of the Act if the Secretary of State is satisfied that an alternative has been or will be provided or is not required.	

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Landscape and Visual Impact	5.144	Where the development is subject to EIA the applicant should undertake an assessment of any likely significant landscape and visual impacts in the environmental impact assessment and describe these in the environmental assessment. A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies, as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England.	An assessment of the likely landscape and visual effects of the Proposed Development is presented in <b>Section 14.9 of ES Chapter 14 [TR020001/APP5.01]</b> . This assessment refers to relevant landscape character and green infrastructure studies as a means of assessing the landscape effects. As this matter has been sufficiently addressed, it is considered to be policy compliant.
	5.145	The applicant's assessment should include any significant effects during construction of the project and/or the significant effects of the completed development and its operation on landscape components and landscape character (including historic landscape characterisation).	
	5.146	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquillity and nature conservation.	
	5.147	Any statutory undertaker commissioning or undertaking works in relation to, or so as to affect land in a National	

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		Park or Areas of Outstanding Natural Beauty, would need to comply with the respective duties in section 11A of the National Parks and Access to Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000	
	5.149	Landscape impact Landscape effects depend on the nature of the existing landscape likely to be affected and nature of the effect likely to occur. Both of these factors need to be considered in judging the impact of a project on landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	<b>Sections 14.8 and 14.10 of ES Chapter 14 [TR020001/APP5.01]</b> describe the proposed embedded and additional measures to mitigate significant adverse landscape and visual effects. As this matter has also been addressed in the <b>DAS [TR020001/APP/7.03]</b> , it is considered to be policy compliant.
	5.15	Development proposed within nationally designated areas Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a statutory duty to have regard to in decisions.	The Chilterns Area of Outstanding Natural Beauty (AONB) is located approximately 3km north and 5km west of the airport. The Study Area for the LVIA includes, for the purpose of considering impacts on tranquillity, land within the Chilterns AONB where aircraft would be below 7,000 ft. (AMSL). The Chilterns AONB is identified in <b>Section 14.7 of ES Chapter 14</b>

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			<p><b>[TR020001/APP5.01]</b> and is used in <b>Section 14.9</b> of the same ES Chapter to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor. Officers from The Chilterns Conservation Board were consulted on the Proposed Development pre-statutory consultation, as summarised in <b>Section 14.4</b> of the same ES Chapter.</p> <p>The increase in aircraft movements is also assessed to result in a significant adverse effect on the aesthetic and perceptual characteristics of the landscape within the Chilterns AONB. Although the application to extend the AONB is at a very early stage, a sensitivity test of the proposed boundary extension to the AONB is included at <b>Appendix 14.9</b> of the <b>ES [TR020001/APP/5.02]</b>.</p>
	5.151	The Secretary of State should refuse development consent in these areas except in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration of such applications	The Proposed Development has been designed carefully, aiming to avoid or minimise harm to the landscape and providing reasonable mitigation where

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		<p>should include an assessment of:</p> <ul style="list-style-type: none"> <li>· the need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy;</li> <li>· the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and</li> <li>· any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</li> </ul>	<p>possible and appropriate in accordance with ANPS paragraphs 5.218 and 5.224.</p> <p>As detailed above, the Proposed Development is expected to have a range of both adverse and beneficial landscape and visual impacts. These have not been aggregated into an overall level of impact, rather they have all been weighed in the planning balance in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>.</p>
	5.152	<p>There is a strong presumption against any significant road widening or the building of new roads and strategic rail freight interchanges in a National Park, the Broads and Areas of Outstanding Natural Beauty, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Planning of the Strategic Road Network should encourage routes that avoid National Parks, the Broads and Areas of Outstanding Natural Beauty.</p>	
	5.153	<p>Where consent is given in these areas, the Secretary of State should be satisfied that the applicant has ensured that the project will be carried out to high environmental standards and where possible includes measures to enhance other aspects of the environment. Where necessary, the Secretary of State should consider the</p>	



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		imposition of appropriate requirements to ensure these standards are delivered.	
	5.154	The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on designated areas in Wales or on National Scenic Areas in Scotland.	
	5.155	The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.	
	5.156	Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England has policies based on landscape character assessment, these should be given particular consideration. However, local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development.	
	5.157	In taking decisions, the Secretary of State should consider whether the project has been designed carefully,	

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		taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.	
	5.158	The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast, especially those defined as Heritage Coast.	
	5.159	Reducing the scale of a project or making changes to its operation can help to avoid or mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design or changing the operation of a proposed development may result in a significant operational constraint and reduction in function. There may, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in scale or function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape effects outweigh the marginal loss of scale or function.	

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	5.160	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design (including choice of materials), and landscaping schemes, depending on the size and type of proposed project. Materials and designs for infrastructure should always be given careful consideration.	
	5.161	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site, although if such landscaping was proposed to be consented by the development consent order, it would have to be included within the order limits for that application. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	
Noise and Vibration	5.189	<p>Where a development is subject to EIA and significant noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment, which should form part of the environment statement:</p> <ul style="list-style-type: none"> <li>a description of the noise sources including likely usage in terms of number of movements, fleet mix and diurnal pattern. For any associated fixed structures, such as ventilation fans for tunnels, information about the noise sources including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise.</li> </ul>	<p><b>Table 16.2 of ES Chapter 16 [TR020001/APP/5.01]</b> considers and addresses the requirements of the Noise Policy Statement for England. <b>Sections 16.5 and 16.7 of ES Chapter 16 [TR020001/APP/5.01]</b> set out the description of the noise sources as required. <b>Section 16.3</b> describes the scope for the assessment of noise sensitive premises and noise sensitive areas</p>

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		<ul style="list-style-type: none"> <li>· identification of noise sensitive premises and noise sensitive areas that may be affected.</li> <li>· the characteristics of the existing noise environment.</li> <li>· a prediction on how the noise environment will change with the proposed development: In the shorter term such as during the construction period; in the longer term during the operating life of the infrastructure; at particular times of the day, evening and night as appropriate.</li> <li>· an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas.</li> <li>· measures to be employed in mitigating the effects of noise. Applicants should consider using best available techniques to reduce noise impacts.</li> <li>· the nature and extent of the noise assessment should be proportionate to the likely noise impact.</li> </ul>	<p>included in the assessment with further details of the assessment included in <b>Section 16.5</b>, and the assessment of the effects in <b>Section 16.9</b>. <b>Section 16.7</b> sets out the characteristics of the existing noise environment. <b>Section 16.9</b> sets out how the noise environment is predicted to change with the Proposed Development for the noise sources and time-periods required. Additionally, the noise and vibration assessment in <b>Section 16.9</b> demonstrates how the Proposed Development will mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. No unacceptable adverse effects have been identified. <b>Section 16.8</b> and <b>Section 16.10</b> sets out further mitigation and noise control measures. Therefore, these matters are considered policy compliant.</p>
	5.190	The potential noise impact elsewhere that is directly associated with the development, such as changes in road and rail traffic movements elsewhere on the national networks, should be considered as appropriate.	
	5.191	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. The prediction of road traffic noise should be based on the method described in Calculation of Road Traffic Noise. The prediction of noise from new railways should be based on	

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		the method described in Calculation of Railway Noise. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies	
	5.192	The applicant should consult Natural England with regard to assessment of noise on designated nature conservation sites, protected landscapes, protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	
	5.193	Developments must be undertaken in accordance with statutory requirements for noise. Due regard must have been given to the relevant sections of the Noise Policy Statement for England, National Planning Policy Framework and the Government's associated planning guidance on noise.	
	5.184	The project should demonstrate good design through optimisation of scheme layout to minimise noise emissions and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. The project should also consider the need for the mitigation of impacts elsewhere on the road and rail networks that have been identified as arising from the development, according to Government policy.	

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	5.195	<p>The Secretary of State should not grant development consent unless satisfied that the proposals will meet, the following aims, within the context of Government policy on sustainable development:</p> <ul style="list-style-type: none"> <li>· avoid significant adverse impacts on health and quality of life from noise as a result of the new development;</li> <li>· mitigate and minimise other adverse impacts on health and quality of life from noise from the new development; and</li> <li>· contribute to improvements to health and quality of life through the effective management and control of noise, where possible.</li> </ul>	
	5.196	<p>In determining an application, the Secretary of State should consider whether requirements are needed which specify that the mitigation measures put forward by the applicant are put in place to ensure that the noise levels from the project do not exceed those described in the assessment or any other estimates on which the decision was based.</p>	
	5.197	<p>The Examining Authority and the Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. The Secretary of State may wish to impose requirements to ensure delivery of all mitigation measures.</p>	

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	5.198	<p>Mitigation measures for the project should be proportionate and reasonable and may include one or more of the following:</p> <ul style="list-style-type: none"> <li>· engineering: containment of noise generated;</li> <li>· materials: use of materials that reduce noise, (for example low noise road surfacing);</li> <li>· lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural or purpose built barriers;</li> <li>· administration: specifying acceptable noise limits or times of use (e.g., in the case of railway station PA systems).</li> </ul>	
	5.199	<p>For most national network projects, the relevant Noise Insulation Regulations will apply. These place a duty on and provide powers to the relevant authority to offer noise mitigation through improved sound insulation to dwellings, with associated ventilation to deal with both construction and operational noise. An indication of the likely eligibility for such compensation should be included in the assessment. In extreme cases, the applicant may consider it appropriate to provide noise mitigation through the compulsory acquisition of affected properties in order to gain consent for what might otherwise be unacceptable development. Where mitigation is proposed to be dealt with through compulsory acquisition, such properties</p>	

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		would have to be included within the development consent order land in relation to which compulsory acquisition powers are being sought.	
	5.200	Applicants should consider opportunities to address the noise issues associated with the Important Areas as identified through the noise action planning process.	
Land Contamination and Instability	5.117	Where necessary, land stability should be considered in respect of new development, as set out in the National Planning Policy Framework and supporting planning guidance. Specifically, proposals should be appropriate for the location, including preventing unacceptable risks from land instability. If land stability could be an issue, applicants should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected. Applicants should liaise with the Coal Authority if necessary.	Geotechnical assessment has been undertaken which takes into account potential land stability issues. <b>Section 17.8 of ES Chapter 17 [TR020001/APP5.01]</b> summarises how land stability risks would be mitigated and minimised. Therefore, these matters are considered policy compliant.
	5.118	A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed application for development consent is prepared. Applicants should ensure that any necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development. The site needs to be assessed in	



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		context of surrounding areas where subsidence, landslides and land compression could threaten the development during its anticipated life or damage neighbouring land or property. This could be in the form of a land stability or slope stability risk assessment report.	
	5.119	<p>Applicants have a range of mechanisms available to mitigate and minimise risks of land instability. These include:</p> <ul style="list-style-type: none"> <li>· Establishing the principle and layout of new development, for example avoiding mine entries and other hazards.</li> <li>· Ensuring proper design of structures to cope with any movement expected, and other hazards such as mine and/or ground gases; or</li> <li>· Requiring ground improvement techniques, usually involving the removal of poor material and its replacement with suitable inert and stable material.</li> </ul> <p>For development on land previously affected by mining activity, this may mean prior extraction of any remaining mineral resource.</p>	
	5,168	For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination and how it is proposed to address this	

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Surface Access	5.203	Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level.	<p>The meetings that are listed in <b>Table 18.6 of ES Chapter 18 [TR020001/APP/5.01]</b> demonstrate the high-level of engagement with the highway authorities whose roads will carry the great majority of the additional traffic related to the Proposed Development.</p> <p><b>Section 6 of the Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> sets out a toolbox of interventions to ensure that the airport grows sustainably as it expands. The interventions are grouped under six priority areas – Luton DART and Rail, Bus and Coach, Walking and Cycling, Managing Vehicle Access and Parking, Road Improvement, and Technology and data. The priority areas are detailed in that section, with the longlist of interventions that form the toolbox set out in <b>Tables 9.1 to 9.6 in the Framework Travel Plan (FTP) [TR020001/APP/7.13]</b>.</p>
	5.204	Applicants should consult the relevant highway authority, and local planning authority, as appropriate, on the assessment of transport impacts.	
	5.205	Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.	

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			Based on the above, these matters are considered policy compliant.
	5.206	Road and rail developments For road and rail developments, if a development is subject to EIA and is likely to have significant environmental impacts arising from impacts on transport networks, the applicant’s environmental statement should describe those impacts and mitigating commitments. In all other cases the applicant’s assessment should include a proportionate assessment of the transport impacts on other networks as part of the application.	The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3 in Appendix 18.2</b> of the <b>ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa).

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			<p>These flows reflect the targets that have been adopted to achieve the mode shift.</p> <p>The <b>SAS [TR020001/APP/7.12]</b> in <b>Section 6.1</b> notes that the Applicant’s toolbox approach ensures that under any future scenario the Applicant will be able to reduce the impact of surface access on air quality. Air quality, which includes emissions from traffic, is covered in <b>Chapter 7</b> of the <b>ES [TR020001/APP/5.01]</b> and carbon in <b>Chapter 12</b> of the <b>ES [TR020001/APP/5.01]</b>.</p> <p><b>Section 5</b> of the <b>SAS [TR020001/APP/7.12]</b> outlines the approach to determining Key Performance Indices and the way this will be managed and funded is described in <b>Section 8</b> of the document.</p> <p>Based on the above, these matters are considered policy compliant.</p>

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	5.208	Where appropriate, the applicant should prepare a travel plan including management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport and sustainable modes where relevant, to reduce the need for any parking associated with the proposal and to mitigate transport impacts.	<p>The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3</b> in <b>Appendix 18.2</b> of the <b>ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.</p> <p>The <b>SAS [TR020001/APP/7.12]</b> in <b>Section 6.1</b> notes that the Applicant’s toolbox approach ensures that under any future scenario the Applicant will</p>
	5.209	For schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development (or prevailing policy) which sets out the way in which the highway authority for the Strategic Road Network, will engage with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the Strategic Road Network.	

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			<p>be able to reduce the impact of surface access on air quality. Air quality, which includes emissions from traffic, is covered in <b>Chapter 7</b> of the <b>ES [TR020001/APP/5.01]</b> and carbon in <b>Chapter 12</b> of the <b>ES [TR020001/APP/5.01]</b>.</p> <p><b>Section 5</b> of the SAS <b>[TR020001/APP/7.12]</b> outlines the approach to determining Key Performance Indices and the way this will be managed and funded is described in <b>Section 8</b> of the document.</p> <p>Based on the above, these matters are considered policy compliant.</p>
	5.211	The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in local plans, for example, policies on demand management being undertaken at the local level.	<p>Relevant policy has been considered in <b>Table 18.1</b> of <b>ES Chapter 18 [TR020001/APP/5.01]</b> and due regard has been paid to these in the assessment in <b>Section 18.9</b> of the same <b>ES Chapter</b>.</p>
	5.212	Road and rail developments Schemes should be developed and options considered in the light of relevant local policies and local plans, taking	

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		into account local models where appropriate, however the scheme must be decided in accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies.	
	5.214	Provided that the applicant is willing to commit to transport planning obligations and, to mitigate transport impacts identified in the WebTAG transport assessment (including environment and social impacts), with attribution of costs calculated in accordance with the Department's guidance, then development consent should not be withheld. Appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure.	The transport modelling follows the WebTAG methodology. Engagement that has been undertaken is summarised in <b>Section 18.4 of ES Chapter 18 [TR020001/APP5.01]</b> . Separate assessments for construction and operation are presented in <b>Section 18.9 in ES Chapter 18 [TR020001/APP5.01]</b> . Overall, this matter is considered policy compliant.
	5.215	Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development.	<b>Section 18.8 and 18.10 of ES Chapter 18 [TR020001/APP5.01]</b> cover mitigation measures associated with the Proposed Development and any resultant impacts on traffic and transport.
	5.216	Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated.	
	5.217	Road and rail developments Mitigation measures may relate to the design, lay-out or operation of the scheme.	

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Waste and Resource Management	5.42	The applicant should set out the arrangements that are proposed for managing any waste produced. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental outcome.	The assessment outlined in <b>Section 19.9 of ES Chapter 19 [TR020001/APP5.01]</b> presents arrangements that are proposed for managing waste produced including information on the proposed waste recovery and disposal system for all waste generated by the Proposed Development. Therefore, this matter is considered policy compliant.
	5.43	The Secretary of State should consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous waste arising from the construction and operation of the proposed development. The Secretary of State should be satisfied that the process sets out: <ul style="list-style-type: none"> <li>· any such waste will be properly managed, both on-site and off-site;</li> <li>· the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and</li> <li>· adequate steps have been taken to minimise the volume</li> </ul>	The following targets are set in the <b>CoCP (Appendix 4.2 of the ES [TR020001/APP/5.02])</b> and Outline Site Waste Management Plan ( <b>Appendix 19.1 of the ES [TR020001/APP/5.02]</b> ): <ol style="list-style-type: none"> <li>a. Achieve at least 90% (by weight) material recovery of non-hazardous construction and demolition waste. Uncontaminated excavated soil and stones (European Waste Catalogue/List of Wastes code 17 05 04) are specifically excluded from this target. Recovery is deemed to</li> </ol>



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		of waste arisings, and of the volume of waste arisings sent to disposal, except where an alternative is the most sustainable outcome overall.	include reuse, recycling and recovery (e.g. energy recovery). b. Achieve at least 50% preparation for reuse, reuse and recycling of municipal waste (waste materials such as paper, metal, plastic and glass as far as these waste streams are similar to waste from households).
	5.44	Where necessary, the Secretary of State should use requirements or planning obligations to ensure that appropriate measures for waste management are applied.	Details of waste and resources management requirements for the operator are set out in the Outline Operational Waste Management Plan (OOWMP) provided as <b>Appendix 19.2</b> of this ES [TR020001/APP/5.02].
	5.45	Where the project will be subject to the Environment Agency's environmental permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in paragraphs 4.48 to 4.56 will apply.	The permit is required for excavation works.
Water Quality and Resources	5.221	Applicants should make early contact with the relevant regulators, including the Environment Agency, for abstraction licensing and with water supply companies likely to supply the water. Where a development is subject to EIA and the development is likely to have	A Water Framework Directive (WFD) Compliance Assessment has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping

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		significant adverse effects on the water environment, the applicant should ascertain the existing status of, and carry out an assessment of the impacts of the proposed project on water quality, water resources and physical characteristics as part of the environmental statement.	Report and is provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.
	5.222	For those projects that are improvements to the existing infrastructure, such as road widening, opportunities should be taken, where feasible, to improve upon the quality of existing discharges where these are identified and shown to contribute towards Water Framework Directive commitments.	
	5.223	Any environmental statement should describe: <ul style="list-style-type: none"> <li>· the existing quality of waters affected by the proposed project;</li> <li>· existing water resources affected by the proposed project and the impacts of the proposed project on water resources;</li> <li>· existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project, and any impact of physical modifications to these characteristics;</li> <li>· any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions; and</li> <li>· any cumulative effects.</li> </ul>	An assessment of the impacts of the Proposed Development on water quality and water resources has been undertaken and is outlined in <b>Section 20.9 of ES Chapter 20 [TR020001/APP5.01]</b> . Therefore, this matter is considered policy compliant.

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	5.224	Activities that discharge to the water environment are subject to pollution control. The considerations set out in paragraphs 4.48-4.56 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water.	The <b>CoCP</b> provided as <b>Appendix 4.2</b> of the <b>ES [TR020001/APP/5.02]</b> sets out proposed measures to be implemented by the construction contractors to protect surface water and groundwater resources. These include undertaking monitoring of groundwater and leachate from the former landfill, preparing a construction surface water management strategy, implementing good practice measures to minimise the risk of pollution, and preparing a pollution incident plan. Therefore, this matter is considered policy compliant.
	5.225	The Secretary of State will generally need to give impacts on the water environment more weight where a project would have adverse effects on the achievement of the environmental objectives established under the Water Framework Directive.	The impacts of the Proposed Development on water quality and water resources (including WFD) have been provided in the <b>WFD Compliance Assessment</b> provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b> .
	5.226	The Secretary of State should be satisfied that a proposal has had regard to the River Basin Management Plans and the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives,	The assessment of potential effects on water resources during operation

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		including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans. In terms of Water Framework Directive compliance, the overall aim of projects should be no deterioration of ecological status in watercourses, ensuring that Article 4.7 of the Water Framework Directive Regulations does not need to be applied. The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans, Shoreline/Estuary Management Plans and Marine Plans	has been undertaken. With measures embedded within the design to prevent discharge of polluted water to the environment and prevent an increase in water supply requirements, as described above, no likely significant adverse effects were identified. Therefore, this matter is considered policy compliant.
	5.227	The Examining Authority and the Secretary of State should consider proposals put forward by the applicant to mitigate adverse effects on the water environment and whether appropriate requirements should be attached to any development consent and/or planning obligations. If the Environment Agency continues to have concerns and objects to the grant of development consent on the grounds of impacts on water quality/resources, the Secretary of State can grant consent, but will need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the Environment Agency to try to resolve the concerns, and that the Environment Agency is satisfied with the outcome.	

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	5.48	Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their operation is not inhibited by new development. A similar official safeguarding system applies to certain military aerodromes and defence assets, selected on the basis of their strategic importance. Areas of airspace around aerodromes used by aircraft taking off or on approach and landing are described as “obstacle limitation surfaces” (OLS) and defined according to criteria set out in relevant Civil Aviation Authority (CAA) guidance. Aerodromes that are officially safeguarded will have CAA certified Safeguarding maps showing the OLS.	The Proposed Development would comply with all UK aviation laws, industry guidance and standards, in order to comply with the Aerodrome Certificate that allows the airport to operate. The Aerodrome Certificate requires compliance with security measures, including in relation to terrorism. Security and safety measures are also taken into account in <b>Section 15.8</b> and <b>15.9</b> of <b>ES Chapter 15 [TR020001/APP/5.01]</b> and as mitigation for hazards related to security, such as crime or terrorism. Therefore, this matter is considered policy compliant.
	5.49	The certified safeguarding maps depicting the OLS and other criteria (e.g. to minimise "birdstrike" hazards) are deposited with the relevant local planning authorities. Circular 1/200384 provides advice to planning authorities on the official safeguarding of aerodromes and includes a list of the aerodromes which are officially safeguarded. The Circular and CAA guidance also recommends that the operators of aerodromes which are not officially safeguarded should take steps to protect their aerodrome from the effects of possible adverse development by	Consultation is covered in <b>Section 15.4</b> of <b>ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.

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		establishing an agreed consultation procedure between themselves and the local planning authority or authorities.	
	5.50	There are also “Public Safety Zones” at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Advice is provided minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Advice is provided on Public Safety Zones in Circular 01/2002.	PSZs are covered in <b>Section 15.8</b> of the <b>ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.
	5.52	Safe and efficient operations within UK airspace is dependent upon communications, navigation and surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’). National Networks infrastructure development may interfere with the operation of radar by limiting the capacity to handle air traffic, and aircraft landing systems. It may also act as a reflector or diffractor of radio signals on which navigational aids rely (an effect which is particularly likely to arise when large structures are located close to radar installations).	This matter has not been raised a point of concern.
	5.55	Where the proposed development may have an effect on civil or military aviation and/or other defence assets, an assessment of potential effects should be carried out.	<b>ES Chapter 15 [TR020001/APP/5.01]</b> cover this in full.

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	5.56	The applicant should consult the MoD, CAA, National Air Traffic Services (NATS) and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests.	Consultation covered in <b>Section 15.4 of ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.
	5.57	Any assessment on aviation or other defence interests should include potential impacts during construction and operation of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), other defence assets and aerodrome operational procedures.	<b>ES Chapter 15</b> cover this in full <b>[TR020001/APP/5.01]</b> .
	5.58	If any relevant changes are made to proposals for an NSIP during the pre-application period or before the end of the examination of an application, it is the responsibility of the applicant to ensure that the relevant aviation and defence consultees are informed as soon as reasonably possible.	Noted.
	5.59	The Secretary of State should be satisfied that effects on civil and military aviation and other defence assets have been addressed by the applicant and that any necessary assessment of the proposal on aviation or defence interests has been carried out. In particular, it should be satisfied that the proposal has been designed to minimise adverse impacts on the operation and safety of aerodromes and that reasonable mitigation is carried out. It may also be appropriate to expect operators of the aerodrome to consider making reasonable changes to	<b>ES Chapter 15</b> cover this in full <b>[TR020001/APP/5.01]</b> .

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		operational procedures. The Secretary of State will have regard to the necessity, acceptability and reasonableness of operational changes to aerodromes, and the risks or harm of such changes when taking decisions. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.	
	5.61	There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that go beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape, local residents and ecology may be a relevant consideration, depending on the particular circumstances be a relevant consideration.	Aviation lighting is covered in <b>Section 15.8</b> of the <b>ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.
	5.62	Where, after reasonable mitigation, operational changes and planning obligations and requirements have been proposed, development consent should not be granted if the Secretary of State considers that: <ul style="list-style-type: none"> <li>- a development would prevent a licensed aerodrome from maintaining its licence;</li> <li>- the benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs; or</li> </ul>	The <b>Need Case [TR020001/APP/7.04]</b> covers this and overall, the Proposed Development is considered to be policy compliant.



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		<ul style="list-style-type: none"> <li>· the development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training.</li> </ul>	
	5.64	<p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>· amendments to layout or scale of infrastructure to reduce the height, provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the proposed national networks infrastructure;</li> <li>· changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome); and</li> <li>· upgrading of installation of obstacle lighting and/or by notification in Aeronautical Information Service publications.</li> </ul>	Mitigation is covered in <b>Section 15.8</b> of the <b>ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.
	5.66	Mitigation for effects on radar and navigational systems may include reducing the scale of a project, although in some cases it is likely to be unreasonable to require mitigation by way of a reduction in the scale of development, for example where this would result in a	Mitigation is covered in <b>Section 15.8</b> of the <b>ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.

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		material reduction in capacity or where operations would be severely constrained. However, there may be exceptional circumstances where a small reduction in capacity or other small change to a project will result in proportionately greater mitigation. In these cases, the Secretary of State may consider that the benefits of the mitigation outweigh the marginal loss, for example, of capacity.	
	5.50	There are also “Public Safety Zones” at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Advice is provided on Public Safety Zones in Circular 01/2002	In line with the requirements of Paragraph 4.5, potential risks to safety in the event of a Major Accidents & Disasters (MA&D) during construction and operation of the Proposed Development across the study area -have been assessed within <b>Section 15.9 of Chapter 15 of the ES [TR020001/APP/5.01]</b> . Hazards that may pose a risk to the safety of sensitive receptors, including airport infrastructure, passengers and personnel, construction workers, residential properties and surrounding environmental receptors, have been assessed and conclusions on the significance of the risk determined. The results of the assessment of

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			<p>hazards and significance of the risks are outlined in <b>Section 15.9 of ES Chapter 15 [TR020001/APP5.01]</b>. Therefore, this matter is considered to be policy compliant.</p> <p>PSZs are also covered in <b>ES Chapter 15 [TR020001/APP/5.01]</b> and are found not to conflict with the relevant policy requirement.</p> <p>Therefore, this matter is considered to be policy compliant.</p>
Community Engagement	5.209	For schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development (or prevailing policy) which sets out the way in which the highway authority for the Strategic Road Network, will engage with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the Strategic Road Network.	<p>Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation periods (2019 and 2022) as described in the introduction of the <b>Planning Statement [TR020001/APP/7.01]</b>. The pre-application consultation undertaken is documented within the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application.</p>

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			Therefore, these matters are considered policy compliant.
Light Pollution	5.84	Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of odour, dust, steam, smoke and artificial light and describe these in the Environmental Statement.	The <b>Light Obtrusion Assessment [TR020001/APP/5.02]</b> demonstrates that the Proposed Development is substantially below the acceptable limits set out for Upward Flux Ratio (sky glow) and nuisance caused by the lighting installation. In accordance with the findings set out in the <b>Light Obtrusion Assessment</b> provided as <b>Appendix 5.2 of the ES [TR020001/APP/5.02]</b> , it is assumed that the predicted impact of sitewide construction and operational lighting to be delivered by the Proposed Development on views from the surrounding area would be negligible. Therefore, the Proposed Development is considered to be policy compliant in this matter.
	5.85	In particular, the assessment provided by the applicant should describe: <ul style="list-style-type: none"> <li>· the type and quantity of emissions;</li> <li>· aspects of the development which may give rise to emissions during construction, operation and decommissioning;</li> <li>· premises or locations that may be affected by the emissions;</li> <li>· effects of the emission on identified premises or locations; and</li> <li>· measures to be employed in preventing or mitigating the emissions.</li> </ul>	
	5.86	The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment.	

<b>National Networks National Policy Statement</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	5.87	The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam, smoke and artificial light. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	
	5.88	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the Development Consent Order.	
	5.89	The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of odour, dust, steam, smoke, artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help codify mitigation.	

National Planning Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
Agricultural Land	84	Planning policy and decisions should enable “the development and diversification of agricultural and other land-based rural businesses”.	<p>Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b>. The Proposed Development has sought to avoid impacting on high quality best and most versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2</b> of the <b>ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits.</p> <p>The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land is Subgrade 3a, rather than the higher subgrades 1 or 2.</p>
	174	b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Air Quality	174	e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;	<p><b>Section 7.8 of ES Chapter 7 [TR020001/APP/5.01]</b> provides the mitigation that looks to reduce the impacts to the natural and local environment. The standards have been used in the assessment as provided in <b>Section 7.9</b>, which include values relevant to the natural environment. A <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Therefore, these matters are considered policy compliant.</p>
	186	Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Biodiversity and Ecological Conservation	174	a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);	The biodiversity assessment in <b>Section 8.9 of ES Chapter 8 [TR020001/APP/5.01]</b> provides an assessment of the potential effects that the Proposed Development will have on designated nature conservation sites, habitats and species as per the policies listed within the NPPF. This is addressed in <b>Section 8.9 and 8.14 of ES Chapter 8 [TR020001/APP/5.01]</b> . Additionally, prescriptions for the establishment, long term management and monitoring of habitat creation measures are included within the <b>Outline Landscape and Biodiversity Management Plan (Appendix 8.2 of the ES [TR020001/APP/5.02])</b> . Therefore, these matters are considered policy compliant.
	176	Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality, and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.	



<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	177	<p>When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:</p> <p>a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</p> <p>b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</p> <p>c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	
	180	<p>When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other</p>	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and</p> <p>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.</p>	
	181	<p>The following should be given the same protection as habitats sites:</p> <p>a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>b) listed or proposed Ramsar sites<sup>64</sup>; and</p> <p>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special</p>	

National Planning Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
		Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.	
	182	The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.	
Climate Change	152	The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.	The approach required in the NPPF to decrease vulnerability to current and future impacts of climate change and flood risk has been applied using the latest climate projections data from UKCP18. Embedded and good practice adaptation measures have been identified in <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b> .
	154	New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.	
	157	In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.	
Cultural Heritage	190	Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account: a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation; b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; c) the desirability of new development making a positive	The requirements of the NPPF have been accounted for in this assessment, with particular regard given to establishing the significance of designated and non-designated assets and their settings. The significance of heritage assets and their settings is discussed in the <b>Desk-based Assessment (DBA), Appendix 10.1</b> of the <b>ES</b>

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place.	<p><b>[TR020001/APP/5.02]</b>, and an assessment of the impact of the Proposed Development on the significance of heritage assets is discussed in <b>Section 10.9 of ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p>A Heritage Statement (see <b>Appendix D</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) prepared to support the Cultural Heritage assessment in <b>Section 8</b> of the <b>Planning Statement</b> concluded that within the Luton Hoo Registered Park &amp; Garden (RPG) there are a number of designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (NHLE 1321301). While the setting of these assets, namely the park, will experience change as a result of the operational assessment phase of the Proposed Development, there will be no harm to the significance of the assets themselves.</p>
	194	In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.	
	195	Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any	

<b>National Planning Policy Framework</b>			
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		conflict between the heritage asset's conservation and any aspect of the proposal.	Therefore, this matter is considered policy compliant.
	197	In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.	
	199	When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.	
	200	Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional	
	201	Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.	
	202	Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.	
	203	The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that	

<b>National Planning Policy Framework</b>			
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		directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.	
	208	Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.	
Design	125	Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies 37 and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown	This is acknowledged in <b>Section 7</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>DAS [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b> .



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		that there are strong reasons why this would be inappropriate; b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).	
	126	The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	130	<p>Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.</p>	
	131	<p>Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined,</p>	

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		that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.	
	132	Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.	
	134	Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning	

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.	
Socio-economic Development	81	Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.	<p><b>The Need Case [TR020001/APP/7.04] and Chapter 11 of the ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p> <p>Additionally, an <b>Employment and Training Strategy (ETS)</b> has been</p>

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	83	Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.	<p>prepared and submitted as part of the application for development consent <b>[TR020001/APP/7.05]</b> in liaison with key stakeholders. The ETS proposes actions and initiatives with a vision to create quality careers and make the airport an inclusive and aspirational place to work. The ETS specifically focuses on maximising employment opportunities at the local level (Luton) and Three Counties in particular.</p> <p>Therefore, these matters are considered to be policy compliant.</p>
Flood Risk	174	e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and	The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	169	Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: <ul style="list-style-type: none"> <li>a) take account of advice from the lead local flood authority;</li> <li>b) have appropriate proposed minimum operational standards;</li> <li>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</li> <li>d) where possible, provide multifunctional benefits.</li> </ul>	space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and described in <b>Section 20.8</b> of <b>ES Chapter 20 [TR020001/APP/5.01]</b> .
	167	When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: <ul style="list-style-type: none"> <li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li> <li>b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</li> </ul>	<p>The sequential approach has been applied in the completion of the <b>FRA</b> provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>.</p> <p>Therefore, most matters regarding drainage are considered policy compliant.</p>

<b>National Planning Policy Framework</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</p> <p>d) any residual risk can be safely managed; and</p> <p>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</p>	
	159	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.	
Health and Community	92	<p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of</p>	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ul style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result</li> </ul>

National Planning Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
		<p>attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and</p> <p>c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p>	<p>from negative perceptions and uncertainty in relation to all assessment phases of the Proposed Development.</p> <p>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until Assessment phase 2a works commence in the period 2031 – 2033 and that the commitment to support</p>
	93	<p>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</p> <p>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</p> <p>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;</p> <p>d) ensure that established shops, facilities and services</p>	



National Planning Policy Framework			
Theme	Policy Reference	Policy Description	Compliance commentary
		are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.	<p>relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p> <p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p> <p>f. There are no likely significant effects on community resources during operation.</p>
Open Space and Green Belt	98	Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments	This is addressed in the Open Space Assessment (see <b>Appendix C of the Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore, this matter is considered policy compliant.

National Planning Policy Framework			
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		should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.	
	99	Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or This includes transport hubs, night-time economy venues, cinemas and theatres, sports stadia and arenas, shopping centres, health and education establishments, places of worship, hotels and restaurants, visitor attractions and commercial centres. b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.	
	100	Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.	The mitigation measures set out in <b>Sections 14.8 and 14.10 of ES Chapter 14 [TR020001/APP/5.01]</b> to be delivered by the Proposed Development would result in a significant beneficial effect on the network of Public Rights of Way east

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			of Luton. Therefore, this matter is considered policy compliant.
	120	<p>Planning policies and decisions should:</p> <ul style="list-style-type: none"> <li>a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;</li> <li>b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;</li> <li>c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;</li> <li>d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and</li> <li>e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In</li> </ul>	<p>The Proposed Development is expected to provide replacement open space in a greater quantity of that which will be lost, enhance public rights of way near the application site and more than 10% Biodiversity Net Gain (BNG). This is detailed within <b>Section 8.8 of ES Chapter 8 [TR020001/APP/5.01]</b>. Therefore, with regard to clause (a) this matter is considered policy complaint.</p>

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		particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.	
	137	The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence	This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt
	138	Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	
	139	The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions. Any proposals for	

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		new Green Belts should be set out in strategic policies, which should: a) demonstrate why normal planning and development management policies would not be adequate; b) set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary; c) show what the consequences of the proposal would be for sustainable development; d) demonstrate the necessity for the Green Belt and its consistency with strategic policies for adjoining areas; and e) show how the Green Belt would meet the other objectives of the Framework	that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
	140	Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.	
	141	Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for	

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		meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy: a) makes as much use as possible of suitable brownfield sites and underutilised land; b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.	
	147	Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.	
	148	When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.	

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	149	<p>A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.</p> <p>Exceptions to this are:</p> <ul style="list-style-type: none"> <li>a) buildings for agriculture and forestry;</li> <li>b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;</li> <li>c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;</li> <li>d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;</li> <li>e) limited infilling in villages;</li> <li>f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and</li> <li>g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the</li> </ul>	

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		openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.	
	150	<p>Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:</p> <ul style="list-style-type: none"> <li>a) mineral extraction;</li> <li>b) engineering operations;</li> <li>c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;</li> <li>d) the re-use of buildings provided that the buildings are of permanent and substantial construction;</li> <li>e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and</li> <li>f) development, including buildings, brought forward under</li> </ul>	



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		a Community Right to Build Order or Neighbourhood Development Order.	
	187	Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ul style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result from negative perceptions and uncertainty in relation to all assessment phases of the Proposed Development.</li> <li>c. Significant adverse effects on mental health and wellbeing</li> </ul>

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			<p>may also result from the demolition of Prospect House Day Nursery.</p> <p>Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until Assessment phase 2a works commence in the period 2031 – 2033 and that the commitment to support relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been</p>

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			<p>identified due to an increase in air noise.</p> <ul style="list-style-type: none"> <li>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</li> <li>f. There are no likely significant effects on community resources during operation.</li> </ul>
Landscape and Visual Impact	174	b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;	<p><b>Section 14.7 of ES Chapter 14 [TR020001/APP/5.01]</b> provides a description of the baseline conditions within the site and study area, noting particularly valued landscapes and scenic quality. <b>Section 14.9</b> of the same chapter draws on this baseline to inform judgements on the value of a landscape or visual receptor and the magnitude of impact on that landscape or visual receptor. The proposed development has been designed as sensitively as possible as described in <b>ES Chapter 14</b></p>

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			[TR020001/APP/5.01], therefore, this matter is considered policy compliant.
Noise and Vibration	174	e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;	Section 16.9 of ES Chapter 16 [TR020001/APP/5.01] assesses noise effects due to the Proposed Development. Section 16.8 and 16.10 provide details on how noise effects will be minimised. Therefore, this matter is considered to be policy compliant.
	185	Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;	

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		b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason	
Land Contamination and Instability	174	a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.	The risk assessments completed to support this chapter to address this requirement are listed in <b>Section 17.1</b> of <b>ES Chapter 17 [TR020001/APP/5.01]</b> and provided in <b>Appendices 17.1 to 17.4</b> of the <b>ES [TR020001/APP5/5.02]</b> . Therefore, these matters are considered policy compliant.
	183	Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.	

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	184	Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.	
Surface Access	104	<p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <p>a) the potential impacts of development on transport networks can be addressed;</p> <p>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</p> <p>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</p> <p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p>	<p>Surface transport has been a fundamental consideration in planning for the potential growth of the airport. The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> revolves around increasing the proportion of air passengers travelling to and from the airport by public transport. The investment in the Luton Direct Air-Rail Transit (Luton DART), a new cable-hauled fast passenger transit connecting Luton Airport Parkway station and the existing Central Terminal Area will provide a much more convenient connection between the station and the terminal building which in turn will encourage a greater proportion of air passengers to take advantage of the rail services. The Luton DART will be extended to serve the second terminal.</p>
	105	The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or	In recognition of the fact that there will

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		can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.	<p>still be a significant number of air passengers travelling to and from the airport by car, a number of Highway Interventions (refer to Chapter 4 of the <b>ES [TR020001/APP/5.01]</b>) have been identified in conjunction with the local highway authorities in order to provide mitigation for the increased volumes of traffic on roads in the locality of the airport and the corridor to the M1. The results of the assessment of the environmental aspects (listed in paragraph 18.3.26) of the increased traffic volumes in conjunction with the introduction of the Highway Interventions that have been proposed and are listed in <b>Table 4.1 of Chapter 4</b> of the <b>ES [TR020001/APP/5.01]</b> are reported in <b>Section 18.9 of ES Chapter 18 [TR020001/APP/5.01]</b> for both the construction and operational assessment phases of the Proposed Development.</p> <p>Given the above, these matters are considered policy compliant.</p>
	113	All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.	

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Waste and Resource Management	8	a. The environmental objective set out at paragraph 8 of the NPPF is “to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”	The approach to minimising waste for the Proposed Development is outlined in paragraphs 19.8.2-19.8.8 of ES <b>Chapter 19 [TR020001/APP/5.01]</b> . Therefore, this matter is considered to be policy compliant.
	210	b. The environmental objective set out in paragraph 210 of the NPPF is to “so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.”	
Contributions	55	Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.	Full details on the proposed noise insulation scheme and a new discretionary property compensation scheme are presented in the <b>Draft Compensation Policies, Measures and Community First</b> submitted as part of the application for development consent <b>[TR020001/APP/7.10]</b> .  The document provides details of the proposal for the creation of Community First which will help put



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			<p>more back into local communities. Money from the Community First fund will be allocated to projects that tackle deprivation in Luton and neighbouring counties, and for local decarbonisation projects. It will split 60% to Luton, and 40% to neighbouring counties, recognising that Luton has some of the most deprived areas within the East of England.</p> <p>As well as this, part of the Proposed Development, the current noise insulation scheme administered by LLAOL, will be replaced if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the government proposals set out in Aviation 2050.</p>
Safety and Security	45	Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them.	Paragraph 45 is addressed in <b>Section 15.4 of ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.

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	97	Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate <sup>43</sup> . Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.	Paragraph 97 is addressed in <b>Section 15.8 of ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.
	183	Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be	Paragraph 183 is addressed in <b>Section 15.8 of ES Chapter 15 [TR020001/APP/5.01]</b> , therefore this matter is considered policy compliant.

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		capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments	
Light Pollution	185	Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life <sup>65</sup> ; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	The <b>Light Obtrusion Assessment [TR020001/APP/5.02]</b> demonstrates that the Proposed Development is substantially below the acceptable limits set out for Upward Flux Ratio (sky glow) and nuisance caused by the lighting installation. In accordance with the findings set out in the <b>Light Obtrusion Assessment</b> provided as <b>Appendix 5.2</b> of the <b>ES [TR020001/APP/5.02]</b> , it is assumed that the predicted impact of sitewide construction and operational lighting to be delivered by the Proposed Development on views from the surrounding area would be negligible. Therefore, the Proposed Development is considered to be policy compliant in this matter.

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Community Engagement	40	Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.	Engagement on the Proposed Development has been carried out throughout the design process. This has included non-statutory (2018) and statutory consultation periods (2019 and 2022) as described in <b>Section 1</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> . The pre-application consultation undertaken is documented within the <b>Consultation Report [TR020001/APP/6.01]</b> submitted with the application. Therefore, these matters are considered policy compliant.
	126	The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.	
	129	Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these	

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		exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.	
	132	Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.	
	133	Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the	

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		<p>local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.</p>	

<b>Luton Borough Council Local Plan 2011-2031</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Principle of Development	LLP1 - Presumption in Favour of Sustainable Development	<p>A 'presumption in favour of sustainable development' will be applied to development management decisions. Wherever possible, the Council will work proactively and positively with all applicants to help shape development proposals to deliver growth and sustainable development that can be approved without delay.</p> <p>A. Planning permission will be granted where applications accord with local plan policies (and, where relevant, with policies in neighbourhood plans) when taken as a whole, unless other material considerations indicate otherwise.</p> <p>B. The Council will require all new development in the borough to contribute to enhancing a sense of place, preserve or improve the character of the area.</p> <p>Development proposals should respond to and enhance local character, the natural environment, heritage assets, and the identity of the Borough.</p> <p>The Council will seek to encourage growth and sustainable development and manage change so as to create a network of connected, sustainable, high quality, locally distinctive and healthy places.</p> <p>Growth in homes, jobs and services that constitutes sustainable development will be welcomed; provided the</p>	<p>The principle of development is justified in <b>Sections 8</b> and <b>9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>.</p>

<b>Luton Borough Council Local Plan 2011-2031</b>			
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		<p>growth is directed to places with good concentrations of existing infrastructure or areas where there is capacity to grow with further sustainable infrastructure investment within the plan period to 2031.</p> <p>The Strategic Allocations and Luton Town Centre will be the primary location for growth, with District and Neighbourhood Centres also playing a substantial role as the heart of the communities of Luton (see the Key Diagram).</p> <p>Sustainable Development Principles</p> <p>To enable the delivery of sustainable development and sustainable communities, all development proposals will, where applicable, have regard to relevant plan policies.</p>	



<b>Luton Borough Council Local Plan 2011-2031</b>			
<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	LLP2 - Spatial Development Strategy	<p>There is a need for 17,800 net additional dwellings to support the population growth of Luton Borough over the period 2011 – 2031. Over the same period there is a need for 31,800 net additional dwellings in the Functional Luton Housing Market Area (which includes the need for 17,800 dwellings in Luton Borough).</p> <p>The Local Plan will make provision for 8,500 net additional dwellings over the plan period in the Borough and requires 20% of all qualifying housing developments under Policy LLP16 (Affordable Housing) to be affordable dwellings. Luton therefore has an unmet housing need of 9,300 net additional dwellings over the plan period. The level of housing provision within Luton will not be treated as a ceiling. This is in order to enable development proposals to come forward on sites that are not specifically allocated for housing but which comply with plan policies, subject to the availability of appropriate infrastructure. Luton Borough Council will continue to work with neighbouring and nearby local authorities to help ensure delivery of the Borough's unmet needs in other local authority areas under the 'duty to cooperate'. Luton BC will continue to work with its neighbouring authorities to help ensure that the needs of the Luton HMA are met within the HMA. This work is to be informed by the Joint Growth Options Study including 'Areas of Search' for</p>	<p>The Proposed Development, as explained in <b>Section 5</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>, comprises increased capacity at London Luton Airport alongside transport access improvements and is therefore compliant with part D (iv).</p>

Luton Borough Council Local Plan 2011-2031			
Theme	Policy Reference	Policy Description	Compliance commentary
		<p>growth of Luton to the North, South, East and West.</p> <p>B. Employment in B Use Classes will be delivered through:</p> <p>i. around 69 hectares of employment development on Strategic Allocations at Land South of Stockwood Park, London Luton Airport, Butterfield Technology Park, Power Court, Napier Park, High Town and the Creative Quarter; and</p> <p>ii. delivering net additional employment land stock on allocated sites prior to releasing older unsuitable employment land and premises to other uses.</p> <p>D. The infrastructure required to support the Spatial Development Strategy will be phased and funded in line with the Infrastructure Delivery Plan (IDP) and the policies in the Local Plan including:</p> <p>iv. increased capacity at London Luton Airport alongside transport access improvements;</p>	
	LLP6 - London Luton Airport Strategic Allocation	The London Luton Airport Strategic Allocation (approximately 325 hectares) includes land within the airport boundary, Century Park and Wigmore Valley Park (as identified on the Policies Map). The allocation serves the strategic role of London Luton Airport and associated growth of business and industry, including aviation engineering, distribution and service sectors that are	The Proposed Development meets all the requirements of policy LLP6 as evidenced in <b>Section 8</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		important for Luton, the sub-regional economy, and for regenerating the wider conurbation.	
	LLP13 - Economic Strategy	<p>A. Planning applications will be granted where they deliver sustainable economic growth and prosperity to serve the needs of Luton and the wider sub region. Jobs will be generated through business and industry development on strategic employment allocations, and within the existing key employment areas safeguarded for B class uses, (including securing automotive and advanced manufacturing clusters and supporting industries/services such as the GM / Vauxhall plant to respond to the market and core business demands) as identified on the Policies Map. Further growth in employment in commercial and service related industries including retail, leisure, culture and tourism will be generated within the Town Centre, District and Neighbourhood Centres including where ancillary or proposed within the strategic employment allocations. The strategic allocations for delivery are:</p> <p>ii. London Luton Airport (Century Park): mixed aviation related B1b-c, B2 and B8, small scale ancillary service uses and hotel use (see Policy LLP6);</p> <p>E. Planning permission for proposals that would increase and improve tourism and visitor attractions will be granted,</p>	The Proposed Development meets the requirements of policy LLP13 as evidenced in <b>Section 8</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the <b>Need Case [TR020001/APP/7.04]</b> .

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		provided that it does not cause an adverse impact on the road network, any town centre use accords with the sequential approach and is in conformity with the policies in the Local Plan.	
	LLP31 - Sustainable Transport Strategy	Support for the continued economic success of London Luton Airport as a transport hub (policy LLP6) will be delivered through: measures to ensure there is capacity at strategically important junctions; and continued enhancement of sustainable modes of transport via the Airport Surface Access Strategy. Improvements Needed and Safeguarded Land E. The following strategic infrastructure schemes are needed to support proposed development and land is safeguarded for this purpose where needed as shown on the Policies Map: Luton Airport Parkway Railway Station North Entrance - dedicated tunnel to accommodate a feasible and viable public transport based solution linking to the airport.	The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. The scheme also includes extension of the Luton DART.
Air Quality	LLP6 - London	iv. they fully assess the impacts of any increase in Air Transport Movements on surrounding occupiers and/or	The increase in Air Transport Movements (ATMs) have been

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	Luton Airport Strategic Allocation	local environment (in terms of noise, disturbance, air quality and climate change impacts), and identify appropriate forms of mitigation in the event significant adverse effects are identified;	assessed as discussed in <b>Section 7.5</b> and <b>Section 7.8</b> of <b>ES Chapter 7 [TR020001/APP/5.01]</b> provides the measures to mitigate

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Theme	Policy Reference	Policy Description	Compliance commentary
	LLP38 - Pollution and Contaminatio n	<p>Pollution</p> <p>Evidence on the impacts of development will need to demonstrate whether the scheme (individually or cumulatively with other proposals) will result in any significantly adverse effects with regard to air, land or water on neighbouring development, adjoining land, or the wider environment. Where adverse impacts are identified, appropriate mitigation will be required. This policy covers chemical, biological, and radiological contamination and the effects of noise, vibration, light, heat, fluid leakage, dust, fumes, smoke, gaseous emissions, odour, explosion, litter, and pests.</p> <p>A. Development should provide for the satisfactory disposal of surface water to deliver water quality improvements to receiving water courses and aquifers where feasible and, together with waste water disposal, should not be detrimental to the management and protection of water resources. In all cases, development must be carefully built, operated, and closed in such a manner so as to ensure there are no long-term pollution problems.</p> <p>B. During construction and operation, appropriate measures will be required to prevent the deposit of mud or other debris on or within public highways and water bodies from vehicles using the site.</p> <p>Contaminated land</p>	<p>air quality impacts. Cumulative impacts have been assessed and discussed in <b>Chapter 21</b> of the <b>ES [TR020001/APP/5.01]</b>, and <b>Section 7.8</b> of <b>ES Chapter 7 [TR020001/APP/5.01]</b> provides the measures to mitigate air quality, odour and dust impacts.</p> <p>Best practice construction noise mitigation measures are secured through the <b>Code of Construction Practice (CoCP) (Appendix 4.2</b> of the <b>ES [TR020001/APP/5.02])</b>. Furthermore, the <b>Mitigation Route Map [TR020001/APP/5.09]</b> identifies all the mitigation measures proposed and sets out how they will be secured.</p> <p>Therefore, these matters are considered policy compliant.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>C. For proposals on or affecting contaminated land, a site assessment must be carried out to establish the full nature and extent of the contamination. Contaminated land is used to describe land polluted by: heavy metals like arsenic, cadmium, and lead; oils and tars; chemical substances and preparations, e.g. solvents; gases; asbestos; and radioactive substances....but may include other hazardous matter of chemical or biological origin. It is defined as land where substances could cause: significant harm to people or protected species; and/ or significant pollution of surface waters or groundwater (including Source Protection Zones).</p> <p>D. If contamination is found, remediation measures are to be agreed by the Council with reference to the Contaminated Land Statutory Guidance (April 2012), that such measures are carried out on site where this is viable and that such measures are completed prior to development.</p> <p>E. Planning permission will be granted for the development or reuse of land that is unlikely to be affected by contamination but not for schemes that could:</p> <ul style="list-style-type: none"> <li>i. expose the occupiers of the development, or users of domestic gardens, or neighbouring land to an unacceptable risk;</li> <li>ii. threaten the structural integrity of any existing or</li> </ul>	

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		<p>proposed building on, or adjoining, the site;</p> <p>iii. lead to the contamination of any watercourse, water body, or aquifer; or</p> <p>iv. cause the contamination of adjoining land or allow the contamination of the development site to continue.</p> <p>Land stability</p> <p>Development must be sensitive to local ground conditions and land stability. It must be appropriate for existing conditions and ensure that the future stability of land is protected.</p>	
Biodiversity and	LLP25 - High Quality Design	i. enhance the distinctiveness and character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and	The biodiversity assessment in <b>Section 8.9 of ES Chapter 8 [TR020001/APP/5.01]</b> provides an



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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Ecological Conservation		materials, distinctiveness, and natural features including biodiversity;	assessment of the potential effects that the Proposed Development

	<p><b>LLP28 - Biodiversity and Nature Conservation</b></p>	<p>The Council will work with partner organisations to positively assess, manage, and designate sites and ecological networks including giving support to development proposals that add to the net stock of wildlife habitats or where they help to deliver a net gain in the conservation and enhancement of such sites. The protection given will be commensurate with their status, giving appropriate weight to their importance and the contribution they make to ecological networks.</p> <p>A. Development proposals that impact adversely on statutory or other designated sites, and ecological networks will need to demonstrate compliance with the following sequential criteria:</p> <ul style="list-style-type: none"> <li>i. avoidance, wherever possible; otherwise</li> <li>ii. the benefits of the proposal must clearly outweigh the intrinsic nature conservation interest;</li> <li>iii. mitigation must be used, including retention, protection, enhancement, and appropriate management to minimise any harm during and after development; and</li> <li>iv. compensation, through acquisition and management of an alternative habitat of equivalent wildlife value in the vicinity.</li> </ul> <p>B. All existing habitats and ecological networks will be afforded a level of protection from harm according to statutory and non-statutory nature conservation hierarchy designations and the contribution they make to wider ecological networks. Tier 1 designations are of national statutory importance and tier 2 and tier 3 are of regional or local importance but with policy protection in this statutory local plan:</p> <p>tier 1 National Nature Reserves and Sites of Special</p>	<p>will have on designated nature conservation sites, habitats and species as per the policies listed within the Plan. The Proposed Development applies the mitigation hierarchy identified within policy LLP28. This is addressed in <b>Sections 8.9 and 8.14 of ES Chapter 8 [TR020001/APP/5.01]</b>. Full methodologies and results for all ecological surveys to date are included within the Ecology Baseline Report within <b>Appendix 8.1 of the ES [TR020001/APP/5.02]</b>.</p>
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		<p>Scientific Interest;                  tier 1 National Biodiversity Action Plan;                  tier 1 Habitats and Species listed in section 41 of the Natural Environment &amp; Rural Communities Act (2006);                  tier 1 Species protected bylaw;                  tier 1 or 2 Ancient Woodland;                  tier 2 Local Nature Reserves including those previously proposed;                  tier 2 County Wildlife Sites;                  tier 2 Sites of Heritage Interest to Natural England;                  tier 2 Local Biodiversity Action Plan;                  tier 3 District Wildlife Sites; or                  tier 3 other features of biodiversity value within the green network including aged or veteran trees.</p> <p>C. Sites within Luton deemed of tier 1 importance by Natural England for potential SSSI designation in association with the Bedfordshire Chalk include Bradgers Hill, Dallow Downs, and Cowslip Meadow.</p> <p>D. Where there is a reasonable likelihood that a development proposal could have an adverse effect on habitats or species of biodiversity interest, the prospective developer will be required to submit an ecological assessment with the planning application. This should normally include a phase 1 habitat survey and protected species information. If invasive weed species listed on Schedule 9 of the Wildlife and Countryside Act in England and Wales are present, such as Japanese Knotweed and Himalayan Balsam, an invasive species management plan should be submitted.</p> <p>E. Development site layouts should retain any existing areas of National Priority Habitats wherever possible, and</p>	
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		<p>to enhance their visual and biodiversity value with appropriate planting of locally native trees, shrubs, and hedgerows but only in such locations that the long term impact on existing habitats (grasslands, hedgerows, ponds, etc.) is not deleterious through effects of shading, leaf fall, or other impacts.</p>	
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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Climate Change	LLP6 - London Luton Airport Strategic Allocation	viii. incorporate sustainable transportation and surface access measures that, in particular, minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Luton Airport Surface Access Strategy;	The application for development consent includes a commitment that 45% of air passengers travelling to and from the airport will use public transport (paragraph 18.1.8 of <b>ES Chapter 18 [TR020001/APP/5.01]</b> ). The continued enhancement of sustainable modes of travel is demonstrated by the commitment to extend the Luton DART and the provision of enhanced facilities for buses and coaches at Terminal 2. Therefore, this matter is considered to be policy compliant.
	LLP25 - High Quality Design	viii. reduce carbon emissions, risk of flooding, and increase energy and water efficiency and quality;	Measures to minimise the risk of flooding and other climate change risks are set out in <b>Section 9.8</b>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	LLP37 - Climate change, carbon and waste reduction and sustainable energy	<p>The Council will support development proposals that contribute towards mitigation, and adaptation to climate change through energy use reduction, efficiency, and renewable, and decentralised energy.</p> <p>A. New residential development will be encouraged to exceed the national standards set out in Building Regulations on carbon and energy performance. The energy hierarchy set out under LLP37 C provides principles on how Building Regulations could be achieved and exceeded.</p> <p>B. All new non-residential developments over 1,000 square metres will be required to achieve the 2013 Building Research Establishment Environmental Assessment Method (BREEAM) 'Good' status".</p> <p>C. Energy Hierarchy:</p> <ul style="list-style-type: none"> <li>i. consider reducing energy and water demand;</li> <li>ii. consider energy generation from low and zeros carbon sources on site; iii. consider decentralised energy networks and generation; and iv. consider off-site solutions, retro fitting, and carbon reduction schemes.</li> </ul> <p>D. All residential developments will achieve a water efficiency standard of 110 litres per person per day because Luton is in an area of water stress. The Council encourages an overall reduction in the amount of waste generated, treated and disposed of to reduce the need for land for waste management. Proposals that are likely to</p>	and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9</b> [TR020001/APP/5.01].

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		generate significant volumes of waste through development or operational phases will be required to include a waste audit as part of the application.	
Cultural Heritage	LLP25 - High Quality Design	i. enhance the distinctiveness and character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and materials, distinctiveness, and natural features including bio diversity;	The Desk Based Assessment found in <b>Appendix 10.1 of ES Chapter 10 [TR020001/APP/5.02]</b> , has assessed the significance of

	<p>LLP30 - Historic Environment</p>	<p>A. To protect, conserve and enhance Luton’s unique and rich heritage, identity, and sense of place, development proposals must take account of the character, setting, and local distinctiveness (including materials and detailing) of local affected heritage assets, and features of particular importance including:</p> <ul style="list-style-type: none"> <li>i. the manufacturing industry and the hat industry;</li> <li>ii. registered parks and gardens including Luton Hoo and Wardown Park;</li> <li>iii. historic landscape features such as the Chilterns and River Lea; and</li> <li>iv. prominent listed buildings including within the town centre, the medieval street patterns, the Town Hall, and the Parish Church of St. Mary.</li> </ul> <p>Any degree of harm and benefit arising from development proposals will be assessed against the significance of any affected heritage assets including:</p> <p>Designated heritage assets:</p> <ul style="list-style-type: none"> <li>- listed buildings</li> <li>- conservation areas</li> <li>- scheduled monuments</li> <li>- registered parks and gardens.</li> </ul> <p>Non-designated heritage assets:</p> <ul style="list-style-type: none"> <li>- locally listed buildings</li> <li>- archaeology</li> </ul> <p>B. There will be a presumption in favour of the retention of heritage assets. Development proposals will be supported where they conserve heritage assets, bringing them back into appropriate use for the benefit of future generations.</p>	<p>known and potential heritage assets, and mitigation proposals for the preservation of archaeological remains and preservation by record are set out in <b>Section 10.10 of ES Chapter 10 [TR020001/APP/5.01]</b>. The effects of the Proposed Development on heritage assets and their settings have been considered as part of the assessment and are reported in <b>Section 10.9 of ES Chapter 10 [TR020001/APP/5.01]</b>. Recommendations to mitigate the loss of heritage significance (value) are set out in <b>Section 10.10 of ES Chapter 10 [TR020001/APP/5.01]</b>, and comprise a staged programme of archaeological investigation, and reporting.</p> <p>A Heritage Statement (see <b>Appendix D of the Planning Statement [TR020001/APP/7.01]</b>) prepared to support the Cultural Heritage assessment in <b>Section 8 of the Planning Statement</b> concluded that within the Luton Hoo RPG there are a number of</p>
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	<p>C. Any harm or loss to a heritage asset requires clear and convincing justification. Substantial harm to or loss of a designated heritage asset should be exceptional or wholly exceptional depending on the significance of the affected heritage assets. It will only be permitted where there are substantial public benefits that outweigh the harm or loss, or the nature of the heritage asset is such that no reasonable alternative use including conversion can be found, and that appropriate marketing or options for grant-funding or charitable/public ownership have been exhausted. Less than substantial harm to the significance of a heritage asset should be weighed against the public benefits of the proposal. The loss of a building or other element that makes a positive contribution to the significance of a conservation area should be avoided and treated as substantial harm or less than substantial harm depending on the circumstances.</p> <p>D. Proposals affecting designated and non-designated heritage assets require a Heritage Statement for validation (which may be included within a Design and Access Statement), setting out the significance of the asset, the resulting impact, and mitigation, addressing the setting of the asset.</p> <p>E. Where a site includes, or has the potential to include, heritage assets with archaeological interest, developers should submit an appropriate desk-based assessment and, where necessary, a strategy for field evaluation using non-invasive and invasive</p>	<p>designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (NHLE 1321301). While the setting of these assets, namely the park, will experience change as a result of the operational assessment phase of the Proposed Development, there will be no harm to the significance of the assets themselves.</p> <p>Therefore, this matter is considered policy compliant.</p>
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		<p>techniques prior to the determination of the planning application. On the basis of this assessment, an appropriate conservation strategy will be developed, which may include preservation in situ where appropriate and/or full or partial recording, with the record of evidence being made publicly accessible. If non-designated heritage assets of archaeological interest are of equivalent value to a designated asset, they would need to be subject to the same policies for designated heritage assets.</p> <p>F. Applicants will be required to record and advance an understanding of heritage assets that are to be lost (wholly or in part). The recording will be in a manner proportionate to their importance and the impact. This evidence (and any archive generated) should be made accessible to the public. Recording and advancing the understanding of heritage assets will be regulated by legal agreements on the phasing of demolition and development.</p> <p>The Council will seek to:</p> <ul style="list-style-type: none"> <li>- maintain a regularly updated schedule of Luton’s Designated Heritage Assets and locally listed heritage;</li> <li>- ensure that heritage assets considered to be at risk of neglect or decay, included on the Historic England’s at Risk Register, are effectively managed and protected; and</li> <li>- work with stakeholders and the community to establish Conservation Area Appraisals and Management Plans for its Conservation Areas.</li> </ul>	
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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Design	LLP6 - London Luton Airport Strategic Allocation	<p>Design and Drainage</p> <p>F. Development proposals for the London Luton Airport Strategic Allocation will ensure:</p> <p>i. appropriate strategic landscaping to be provided both on and off-site, which shall have regard to the potential for significant visual prominence within the wider area of built development at Century Park and which does not increase risk to aviation operations arising from structures, lighting, bird strike or open water and having regard to operational and national security considerations;</p> <p>ii. the height and design of buildings will reflect the site's rural fringe setting, its high visibility from surrounding countryside and its proximity to London Luton Airport;</p> <p>iii. provision is made for sustainable drainage and the disposal of surface water in order to ensure protection of the underlying aquifer and prevent any harm occurring to neighbouring and lower land; and iv. that development proposals, where applicable / appropriate will fully assess the impacts upon heritage assets and their setting, and should be designed to avoid harm to the setting of any heritage assets. Proposals will be considered in line with Policy LLP30 (historic environment)</p>	<p>This acknowledged in <b>Section 8.15</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b>.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	LLP25 - High Quality Design	<p>Buildings and spaces will be of high quality design with distinctive character and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the best practice principles of urban design to help create quality places in the Borough. In particular, where the following design criteria are material to an application site, its context and development proposals, provision should be made to:</p> <ul style="list-style-type: none"> <li>i. enhance the distinctiveness and character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and materials, distinctiveness, and natural features including bio diversity;</li> <li>ii. create or enhance attractive safe, accessible, and active open public spaces, creatively using hard and soft landscaping and public art for all members of the community;</li> <li>iii. provide continuity of built form, connectivity, active frontages, and enclosure;</li> <li>iv. optimise and improve accessibility to walking and cycling and connections to public transport, local services, open spaces, and community services and facilities;</li> <li>v. optimise higher densities and avoid backland development where it would give rise to averse amenity whilst meeting the other requirements of this policy;</li> <li>vi. provide green infrastructure and measures to protect,</li> </ul>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>conserve, or enhance natural assets and biodiversity;</p> <p>vii. be adaptable to change of uses and flexible to accommodate changing living and working requirements of all the members of the community;</p> <p>viii. reduce carbon emissions, risk of flooding, and increase energy and water efficiency and quality;</p> <p>ix. promote sport and physical activity and healthy communities (13);</p> <p>x. promote opportunities for reducing crime and anti-social behaviour;</p> <p>xi. deliver new housing in accordance with external amenity space standards set out in appendix 6, and minimises noise, overlooking and overshadowing/loss of light, address tall buildings and the protection of important views, and ensure access to storage and privacy; and</p> <p>xii. deliver and integrate public art, particularly in strategic allocations.</p> <p>The Council will use a Design Review Panel to review major development proposals where appropriate and will take into consideration its recommendations when considering applications.</p> <p>Supplementary guidance through SPDs and Development Briefs on high quality design may be produced to expand and complement the principles established in this Plan</p>	

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		and to provide clear guidance to applicants.	
Socio-economic Development	LLP13 - Economic Strategy	E. Planning permission for proposals that would increase and improve tourism and visitor attractions will be granted, provided that it does not cause an adverse impact on the road network, any town centre use accords with the sequential approach and is in conformity with the policies in the Local Plan.	The <b>Need Case [TR020001/APP/7.04]</b> and <b>Chapter 11 of the ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and

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Theme	Policy Reference	Policy Description	Compliance commentary
			<p>employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p> <p>Additionally, an <b>Employment and Training Strategy (ETS)</b> has been prepared and submitted as part of the application for development consent <b>[TR020001/APP/7.05]</b> in liaison with key stakeholders. The ETS proposes actions and initiatives with a vision to create quality careers and make the airport an inclusive and aspirational place to work. The ETS specifically focuses on maximising employment opportunities at the local level (Luton) and Three Counties in particular.</p> <p>Therefore, these matters are considered to be policy compliant.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Flood Risk	LLP6 - London Luton Airport Strategic Allocation	<p>Design and Drainage</p> <p>F. Development proposals for the London Luton Airport Strategic Allocation will ensure:</p> <p>i. appropriate strategic landscaping to be provided both on and off-site, which shall have regard to the potential for significant visual prominence within the wider area of built development at Century Park and which does not increase risk to aviation operations arising from structures, lighting, bird strike or open water and having regard to operational and national security considerations;</p> <p>ii. the height and design of buildings will reflect the site's rural fringe setting, its high visibility from surrounding countryside and its proximity to London Luton Airport;</p> <p>iii. provision is made for sustainable drainage and the disposal of surface water in order to ensure protection of the underlying aquifer and prevent any harm occurring to neighbouring and lower land; and iv. that development proposals, where applicable / appropriate will fully assess the impacts upon heritage assets and their setting, and should be designed to avoid harm to the setting of any heritage assets. Proposals will be considered in line with Policy LLP30 (historic environment)</p>	<p>The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and described in <b>Section 20.8</b> of <b>ES Chapter 20 [TR020001/APP/5.01]</b>.</p> <p>The sequential approach has been applied in the completion of the</p>



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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	LLP36 - Flood Risk	<p>A. The risk and impact of flooding will be minimised through:</p> <ul style="list-style-type: none"> <li>i. directing new development to areas with the lowest probability of flooding;</li> <li>ii. ensuring that all new development addresses flood resilience, the effective management of flood risk including opportunities for appropriate dry access for emergency vehicles;</li> <li>iii. ensuring that development does not increase the risk of flooding elsewhere, including cumulative impact on adjoining and surrounding land and in the wider catchment; and</li> <li>iv. ensuring wider environmental benefits of development in relation to flood risk and contribute towards delivering "good ecological status".</li> </ul> <p>The suitability of development proposed in flood zones will be assessed using the sequential test and, where necessary, the exception test which will require a Level 2 Strategic Flood Risk Assessment (SFRA). A sequential approach should be used at site level.</p> <p>B. A site specific flood risk assessment (FRA) is required for the following developments:</p> <ul style="list-style-type: none"> <li>i. proposals of one hectare or greater in Flood Zone 1;</li> <li>ii. all new development (including minor developments and change of use) in Flood Zones 2 and 3;</li> <li>iii. Critical Drainage Areas (as defined in Luton's Surface</li> </ul>	<p><b>FRA</b> provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>. Therefore, most matters regarding drainage are considered policy compliant.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>Water Management Plan);</p> <p>iv. where a proposed development or change of use to a more vulnerable class may be subject to other sources of flooding. Appropriate mitigation and management measures must be implemented.</p> <p>C. All development proposals must be assessed against the Luton Water Cycle Strategy (WCS) and consider recommendations of the Strategic Flood Risk Assessment and Luton Local Flood Risk Management Strategy to address locally significant flooding including:</p> <p>i. that FRAs are prepared for any planning application for developments of 5 dwellings or more or for areas greater than 0.5ha;</p> <p>ii. developers consult with the Environment Agency for all planning applications within 20m of watercourses and ensure that a 8 m wide undeveloped buffer is maintained alongside the river channel of main rivers and 5 meter buffer along ordinary water courses.</p> <p>D. All new development shall be required to provide a drainage strategy and those over 100 dwellings must also provide a site specific WCS. Developments will be expected to incorporate multi-functional sustainable drainage systems which, where feasible, should address water efficiency and rainwater harvesting. SuDS must ensure that run-off rates are attenuated to greenfield run-off rates in accordance with Luton's Sustainable Drainage</p>	

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		<p>Advice. Higher run off rates would need to be justified and the risks quantified. Where SuDS are implemented, a plan for their long-term maintenance will be required.</p> <p>The Council will encourage development to reduce the overall flood risk, where possible, through the design and layout of schemes that replace flood plain and enhance natural forms of drainage (this could include, but is not limited to, floodplain creation, green roofs, surface water storage, removing culverts, and barriers to flow). The Council will work with the Environment Agency in the management of flood risk to ensure that any risk of flooding is appropriately mitigated and the natural environment is protected in all new development. All development within 8 metres of a main river will require a flood defence consent from the Environment Agency.</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Health and Community	LLP6 - London Luton Airport Strategic Allocation	Airport Safeguarding A. Development that would adversely affect the operational integrity or safety of London Luton Airport will not be permitted. With respect to operational and national security considerations, this includes (but is not limited to) concerns over the height of buildings, lighting, bird activity, and proximity to Public Safety Zones. Refer to Policy LLP34 for the Local Plan policy for the Public Safety Zones.	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <p>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</p> <p>b. Significant adverse effects on mental wellbeing may result from negative perceptions and uncertainty in relation to all</p>
	LLP25 - High Quality Design	ix. promote sport and physical activity and healthy communities	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	LLP27 - Open Space and Natural Greenspace	<p>The Council will work with developers, landowners, and stakeholders and support proposals that safeguard and enhance existing networks of open space (including the District and Neighbourhood Parks identified in the Policies Map) and establish new green infrastructure within the borough in accordance with standards established in the Green Infrastructure, Nature Conservation and Greenspace Strategies (including for recreation and biodiversity).</p> <p>A. Where there is a shortfall of open space to meet the needs of occupants of new housing development, proposals which generate demand for new or enhanced open space and Green Infrastructure will be supported in accordance with the following sequence:</p> <p>i. The type, quantity, and quality of open space needed to support the development is provided on-site in accordance with open space standards (Appendix11) and existing deficiencies to be addressed within the locality, as identified by the local plan evidence; or</p> <p>ii. An equivalent provision is made in the vicinity where on-site provision is not practicable; or</p> <p>iii. An equivalent commuted sum is provided to enhance existing off-site facilities including provision for long term maintenance where open space is transferred to the Council or to a third party.</p> <p>Loss of Open Space</p>	<p>phases of the Proposed Development.</p> <p>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until assessment Phase 2a works commence in the period 2031 – 2033 and that the commitment to support relocation will be secured via a section 106 agreement.</p>

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		<p>B. Development proposals that result in the loss of open space, parks, allotments, important green space, and green infrastructure will only be permitted where the most up-to-date evidence demonstrates that the open space is not in an area of identified deficit in the locality and is surplus to requirements. Exceptionally, losses will also be permitted where:</p> <p>i. replacement open space provision can be made that is of an equivalent type, quality, and quantity or better and is accessible and within the vicinity; or</p> <p>ii. the proposal is for alternative or ancillary sports and recreational provision, the need for which clearly outweighs the loss.</p> <p>Open Space</p> <p>C. Development will only be permitted on parks, playing fields, other outdoor sports facilities, allotments, or other important green spaces shown on the Policies Map, where development is ancillary, complementary, and limited in scale securing the efficient and effective use of the existing green space.</p>	<p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p> <p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p> <p>f. There are no likely significant effects on community resources during operation.</p>
Open Space and Green Belt	LLP4 - Green Belt	<p>A. Within the areas defined as Green Belt on the policies map planning permission will not be granted for inappropriate development: Warden Hill Stopsley Common Oaket wood Putteridge Dane Street Someries</p> <p>B. Inappropriate development is by definition, harmful to the Green Belt. Only in very special circumstances will</p>	<p>This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) which considers each element of the Proposed Development which is</p>

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		inappropriate development be permitted in the Green Belt. Exceptions to inappropriate development are set out in the National Planning Policy Framework (NPPF).	be located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.
	LLP27 - Open Space and Natural Greenspace	Loss of Open Space B. Development proposals that result in the loss of open space, parks, allotments, important green space, and green infrastructure will only be permitted where the most up-to-date evidence demonstrates that the open space is not in an area of identified deficit in the locality and is surplus to requirements. Exceptionally, losses will also be permitted	This is addressed in the Open Space Assessment (see <b>Appendix C</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> ), where the Replacement Open Space Proposals are justified. Therefore,

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		<p>where:</p> <p>i. replacement open space provision can be made that is of an equivalent type, quality, and quantity or better and is accessible and within the vicinity; or</p> <p>ii. the proposal is for alternative or ancillary sports and recreational provision, the need for which clearly outweighs the loss.</p> <p>Development on Open Space C. Development will only be permitted on parks, playing fields, other outdoor sports facilities, allotments, or other important green spaces shown on the Policies Map, where development is ancillary, complementary, and limited in scale securing the efficient and effective use of the existing green space.</p>	<p>this matter is considered policy compliant.</p>
	LLP34 - Public Safety Zones	<p>Within the Public Safety Zones (as identified on the Policies Map), planning permission will not be granted for:</p> <p>A. any development, including extensions and changes of use, which is likely to result in more people: i. living in the property, unless it is for the purpose of enlarging or improving the living accommodation for the benefit of existing residents; or ii. working or congregating at the property or site.</p> <p>B. short-stay car parking (where the maximum stay is expected to be less than six hours);</p> <p>C. sorting depots or retail warehouses;</p> <p>D. children's playgrounds, playing fields or sports grounds;</p> <p>E. sports clubhouses; or</p>	<p>Due regard has been paid to PSZs with respect to the design of the Proposed Development. The <b>DAS [TR020001/APP/7.03]</b> and <b>ES Chapter 15 [TR020001/APP/5.01]</b> address this matter and provide evidence that it complies with policy.</p>



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		F. any other development likely to result in significant numbers of people being present at a site on a regular basis.	
Landscape and Visual Impact	LLP25 - High Quality Design	Buildings and spaces will be of high-quality design with distinctive character and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the best practice principles of urban design to help create quality places in the Borough. In particular, where the following design criteria are material to an application site, its context and development proposals, provision should be made to: <ul style="list-style-type: none"> <li>i. enhance the distinctiveness and character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and materials, distinctiveness, and natural features including biodiversity;</li> <li>ii. create or enhance attractive safe, accessible, and active open public spaces, creatively using hard and soft landscaping and public art for all members of the community;</li> <li>iii. provide continuity of built form, connectivity, active frontages, and enclosure; iv. optimise and improve accessibility to walking and cycling and connections to public transport, local services, open spaces, and community services and facilities;</li> </ul>	The Chilterns Area of Outstanding Natural Beauty (ANOB) and other contributors to landscape value are identified in <b>Section 14.7 of ES Chapter 14 [TR020001/APP/5.01]</b> and are used in <b>Section 14.9</b> to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor. <b>Sections 14.8 and 14.10</b> describe the proposed embedded and additional measures to mitigate significant adverse landscape and visual effects. The study area for the Landscape and Visual Impact Assessment (LVIA) includes for the purpose of considering impacts on tranquillity, as a contributor to landscape value, land within the Chilterns

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		<p>v. optimise higher densities and avoid backland development where it would give rise to averse amenity whilst meeting the other requirements of this policy;</p> <p>vi. provide green infrastructure and measures to protect, conserve, or enhance natural assets and biodiversity;</p> <p>vii. be adaptable to change of uses and flexible to accommodate changing living and working requirements of all the members of the community;</p> <p>viii. reduce carbon emissions, risk of flooding, and increase energy and water efficiency and quality;</p> <p>ix. promote sport and physical activity and healthy communities (13);</p> <p>x. promote opportunities for reducing crime and anti-social behaviour;</p> <p>xi. deliver new housing in accordance with external amenity space standards set out in appendix 6, and minimises noise, overlooking and overshadowing/loss of light, address tall buildings and the protection of important views, and ensure access to storage and privacy; and</p> <p>xii. deliver and integrate public art, particularly in strategic allocations.</p> <p>The Council will use a Design Review Panel to review major development proposals where appropriate and will take into consideration its recommendations when considering applications. Supplementary guidance</p>	<p>AONB where aircraft would be below 7,000 ft. above mean sea level (AMSL).</p> <p>This assessment refers to relevant landscape character and green infrastructure studies as a means of assessing the landscape effects of the Proposed Development in <b>Section 14.9</b> and when determining embedded and additional mitigation measures in <b>Sections 14.8</b> and <b>14.10</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b>.</p> <p>Although the application to extend the AONB is at a very early stage, a sensitivity test of the proposed boundary extension to the AONB is included at <b>Appendix 14.9</b> of the <b>ES [TR020001/APP/5.02]</b>.</p>

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		through SPDs and Development Briefs on high quality design may be produced to expand and complement the principles established in this Plan and to provide clear guidance to applicants.	

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	LLP29 - Landscape & Geological Conservation	<p>A. Development proposals will be supported where they protect, conserve, or enhance the character, setting, and natural beauty of national and local landscape areas, according to the following hierarchy of designations:</p> <p>i. Tier 1 National landscape areas the special character, natural beauty, landscape and setting of the Chilterns Area of Outstanding Natural Beauty; the historic character and environmental quality of Registered Parks and Gardens and their settings; the historic integrity, biodiversity and recreational value of Registered Commons, and their settings; and the environmental and recreational value of Access Land and Section 15 Land as identified under the Countryside and Rights of Way Act (2000)</p> <p>ii. Tier 2 Local landscape areas A robust two –tier system of designated local landscape areas has been introduced to replace the ad hoc local landscape designations in earlier local plans. It is derived from the Landscape Character Assessments of 2014 and sites assessed against a standard range of landscape criteria. The most significant local landscapes are designated and shown on the Policies Map as:</p> <p>a. Areas of Great Landscape Value (AGLV) that include the most important green corridors and sites adjoining the Chilterns AONB: Stopsley Common Dallow Corridor (includes Bluebell Wood) Stockwood Park Bradger’s Hill</p>	<p>The Chilterns Area of Outstanding Natural Beauty (AONB) is located approximately 3km north and 5km west of the airport. The Study Area for the LVIA includes, for the purpose of considering impacts on tranquillity, land within the Chilterns AONB where aircraft would be below 7,000 ft. (AMSL). The Chilterns AONB is identified in <b>Section 14.7 of ES Chapter 14 [TR020001/APP5.01]</b> and is used in <b>Section 14.9</b> of the same ES Chapter to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor. Officers from The Chilterns Conservation Board were consulted on the Proposed Development pre-statutory consultation, as summarised in <b>Section 14.4</b> of the same ES Chapter. The increase in aircraft movements is also assessed to</p>

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		<p>Corridor (includes Popes Meadow and Bell's Close)            Bramingham Wood Corridor Great Bramingham Park            b. Areas of Local Landscape Value (ALLV) that include areas of more limited value within the local context: Hart Hill Someries Farm &amp; Dane Street Farm Turnpike Drive Lower Lea Valley Lewsey Park Wigmore Rural Upper Lea Valley Putteridge Edge Geological Landscapes Regionally Important Geological Sites that are a statutory designation will also be afforded a level of protection from harm consistent with their tier 1 statutory designation.            B. Planning applications will be supported where they protect or enhance and add to the designated ROW network (including informal pedestrian routes) giving access for all users, where feasible, to the countryside and green space, provided that:</p> <ul style="list-style-type: none"> <li>i. traditional and historic routes are maintained, such as Icknield and Theed ways, Hexton Way, Dallow Lane, and the Old Bedford Road; and</li> <li>ii. access is designed and regulated to encourage biodiversity and prevent inappropriate use of materials, planting, signage, and potential anti-social uses e.g. from motorcycles and vehicles.</li> </ul>	<p>result in a significant adverse effect on the aesthetic and perceptual characteristics of the landscape within the Chilterns AONB.            Although the application to extend the AONB is at a very early stage, a sensitivity test of the proposed boundary extension to the AONB is included at <b>Appendix 14.9</b> of the <b>ES [TR020001/APP/5.02]</b>.</p>
Noise and Vibration	LLP6 - London Luton Airport	v. achieve further noise reduction or no material increase in day or night time noise or otherwise cause excessive noise including ground noise at any time of the day or	<b>Section 16.9 of ES Chapter 16 [TR020001/APP/5.01]</b> provides details on air noise impacts due to increases in ATMs and an

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	Strategic Allocation	night and in accordance with the airport's most recent Airport Noise Action Plan;	assessment on ground noise. <b>Section 16.10</b> demonstrates how noise will be controlled and managed through the Noise Envelope. Therefore, this matter is considered policy compliant.
	LLP38 - Pollution and Contamination	<p>Pollution Evidence on the impacts of development will need to demonstrate whether the scheme (individually or cumulatively with other proposals) will result in any significantly adverse effects with regard to air, land or water on neighbouring development, adjoining land, or the wider environment. Where adverse impacts are identified, appropriate mitigation will be required. This policy covers chemical, biological, and radiological contamination and the effects of noise, vibration, light, heat, fluid leakage, dust, fumes, smoke, gaseous emissions, odour, explosion, litter, and pests.</p> <p>A. Development should provide for the satisfactory disposal of surface water to deliver water quality improvements to receiving water courses and aquifers where feasible and, together with wastewater disposal, should not be detrimental to the management and protection of water resources. In all cases, development must be carefully built, operated, and closed in such a manner so as to ensure there are no long-term pollution problems.</p>	<p><b>Section 16.9 of ES Chapter 16 [TR020001/APP/5.01]</b> assesses noise effects due to the Proposed Development. <b>Section 16.8</b> and <b>16.10</b> provide details on how noise effects will be minimised. Therefore, this matter is considered to be policy compliant.</p>

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		B. During construction and operation, appropriate measures will be required to prevent the deposit of mud or other debris on or within public highways and water bodies from vehicles using the site.	
Land Contamination and Instability	Policy LLP38 - Pollution and Contamination Pollution	The council require evidence to be provided to demonstrate “whether the scheme (individually or cumulatively with other proposals) will result in any significantly adverse effects with regard to air, land or water on neighbouring development, adjoining land, or wider environment. Where adverse impacts are identified, appropriate mitigation will be required.”	The assessment described in <b>Section 17.9 in ES Chapter 17 [TR020001/APP/5.01]</b> and cumulative assessment in <b>Chapter 21 of the ES [TR020001/APP5/5.01]</b> address the requirements of this policy. Therefore, this matter is considered policy compliant.
Surface Access	LLP6 - London Luton Airport Strategic Allocation	viii. incorporate sustainable transportation and surface access measures that, in particular, minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Luton Airport Surface Access Strategy; ix. incorporate suitable road access for vehicles including any necessary improvements required as a result of the development. Airport-related Car Parking C. Proposals for airport-related car parking should be located within the Airport Strategic Allocation, as shown on the proposals plan (excluding Century Park and	The Airport Surface Access Strategy (ASAS) referred to in this policy is a document produced by LLAOL, the operator of the airport. The version of the document that was current at the time of the adoption of the Local Plan was “Airport Surface Access Strategy 2012-2017”. This has since been superseded by “Airport Surface Access Strategy 2018-2022” and

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		<p>Wigmore Valley Park) and will need to demonstrate that the proposals:  meet an objectively assessed need; do not adversely affect the adjoining highway network; and will not lead to the detriment of  4 . Spatial Strategy  the amenity of the area and neighbouring occupiers.  Proposals for airport-related car parking outside this area will only be permitted where: there is demonstrated to be a long-term car parking need that cannot be met at the airport; they accord with the sustainable development principles as defined by the plan as a whole; they relate well to the strategic road network and do not exacerbate traffic congestion; they do not have an adverse impact on amenity; and are in accordance with the most recently approved  London Luton Airport Surface Access Strategy.</p>	<p>most recently “Airport Surface Access Strategy 2018-2022, 2019 reissue”.</p> <p>The first ASAS referred to above had an Objective 1 “to increase the proportion of their passengers travelling to and from London Luton airport by public transport to more than 40% by 2017”. The 2018 ASAS set out several targets, one of which was to increase passenger travel by bus and coach from 16% to 17% and another was to increase passenger travel by rail from 16 to 24%. The base levels referred to in the targets were the mode shares identified in the 2016 CAA passenger survey.</p>
	LLP25 - High Quality Design	iv. optimise and improve accessibility to walking and cycling and connections to public transport, local services, open spaces, and community services and facilities;	<p>The application for development consent includes a commitment that 45% of air passengers travelling to and from the airport will use public transport</p>



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			<p>(paragraph 18.1.8 of <b>ES Chapter 18 [TR020001/APP/5.01]</b>) which is consistent with this policy.</p> <p>The transport modelling that has been undertaken together with intensive liaison with the relevant highway authorities has identified those junctions that require improvements. Evidence of the liaison with the highway authorities is presented in <b>Table 18.8 of ES Chapter 18 [TR020001/APP/5.01]</b>.</p> <p>Based on the above, these matters are considered policy compliant.</p>

	<p>LLP31 - Sustainable Transport Strategy</p>	<p>The strategy for sustainable transport in Luton is based on the vision for the Local Transport Plan 2011-2026, which is to ensure that an integrated, safe, accessible, and more sustainable transport system supports the economic regeneration and prosperity of the town.</p> <p>A. The Council will work with its partners, agencies and developers to deliver:</p> <ul style="list-style-type: none"> <li>i. reduced congestion around the town centre and key strategic routes including seeking to deliver targeted road and junction improvements needed to accommodate Luton's growth including strategic and local improvements to address cross boundary growth while promoting sustainable modes of transport;</li> <li>ii. sustainable connections via the Luton Dunstable busway serving the conurbation with potential links to neighbouring authorities and key developments in Luton;</li> <li>iii. improved accessibility and connectivity for a more pedestrian friendly town centre environment for all users;</li> <li>iv. controlled parking within the town centre, district, and neighbourhood centres to support sustainable local service delivery, housing, and jobs, linked trips and accessible destinations; and</li> <li>v. controlled freight traffic and facilities by using traffic management on key corridors and routes into Luton and potential development sites on its borders.</li> </ul> <p>B. Planning Permission will be granted for proposed developments that meet the criteria below, where these are relevant to the proposal:</p> <ul style="list-style-type: none"> <li>i. minimises the need to travel;</li> <li>ii. provides a sustainable transport choice with priority for buses, pedestrians, and cyclists;</li> </ul>	<p>The requirement in Policy LLP31 for measures to ensure there is capacity at strategically important junctions is shown to be met by the results of the junction assessments that form part of the assessment of the operation of the highway network with the proposed mitigation measures in place and the additional trips associated with the assessment phases as reported in <b>Chapter 10</b> of the <b>TA [TR020001/APP/7.02]</b>. The continued enhancement of sustainable modes of travel is demonstrated by the commitment to extend the Luton DART and the provision of enhanced facilities for buses and coaches at Terminal 2.</p>
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	LLP32 - Parking	<p>Parking provision in Luton will be managed to ensure that a proportionate number of spaces are available to support the growth of the town centre.</p> <p>A. Proposals for reducing on-street parking in and around the town centre and for car free development may be supported in areas of high public transport accessibility including when linked to park and ride facilities, provided that:</p> <ul style="list-style-type: none"> <li>i. there is no adverse impact on occupier amenity in other areas through displaced on street parking;</li> <li>ii. they are supported with a travel plan that promotes car clubs where feasible; and</li> <li>iii. the impact on short-term parking is minimised. Parking provision will be stringently controlled at London Luton Airport (in line with Policy LLP6C). Parking provision at the Luton &amp; Dunstable Hospital will be stringently controlled to ensure that on site provision is prioritised.</li> </ul> <p>B. Development will be permitted providing that:</p> <ul style="list-style-type: none"> <li>i. car parking provision should not exceed the maximum standards set out in Appendix 2 in order to promote modal shift, however within those standards, sufficient parking should be provided to help ensure that adverse effects on highway safety and the convenience of nearby residents and users are avoided;</li> <li>ii. minimum cycle parking standards set out in Appendix 2 is provided for non-residential developments;</li> </ul>	<p>Matters related to parking are covered in the <b>Framework Travel Plan [TR020001/APP/7.13]</b>. This includes the setting of targets, proposed interventions and measures as well as methods of monitoring useage.</p>

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		iii. cycle storage of an appropriate standard is provided for residential developments; and iv. parking standards shown in Appendix 2 are minimised in identified areas demonstrated to be of high accessibility.	
Waste and Resource Management	LLP37 - Climate change, carbon and waste reduction and sustainable energy	Waste 11 . Transport, Communications & Climate Change Luton Local Plan (2011-2031) November 2017 106 The Council encourages an overall reduction in the amount of waste generated, treated and disposed of to reduce the need for land for waste management. Proposals that are likely to generate significant volumes of waste through development or operational phases will be required to include a waste audit as part of the application.	An audit of operational waste data from the existing airport has been undertaken. This data has been used to extrapolate future waste generation (Paragraph 19.9.46 of <b>ES Chapter 19 [TR020001/APP/5.01]</b> ). Therefore, this matter is considered to be policy compliant if the interpretation of 'audit' is found to be suitable. However, LLP37 requires proposals that are likely to generate significant volumes of waste through development or operational assessment phases

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			will be required to include a “waste audit” as part of the application.
Water Quality and Resources	LLP25 - High Quality Design	viii. reduce carbon emissions, risk of flooding, and increase energy and water efficiency and quality;	A new Water Treatment Plant outlined in <b>Section 19.8 of ES Chapter 19 [TR020001/APP5.01]</b> is proposed to treat sewage, from the new terminal and other facilities in the Proposed Development, including aircraft, and contaminated surface water runoff from the aprons, runways and taxiways. Sewage would be collected from within the Main Application Site via a new dedicated foul drainage system and combined with surface water runoff prior to treatment. Clean and treated effluent would be discharged into the ground under an Environmental Permit regulated by the Environment Agency. Therefore, this matter is considered policy compliant.

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Theme	Policy Reference	Policy Description	Compliance commentary
Contributions	LLP39 - Infrastructure and Developer Contributions	<p>A. The Local Planning Authority will support development proposals that provide or adequately contribute towards the infrastructure and services needed to support them, which will be delivered using the following approach:</p> <ul style="list-style-type: none"> <li>i. testing the capacity of existing infrastructure and, where there is insufficient capacity, securing the timely provision of improvements or additional provision;</li> <li>ii. infrastructure provision or improvements should be provided on-site as an integral part of a development wherever possible and appropriate;</li> <li>iii. where off-site measures are needed, or on-site provision is not possible, planning obligations will be needed to secure the necessary provision or a financial contribution towards provision; and</li> <li>iv. where a contribution towards other infrastructure improvements or provision is needed and viable, this will be achieved through planning obligations, planning conditions and/ or Community Infrastructure Levy.</li> </ul> <p>B. Any on-site provision or financial contribution should:</p> <ul style="list-style-type: none"> <li>i. development or offset its impact;</li> <li>ii. be related to the size and type of each development and the nature of the improvements required; and</li> <li>iii. take account of the cumulative impact of requirements on the viability of development, especially where the development meets a particular local need or provides</li> </ul>	<p>Full details on the proposed noise insulation scheme and a new discretionary property compensation scheme are presented in the <b>Draft Compensation Policies, Measures and Community First</b> submitted as part of the application for development consent <b>[TR020001/APP/7.10]</b>.</p> <p>The document provides details of the proposal for the creation of Community First which will help put more back into local communities. Money from the Community First fund will be allocated to projects that tackle deprivation in Luton and neighbouring counties, and for local decarbonisation projects. It will split 60% to Luton, and 40% to neighbouring counties, recognising that Luton has some of the most deprived areas within the East of England.</p>



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Theme	Policy Reference	Policy Description	Compliance commentary
		<p>particular benefits.</p> <p>The Local Planning Authority will support the improvement or development of locally and regionally important infrastructure where needed to serve existing or new development required through this Plan, or to secure long term supply, provided that the need for such facilities is consistent with other policies within this Plan.</p>	<p>As well as this, part of the Proposed Development, the current noise insulation scheme administered by LLAOL, will be replaced if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the government proposals set out in Aviation 2050.</p>
Safety and Security	LLP 34 – Public Safety Zones	<p>Within the Public Safety Zones (as identified on the Policies Map), planning permission will not be granted for:</p> <p>A. any development, including extensions and changes of use, which is likely to result in more people:</p> <ul style="list-style-type: none"> <li>i. living in the property, unless it is for the purpose of enlarging or improving the living accommodation for the benefit of existing residents; or</li> <li>ii. working or congregating at the property or site.</li> </ul> <p>B. short-stay car parking (where the maximum stay is expected to be less than six hours);</p> <p>C. sorting depots or retail warehouses;</p> <p>D. children’s playgrounds, playing fields or sports grounds;</p> <p>E. sports clubhouses; or</p>	<p>The PSZ associated with the airport infrastructure has been considered as a measure to mitigate risks in <b>Sections 15.8 and 15.9 of ES Chapter 15 [TR020001/APP/5.01]</b>.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		F. any other development likely to result in significant numbers of people being present at a site on a regular basis.	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Agricultural Land	DC5 - Agricultural Land	Development that would result in the significant loss of Grades 2 and 3a agricultural land will only be permitted where; it can be demonstrated that the location of the proposed development is necessary in order to provide a scheme that is of a valuable public benefit that overrides the need to protect the land. Any development within these areas will need to be supported by an Agricultural Land Classification Assessment When considering the significance of the loss; the grade of the land, the size of the proposed site and the quantum of 'best and most versatile' land in the surrounding area will be taken into account.	<p>Detailed Agricultural Land Classification (ALC) surveys (Post 1988) of agricultural land within the Main Application Site are described in <b>Section 6.7 of ES Chapter 6 [TR020001/APP/5.01]</b>. The Proposed Development has sought to avoid impacting on high quality best and most versatile (BMV) agricultural land as far as possible i.e. avoiding permanent irreversible impacts on BMV. An assessment of the likely significant effects of the Proposed Development on agricultural land is made at <b>Section 6.9</b> of the same Chapter. Also see <b>Appendices 6.1 and 6.2</b> of the <b>ES [TR020001/APP/5.02]</b> for full details of the ALC surveys within the Order Limits.</p> <p>The Proposed Development would result in the loss of 63.7ha of BMV land, although it is noted that the land is Subgrade 3a, rather than the higher subgrades 1 or 2.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Air Quality	CC8 - Pollution and Land Instability	<p>All proposals for new development must have regard to current national guidance as well as the Council's Design Guide, Contaminated Land Strategy, Air Quality and Emissions Planning Guidance and Air Quality Action Plans in terms of pollution and land instability. Pollution includes matters in relation to noise, waste management, litter, pests, vibration, odour, surface and ground waters, light, tranquillity, soil, contaminated land and airborne pollution. Development proposals which are likely to cause pollution or land instability, or are likely to be exposed to potential unacceptable levels of pollution or land instability will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. In or near an AQMA, development would not have a negative impact on the local air quality and that;</li> <li>2. Measures can be implemented to minimise the impacts of pollution and land instability to an acceptable level without compromising the quality of life for users and occupiers, which protects health, natural and historic environment, water quality, property, infrastructure and amenity; and</li> <li>3. The conditions of the site can be suitably mitigated or land can be remediated for the proposed end use and cause no adverse effects. Where necessary the Council will use planning conditions and/or legal agreements to help limit the impact of pollution.</li> </ol>	<p>The air quality impacts within the South Bedfordshire AQMA and the results are presented in <b>Section 7.9 of ES Chapter 7 [TR020001/APP/5.01]</b> while <b>Section 7.8</b> provides the measures to mitigate air quality impacts. Therefore, this matter is considered policy compliant.</p>

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Theme	Policy Reference	Policy Description	Compliance commentary
Biodiversity and Ecological Conservation	EE1 - Green Infrastructure	All major development proposals must demonstrate a net gain in green infrastructure; linking, enhancing and extending existing green infrastructure assets, and creating new ones. The Council will be supportive of applications that have regard for Green Infrastructure Plans, identifying existing green infrastructure assets (both natural and historic), and opportunities for enhancing the green infrastructure network. Where possible high quality, multifunctional green infrastructure will be integrated within developments, incorporating sustainable drainage systems and enhancing biodiversity, the historic environment, landscape character, the Rights of Way network and design quality, and making provision for the ongoing and effective management of this green infrastructure. Existing green infrastructure, as identified in relevant Green Infrastructure Plans should be protected from development. Development proposals should also take account of Green Wheel and Greenway Plans, Parish Green Infrastructure Plans and Neighbourhood Plans and consider how identified assets can be protected and enhanced, and for aspirations to be delivered by development. Development that adversely affects identified green infrastructure assets, or adversely affects the future implementation of identified strategic or significant green infrastructure projects will not be permitted.	The likely significant effects of the Proposed Development upon internationally, nationally and locally designated nature conservation sites are detailed within <b>Section 8.9 of ES Chapter 8 [TR020001/APP/5.01]</b> and summarised in <b>Table 8.17</b> of the same chapter. The Proposed Development applies the mitigation hierarchy identified within the policy. Mitigation measures are set in <b>Section 8.9 and 8.14 of ES Chapter 8</b> and the BNG assessment available in <b>Appendix 8.5 of the ES [TR020001/APP/5.02]</b> . Therefore, these matters are considered policy compliant.

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	EE2 - Enhancing Biodiversity	<p>The Council will work with developers to conserve habitats, species and sites, delivering enhancement and creation of ecological networks. Development proposals will be permitted where they provide a net gain in biodiversity through the conservation, restoration, enhancement and creation of ecological networks of habitats, species and sites (both statutory and non-statutory) or international, national and local importance. Development proposals will be permitted where they avoid negative impacts on biodiversity and geodiversity. Where this is not possible, proposals must mitigate unavoidable impacts and, as a last resort, compensate for residual impacts; delivering a net gain in biodiversity by:</p> <ol style="list-style-type: none"> <li>1. Incorporating and enhancing existing and creating new biodiversity features within their design; and</li> <li>2. Maximising opportunities to enhance and create links between ecological networks and habitats of principal importance. Links should be created both on-site and, where possible, with nearby features.</li> </ol> <p>Development proposals within, or in close proximity to, an ecological corridor should enhance the functionality and connectivity of the corridor. Development that would impact on the strategic ecological network causing fragmentation or otherwise prejudice its effectiveness will not be permitted.</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	EE3 - Nature Conservation	<p>Important habitats and sites of geological and geomorphological interest will be protected, maintained and enhanced. Up to date, comprehensive ecological surveys undertaken in accordance with industry guidelines and standards will be required to support and inform development proposals that would affect sites for nature conservation, protected species, or species and habitats of principal importance demonstrating development will deliver a net gain. Development proposals will be permitted where:</p> <ol style="list-style-type: none"> <li>1. They do not have an adverse effect, either alone or in-combination, on European designated sites, unless they satisfy the requirements of the Habitats Regulations*;</li> <li>2. They will not adversely affect SSSIs, NNRs and Roadside Nature Reserves; and 3. They are designed to prevent any adverse impact on: <ol style="list-style-type: none"> <li>a. County Wildlife Sites;</li> <li>b. Local Nature Reserves;</li> <li>c. Local Geological or Geomorphological Sites;</li> <li>d. Protected species; or</li> <li>e. Species and habitats of principal importance.</li> </ol> </li> </ol> <p>The assessment of adverse impacts will apply to potentially damaging development proposals that may affect the designated area. It will include the consideration of adverse cumulative effects with other existing or proposed development. Adverse impacts, such as disturbance through increased recreational pressure</p>	

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		can result from new development and require mitigation to prevent detrimental impacts to the ecological resource.	
	EE4 - Trees, Woodlands and Hedgerows	<p>Development Proposals will be permitted where:</p> <ol style="list-style-type: none"> <li>1. They do not adversely affect ancient woodland and aged and veteran trees;</li> <li>2. Woodlands, including semi-natural woodlands, planted ancient woodland sites, traditional orchards, hedgerows, and specimen trees found outside woodlands are protected and buffered;</li> <li>3. Existing hedgerows and trees are incorporated to enhance developments, are integrated within the public realm, and are within a suitable landscape setting to ensure longevity. Hedgerows and treed boundaries should be reinforced, safeguarded within green corridors and extended where there is scope to create linkages; and</li> <li>4. Any removal of trees or hedgerows to accommodate development is justified, and lost assets are replaced within the development site with appropriate planting of suitable species of equivalent scale and character and providing equivalent canopy cover and habitat connectivity. Developers will be expected to include new</li> </ol>	



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		<p>planting in developments. Proposals will be permitted where:</p> <p>5. New developments are designed to include significant tree features as part of residential areas, commercial and employment sites, streets and car parks;</p> <p>6. The layout of developments (including residential areas, roads, parking areas, and open spaces) is designed to provide sufficient space to enable these trees to thrive, including adequate root protection areas and canopy clearance zones;</p> <p>7. Landscaping schemes will take account of local landscape character and should consider climate change, ease of maintenance and ecological enhancement. They should include the use of non-native species where appropriate. Care must be taken to avoid the introduction of invasive species into planting schemes;</p> <p>8. New tree planting is designed within a green corridor of appropriate scale, as part of the site’s public realm, transport network and green infrastructure, to improve ecological connectivity, enhance local character and create a sense of place, and mitigate and adapt to climate change; and</p> <p>9. Any development that forms a rural edge will include an effective landscape edge consisting of native tree and hedgerow planting consistent with the local landscape character</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Climate Change	CC1 - Climate Change and Sustainability	<p>The Council requires that all new development is designed to:</p> <ol style="list-style-type: none"> <li>1. Increase its resilience to impacts of climate change;</li> <li>2. Take full advantage of opportunities to incorporate renewable energy technologies;</li> <li>3. Reduce carbon emissions; and</li> <li>4. Achieve the higher water efficiency standard of 110 litres per person per day. All major developments of 10 or more dwellings or 1000sqm or more of non-domestic and commercial uses, must also provide a Sustainability Statement. This will be required to demonstrate:</li> <li>5. A reduction in carbon dioxide emissions by at least 10%, based on emissions rates determined by Part L of the Building Regulations applicable at the time of the application;</li> <li>6. How opportunities to use renewable and low carbon sources have been maximised;</li> <li>7. The minimisation of water usage to achieve the higher water efficiency standard of 110 litres per person per day as a minimum for residential development and the BREEAM 'very good' standards for water efficiency for all other development;</li> <li>8. A water sensitive approach to the design and the incorporation of measures, such as grey water recycling and water butts, that further promote water efficiency and aim to achieve water neutrality;</li> <li>9. How the performance gap between built and designed</li> </ol>	<p>Measures to increase the Proposed Development's resilience to climate change are set out in <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP/5.01]</b>.</p>

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		energy use will be negated; and 10. Incorporate adaptation measures to achieve flood resilience to impacts of climate change. All major developments will also be required to submit a post construction verification report to confirm that the development has been delivered to the approved specification. The Council will support developments that can demonstrate high quality sustainability standards that go beyond the Building Regulations requirements and achieve certification to voluntary standards such as PassivHaus, BREEAM Excellent, or the Home Quality Mark.	
Cultural Heritage	HE1 - Archaeology and Scheduled Monuments	Development proposals that affect known heritage assets with archaeological interest (whether designated or non-designated) or areas which have the potential for heritage assets with archaeological interest must be accompanied by an Archaeological Heritage Statement. Archaeological Heritage Statements must: 1. Describe the significance of the heritage assets with archaeological interest that will be affected by the development and if appropriate, consider any contribution made by their setting to that significance; and 2. Assess the level of impact that the development proposals will have on those assets including, where necessary, an assessment of the impact of the	The <b>Desk Based Assessment (DBA), Appendix 10.1</b> of the <b>ES [TR020001/APP/5.02]</b> , has assessed the significance of known and potential heritage assets, and a staged programme of investigation and protection of heritage assets are proposed in <b>Section 10.10 of ES Chapter 10 [TR020001/APP/5.01]</b> . The effects of the Proposed Development on heritage assets and their settings have been considered as part of

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		<p>development proposals on their setting. Exceptions will be made where advice from the Council's Archaeological specialists indicates that an Archaeological Heritage Statement is not necessary. Where development proposals will impact upon heritage assets, with archaeological interest, where possible, the Council will seek the preservation of those remains in situ. Where preservation in situ cannot be achieved, a scheme of archaeological investigation, recording, analysis and publication (i.e. preservation by record) will be required prior to the completion of the development. This scheme will be approved in writing by the Council in advance of development and include provision for the long-term curation of any resulting archive and appropriate publication. This is required in order to record and advance understanding of the significance of any heritage assets with archaeological interest that will be lost (wholly or in part) as a consequence of the development.</p> <p>The Council will support proposals that include provision for the enhancement, conservation and enjoyment of the historic environment by the creation of appropriate management and interpretation schemes. Schemes that will result in a reduction of the number of heritage assets on the Heritage at Risk Register will be encouraged. Development proposals that will result in the total loss of, or which would cause substantial harm to the significance of heritage assets with archaeological interest or their</p>	<p>the assessment and are reported in <b>Section 10.9</b> of the same ES Chapter.</p> <p><b>Appendix 10.1</b> of the <b>ES [TR020001/APP/5.02]</b>, presents an appropriate DBA. Two assessment phases of geophysical survey and two assessment phases of archaeological trial trenching have been undertaken to further inform the archaeological potential of the Proposed Development Site, the results of which are summarised in <b>Section 10.7</b> of <b>ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p>Mitigation proposals for the preservation of archaeological remains and preservation by record are set out in <b>Section 10.10</b> of <b>ES Chapter 10 [TR020001/APP/5.01]</b> and in the <b>Cultural Heritage Management Plan (CHMP)</b> which forms <b>Appendix 10.6</b> of the <b>ES</b></p>

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		settings (whether designated or non-designated), will be refused unless the harm or loss of significance is necessary to achieve substantial public benefits that outweigh the loss of significance or the harm.	<p><b>[TR020001/APP/5.02]</b>. Therefore, this matter is considered to be policy compliant.</p> <p>A Heritage Statement (see <b>Appendix D</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) prepared to support the Cultural Heritage assessment in <b>Section 8</b> of the <b>Planning Statement</b> concluded that within the Luton Hoo RPG there are a number of designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (NHLE 1321301). While the setting of these assets, namely the park, will experience change as a result of the operational assessment phase of the Proposed Development, there will be no harm to the significance of the assets themselves.</p> <p>Based on the above, these</p>
	HE2 - Historic Parks and Gardens	<p>Development proposals that affect Registered Parks and Gardens (or their settings), and known non-designated historic parks and gardens of equivalent significance to registered Parks and Gardens must be accompanied by a Historic Parks and Gardens Heritage Statement. The Historic Parks and Garden Heritage Statement must:</p> <ol style="list-style-type: none"> <li>1. Describe the significance of the designed landscape that will be affected by the development and if appropriate, consider any contribution made by its setting to that significance; and</li> <li>2. Assess the level of impact the development proposals will have on the designed landscape, including, where necessary, consideration of the impact of the development proposal on its setting. Exceptions will be made where advice from the Council's specialist advisors</li> </ol>	

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		<p>indicates a Historic Parks and Gardens Heritage Statement is not necessary. The Council will support development proposals that encourage the conservation, enhancement and restoration of the Historic Parks and Gardens (both designated and non-designated). Proposals that will result in a reduction of the number of heritage assets on the Heritage at Risk Register will be encouraged. Development proposals that will degrade the character and appearance of a Registered Park and Garden, or known non-designated historic park and garden of equivalent significance, or which will cause substantial harm to the significance of these assets (including through inappropriate development in their setting), will be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefit that would outweigh the loss of significance or the harm.</p>	<p>matters are considered policy compliant.</p>

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	HE3 - Listed Buildings, Conservation Areas and Built Heritage	<p>Development proposals affecting designated and non-designated heritage assets of local importance will be granted provided they:</p> <ol style="list-style-type: none"> <li>1. Where possible, preserve, sustain and enhance the special character, significance, appearance and/or special architectural or historic interest of the asset/s in terms of scale, form, proportion, design, materials and the retention of features in accordance with national planning policy and legislation;</li> <li>2. Preserve the setting of the asset/s and its historic significance, and include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the heritage asset; and</li> <li>3. Developments that will result in a reduction of the number of heritage assets on the Heritage at Risk Register will be encouraged. Development proposals that affect the significance of any heritage assets must be accompanied by a Built Heritage Statement. The Built Heritage Statement must:                         <ol style="list-style-type: none"> <li>4. Describe the significance of any heritage assets that may be affected by the development;</li> <li>5. Assess the level of impact that the development proposals will have on those assets, including where necessary an assessment of the impact of the development proposals on their setting; and 6.</li> </ol> </li> </ol> <p>Demonstrate that opportunities to avoid harmful impacts have been explored, and where this is not possible, set</p>	

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		<p>out necessary mitigation measures. Where development proposals will lead to harm to designated or non-designated heritage assets they will be assessed against the relevant criteria in the National Planning Policy Framework, taking into account the scale of harm and the impact on the significance of the heritage asset.</p>	



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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Design	HQ1 - High Quality Development	<p>The Council will ensure that all developments are of the highest possible quality and respond positively to their context. Development proposals, including extensions and change of use, will be permitted where:</p> <ol style="list-style-type: none"> <li>1. Proposals take account of opportunities to enhance or reinforce the local distinctiveness of the area and create a sense of place;</li> <li>2. Size, scale, massing, orientation, materials and appearance relate well to the existing local surroundings and reinforce local distinctiveness, both built and natural;</li> <li>3. Careful consideration is given to the density of all new housing proposals to ensure that they make the most efficient use of the land available, whilst reflecting the existing character of the surrounding area and making provision for appropriate landscaping and boundary treatments;</li> <li>4. Proposals are well connected to surrounding areas, providing safe, attractive and convenient routes that encourage travel by sustainable modes and meet the needs of all street users;</li> <li>5. The distinction between public and private space is clear, with defined boundaries;</li> <li>6. Proposals are complementary to the existing natural environment, taking account of the landscape setting, landscape character and tranquillity, Rights of Way, biodiversity and Green Infrastructure;</li> <li>7. High quality hard and soft landscaping appropriate to</li> </ol>	<p>This is acknowledged in <b>Section 7</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b>.</p>

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		<p>the scale of development proposed should be used to integrate the proposal into the existing built, natural and historic environment;</p> <p>8. Healthy lifestyles are promoted through the design and layout of the development;</p> <p>9. Inclusive design is considered from the outset of the design process;</p> <p>10. Layouts are designed to maximise surveillance and increase pedestrian activity within the public realm to reduce opportunities for crime and the fear of crime;</p> <p>11. There is not an unacceptable adverse impact upon nearby existing or permitted uses, including impacts on amenity, privacy, noise or air quality;</p> <p>12. Any lighting associated with the development does not have a detrimental impact on the surrounding area; and</p> <p>13. Development supports the sustainable management of waste through the appropriate layout and design of buildings, external spaces and roads in accordance with the Design Guide for Central Bedfordshire and Waste Strategic Policy WSP5 of the Minerals and Waste Local Plan (January 2014). All new development will be expected to have regard to the Central Bedfordshire Design Guide (and subsequent revisions).</p>	

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	HQ9 - Larger Sites, Development Briefs and Design Codes	<p>The site allocation policies in this Plan identify the sites that are required to prepare a Development Brief and Design Code. Any site that meets the following criteria will be required to prepare a Development Brief and/or a Design Code: A Development Brief must be prepared by the developer and endorsed by the Council prior to the determination of a full or outline planning application, and be accompanied by an Ecological Mitigation and Enhancement Plan, to demonstrate delivery of biodiversity net gain in accordance with National Policy, where it meets one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Development exceeds 300 dwellings; or</li> <li>2. On sites below 300 dwellings, where there are complex or sensitive design issues. A site-wide Design Code will be required for residential developments in excess of 300 dwellings, commercial developments where the total floorspace exceeds 50,000sqm, or for sites below this threshold where:</li> <li>3. The site is made up of multiple, related sites that will be built out in phases over a long period of time; or</li> <li>4. The site is in multiple ownership and coordination between the parties is necessary; or</li> <li>5. The site is likely to be developed by two or more different developers; or</li> <li>6. A well-considered approach to design is required due to its sensitivity or the sensitivity of the surrounding area.</li> </ol>	

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		Sites over 500 dwellings will also require an Area Specific Design Code for each phase of the development.	
	HQ11 - Modern Methods of Construction	The Council aims to encourage innovation and appropriate use of modern building techniques. Therefore, proposals that embrace modern methods of construction will be considered favourably. This will include being more flexible with regards to design and finishes whilst still maintaining high quality. Developers will be asked to demonstrate how they have considered use of MMC in their proposal, to determine the relative benefit or appropriateness of MMC. The Council aspires for all new development over the period of this Plan to consider the appropriateness of utilising modern methods of construction.	

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Socio-economic Development	EMP3 - Employment Development on Non-Allocated Sites	<p>Within Settlement Envelopes, development for appropriate employment generating uses will be supported.</p> <p>1. Proposals for new employment land within or immediately adjacent to the Settlement Envelopes will be supported where;</p> <p>a. The site is not in the Green Belt;</p> <p>b. There are no comparable existing or allocated sites, or comparable existing buildings that are available, suitable, achievable and viable within the Settlement Envelope or within another closely related settlement;</p> <p>c. For proposals to extend existing businesses onto adjoining land, evidence is provided that intensification within the existing site is not possible or practical;</p> <p>d. Evidence is provided of the significant economic benefits that would flow from the proposal;</p> <p>e. The size and scale of the development proposed is appropriate to its location;</p> <p>f. The location is appropriately accessible, and the proposal would not result in unacceptable levels of traffic generation; and</p> <p>g. Any identified adverse impacts on the historic and natural environment, including designated sites and landscapes can be appropriately mitigated.</p> <p>2. Outside Settlement Envelopes, proposals for new employment uses will be supported where, in addition to the above criteria;</p>	<p>The <b>Need Case [TR020001/APP/7.04]</b> and <b>Chapter 11 of the ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p> <p>Additionally, an <b>Employment and Training Strategy (ETS)</b> has been prepared and submitted as part of the application for development consent <b>[TR020001/APP/7.05]</b> in liaison with key stakeholders. The ETS proposes actions and initiatives with a vision to create quality careers and make the airport an inclusive and aspirational place to work. The ETS specifically focuses on maximising employment opportunities at the local level (Luton) and Three Counties in particular.</p>

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		<p>a. They are on previously developed land; and</p> <p>b. Will not have an unacceptable adverse impact on the local environment and residential amenity</p>	Therefore, these matters are considered to be policy compliant.
	EMP4 - Rural and Visitor Economy	<p>Proposals to expand existing employment generating uses within the rural area and those related to the visitor economy will be supported where:</p> <ol style="list-style-type: none"> <li>1. They would have no adverse impact on the location, neighbouring land uses or residents;</li> <li>2. The proposed use can be demonstrated to be viable;</li> <li>3. There would be an increase in the number of jobs that can be delivered;</li> <li>4. There would be no detrimental impact upon traffic generation, and where suitable accessibility and sustainable forms of transport can be demonstrated; and</li> <li>5. Any identified adverse impacts on the historic and natural environment, including designated sites and</li> </ol>	

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		<p>landscapes, can be appropriately mitigated. Proposals for new employment opportunities within the rural area, in addition to the above criteria, will be required to demonstrate that a rural location is required for technical and/or operational reasons.</p> <p>The Council will seek to promote the rural area and visitor economy across the whole of Central Bedfordshire by supporting the principle of proposals for tourist and leisure developments, particularly those which will also provide opportunities for rural diversification and which are well located to support local services, businesses and other tourist and leisure attractions. Proposals located within the Green Belt will be expected to demonstrate consistency with other relevant policies within this Plan and with National Policy. All rural and visitor economy proposals including for static holiday and touring caravan parks and holiday chalet developments will be considered against the need to protect historic environments, valuable landscapes and environmentally sensitive sites as well as the potential impact on local residents. In line with Policy R2, the Council will seek to retain existing public houses and shops in order to encourage diverse employment opportunities, provide tourist accommodation and in recognition of the contribution such uses make, particularly to the rural economy.</p>	

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Flood Risk	CC3 - Flood Risk Management	<p>A site-specific Flood Risk Assessment will be required for any site within 20m of any watercourse (including those not shown on the Environment Agency Flood Maps), or within an area at high risk of surface water flooding. Development will be supported where:</p> <ol style="list-style-type: none"> <li>1. It is located in areas at lowest risk of flooding (from all sources) and the Sequential and Exception Tests (where required) demonstrate that the site is appropriate for development and its intended use;</li> <li>2. A sequential approach to site layout is applied, directing the most vulnerable uses to the areas at lowest risk from all sources of flooding;</li> <li>3. It will be safe for the lifetime of the development, will not increase flood risk elsewhere or result in a loss of floodplain storage capacity or impede flowpaths, and reduces the overall flood risk within and beyond the site boundary where possible. Land that is required from current and future flood management will be safeguarded from development;</li> <li>4. A site-specific assessment of flood risk has been undertaken following the criteria within this policy and the NPPF, which sets out appropriate flood risk management measures;</li> <li>5. Climate change implications are taken into account and occupants of the site will be safe during all flood events (including those which exceed the agreed design standard) or from residual risks or failure of the drainage</li> </ol>	<p>The <b>Flood Risk Assessment (FRA)</b> has been completed in line with the requirements outlined in this policy and is provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>. Therefore, these matters are considered policy compliant.</p>



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		<p>system;</p> <p>6. Development must consider the impacts of the layout and land use on off-site flood risk. Measures should be identified and implemented, including passive measures to improve flood risk off-site;</p> <p>7. Surface water runoff is managed to pre-development rates and volumes, giving priority to the use of SUDS, and discharge locations have capacity to receive all foul and surface water flows from the development;</p> <p>8. The area of impermeable surface is minimised and porous and/or permeable surfaces are used wherever reasonably practicable;</p> <p>9. Mitigation measures maximise water efficiency and contribute to a net gain in water quality, biodiversity, landscape character and green infrastructure; and</p> <p>10. Building level flood avoidance, resilience and resistance measures are designed into the development where appropriate. Where necessary, planning permission will be conditional upon flood protection and/or runoff control measures being operative before other site works. Development that increases the risk of flooding on or off the development site, or would compromise the performance of flood defences will not be permitted. Central Bedfordshire Council will safeguard land required for current and future flood management.</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
	CC4 - Development Close to Watercourses	<p>Development should maximise opportunities for watercourse restoration and enhancement as part of the development. New development will be supported where it can be demonstrated that it will:</p> <ol style="list-style-type: none"> <li>1. Conserve, and where possible, enhance the ecological and flood storage value of the water environment, including the protection and enhancement of priority and protected species such as otter and water vole;</li> <li>2. Incorporate and retain existing open watercourses and, where possible, open up existing culverts and create new watercourses within their site design;</li> <li>3. Provide a minimum 9m wide undeveloped buffer strip for access, maintenance and natural flood storage, unless otherwise agreed with the relevant Drainage Authority;</li> <li>4. Avoid the need for culverting, unless it can be demonstrated no other alternative is feasible, ensuring that any new culvert will have no detriment to flood risk, long term maintenance and operation of the drainage system, or the environment;</li> <li>5. Mimic features of natural river morphology and hydrology where alterations to the bank of an ordinary watercourse are proposed or which create a new watercourse as part of a sustainable drainage scheme. Where it is not practicable to do so compensatory measures will be provided;</li> <li>6. Maximise opportunities to refurbish and/or renew existing assets (e.g. bridges, culverts and river walls) to</li> </ol>	<p>The policies and requirements on water resources and flood risk outlined in the adopted Central Bedfordshire Council Local Plan 2015 - 2035 have informed the design of mitigation and monitoring measures identified in <b>Sections 20.8 and 20.13 of ES Chapter 20 [TR020001/APP/5.01]</b>.</p>

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		<p>ensure their lifetime is commensurate with the lifetime of the development (an assessment of the condition of the assets will be required);</p> <p>7. Not involve any building on top of a culverted watercourse, providing an easement of 3m either side, were appropriate; and</p> <p>8. Make known the long-term arrangements for the management and maintenance of all watercourses, including culverts.</p> <p>Development which would compromise access to watercourses, or compromise the performance of flood defence or navigation facilities will not be permitted.</p>	

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	CC5 - Sustainable Drainage	<p>All development that results in increase in hard standing area or impacts on surface water flow paths will be required to use SUDS to reduce surface runoff, to:</p> <ol style="list-style-type: none"> <li>1. Reduce overall flood risk through the reduction in discharge rates and volumes to pre-development levels for previously developed sites; or</li> <li>2. Reduce discharge rates and volumes for greenfield sites. In such cases, proposals must demonstrate:</li> <li>3. Priority has been given to naturalistic solutions incorporated into the soft landscape of the development;</li> <li>4. Surface water drainage is compliant with local requirements and design guidance set out in the Council's Sustainable Drainage SPD, National Standards and industry best practice;</li> <li>5. Integration of SUDS to deliver multiple environmental benefits, including flood risk and water quality management, biodiversity and landscape enhancement, and improve amenity, access and open space;</li> <li>6. The discharge of surface water obeys the following priority order: <ol style="list-style-type: none"> <li>a. Firstly, to ground via infiltration;</li> <li>b. Then to a water body at a rate no greater than greenfield runoff; and</li> <li>c. Then to a surface water sewer at a rate no greater than greenfield runoff for greenfield sites, or at a rate to be agreed (as close to greenfield as possible, but a minimum betterment of 30% of the existing discharge) for</li> </ol> </li> </ol>	<p>The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and described in <b>Section 20.8</b> of <b>ES Chapter 20 [TR020001/APP/5.01]</b>. The sequential approach has been applied in the completion of the <b>FRA</b> provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>. Therefore, most matters regarding drainage are considered policy compliant.</p>

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		<p>previously developed land.</p> <p>7. The condition and capacity of any receiving drainage network, demonstrating no detriment to risk, water quality or the environment; An appropriate allowance for climate change and, where necessary, urban creep;</p> <p>9. Surface water runoff is managed as close to its source as possible and flow and quality of the runoff is managed in stages;</p> <p>10. Run-off from all hard surfaces will receive an appropriate level of treatment to minimise the risk of pollution;</p> <p>11. Suitable testing has been carried out to demonstrate whether infiltration is possible and that ground water would not be polluted. This may include undertaking a Groundwater Risk Assessment; and</p> <p>12. Maintenance responsibilities for the entirety of surface water drainage system are identified and a management and maintenance plan is provided, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the drainage scheme throughout its lifetime. Discharge to a foul water or combined sewer is unacceptable, unless in exceptional circumstances where it can be demonstrated that there are no feasible alternatives and that it will not result in increased flood risk on or off site. Discharge locations must have capacity to receive all foul and surface water flows from the</p>	

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		<p>development.</p> <p>All major applications must be accompanied by a Surface Water Drainage Strategy which demonstrates how the above criteria have been met. In exceptional circumstances, where a sustainable drainage system cannot be provided, it must be demonstrated that it is not possible to incorporate sustainable drainage systems, and an acceptable means of surface water disposal is provided at source which does not increase the risk of flooding or give rise to environmental problems and improves on the current situation with a reduction in peak and total discharge.</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Health and Community	HQ3 - Provision for Social and Community Infrastructure	<p>Where necessary, new housing and employment development will be required to make provision for, or contribute towards existing, social and community infrastructure. The Council will support the principle of new social and community infrastructure, or the expansion or enhancement of existing infrastructure. To deliver new facilities and services, subject to viability, the Council will work with developers, service providers and partners to:</p> <ol style="list-style-type: none"> <li>1. Ensure an integrated approach to the location of housing, economic uses and community facilities and services;</li> <li>2. Ensure the timely delivery and transfer of social and community infrastructure;</li> <li>3. Utilise the principles of multi-functional space where appropriate, by maximising opportunities for co-location, shared facilities and integrated service delivery through community hubs where appropriate;</li> <li>4. Ensure that any temporary provision, provided during construction, is replaced with permanent provision once construction is complete; and</li> <li>5. Provide contributions to community development costs necessary to enable new residents to develop new networks and integrate with existing residents and social infrastructure. Where an application fails to provide adequate social and community infrastructure without reasoned justification, or fails to make appropriate</li> </ol>	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ol style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result from negative perceptions and uncertainty in relation to all assessment phases of the Proposed Development.</li> <li>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way</li> </ol>

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		<p>planning obligation contributions, it will be refused. Depending on the use of the social and community infrastructure and adoption arrangements, developers may be required to make appropriate contributions towards management, running costs and maintenance. Permission will only be granted for change of use or redevelopment where the applicant can demonstrate that:</p> <p>6. The use no longer serves the community, and significant evidence is provided to demonstrate that it is surplus to requirements and there is a lack of need for any other community uses at the facility; or</p> <p>7. The loss would be replaced by equivalent or better provision either on site or at a suitable accessible location; or</p> <p>8. Evidence is provided which satisfactorily demonstrates that the use is no longer financially viable, and all reasonable efforts have been made to sell or let the premises for a community use at a reasonable price for at least 12 months. Where a site or building is listed by the Council as an Asset of Community Value the Council will consider this to be a material consideration in any applications regarding its change of use. Proposals for new social and community facilities within Settlement Envelopes will be supported where they comply with other relevant policies within the Plan. For sites directly adjacent to the Settlement Envelopes, proposals for new social and community facilities will be permitted where:</p>	<p>would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require reprovision to be in place until assessment phase 2a works commence in the period 2031 – 2033 and that the commitment to support relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p> <p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p>



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		<p>9. A need for the proposed facility be identified;</p> <p>10. It can be demonstrated that no land is available within the Settlement Envelope; and</p> <p>11. If the proposal is for a main town centre use, that the proposal meets the sequential and impact requirements of Policy R1.</p>	<p>f. There are no likely significant effects on community resources during operation.</p>

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Open Space and Green Belt	SP4 - Development in the Green Belt	<p>Where an application fails to provide adequate social and community infrastructure without reasoned justification, or fails to make appropriate planning obligation contributions, it will be refused. Depending on the use of the social and community infrastructure and adoption arrangements, developers may be required to make appropriate contributions towards management, running costs and maintenance. Permission will only be granted for change of use or redevelopment where the applicant can demonstrate that:</p> <p>6. The use no longer serves the community, and significant evidence is provided to demonstrate that it is surplus to requirements and there is a lack of need for any other community uses at the facility; or</p> <p>7. The loss would be replaced by equivalent or better provision either on site or at a suitable accessible location; or</p> <p>8. Evidence is provided which satisfactorily demonstrates that the use is no longer financially viable, and all reasonable efforts have been made to sell or let the premises for a community use at a reasonable price for at least 12 months. Where a site or building is listed by the Council as an Asset of Community Value the Council will consider this to be a material consideration in any applications regarding its change of use. New social and community facilities Proposals for new social and community facilities within Settlement Envelopes will be</p>	<p>This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) which considers each element of the Proposed Development which is be located within the Green Belt and whether they constitute inappropriate development in the Green Belt.</p> <p>There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.</p>

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		<p>supported where they comply with other relevant policies within the Plan. For sites directly adjacent to the Settlement Envelopes, proposals for new social and community facilities will be permitted where:</p> <ul style="list-style-type: none"> <li>9. A need for the proposed facility be identified;</li> <li>10. It can be demonstrated that no land is available within the Settlement Envelope; and</li> <li>11. If the proposal is for a main town centre use, that the proposal meets the sequential and impact requirements of Policy R1</li> </ul>	
	<p>EMP5 - Significant Facilities in the Countryside and Green Belt</p>	<p>All proposals for significant development at these facilities will be assessed on an individual basis and in accordance with other relevant policies within the Plan, including, but not limited to:</p> <ul style="list-style-type: none"> <li>1. Impact on the open countryside and any heritage assets;</li> <li>2. Provision of sustainable transport;</li> <li>3. Justification; and</li> <li>4. Scale, layout and design – which must be appropriate to the establishment and its setting. Planning applications that are considered acceptable against these criteria and all other relevant plan policies, will be considered favourably. In the future, major new sites may emerge in Central Bedfordshire. Any new major facilities with a similar level of importance in terms of employment or research once built, including Cranfield Airpark, will be</li> </ul>	

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		considered under this policy as well as other relevant policies within the Plan. Where a Development Brief or masterplan for a facility identified above has already been produced and endorsed by the Council, this should be a material consideration for future planning decisions.	
Landscape and Visual Impact	EE4 - Trees, Woodlands and Hedgerows	<p>Development Proposals will be permitted where:</p> <ol style="list-style-type: none"> <li>1. They do not adversely affect ancient woodland and aged and veteran trees;</li> <li>2. Woodlands, including semi-natural woodlands, planted ancient woodland sites, traditional orchards, hedgerows, and specimen trees found outside woodlands are protected and buffered;</li> <li>3. Existing hedgerows and trees are incorporated to enhance developments, are integrated within the public realm, and are within a suitable landscape setting to ensure longevity. Hedgerows and treed boundaries should be reinforced, safeguarded within green corridors and extended where there is scope to create linkages; and</li> <li>4. Any removal of trees or hedgerows to accommodate development is justified, and lost assets are replaced within the development site with appropriate planting of suitable species of equivalent scale and character and providing equivalent canopy cover and habitat</li> </ol>	<p>Areas of landscape that are highly valued locally and/or protected by a local landscape/visual designation are identified in <b>Section 14.7 of ES Chapter 14 [TR020001/APP/5.01]</b> and are used in <b>Section 14.9</b> to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor.</p> <p>This assessment refers to relevant landscape character and green infrastructure studies as a means of assessing the landscape effects of the Proposed Development in <b>Section 14.9</b> and when determining embedded and additional mitigation measures in</p>

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		<p>connectivity. Developers will be expected to include new planting in developments. Proposals will be permitted where:</p> <p>5. New developments are designed to include significant tree features as part of residential areas, commercial and employment sites, streets and car parks;</p> <p>6. The layout of developments (including residential areas, roads, parking areas, and open spaces) is designed to provide sufficient space to enable these trees to thrive, including adequate root protection areas and canopy clearance zones;</p> <p>7. Landscaping schemes will take account of local landscape character and should consider climate change, ease of maintenance and ecological enhancement. They should include the use of non-native species where appropriate. Care must be taken to avoid the introduction of invasive species into planting schemes;</p> <p>8. New tree planting is designed within a green corridor of appropriate scale, as part of the site's public realm, transport network and green infrastructure, to improve ecological connectivity, enhance local character and create a sense of place, and mitigate and adapt to climate change; and</p> <p>9. Any development that forms a rural edge will include an effective landscape edge consisting of native tree and hedgerow planting consistent with the local landscape character.</p>	<p><b>Sections 14.8 and 14.10.</b></p> <p>It is acknowledged that there will be some loss of vegetation, details of this is provided in <b>Section 14.7</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b>.</p> <p>The proposed development has been designed as sensitively as possible as described in <b>Section 14.9</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b>, in keeping with the local character, acknowledging the key characteristics and purposes of the Chilterns Area of Outstanding Natural Beauty (AONB) designation.</p>

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	EE5 - Landscape Character and Value	<p>In order to safeguard intrinsic character, scenic beauty and perceptual qualities of the landscape such as tranquillity, all development proposals will need to have regard to the key characteristics and sensitivities of the site and its setting, as set out in the Central Bedfordshire Landscape Character Assessment. All major development proposals will be required to demonstrate how they incorporate landscape enhancement, in accordance with the guidelines in the LCA, the Central Bedfordshire Design Guide and other relevant documents for specific areas. This includes the Chilterns AONB, Forest of Marston Vale and the Greensand Ridge Nature Improvement Area. Landscape and visual appraisal will be expected to support planning applications and, include the assessment of local landscape character and views. All development will be required to respect, retain and enhance the character and distinctiveness of the local landscape by:</p> <ol style="list-style-type: none"> <li>1. Reflecting the local character and distinctiveness in terms of the scale and pattern of the surrounding landscape and existing settlement form; and</li> <li>2. Integrating on-site mitigation sympathetic to local character in scale with the landscape setting as well as the scale of the development.</li> </ol>	
	EE12 - PRoW	developments should protect, enhance and promote the PRoW network within Central Bedfordshire	

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Noise and Vibration	CC8 - Pollution and Land Instability	<p>All proposals for new development must have regard to current national guidance as well as the Council's Design Guide, Contaminated Land Strategy, Air Quality and Emissions Planning Guidance and Air Quality Action Plans in terms of pollution and land instability. Pollution includes matters in relation to noise, waste management, litter, pests, vibration, odour, surface and ground waters, light, tranquillity, soil, contaminated land and airborne pollution. Development proposals which are likely to cause pollution or land instability, or are likely to be exposed to potential unacceptable levels of pollution or land instability will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. In or near an AQMA, development would not have a negative impact on the local air quality and that;</li> <li>2. Measures can be implemented to minimise the impacts of pollution and land instability to an acceptable level without compromising the quality of life for users and occupiers, which protects health, natural and historic environment, water quality, property, infrastructure and amenity; and</li> <li>3. The conditions of the site can be suitably mitigated or land can be remediated for the proposed end use and cause no adverse effects. Where necessary the Council will use planning conditions and/or legal agreements to help limit the impact of pollution.</li> </ol>	<p><b>Table 16.2 of ES Chapter 16 [TR020001/APP/5.01]</b> considers and addresses the requirements of the Noise Policy Statement for England. <b>Sections 16.5 and 16.7 of ES Chapter 16 [TR020001/APP/5.01]</b> set out the description of the noise sources as required. <b>Section 16.3</b> describes the scope for the assessment of noise sensitive premises and noise sensitive areas included in the assessment with further details of the assessment included in <b>Section 16.5</b>, and the assessment of the effects in <b>Section 16.9</b>. <b>Section 16.7</b> sets out the characteristics of the existing noise environment. <b>Section 16.9</b> sets out how the noise environment is predicted to change with the Proposed Development for the noise sources and time-periods required. Additionally, the noise and vibration assessment in <b>Section 16.9</b> demonstrates how the</p>

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			Proposed Development will mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. No unacceptable adverse effects have been identified. <b>Section 16.8</b> and <b>Section 16.10</b> sets out further mitigation and noise control measures. Therefore, these matters are considered policy compliant.
Land Contamination and Instability	CC8 - Pollution and Land Instability	All proposals for new development must have regard to current national guidance as well as the Council's Design Guide, Contaminated Land Strategy, Air Quality and Emissions Planning Guidance and Air Quality Action Plans in terms of pollution and land instability. Pollution includes matters in relation to noise, waste management, litter, pests, vibration, odour, surface and ground waters, light, tranquillity, soil, contaminated land and airborne pollution. Development proposals which are likely to cause pollution or land instability, or are likely to be exposed to potential unacceptable levels of pollution or land instability will only be permitted where it can be	The assessment of land quality described in <b>Section 17.7</b> of <b>ES Chapter 17 [TR020001/APP/5.01]</b> addresses the requirements of this policy, and remediation, embedded mitigation, design measures and good practice which ensure the site can be suitably remediated are presented in <b>Section 17.8</b> in the same chapter. The significance of the effects is assessed in <b>Section 17.9</b> of <b>ES</b>



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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
		<p>demonstrated that:</p> <ol style="list-style-type: none"> <li>1. In or near an AQMA, development would not have a negative impact on the local air quality and that;</li> <li>2. Measures can be implemented to minimise the impacts of pollution and land instability to an acceptable level without compromising the quality of life for users and occupiers, which protects health, natural and historic environment, water quality, property, infrastructure and amenity; and</li> <li>3. The conditions of the site can be suitably mitigated or land can be remediated for the proposed end use and cause no adverse effects. Where necessary the Council will use planning conditions and/or legal agreements to help limit the impact of pollution.</li> </ol>	<p><b>Chapter 17</b>  <b>[TR020001/APP/5.01]</b>. Therefore, this matter is considered policy compliant.</p>
Surface Access	T1 - Mitigation of Transport Impacts on the Network	<p>Travel Plans, Travel Plan Statements and Transport Assessments will be required for any development which meets or exceeds the Gross Floor Area thresholds set out in the Council's Guidance on Travel Plans and Transport Assessment. It should be demonstrated how the proposal will seek to reduce the need to travel and secure a modal shift towards sustainable forms of transport. This should be through an approach which first considers the ability to cater for walking and cycling, provide suitable public transport services, and make better use of existing highway capacity before considering the provision of additional roads. Evidence must be provided in Transport</p>	<p>The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the</p>

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Theme	Policy Reference	Policy Description	Compliance commentary
		<p>Assessments to demonstrate:</p> <ol style="list-style-type: none"> <li>1. The principles established to give priority to pedestrians and other vulnerable road users in new developments, together with links to local service provision;</li> <li>2. Comprehensive, convenient and safe pedestrian and cycle links to schools, local employment and service provision;</li> <li>3. Connectivity with existing walking and cycling networks; and</li> <li>4. Robust consideration of the cumulative impacts of planned growth, including the cross-boundary impacts where appropriate. Transport Assessments and Travel Plans must demonstrate how the development can be served by public transport services and the frequency of the service. Where a Travel Plan is in place, the developer and/or user will provide an annual update on their action plan, reporting progress against agreed aims and targets for a minimum of 5 years post occupation. The Council will require developers to deliver Travel Plan measures as outlined in their approved Travel Plans, particularly in relation to sustainable travel mode share targets and in some cases, will require an up-front financial contribution to be used to fund requisite additional measures/corrective action.</li> </ol>	<p>proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3</b> in <b>Appendix 18.2</b> of the <b>ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.</p> <p>The <b>SAS [TR020001/APP/7.12]</b> in <b>Section 6.1</b> notes that the Applicant’s toolbox approach ensures that under any future scenario the Applicant will be able to reduce the impact of surface access on air quality. Air quality, which includes emissions from traffic, is covered in <b>Chapter 7</b> of the <b>ES [TR020001/APP/5.01]</b> and carbon in <b>Chapter 12</b> of the <b>ES [TR020001/APP/5.01]</b>.</p> <p><b>Section 5</b> of the SAS</p>

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			<p><b>[TR020001/APP/7.12]</b> outlines the approach to determining Key Performance Indices and the way this will be managed and funded is described in <b>Section 8</b> of the document.</p> <p>Based on the above, these matters are considered policy compliant.</p>
	T2 - Highways Safety and Design	<p>Proposals for new development must not have a detrimental effect on highway safety and patterns of movement, must provide appropriate access and have regard to the Council's standards as set out in the Council's Design Guide and Highway Construction Standards and Specifications Guidance. Development will be permitted where:</p> <ol style="list-style-type: none"> <li>1. The proposal is, or will be, well integrated with the existing transport network within and beyond the development itself; avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the network;</li> <li>2. The proposal does not impede the free flow of traffic on the existing network or create hazards to that traffic and other road users;</li> <li>3. The proposal retains or enhances existing footpaths,</li> </ol>	<p>One of the proposed highway interventions is located on highway for which Central Bedfordshire Council the highway authority. This involves the introduction of part-time traffic signals at the roundabout that forms the junction of the A1081 London Road with the A1081 westbound on and off-slip roads. The highway mitigation measures, covered in <b>Chapter 18</b> of the <b>ES [TR020001/APP/5.01]</b>, will be designed to comply with the relevant standards and the standard safety audit process will</p>

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		bridleways and cycleway links; 4. The proposal promotes walking and cycling permeability and ensures that linkages and publicly accessible through-routes are created to successfully integrate the development into wider networks; 5. The development provides safe and convenient access and has regard to the appropriate standards in the Council’s Design Guide and Highway Construction Standards and Specifications Guidance, that promote accessibility for all users and all modes of transport and includes designs, where appropriate, that incorporate low speeds; 6. The proposal must make adequate provision for loading and unloading, circulation, servicing and vehicle turning; and 7. The proposal fully funds where appropriate, or contributes towards the costs of any measures required to cost effectively mitigate the impacts arising from the development. Development will be refused on transport grounds where the residual cumulative impacts of development are severe.	be undertaken. Therefore, this matter is considered policy compliant.

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Waste and Resource Management	Minerals and Waste Local Plan – Strategic Sites and Policies (2014) Section 17.1.8	“All new developments should optimise the potential for sustainable design...The sorting and segregating of waste materials by occupiers is essential to the success of recycling and reuse schemes, and new developments should provide adequate and convenient storage space for the appropriate in-house storage of recyclables.”	Sufficient provision for waste management and the integration of waste management facilities are considered in paragraph 19.8.4 of <b>ES Chapter 19 [TR020001/APP/5.01]</b> . Primary mitigation measures include activities that have been and would be undertaken during the design stage to minimise waste thus reducing the need for waste management and landfill disposal. These include design of adequate provision for internal and external waste storage to allow waste segregation during operation.
Water Quality and Resources	EE11 - The River and Waterway Network	Proposals for development adjacent to the river and waterway network will be permitted where they: <ol style="list-style-type: none"> <li>1. Seek to protect, conserve and enhance the waterways' heritage, built environment, landscape character and biodiversity, including the protection of flood areas, where appropriate;</li> <li>2. Promote the waterway and towpath/riverside paths as part of the green infrastructure and open space network and encourage their use as a tourism destination and for</li> </ol>	The assessment of potential effects on water resources during operation has been undertaken in <b>Section 20.8 of ES Chapter 20 [TR020001/APP/5.01]</b> . With measures embedded within the design to prevent discharge of polluted water to the environment and prevent an increase in water

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		leisure, recreation and healthy outdoor activity; and 3. Promote the use of the waterway and towpath/riverside paths for sustainable transport and recreational routes for walking, cycling, and horse riding, and where appropriate, provide and protect new tow and riverside paths.	supply requirements, as described above, no likely significant adverse effects were identified. Therefore, this matter is considered policy compliant.
	CC6 - Water Supply and Sewerage Infrastructure	Planning permission will only be granted for developments where it can be demonstrated that: 1. Adequate water supply is available, or can be provided, in time to serve the development and existing water resources, and will be safeguarded from the potential impacts of development; 2. Foul flows produced by the development will be drained separately from surface water run off to an agreed point of connection to a public foul sewer or, for non mains drainage proposals, where there would be no detrimental impact on the environment; and 3. Foul sewers and sewage treatment facilities (of adequate design and capacity) are available to meet the demand created by new development or, where they are not available, can be provided in time to serve the development to ensure that the environment and the amenity of local residents are not adversely affected. In accordance with Planning Policy Guidance, when there is a capacity constraint and improvements in off-site infrastructure are not programmed, planning permission will only be granted where the appropriate infrastructure	An assessment of the cumulative effects of the Proposed Development on the water environment is provided in <b>Chapter 21</b> of the <b>ES [TR020001/APP/5.01]</b> .

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		<p>improvements to the satisfaction of the relevant water and sewerage undertaker will be completed prior to occupation of the development.</p> <p>Development which would overload available facilities and create or exacerbate problems of flooding or pollution will not be permitted.</p>	
	CC7 - Water Quality	<p>Development in close proximity to or discharging to a waterbody must demonstrate through a WFD assessment:</p> <ol style="list-style-type: none"> <li>1. That it has no adverse impact on the quality of waterbodies and groundwater, or will prevent future attainment of good status;</li> <li>2. That development contributes positively to the water environment and its ecology and does not adversely affect surface and ground water quality; and</li> <li>3. How they have contributed to the protection and enhancement of waterbodies identified by the Anglian and Thames River Basin Management Plan objectives, covering the Ouse and Lea catchments. For any development that would have a direct impact on any watercourse (e.g. realignment of a river or work to bridges) the impact of that development on water quality must be demonstrated. For any water body that is already in the lowest status class (including poor groundwater quantitative status) under the WFD, the Council will</li> </ol>	<p>A Water Framework Directive <b>(WFD) Compliance Assessment</b> has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping Report and is provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b>. Therefore, this matter is considered policy compliant.</p>

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		<p>expect development to deliver enhancements where rivers and lakes are not achieving good ecological status or potential. Development that would result in deterioration shall not be permitted. A Groundwater Risk Assessment will be needed to support a planning application where activities could directly or indirectly pollute groundwater. New development will be supported where it delivers opportunities to enhance the quality of the water environment, for example by:</p> <ol style="list-style-type: none"> <li>4. Integrating SUDS and green infrastructure into new development;</li> <li>5. Managing and where possible reducing the risk of water pollution;</li> <li>6. Reducing the effects of flooding and drought on water bodies, and the prioritisation of naturalistic flood defence over the provision of hard flood defences;</li> <li>7. Making modification to watercourses to restore ‘natural’ systems, including de-culverting, restoring or re-profiling rivers and naturalising river banks;</li> <li>8. Adopting water efficiency measures; and</li> <li>9. Restoring contaminated land.</li> </ol> <p>Opportunities identified by Catchment Partnerships and flood risk management authorities should inform development proposals.</p>	



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Contributions	HQ2 - Developer Contributions	<p>Developments will be required to make appropriate contributions to provide new physical, social and environmental infrastructure or the enhancement of existing infrastructure, where necessary to mitigate the impact of the proposals. Contributions will be made either by way of financial contributions, or direct provision of such infrastructure. The Council will work in partnership with infrastructure providers, neighbouring authorities, Town and Parish Councils and other delivery agencies in securing and delivering the necessary infrastructure to support new development, where appropriate.</p> <p>Contributions will be phased or pooled to ensure the timely delivery and implementation of the necessary infrastructure. In the absence of a Community Infrastructure Levy, the Council will seek to ensure the delivery of strategic infrastructure by planning obligations and other appropriate funding sources.</p>	<p>Full details on the proposed noise insulation scheme and a new discretionary property compensation scheme are presented in the <b>Draft Compensation Policies, Measures and Community First</b> submitted as part of the application for development consent <b>[TR020001/APP/7.10]</b>.</p> <p>The document provides details of the proposal for the creation of Community First which will help put more back into local communities. Money from the Community First fund will be allocated to projects that tackle deprivation in Luton and neighbouring counties, and for local decarbonisation projects. It will split 60% to Luton, and 40% to neighbouring counties, recognising that Luton has some of the most deprived areas within the East of England.</p>

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			As well as this, part of the Proposed Development, the current noise insulation scheme administered by LLAOL, will be replaced if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the government proposals set out in Aviation 2050.
Safety and Security	T2 - Highway Safety and Design;	Proposals for new development must not have a detrimental effect on highway safety and patterns of movement, must provide appropriate access and have regard to the Council's standards as set out in the Council's Design Guide and Highway Construction Standards and Specifications Guidance. Development will be permitted where: <ol style="list-style-type: none"> <li>1. The proposal is, or will be, well integrated with the existing transport network within and beyond the development itself; avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the network;</li> <li>2. The proposal does not impede the free flow of traffic on the existing network or create hazards to that traffic and</li> </ol>	Measures embedded within the Proposed Development to minimise risks associated with highway safety, flood risk, pollution and ground instability are described within <b>Chapter 18</b> of the <b>ES [TR020001/APP/5.01]</b> , <b>Chapter 20 [TR020001/APP/5.01]</b> , and <b>Chapter 17 [TR020001/APP/5.01]</b> . Where relevant, these measures have also been considered within

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		<p>other road users;</p> <p>3. The proposal retains or enhances existing footpaths, bridleways and cycleway links;</p> <p>4. The proposal promotes walking and cycling permeability and ensures that linkages and publicly accessible through-routes are created to successfully integrate the development into wider networks;</p> <p>5. The development provides safe and convenient access and has regard to the appropriate standards in the Council's Design Guide and Highway Construction Standards and Specifications Guidance, that promote accessibility for all users and all modes of transport and includes designs, where appropriate, that incorporate low speeds;</p> <p>6. The proposal must make adequate provision for loading and unloading, circulation, servicing and vehicle turning; and</p> <p>7. The proposal fully funds where appropriate, or contributes towards the costs of any measures required to cost effectively mitigate the impacts arising from the development.</p> <p>Development will be refused on transport grounds where the residual cumulative impacts of development are severe.</p>	<p><b>Section 15.8 of ES Chapter 15 [TR020001/APP/5.01].</b></p>

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	CC3 - Flood Risk Management	<p>A site-specific Flood Risk Assessment will be required for any site within 20m of any watercourse (including those not shown on the Environment Agency Flood Maps), or within an area at high risk of surface water flooding.</p> <p>Development will be supported where:</p> <ol style="list-style-type: none"> <li>1. It is located in areas at lowest risk of flooding (from all sources) and the Sequential and Exception Tests (where required) demonstrate that the site is appropriate for development and its intended use;</li> <li>2. A sequential approach to site layout is applied, directing the most vulnerable uses to the areas at lowest risk from all sources of flooding;</li> <li>3. It will be safe for the lifetime of the development, will not increase flood risk elsewhere or result in a loss of floodplain storage capacity or impede flow paths, and reduces the overall flood risk within and beyond the site boundary where possible. Land that is required from current and future flood management will be safeguarded from development;</li> <li>4. A site-specific assessment of flood risk has been undertaken following the criteria within this policy and the NPPF, which sets out appropriate flood risk management measures;</li> <li>5. Climate change implications are taken into account and occupants of the site will be safe during all flood events (including those which exceed the agreed design standard) or from residual risks or failure of the drainage</li> </ol>	

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		<p>system;</p> <p>6. Development must consider the impacts of the layout and land use on off-site flood risk. Measures should be identified and implemented, including passive measures to improve flood risk off-site;</p> <p>7. Surface water runoff is managed to pre-development rates and volumes, giving priority to the use of SUDS, and discharge locations have capacity to receive all foul and surface water flows from the development;</p> <p>8. The area of impermeable surface is minimised and porous and/or permeable surfaces are used wherever reasonably practicable;</p> <p>9. Mitigation measures maximise water efficiency and contribute to a net gain in water quality, biodiversity, landscape character and green infrastructure; and</p> <p>10. Building level flood avoidance, resilience and resistance measures are designed into the development where appropriate. Where necessary, planning permission will be conditional upon flood protection and/or runoff control measures being operative before other site works. Development that increases the risk of flooding on or off the development site, or would compromise the performance of flood defences will not be permitted. Central Bedfordshire Council will safeguard land required for current and future flood management.</p>	

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	CC8 - Pollution and Land Instability	All proposals for new development must have regard to current national guidance as well as the Council's Design Guide, Contaminated Land Strategy, Air Quality and Emissions Planning Guidance and Air Quality Action Plans in terms of pollution and land instability. Pollution includes matters in relation to noise, waste management, litter, pests, vibration, odour, surface and ground waters, light, tranquillity, soil, contaminated land and airborne pollution. Development proposals which are likely to cause pollution or land instability, or are likely to be exposed to potential unacceptable levels of pollution or land instability will only be permitted where it can be demonstrated that: 1. In or near an AQMA, development would not have a negative impact on the local air quality and that; 2. Measures can be implemented to minimise the impacts of pollution and land instability to an acceptable level without compromising the quality of life for users and occupiers, which protects health, natural and historic environment, water quality, property, infrastructure and amenity; and 3. The conditions of the site can be suitably mitigated or land can be remediated for the proposed end use and cause no adverse effects. Where necessary the Council will use planning conditions and/or legal agreements to help limit the impact of pollution.	

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Agricultural Land	Paragraph 6.14	The significant majority of land in North Hertfordshire remains rural and in productive agricultural use. Agriculture and other rural businesses underpin both the rural economy and the landscape character of the rural areas.	In the context of the significant majority of land in North Hertfordshire being in productive agricultural use, the loss of a total of approximately 120ha of agricultural land (of which 63.7ha is classified as BMV land) is considered to be negligible. This matter is discussed in <b>Section 8</b> and is weighted in <b>Section 9</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> .
Air Quality	D4 - Air quality	<p>Planning permission will be granted provided that development proposals:</p> <p>a) Give consideration to the potential or actual impact on local air quality, both during the demolition/ construction phase and as a result of its final occupation and use;</p> <p>b) Propose appropriate levels of mitigation to minimise emissions to the atmosphere and their potential effects upon health and the local environment; and</p> <p>c) Carry out air pollution impact assessments, where required, to determine the impact on local air quality of the development. Where an air quality impact assessment demonstrates that a development is unacceptable from a local air quality perspective the development will be refused. Where air pollution impact assessments are not required there will still be a</p>	An assessment of potential air quality impacts from the construction assessment phase and operational has been undertaken as provided in the methodology in <b>Section 7.5 of ES Chapter 7 [TR020001/APP/5.01]</b> . <b>Section 7.8</b> provides the measures to mitigate air quality impacts. NHDC has also produced an Air Quality Planning Guidance Document in support of their Local Plan. The document provides guidance for impact assessment and mitigation. This guidance has

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		requirement on developers to provide appropriate levels of mitigation to address emissions of pollutants to the atmosphere.	been considered in the methodology provided <b>Section 7.5</b> . Therefore, this matter is considered policy compliant.
Biodiversity and Ecological Conservation	SP12 - Green infrastructure, landscape and biodiversity	<p>We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will:</p> <p>a) Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure;</p> <p>b) Consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty;</p> <p>c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features:</p> <ul style="list-style-type: none"> <li>• Internationally designated sites</li> <li>• Nationally designated sites</li> <li>• Locally designated sites;</li> <li>• Non-designated sites that include important habitats and species</li> </ul> <p>d) Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and</p>	<p>The biodiversity assessment provides an assessment of the potential effects that the Proposed Development will have on designated nature conservation sites, habitats and species as per the policies listed within the Plan. The Proposed Development applies the mitigation hierarchy identified within these policies. These are addressed in <b>Section 8.8 to 8.11, 8.13 to 8.14 of ES Chapter 8 [TR020001/APP/5.01]</b> and the <b>BNG assessment Appendix 8.5 of the ES [TR020001/APP/5.02]</b>. Additionally, prescriptions for the establishment, long term management and monitoring of habitat creation measures are included within the <b>Outline Landscape and Biodiversity</b></p>



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		habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and e) Protect other open spaces and support provision of new and improved open space.	<b>Management Plan (Appendix 8.2 of the ES [TR020001/APP/5.02]).</b> Therefore, these matters are considered policy compliant.
	NE2 - Landscape	Planning permission will be granted for development proposals that: a) Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management; b) Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this; c) Are designed and located to ensure the health and future retention of important landscape features; and d) Have considered the long-term management and maintenance of any existing and proposed landscaping.	

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	NE6 - New and improved open space	<p>Planning permission will be granted for development proposals that make provision for new and/or improved open space which:</p> <ul style="list-style-type: none"> <li>a) Meets the needs arising from the development having regard to the Council's open space standards and other relevant guidance;</li> <li>b) Contributes towards improving the provision, quality and accessibility of open space; and</li> <li>c) Incorporate any necessary open space buffer(s) for landscape, visual, ecological or air quality reasons.</li> </ul> <p>Any on-site provision must include a long-term maintenance and management plan, and where required phasing plans, to demonstrate delivery. Any built facilities within new or existing open space must be ancillary to the primary use and of an appropriate scale and design. Measures should be taken to integrate such facilities into the landscape. Proposals for new open spaces which meet identified needs will be encouraged in suitable locations, served by a choice of sustainable travel options. Financial contributions towards the provision of open space will be considered only where it can be demonstrated that the requirements of policy NE5 part (b)(ii) are met. Where a development is phased, or a site is either divided into separate parts or otherwise regarded as part of a larger development, it will be considered as a whole for the purposes of open space provision.</p>	

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	NE4 - Biodiversity and geological sites	<p>Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12. All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible. Applicants should, having regard to the status of any affected site(s) or feature(s):</p> <p>a) Submit an ecological survey that is commensurate to the scale and location of the development and the likely impact on biodiversity, the legal protection or other status of the site;</p> <p>b) Demonstrate that adverse effects can be avoided and / or satisfactorily minimised having regard to the hierarchy of protection below:</p> <p>i. locating on an alternative site with a less harmful impact;</p> <p>ii. providing adequate mitigation measures; or</p> <p>iii. as a last resort compensated for. The acceptability of approach(es) to avoidance, mitigation and compensation will be commensurate with the status of the asset(s) likely to be affected by the application; Compensation is unlikely to be an appropriate solution for proposals affecting nationally or internationally designated sites other than in the most exceptional circumstances.</p>	<p>The biodiversity assessment in <b>Section 8.9 of ES Chapter 8 [TR020001/APP/5.01]</b> provides an assessment of the potential effects that the Proposed Development will have on designated nature conservation sites, habitats and species as per the policies listed within the NPPF. This is addressed in <b>Section 8.9 and 8.14 of ES Chapter 8 [TR020001/APP/5.01]</b>. Additionally, prescriptions for the establishment, long term management and monitoring of habitat creation measures are included within the <b>Outline Landscape and Biodiversity Management Plan (Appendix 8.2 of the ES [TR020001/APP/5.02])</b>. Therefore, these matters are considered policy compliant.</p>

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		<p>c) Include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction;</p> <p>d) Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows. It may be necessary to exceed this distance for fragile habitats such as ancient woodland or to provide appropriate root protection for mature trees; and</p> <p>e) Provide a long-term management and monitoring plan including mitigation measures as necessary.</p> <p>Local Geological Sites are ratified by the Herts &amp; Middlesex Wildlife Trust (HMWT) and are afforded the same protection as Local Wildlife Sites.</p>	

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Cultural Heritage	SP13 - Historic environment	<p>The Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting. We will pursue a positive strategy for the conservation and enjoyment of the historic environment through:</p> <ul style="list-style-type: none"> <li>a) Maintaining a strong presumption in favour of the retention, preservation and enhancement of heritage assets and their setting according to their significance;</li> <li>b) Identifying sites on the national register of Heritage at Risk or on the Council's 'At Risk' register;</li> <li>c) Periodic reviews of Conservation Areas and other locally designated assets; and</li> <li>d) Publication of detailed guidance.</li> </ul>	<p>A description of the significance of heritage assets, and their setting, is set out in <b>Appendix 10.1 of ES Chapter 10 [TR020001/APP/5.02]</b> and in <b>Section 10.9 of the ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p>A list of data sources consulted to inform the cultural heritage baseline conditions is set out in <b>Section 10.5 of ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p>Cumulative effects are discussed in <b>Chapter 21 of the ES [TR020001/APP/5.01]</b>.</p> <p>The approach to the assessment of the likely significant effects is described in <b>Section 10.9 of ES Chapter 10 [TR020001/APP/5.01]</b>.</p> <p><b>Section 10.8</b> includes how the design of the Proposed Development has considered the historic environment and <b>Section 10.10</b> suggests mitigation measures in order to minimise any significant adverse effects.</p>

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Theme	Policy Reference	Policy Description	Compliance commentary
			Therefore, this matter is considered policy compliant. Therefore, these matters are considered policy compliant.
	HE1 - Designated heritage assets	<p>Planning applications relating to Designated heritage Assets or their setting shall be accompanied by a Heritage Assessment/Justification Statement that:</p> <ul style="list-style-type: none"> <li>i. Assesses the significance of heritage assets, including their setting;</li> <li>ii. Justifies and details the impacts of any proposal upon the significance of the designated heritage asset(s); and</li> <li>iii. Informs any necessary measures to minimise or mitigate against any identified harms.</li> </ul> <p>Planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they (as applicable):</p> <ul style="list-style-type: none"> <li>a) Enable the heritage asset to be used in a manner that secures its conservation and preserves its significance;</li> <li>b) Incorporate a palette of materials that make a positive contribution to local character or distinctiveness, where it is appropriate and justified; and</li> </ul>	<p>A Heritage Statement (see <b>Appendix D</b>) prepared to support the Cultural Heritage assessment in <b>Section 8</b> of the <b>Planning Statement [TR020001/APP/5.01]</b> concluded that within the Luton Hoo RPG there are a number of designated assets and structures, including Luton Hoo Conservation Area and Grade I listed Luton Hoo house (NHLE 1321301). While the setting of these assets, namely the park, will experience change as a result of the operational assessment phase of the Proposed Development, there will</p>

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		<p>c) Will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset's optimum viable use.</p> <p>Where substantial harm to, or loss of significance, of a designated heritage asset is proposed the Council shall refuse consent unless it can be demonstrated that the scheme is necessary to deliver considerable public benefits that outweigh the harm or loss.</p>	<p>be no harm to the significance of the assets themselves.</p>
	HE4 - Archaeology	<p>Permission for development proposals affecting heritage assets with archaeological interest will be granted provided that:</p> <p>a) Developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation.</p> <p>b) It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and</p> <p>c) Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.</p> <p>Where archaeological sites have been assessed to meet</p>	<p><b>Appendix 10.1</b> of the <b>ES [TR020001/APP/5.02]</b>, presents an appropriate DBA. Two assessment phases of geophysical survey and two assessment phases of archaeological trial trenching have been undertaken to further inform the archaeological potential of the Proposed Development Site, the results of which are summarised in <b>Section 10.7</b> of <b>ES Chapter 10 [TR020001/APP/5.01]</b>. Mitigation proposals for the preservation of archaeological remains and preservation by record are set out in <b>Section</b></p>

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		the criteria for inclusion on adopted registers or maps of locally important heritage assets these shall be treated in the same way as archaeology areas and areas of archaeological significance. Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance.	<b>10.10 of ES Chapter 10 [TR020001/APP/5.01]</b> and in the <b>Cultural Heritage Management Plan (CHMP)</b> which forms <b>Appendix 10.6 of the ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered to be policy compliant.
Design	SP9 - Design and sustainability	The Council considers good design to be a key aspect of sustainable development. We will: a) Support new development where it is well designed and located and responds positively to its local context; b) Require Strategic Masterplans to be produced for Strategic Housing Sites and other significant development. Significant development generally comprises residential development of 100 dwellings or more. Exceptionally, developments under 100 dwellings will be considered significant if there are site specific complexities and sensitives that require a masterplan-led approach. In some circumstances a Strategic Masterplan may also be required to consider the cumulative impact of more than one site to support a co-ordinated and integrated approach to place-making and design.	This acknowledged in <b>Section 7 of the Planning Statement [TR020001/APP/7.01]</b> and the design of the Proposed Development is set out and justified in full in the <b>Design and Access Statement (DAS) [TR020001/APP/7.03]</b> and the <b>Design Principles [TR020001/APP/7.10]</b> .



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	D1 - Sustainable design	<p>Planning permission will be granted provided that development proposals:</p> <p>a) Respond positively to the site's local context;</p> <p>b) Take all reasonable opportunities, consistent with the nature and scale of the scheme, to:</p> <ul style="list-style-type: none"> <li>i. create or enhance public realm;</li> <li>ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);</li> <li>iii. reduce energy consumption and waste;</li> <li>iv. retain existing vegetation and propose appropriate new planting;</li> <li>v. maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas;</li> <li>vi. future proof for changes in technology and lifestyle;</li> <li>vii. design-out opportunities for crime and anti-social behaviour; and</li> <li>viii. minimise the visual impact of street furniture and parking provision;</li> </ul> <p>c) Have regard to the Design SPD, and any other relevant guidance;</p>	

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Socio-economic Development	SP3 - Employment	<p>The Council will proactively encourage sustainable economic growth, support new and existing businesses and seek to build on the District's strengths, location and offer. We will</p> <p>a) Allocate an adequate supply of employment land to meet the needs of the Functional Economic Market Area over the plan period to 2031. The allocations as shown on the Policies Map are: i. east of Baldock BA10 (19.6ha); and ii. west of Royston RY9 (10.9ha);</p> <p>b) Safeguard Employment Areas within the District's main settlements, as shown on the Policies Map, to enhance and protect their employment potential;</p> <p>c) Work with landowners, developers and, for sites on the edge of the District, adjoining authorities to identify an appropriate amount of employment land to be included through the masterplanning process in strategic housing sites;</p> <p>d) Permit an appropriate range of offices, research and development, light industrial or B class employment uses within these areas;</p> <p>e) Promote and support the expansion of the knowledge-based economy in the District. Proposals for the redevelopment of existing employment sites and the development of new employment sites which increase the level of knowledge-intensive employment will be supported in principle.</p> <p>f) Support offices, research and development, light</p>	<p>The <b>Need Case [TR020001/APP/7.04]</b> and <b>Chapter 11 of the ES [TR020001/APP/5.01]</b> presents the assessment of effects associated with economics and employment. There are expected to be significant benefits to the local economy as a result of the Proposed Development.</p>

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		<p>industrial and B Class uses in appropriate locations outside of designated employment areas, including offices in main town centres and concentrations of these employment uses in certain villages; and</p> <p>g) Ensure relevant policies of this Plan recognise the contribution of sectors other than B Class uses and offices, research and development and light industrial uses, including tourism, to the provision of jobs.</p>	
	ETC2 - Employment development outside Employment Areas	<p>Planning permission for employment uses outside of allocated Employment Areas and Employment Allocations BA10 and RY9 will be granted provided that:</p> <p>a) The proposal is:</p> <ul style="list-style-type: none"> <li>i. within a defined settlement boundary or the built core of a Category B village; or</li> <li>ii. for small scale offices or other small employment development; and</li> <li>iii. is appropriate to the location in terms of size, scale, function, catchment area and / or historic and architectural character; and</li> </ul> <p>b) There would be no significant adverse impacts on living conditions. The Council will only permit the loss of existing employment uses on unallocated sites, where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>i. the land or premises is no longer required to meet future employment needs of either the local community or</li> </ul>	

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		<p>the District, demonstrated through evidence of at least twelve months of active marketing;</p> <p>ii. the existing use has a significant adverse impact on the amenities of surrounding land uses; or</p> <p>iii. the existing use is detrimental to highway safety.</p>	
Flood Risk	SP11 - Natural resources and sustainability	<p>This Plan seeks to meet the challenges of climate change and flooding. We will:</p> <p>a) Support proposals for renewable and low carbon energy development in appropriate locations;</p> <p>b) Take a risk based approach to development and flood risk, directing development to areas at lowest risk in accordance with the NPPF and ensuring the provision of Sustainable Drainage Systems (SuDS) and other appropriate measures;</p> <p>c) Support the principles of the Water Environment (Water Framework Directive) Regulations 2017 and seek to protect, enhance and manage the water environment;</p> <p>d) Give consideration to the potential or actual impact of land contamination and support proposals that involve the remediation of contaminated land; and</p> <p>e) Work with utilities providers, East Hertfordshire District Council and relevant agencies to ensure additional</p>	<p>A Water Framework Directive <b>(WFD) Compliance Assessment</b> has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping Report and is provided as <b>Appendix 20.2</b> of the <b>ES [TR020001/APP/5.02]</b>. Therefore, this matter is considered policy compliant.</p>

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		wastewater treatment capacity is delivered without harm to protected European sites.	
	NE7 - Reducing flood risk	<p>Planning permission for development proposals will be granted provided that (as applicable):</p> <p>a) Development is located outside of medium and high-risk flood areas (flood zone 2 and 3) and other areas affected by other sources of flooding where possible;</p> <p>b) Where (a) is not possible, application of the sequential and exception tests is demonstrated where development is proposed in areas of flood risk using the Strategic Flood Risk Assessment (SFRA) and Environment Agency flood maps;</p> <p>c) A FRA has been prepared in accordance with national guidance that considers the lifetime of the development, climate change impacts and safe access and egress; North Hertfordshire Local Plan 2011-2031 159</p> <p>d) It will be located, designed and laid out to ensure the risk of flooding is reduced whilst not increasing flood risk elsewhere;</p> <p>e) The impact of any residual flood risk will be minimised through flood resistant, resilient design and construction;</p> <p>f) Any flood protection and mitigation measures necessary will not cause harm to nature conservation,</p>	<p>The <b>Flood Risk Assessment</b> has been completed in line with the requirements outlined in this policy and provided in <b>Appendix 20.1</b> of the <b>ES [TR020001/APP/5.07]</b>. Therefore, these matters are considered policy compliant.</p>

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		<p>heritage assets, and/ or landscape and recreation and, where possible, will have a positive impact in these respects; and</p> <p>g) Overland flow routes and functional floodplain areas are protected from all development other than that which is “water compatible” and this must be designed and constructed to remain operational and safe for users during flood events, resulting in no net loss of flood plain storage and not impeding water flows or increasing flood risk elsewhere.</p>	
	NE8 - Sustainable drainage systems	<p>Planning permission for development will be granted provided that:</p> <p>a) The most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits;</p> <p>b) It aims to mimic the natural drainage patterns and processes as far as possible; and</p> <p>c) Drainage solutions follow the SuDS hierarchy.</p>	<p>The drainage design for the Proposed Development has applied a hierarchical approach to drainage design that promotes a sustainable approach and includes the use of infiltration tanks and rainwater recycling. Open water systems (such as ponds) have not been used due to space constraints and potential increased risk of bird strike. The drainage design and changes to the current surface water regime are described in the Detailed Drainage Statement (DDS) provided as <b>Appendix 20.4</b> of the <b>ES [TR020001/APP/5.02]</b> and</p>

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			<p>described in <b>Section 20.8 of ES Chapter 20 [TR020001/APP/5.01]</b>.  The sequential approach has been applied in the completion of the <b>FRA</b> provided in <b>Appendix 20.1 of the ES [TR020001/APP/5.07]</b>.  Therefore, most matters regarding drainage are considered policy compliant.</p>
Health and Community	SP10 - Healthy communities	<p>We will provide and maintain healthy, inclusive communities for our residents. We will</p> <ol style="list-style-type: none"> <li>a) Support the retention of existing community, cultural, leisure or recreation facilities;</li> <li>b) Require appropriate levels of new community, cultural, leisure and built sport &amp; recreation facilities to be provided in new development;</li> <li>c) Work with the NHS Trust, the Clinical Commissioning Groups and other relevant providers to ensure appropriate coverage of healthcare facilities across the District;</li> <li>d) Maintain the network of local retail centres identified in</li> </ol>	<p><b>Section 13.9 of ES Chapter 13 [TR020001/APP/5.01]</b> identifies the following:</p> <ol style="list-style-type: none"> <li>a. During construction, the local community would experience a significant beneficial effect as a result of construction employment opportunities for local people.</li> <li>b. Significant adverse effects on mental wellbeing may result</li> </ol>

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		<p>Policy SP4 and support the retention of locally-important shops;</p> <p>e) Work with Hertfordshire County Council and education providers to ensure the planning system contributes to the provision of sufficient school places and facilitates the provision of new or expanded schools in appropriate and accessible locations. This will include monitoring of projected future demand to inform the review of this plan in relation to secondary education provision for the Stevenage area; and</p> <p>f) Protect, enhance and create new physical and green infrastructure to foster healthy lifestyles.</p>	<p>from negative perceptions and uncertainty in relation to all assessment phases of the Proposed Development.</p> <p>c. Significant adverse effects on mental health and wellbeing may also result from the demolition of Prospect House Day Nursery. Similarly, the community assessment recognises that during construction, the demolition of Prospect House Day Nursery on Prospect Way would result in a significant adverse effect. Where there may be uncertainty with regard to the relocation of Prospect House Day Nursery, It must be noted that the nursery will not require re-provision to be in place until Assessment phase 2a works commence in the period 2031 – 2033 and that the commitment to support</p>



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			<p>relocation will be secured via a section 106 agreement.</p> <p>d. During operation, likely significant adverse effects on health and wellbeing have been identified due to an increase in air noise.</p> <p>e. Significant beneficial effects on health and wellbeing would also occur from the increase in operational employment opportunities for local people.</p> <p>f. There are no likely significant effects on community resources during operation.</p>
Open Space and Green Belt	SP5 - Countryside and Green Belt	<p>We support the principles of the Green Belt and recognise the intrinsic value of the countryside. Green Belt and Rural Areas Beyond the Green Belt are shown on the Policies Map. We:</p> <p>a) Have conducted a comprehensive review of the Green Belt. Land has been removed from the Green Belt to:</p> <p>i. enable strategic development at the locations referred to in Policies SP8 and SP3;</p> <p>ii. enable local development around a number of the District's towns and villages; and</p>	<p>This is addressed in the Green Belt Assessment (see <b>Appendix B</b> of the <b>Planning Statement [TR020001/APP/7.01]</b>) which considers each element of the Proposed Development which is be located within the Green Belt and whether they constitute inappropriate development in the Green Belt.</p>

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		<p>iii. define boundaries for villages referred to in Policy SP2 which fall within the Green Belt but were previously 'washed over' by this designation;</p> <p>b) Have provided new Green Belt to cover, in general terms, the area bounded by the Metropolitan Green Belt to the east, the Luton Green Belt to the west and the A505 Offley bypass to the north;</p> <p>c) Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated; and</p> <p>d) Will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of our detailed policies.</p>	<p>There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR) to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.</p>
Landscape and Visual Impact	NE2 - Landscape	<p>Planning permission will be granted for development proposals that:</p> <p>a) Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management;</p> <p>b) Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this;</p> <p>c) Are designed and located to ensure the health and</p>	<p>The Chilterns Area of Outstanding Natural Beauty (AONB) and other contributors to landscape value are identified in <b>Section 14.7</b> of <b>ES Chapter 14 [TR020001/APP/5.01]</b> and are used in <b>Section 14.9</b> to inform judgements on the value of a landscape receptor and the magnitude of impact on a landscape receptor.</p> <p>The study area for the Landscape</p>

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		future retention of important landscape features; and d) Have considered the long-term management and maintenance of any existing and proposed landscaping.	and Visual Impact Assessment (LVIA) includes, for the purpose of considering impacts on tranquillity, land within the Chilterns AONB where aircraft would be below 7,000 ft. (AMSL). Although the application to extend the AONB is at a very early stage, a sensitivity test of the proposed boundary extension to the AONB is included at <b>Appendix 14.9</b> of the <b>ES [TR020001/APP/5.02]</b> . This LVIA in <b>ES Chapter 14 [TR020001/APP/5.01]</b> refers to relevant landscape character and green infrastructure studies as a means of assessing the landscape effects of the Proposed Development in <b>Section 14.9</b> and when determining embedded and additional mitigation measures in <b>Sections 14.8</b> and <b>14.10</b> .
	SP12 - Green infrastructure, landscape and biodiversity	We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will: a) Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure; b) Consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty; c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features: • Internationally designated sites • Nationally designated sites • Locally designated sites; • Non-designated sites that include important habitats and species d) Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and	

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		hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and e) Protect other open spaces and support provision of new and improved open space.	
	NE3 - The Chilterns AONB	<p>Planning permission for any proposal within the AONB, or affecting the setting of the AONB, will only be granted provided that it:</p> <p>a) Is appropriate in scale having regard to national planning policy;</p> <p>b) Conserves and where possible enhances the Chilterns AONB's special qualities, distinctive character and biodiversity, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB designation;</p> <p>c) Is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment;</p> <p>d) Has regard to the statutory Chilterns AONB Management Plan, making practical and financial</p>	

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		<p>contributions towards management plan delivery as appropriate;</p> <p>e) Has regard to the Chilterns Building Design Guide and technical notes by being of high-quality design which respects the natural beauty of the Chilterns, its traditional built character and reinforces the sense of place and local character; and</p> <p>f) Avoids adverse impacts from individual proposals (including their cumulative effects) unless these can be satisfactorily mitigated.</p>	
Land Contamination and Instability	NE11 - Contaminated land	<p>Planning permission for development affecting or affected by contaminated land will be granted provided that:</p> <p>a) A contaminated land study / contaminated land risk assessment is submitted as part of the application;</p> <p>b) Appropriate mechanisms are in place to investigate, characterise the risks and remediate the contamination to remove the risks, or reduce the risk to an acceptable level; and</p> <p>c) The site is suitable for use taking account of ground conditions, groundwater vulnerability and pollution arising from previous land use and land remediation in reference to relevant guidance (and any subsequent updates)</p>	<p>The assessment of described in <b>Section 17.7 of ES Chapter 17 [TR020001/APP/5.01]</b>, and remediation, embedded mitigation, design measures and good practice which ensure the site can be suitably remediated are presented in <b>Section 17.8</b> of the same chapter address the requirements of these policies SP11 and NE11. Therefore, these matters are considered policy compliant.</p> <p><b>Section 17.3 of ES Chapter 17 [TR020001/APP/5.01]</b> addresses Policy NE6 and details the basis on which sites of geological and</p>

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			geomorphological features of scientific interest have been scoped out of this assessment.
Surface Access	SP6 - Sustainable transport	<p>We will deliver accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. We will:</p> <ul style="list-style-type: none"> <li>a) Comply with the NHDC Transport Strategy and the provisions of the, the Local Transport Plan and other supporting documents as relevant;</li> <li>b) Encourage development in locations which enable sustainable journeys to be made to key services and facilities;</li> <li>c) Work with Hertfordshire County Council, neighbouring authorities, Highways England and service providers to ensure that a range of sustainable transport options are available to all potential occupants or users. This may involve new or improved pedestrian, cycle and passenger transport (including rail and/or bus) links and routes;</li> <li>d) Seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic Housing Sites and other development sites in order to influence the behaviour of occupiers or users, along with supporting</li> </ul>	<p>The <b>Surface Access Strategy (SAS)</b> [TR020001/APP/7.12] together with the <b>Transport Assessment (TA)</b> [TR020001/APP/7.02] form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3</b> in <b>Appendix 18.2</b> of the <b>ES</b> [TR020001/APP/5.02] for the</p>

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		<p>Travel Plans in order that sustainable travel patterns become embedded at an early stage;</p> <p>e) Assess development proposals against the parking standards set out in this Plan and having regard to relevant supplementary advice;</p> <p>f) Require applicants to provide assessments, plans and supporting documents to demonstrate the safety and sustainability of their proposals; and</p> <p>g) Protect existing rights of way, cycling and equestrian routes and, should diversion be unavoidable, require replacement routes to the satisfaction of the Council.</p>	years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.
	T1 - Assessment of transport matters	<p>Planning permission will be granted provided that:</p> <p>a) Development would not lead to highway safety problems or cause unacceptable impacts upon the highway network;</p> <p>b) Mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7;</p> <p>c) Suitable Transport Statements, Transport Assessments and / or Travel Plans along with supporting documents are provided where required; and</p> <p>d) For major developments, applicants demonstrate (as far as is practicable) how:</p> <p>i. the proposed scheme would be served by public transport;</p> <p>ii. safe, direct and convenient routes for pedestrians and</p>	

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		cyclists will be provided; and iii. comprehensive integration into the existing pedestrian and cycle, public transport and road networks will be secured.	
Waste and Resource Management	D1 - Sustainable design	<p>Planning permission will be granted provided that development proposals:</p> <ul style="list-style-type: none"> <li>a) Respond positively to the site's local context;</li> <li>b) Take all reasonable opportunities, consistent with the nature and scale of the scheme, to: <ul style="list-style-type: none"> <li>i. create or enhance public realm;</li> <li>ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);</li> <li>iii. reduce energy consumption and waste;</li> <li>iv. retain existing vegetation and propose appropriate new planting;</li> <li>v. maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas;</li> <li>vi. future proof for changes in technology and lifestyle;</li> <li>vii. design-out opportunities for crime and anti-social behaviour; and</li> <li>viii. minimise the visual impact of street furniture and parking provision;</li> </ul> </li> </ul>	<p>The assessment of waste and resources has taken account of the waste hierarchy in the management of waste, and of the targets for recovery of non-hazardous construction and demolition waste. Paragraphs 19.8.2-19.8.5 in <b>Section 19.8 of ES Chapter 19 [TR020001/APP/5.01]</b> outline how the waste hierarchy has been and would be applied to the Proposed Development. Paragraph 19.8.5 outlines the targets that would be applied to the Proposed Development. based on this, the matter is considered to be policy compliant.</p>



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		c) Have regard to the Design SPD, and any other relevant guidance;	
Water Quality and Resources	NE9 - Water quality and environment	<p>Planning permission for development proposals will be granted provided that they make appropriate space for water, including (as applicable):</p> <p>a) Maintaining a minimum 8 metre wide undeveloped buffer zone from all designated main rivers;</p> <p>b) Maintaining a minimum 5m wide undeveloped buffer zone for ordinary watercourses; and</p> <p>c) River restoration and resilience improvements where proposals are situated close to a river or considered to affect nearby watercourses.</p>	<p>The <b>Code of Construction Practice (CoCP)</b> provided as <b>Appendix 4.2</b> of the <b>ES [TR020001/APP/5.02]</b> sets out proposed measures to be implemented by the construction contractors to protect surface water and groundwater resources. These include undertaking monitoring of groundwater and leachate from the former landfill, preparing a construction surface water management strategy, implementing good practice</p>

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Theme	Policy Reference	Policy Description	Compliance commentary
			measures to minimise the risk of pollution, and preparing a pollution incident plan. Therefore, this matter is considered policy compliant.
	NE10 - Water conservation and wastewater infrastructure	<p>Planning permission for new development will be granted provided that;</p> <p>a) It does not result in the deterioration of any watercourse in accordance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD);</p> <p>b) It helps contribute towards the Water Framework Directive (WFD) actions and objectives;</p> <p>c) It helps achieve the objectives set out in the Anglian and Thames River Basin Management Plans;</p> <p>d) Mechanisms for delivering any necessary new or improved water and/ or wastewater infrastructure are secured under the requirements of Policy SP7; and</p> <p>e) Adequate foul water treatment and disposal already exists or can be provided in time to serve the development.</p> <p>New development around Stevenage within the Rye Meads Sewage Treatment Works Catchment will need to demonstrate that additional potable water supply and consequential wastewater treatment capacity can be achieved and implemented ahead of development without</p>	<p>An assessment of the cumulative effects of the Proposed Development on the water environment is provided in <b>Chapter 21</b> of the <b>ES [TR020001/APP/5.01]</b>.</p>

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		significant environmental impact, including adverse effects on designated sites.	
Contributions	SP7 - Infrastructure requirements and developer contributions	<p>The Council will require development proposals to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development. We will:</p> <p>a) Require developers to provide, finance and / or contribute towards provision which is fairly and reasonably related in scale and kind to the development, including:</p> <p>i. on-site and/or off-site improvements and infrastructure necessary as a result of the development in order to:</p> <ul style="list-style-type: none"> <li>• ensure appropriate provision of facilities and infrastructure for new residents;</li> <li>• contribute toward addressing cumulative impacts that might arise across multiple developments;</li> <li>• avoid placing unreasonable additional burdens on the existing community or existing infrastructure;</li> <li>• mitigate adverse impacts where appropriate; and/or</li> <li>• enhance critical assets or make good their loss or</li> </ul>	<p>Full details on the proposed noise insulation scheme and a new discretionary property compensation scheme are presented in the <b>Draft Compensation Policies, Measures and Community First</b> submitted as part of the application for development consent <b>[TR020001/APP/7.10]</b>.</p> <p>The document provides details of the proposal for the creation of Community First which will help put more back into local communities. Money from the Community First fund will be allocated to projects that tackle deprivation in Luton and</p>

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		<p>damage; and</p> <p>ii. maintenance and/or operating costs of any such new provision;</p> <p>b) Ensure essential new infrastructure to support new development is will be operational no later than the completion of development or during the phase in which it is needed, whichever is earliest;</p> <p>c) Refuse planning permission where appropriate agreements or processes ensuring criteria (a) and (b) can be met are not in place;</p> <p>d) Have regard to relevant national guidance or requirements in relation to planning obligations and any Community Infrastructure Levy or successor funding tariff which may be introduced by the Council;</p> <p>e) Work with landowners, developers and other agencies in facilitating the delivery of sites identified in the Local Plan and associated infrastructure and seek to overcome known obstacles; and</p> <p>f) Need robust evidence to be provided where developers consider that viability issues impact upon the delivery of key infrastructure and/or mitigation measures. This evidence will be used to determine whether an appropriate and acceptable level of contribution and / or mitigation can be secured.</p>	<p>neighbouring counties, and for local decarbonisation projects. It will split 60% to Luton, and 40% to neighbouring counties, recognising that Luton has some of the most deprived areas within the East of England.</p> <p>As well as this, part of the Proposed Development, the current noise insulation scheme administered by LLAOL, will be replaced if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the government proposals set out in Aviation 2050.</p> <p>The section 106 agreement is located in <b>Section 5.8</b> of the <b>Planning Statement [TR020001/APP/7.01]</b> and outlines the obligations to be secured as part of this application for development consent.</p>

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<b>Theme</b>	<b>Policy Reference</b>	<b>Policy Description</b>	<b>Compliance commentary</b>
Air Quality	CS32 - Air, Soil and Water Quality	<p>Development will be required to help:</p> <p>(a) support improvements in identified Air Quality Management Areas and maintain air quality standards throughout the area;</p> <p>(b) maintain soil quality standards and remediate contaminated land in line with Environment Agency, Defra and Natural England guidance; and</p> <p>(c) improve water quality standards in line with the Water Framework Directive, Environment Agency and Natural England guidance.</p> <p>Any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances, will not be permitted. Advice on the storage and handling of hazardous substances will be taken from the Health and Safety Executive.</p>	<p>An assessment of potential air quality impacts from the construction assessment phase and operational has been undertaken as provided in the methodology in <b>Section 7.5 of ES Chapter 7 [TR020001/APP5.01]</b>. <b>Section 7.8</b> provides the measures to mitigate air quality impacts. Therefore, this matter is considered to be policy compliant.</p>

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Climate Change	CS29 - Sustainable Design and Construction	<p>New development will comply with the highest standards of sustainable design and construction possible. The following principles should normally be satisfied:</p> <ul style="list-style-type: none"> <li>(a) Use building materials and timber from verified sustainable sources;</li> <li>(b) Minimise water consumption during construction;</li> <li>(c) Recycle and reduce construction waste which may otherwise go to landfill.</li> <li>(d) Provide an adequate means of water supply, surface water and foul drainage;</li> <li>(e) Plan to limit residential indoor water consumption to 105 litres per person per day until national statutory guidance supersedes this advice;</li> <li>(f) Plan to minimise carbon dioxide emissions;</li> <li>(g) Maximise the energy efficiency performance of the building fabric, in accordance with the energy hierarchy set out in Figure 16;</li> <li>(h) Incorporate at least one new tree per dwelling/per 100sqm (for non-residential developments) on-site;</li> <li>(i) Minimise impacts on biodiversity and incorporate positive measures to support wildlife;</li> <li>(j) Minimise impermeable surfaces around the curtilage of buildings and in new street design;</li> <li>(k) Incorporate permeable and lighter coloured surfaces within urban areas; and</li> <li>(l) Provide on-site recycling facilities for waste. Buildings will be designed to have a long life and adaptable internal</li> </ul>	<p>Measures to increase the resilience of the Proposed Development to climate change are set out in <b>Section 9.8</b> and <b>Table 9.29</b> and <b>Table 9.30</b> of <b>ES Chapter 9 [TR020001/APP5.01]</b>.</p>

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		<p>layout. Applicants will therefore need to explain how:</p> <p>(i) they have considered the whole life cycle of the building and how the materials could be recycled at the end of the building's life; and</p> <p>(ii) their design has been 'future proofed' to enable retrofitting to meet tighter energy efficiency standards and connection to decentralised community heating systems. For specified types of development applicants should provide a Sustainability Statement. Where new development cannot meet on-site energy or tree planting requirements, the applicant will be expected to contribute towards sustainability offsetting if at all possible (see Policy CS30).</p> <p>If a scheme would be unviable or there is not a technically feasible approach, the principles in this policy may be relaxed.</p>	
Cultural Heritage	CS27 - Quality of the Historic Environment	<p>All development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Development will positively conserve and enhance the appearance and character of conservation areas. Negative features and problems identified in conservation area appraisals will be ameliorated or removed. Features</p>	<p>A description of the significance of heritage assets, and their setting, is set out in <b>Appendix 10.1 of ES Chapter 10 [TR020001/APP/5.02]</b> and in <b>Section 10.9</b> of the same ES Chapter.</p> <p>A list of data sources consulted to inform the cultural heritage</p>

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		of known or potential archaeological interest will be surveyed, recorded and wherever possible retained. Supplementary planning documents will provide further guidance.	baseline conditions is set out in <b>Section 10.5 of ES Chapter 10 [TR020001/APP5.01]</b> . Cumulative effects are discussed in <b>Chapter 21 of the ES [TR020001/APP/5.01]</b> . The approach to the assessment of the likely significant effects is described in <b>Section 10.9 of ES Chapter 10 [TR020001/APP5.01]</b> . Therefore, these matters are considered policy compliant.
Open Space and Green Belt	CS5 - Green Belt	The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted. Within the Green Belt, small-scale development will be permitted: i.e. (a) building for the uses defined as appropriate in national policy; (b) the replacement of existing buildings for the same use; (c) limited extensions to existing buildings; (d) the appropriate reuse of permanent, substantial buildings;	This is addressed in the Green Belt Assessment (see <b>Appendix B of the Planning Statement [TR020001/APP/7.01]</b> ) which considers each element of the Proposed Development which is located within the Green Belt and whether they constitute inappropriate development in the Green Belt. There are two elements constituting inappropriate development, the proposed Surface Movement Radar (SMR)



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		<p>and (e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map provided that:</p> <p>i. it has no significant impact on the character and appearance of the countryside; and</p> <p>ii. it supports the rural economy and maintenance of the wider countryside.</p> <p>Further guidance will be provided. Development within selected small villages in the Green Belt will be permitted in accordance with Policy CS6. Footnote: * Excluding temporary buildings</p>	<p>to the south of the airport and the Above Ground Installation (AGI) to the east of the airport. In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist and therefore the policy test is met.</p>
Landscape and Visual Impact	CS25 - Landscape Character	<p>All development will help conserve and enhance Dacorum's natural and historic landscape. Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition and take full account of the Dacorum Landscape Character Assessment, Historic Landscape Characterisation and advice contained within the Hertfordshire Historic Environment Record.</p>	<p>An assessment of the likely landscape and visual effects of the Proposed Development during both the construction and operational periods is presented in <b>Section 14.9 of ES Chapter 14 [TR020001/APP5.01]</b>. As this matter has been sufficiently addressed, it is considered to be policy compliant.</p>
Land Contamination and Instability	CS32 - Air, Soil and Water Quality	<p>Development will be required to help:</p> <p>(a) support improvements in identified Air Quality Management Areas and maintain air quality standards throughout the area;</p> <p>(b) maintain soil quality standards and remediate</p>	<p>Geotechnical assessment has been undertaken which takes into account potential land stability issues. <b>Section 17.8 of ES Chapter 17 [TR020001/APP5.01]</b></p>

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		contaminated land in line with Environment Agency, Defra and Natural England guidance; and (c) improve water quality standards in line with the Water Framework Directive, Environment Agency and Natural England guidance. Any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances, will not be permitted. Advice on the storage and handling of hazardous substances will be taken from the Health and Safety Executive.	summarises how land stability risks would be mitigated and minimised. Therefore, these matters are considered policy compliant.
Surface Access	CS9 - Management of Roads	All new development will be directed to the appropriate category of road in the road hierarchy based on its scale, traffic generation, safety impact, and environmental effect. The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments. Improvements to the network and all traffic management measures will be designed to channel long distance through traffic onto the motorway and primary roads (i.e. M1, M25, A5 and A41). In Hemel Hempstead road improvements will focus on relieving congestion in and around the Maylands Business Park, including the	The <b>Surface Access Strategy (SAS) [TR020001/APP/7.12]</b> together with the <b>Transport Assessment (TA) [TR020001/APP/7.02]</b> form part of the documentation for the application for development consent. Between them, these documents show the predicted level of trips by the range of travel modes, which are based on specific targets for maximising the proportion of journeys made by non-car modes. Predicted traffic

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		delivery of a new north-eastern relief route, and improving the capacity and safety of the Plough Roundabout. Elsewhere, small-scale improvements will be undertaken to tackle local environmental and safety problems. Other new road capacity will only be justified for local environmental, air quality (including any declared Air Quality Management Areas), safety reasons, or for accommodating local access requirements. Local road space will be shared and designed to allow the safe movement of all users. In villages and the countryside, special regard will be paid to the effect of new development and traffic on the safety and environmental character of country lanes.	flows on the highway network in the vicinity of the airport are presented as <b>Tables 1.1 to 1.3 in Appendix 18.2 of the ES [TR020001/APP/5.02]</b> for the years 2016 (18 mppa), 2027 (21.5 mppa), 2039 (27 mppa) and 2043 (32 mppa). These flows reflect the targets that have been adopted to achieve the mode shift.
Water Quality and Resources	CS32 - Air, Soil and Water Quality	Development will be required to help: (a) support improvements in identified Air Quality Management Areas and maintain air quality standards throughout the area; (b) maintain soil quality standards and remediate contaminated land in line with Environment Agency, Defra and Natural England guidance; and (c) improve water quality standards in line with the Water Framework Directive, Environment Agency and Natural England guidance. Any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell,	A Water Framework Directive <b>(WFD) Compliance Assessment</b> has been completed, in line with methodology agreed with the Environment Agency (EA) and outlined in the Scoping Report and is provided as <b>Appendix 20.2 of the ES [TR020001/APP/5.02]</b> . Therefore, this matter is considered policy compliant.

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		heat, light, noise or noxious substances, will not be permitted. Advice on the storage and handling of hazardous substances will be taken from the Health and Safety Executive.	