

AUDIO_ISH5_SESSION1_28092023

Fri, Sep 29, 2023 8:26AM • 1:31:25

00:05

Okay, good afternoon.

00:08

Good afternoon. Before I begin, can I confirm that it can be seen and heard clearly?

00:15

And can I also confirm Miss Evans that live streaming events commenced? Thank you. No fire test is planned for today shouldn't alarm sound it is an emergency event and we'll need to evacuate the building. Emergency exits are located in the corner of the room and you can also exit to the main doors that you entered to. The fire assembly point is in the main car park and if anyone would need assistance in the event of needing to evacuate the building, please can you let the case team know?

00:41

The tower time is now 2pm. And this issue specific hearing in relation to the London Luton Airport Expansion Project is now open. And today's issue specific hearing we will be considering matters of air quality and related effects. My name is Sarah Holmes. I'm a planning inspector and a chartered civil engineer. I have been appointed by the Secretary of State to be a member of the panel of inspectors to examine this application. Today I will be going through the management the event and introductions and one of my colleagues will be taking any actions and notes from the actions and ask my colleagues to introduce themselves.

01:16

Good afternoon everyone. My name is Joe Downing. I'm a charter town planner and a planning inspector. I have been appointed by the Secretary of State to be the lead member of the panel.

01:30

Good afternoon everyone. My name is Dr. Raj tons of a planning inspector and a chartered environmentalist.

01:38

Hello everyone, my name is Beth Davis. I'm a planning inspector and a chartered geologist.

01:43

Together with Andrew Robinson the five was makeup the examiner authority or ESA, I can confirm that all members of the XA have made a formal declaration of interest and that there are no known conflicts of interest with regard to his examining this application. There are two more colleagues from the planning spectrum with us today. For those who you present in the room you may have already spoken

to or heard from Shane Evans, who is the case manager for this project. Miss Evans is accompanied by my meal Bernie our case officer, who you may also spoken to if you've joined virtually, together they are the case team for this project. If you have any questions regarding the application process in general, I would ask that you please email these to the case team who will be happy to help.

02:23

Before we consider the answers on the agenda today, we need to deal with a few housekeeping matters and I'll try and get through these as quickly as possible. Can everyone attending please make sure that your phone is switched off or turn silent. toilet facilities including disabled facilities can be found in the lobby.

02:39

As far as I'm aware, no requests have been made to any special measures are arrangements to enable participation and preliminary meeting. If anyone has any special measures or arrangements, please speak to the case team at the side of the room.

02:51

For the purposes of identification for the benefit of those who may listen to the digital recording later, I will ask that at every point in which you speak, please can give your name. And if you're representing an organization or individual who is you represent. For those attending virtually Can I repeat the request made in the arrangements conference, that in order to minimize background noise, you also make sure that all audible notifications are turned off, and that you stay muted with your camera turned off unless you're speaking as the blending event. It has been structured in such a way that questions or points that you may wish to raise can be done so at the relevant point in the proceedings. When we get to those points. I would ask that if you have if you want to speak, you switch your camera on and either use the raise hand function in MS teams or ask the speaker the appropriate time. Please be aware that there may sometimes be a delay before we can acknowledge this. But the your patience while waiting to be heard will be appreciated. Can I also remind people that the chat function on teams will not work so please do not try and use this to ask any questions or post comments. Mr. Bernier will have explaining what to do if you choose if you lose your connection, and we're able to adjourn for a short period of time through a more significant connection problems. Do we have any members of the press in attendance?

04:06

We will adjourn for a short break at a convenient points in the agenda. Ideally no more than every 90 minutes or so. If for medical or other reasons. Anybody requires a break a specific time please could you let the case team know? And we can if possible just a program to meet your needs. Are there any comments or questions regarding the general management of today's event either in the room

04:26

or online?

04:28

Okay.

04:30

There is a digital recording being made of this hearing which will be available on the National Infrastructure website. If you speak in this hearing, it's important that you understand that your comments will be recorded and other digital recording will be published and retained usually for a period of five years from the Secretary of State's decision. We are subject to the general data protection regulations. It's extremely unlikely that we need to ask you to give us sensitive personal information to put into the public domain. In fact, we'd actively encourage you not to give us sensitive personal information.

05:00

such as your address economic, financial, cultural health related matters. If you feel that it's necessary for you to refer to sensitive personal information, we'd encourage you to speak to our case team in the first instance, we can then explore with you with that information can be provided in a written format, which could then be redacted before being published. Please note that the only official recording of these procedures is a digital recording on the project page of the website, tweets, blogs and similar communications coming out of this meeting will not be accepted as evidence.

05:30

So moving on to the purpose of today's meeting, today's issue specific hearing is being held at the request of our request, because we want to explore and discuss a number of matters relating to noise and vibration. This is to ensure air quality.

05:46

This is to ensure that we have all the information we need to make our reports the Secretary's date. The agenda was placed on the inspector website and she's then entered into September, and we can be found an examination library at reference EB one zero double 01. Today's hearing will be structured discussion with Dr. Hunt will lead based on the published agenda. I'd like to remind everyone that the examination is a predominantly with missing process. You'll see that in the examination timetable, there are opportunities for the ESA transmitting questions, and we can also hold more meetings if they're needed.

06:20

I'd like to assure you that while we may not ask a question or topic, it doesn't necessarily mean that we believe this matter has been fully addressed. It could be that we'll be examining it at a later hearing or through missing questions. We're familiar with all the documents that have been submitted. So when answering the question, you don't need to repeat at length something you've already written about. If you want to refer to information that you've already submitted, it would help us if you could use the examination library reference for that document. We're expecting that most of today's contributions will be from parties that have already requested to speak. This is a public examination though, and if there's a pocket like to make, please raise your hand if you're in the room or racial virtual hands switch on your camera if you're attending virtually so that we can hear from you. Finally, I'd like to remind everyone this is not an inquiry. Unless we specifically request it there will be no formal presentation of

cases or cross examination. This means that any questions that you have for other parties need to be asked to the examiner authority

07:15

10 into the agenda for the hearing. We consider that the main items for discussion to be construction and operational air quality assessment and modeling, air quality mitigation and monitoring, odor assessment, and green controlled growth air quality thresholds. Today's agenda is for guidance only. And we may add other issues as we progress. Should this take longer than expected it may be necessary to prioritize matters and defer some matters to further written questions. Finally, it's important that we get the right answers to the questions that Dr. Hunt is going to ask. Please remember that the examination is predominantly written process. If you cannot ask the questions that are being asked right now or require some more time than we'd rather you tell us that you need to respond in writing and given an incomplete or incorrect answer. We can then defer the response to an action point to be submitted a deadline three on the fifth of October or to later in questions or another hearing. Are there any questions at this stage about the procedural side of today's hearing?

08:14

The case team has provided me with a list of those interested in other parties who have expressed a wish to be heard today. I'm going to now ask those of you or participate in today's hearing to introduce yourself to the examining authority and the people who are watching the live stream with this event. When I say your name, please introduce yourself including how you'd like to be referred to, for example, Dr. Mrs. Ms. Mr. And if you're representing someone who is you represent. If you're attending virtually then please switch on your camera and microphone when I call your name. So going first to the applicant.

08:46

Good afternoon, Madam I'm Miss Rebecca Clutton. I'm instructed by Mr. Tom Henderson who sits to my right of BDB Pitman's legal adviser to the applicant. I'm joined today by Mr. James Behringer, who's an associate at Arup, and he's our air quality lead. And the panel already knows Mr. De who's sat to his left.

09:08

Thank you and let's move on to Luton Borough Council.

09:13

Good afternoon Michael Fry of counsel for Luton Borough Council. I'm supported by Mr. Gertler, a planner at Luton Borough Council to my left, but if I could offer my apologies in advance, I don't have any support from a specialist officer this afternoon. If there are further points I should have taken we will address those in post hearing specialist. Thank you. Thank you. Now can I use the joint host authorities?

09:37

I feel no. Excuse me if you're also acting or representing the Hertfordshire joint authorities this afternoon. So Hertfordshire county council, both Haverhill council and dacorum Borough Council.

09:51

Apologies sorry. I have Andy Talbert here to nine right from WSOP as an expert thank you

09:59

and

10:00

Buckinghamshire Council.

10:03

Good afternoon, Mark Westmoreland Smith, I'm a barrister and I appear on behalf of Buckinghamshire Council, can I just take this opportunity to indicate that we anticipate taking an observational role this afternoon.

10:20

On the basis of the current assessment, we're not taking any substantive points on air quality, we simply reserve our position to understand any implications that arise from the updated transport assessment. And we'll confirm our position when we've seen that in December.

10:40

Thank you for that clarification.

10:44

I don't have anyone else on my list. Can I just confirm that we've heard from everyone who wishes to participate in today's hearing?

10:57

Okay, thank you, I will now pass it over to Dr. Hunt to lead us through the rest of the items on the agenda.

11:03

Thank you, Miss Holmes. And good afternoon, everyone, I'm sure you're relieved, not have to go through a noise and vibration hearing again.

11:11

I will be

11:13

referring to a number of technical documents in the course of this session. I'll provide full reference to documents including the examination Library Reference, when I first mentioned them, but after that, I'll use the shortened form of the document name. For example, S dash O seven, six es chapter seven, air quality Rev. One, I'll refer to as the air quality chapter for now on.

11:36

So if we can start with item two on the agenda COVID implications, if we can turn to I've asked the applicant to provide a brief commentary on the impact of COVID on the air quality baseline and future baseline. So I'll hand over to the applicant to provide their updates start.

11:56

Thank you. Good afternoon, James Bollinger on behalf of the applicants.

12:01

The air quality data that occurred during COVID, as would be expected from the reduction in traffic has shown reductions in total concentrations and the most recent information from 2020 to show that the concentrations haven't exceeded or the objectives or even gone back to where they were pre pandemic.

12:22

There are no implications for the baseline used in RDS which was for 28 2019. And there's also no implications for the future baseline used for the reason that we took a very pessimistic approach to future background concentrations, whereby we froze any improvements in background concentrations at a 2030 level. Whereas you would naturally expect some improvements beyond 2030 due to policy that set in place by the government's over that period.

13:05

And is there any data available from 2023 to see what the continuing trends are in air quality,

13:12

the annual average concentrations for 2023 are not available as yet, as we're obviously still in that year. And typically, the annual averages are not fully completed until around April time when the bias adjustment factors are released for that year.

13:30

Current indications do not show anything that's would predict any exceedances or differences in our 2019 baseline data.

13:42

Thank you. And do the local authorities have anything to add to that by way of insights into current monitoring data?

13:52

We've got nothing further to add on this point other than what set out our local impact report.

14:00

Okay, thank you.

14:05

If we can then move on to Item three, the construction air quality assessment.

14:11

We will come back to operational air quality. But I'd like to start with construction air quality assessment in yesterday's ISO h3 on noise and vibration, we explored the implications 24 hour working for the conclusions of the construction stage assessments. I'd like to ask them similar questions in relation to the construction stage air quality assessments. So some of this will sound somewhat familiar.

14:34

My first question was on AP, oh, four nine, the code of construction practice, or cicp. It sets out the proposed core working hours as a 10 hour day from eight o'clock until six o'clock Monday to Friday and five hour day, eight o'clock to one o'clock on Saturdays.

14:56

One hour startup and shutdown period is allowed for that

15:00

Tables 7.1 of AAS dash 028. Yes, Appendix 7.1. The air quality methodology Rev. One identifies the ontime for non mobile road machinery is typically eight hours, given the working day length is 10 hours, plus two hours start up and shut down. Can you explain how the on time of eight hours has been determined, and how this is factored into the air quality modeling?

15:28

The eight hour working day was based on a relatively conservative assumption, actually, in the way that we modeled it, because we assume that all NRM nonroad mobile machinery was going to be in operation fully on every piece of kit throughout that full eight hour day, which reliably gives us a worst case assessments, even taking into account that there might be some periods of time when there'd be intensive activity or 24 hour working. And the spatial aspect of our modeling is also important and again, provides us an additional layer of conservatism, whereby we modeled all of that machinery in operation over and over the full area that could possibly be conceivably incorporating any of that equipment. Therefore, putting that equipment right at the boundary is the worst case. situation for that. Okay, thank you.

16:31

And the CSCP in paragraph five, point 1.4 highlights earthworks amongst other activities could be a 24 hour activity during the summer season, as highlighted at yesterday's hearing on noise, given the likelihood that nighttime working probably will occur. Can you explain why the construction assessment represents worst case currently?

16:56

That has been injured on behalf of the applicant?

16:59

I believe us more or less the answer I was just giving in that

17:05

we've taken a reasonable worst case approach by modeling all all activity happening all at the same time across the maximum spatial extent that that could potentially occur.

17:17

Your modeling presumably doesn't include for 24 hour working in the current time? No, that's correct. It occurs for all equipment over an eight hour day, during all of the time that construction works could be taken on it could be taking place on site. Okay. If 24 hour working did occur, how would this affect the conclusions of the assessment? So we're comfortable with the fact that the reasonable worst case approach taken would cover a short term

17:49

peaks where there would be 24 hour working. What I'm saying is unbalanced, the total emissions would be higher based on the approach that we've taken.

18:03

So

18:05

the reasonable worst case would cover the short term peaks that might occur if you had a 24 hour cycle. Is that what you're saying?

18:16

Okay, in terms of the short term peaks, is there any potential to exceed particular thresholds of concern for public health for example?

18:31

The modeling that we've carried out sorry, James, manager on behalf of the applicants, the modeling that we've carried out is across the full year, we're mainly looking at the annual concentrations and we do not predict any exceedances or significant effects during that modeling period.

18:56

Thank you.

18:59

And use of a conveyor belt is referenced in LS dash 02 as appendix 4.1 Construction Method Statement.

19:09

Can the applicant explain how useless static conveyor belt system has informed the air quality modeling assumptions?

19:18

That would have been one of the pieces of equipment that we modeled along with others as listed in Annex 7.1 is zero to eight.

19:34

So it has been factored into the assessment though.

19:39

I don't believe I saw any reference to a conveyor belt system as part of the machinery within the appendix.

19:49

John has manager on behalf of the applicant will come back to on that if you could please don't be helpful. And corollary questions that is would it be appropriate to use it

20:00

conveyor belt system in light of the potential for contaminated soil to be present on site.

20:07

James manager on behalf of the applicant will come back to

20:11

enlighten that point around contaminated land.

20:19

Thank you.

20:22

And assessments of construction dust is provided for the M one junction 10 works in app dash 063 as appendix 7.3 table 2.10.

20:34

Can you confirm whether the magnitude of dust emissions is defined by table 2.7 of ies, Appendix 7.3 and give you a moment to look up the reference?

21:09

James Brennan, Jr. on behalf of the applicants, could you please just confirm exactly the question in relation to the M one specifics.

21:21

What I'm trying to establish was how the magnitude of effects of the M one junction 10 Works was

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was established.

21:32

Within the s, the only reference I could find to magnitude effects was the table 2.7, which is about highways interventions. So I was just trying to confirm whether that was the basis for your assessment and magnitude.

21:46

James Bellanger on behalf of the applicant, that's that is correct.

21:51

So my understanding is that works with need to comprise less than 2000 cubic meters of earthworks less than 25,000 meters cubed of construction and less than 10 HDB's in any one day.

22:04

Can I confirm whether that's correct for the M one works, which seems to be a relatively large scale.

22:13

James Bennett drum half of the applicant, we will have taken a conservative approach and you will note that those bands within IQ Mr. relatively large, therefore, when we look at the total movements, or the total volumes of earthworks or construction activity, we would aim to take a worst case approach and we'll notes most importantly, I'd say here that the outcome for all of the construction dust assessment was that we identified the mitigation measures has been appropriate to mitigate impacts at a high risk sites, and those would be applied at all locations, regardless of size or activity, and they're secured via the CSCP.

23:01

It In effect, you're saying even if it was a lower risk and less impact, you've mitigated to a higher standard that wouldn't be required anyway. James manager on behalf of the applicant, that's absolutely correct. Okay, thank you.

23:19

And the culture construction practice states that consultation would be undertaken with the relevant local authorities regarding odor and dust monitoring procedures. Could you just outline what kinds of conversations there have been with relevant planning authorities regarding air quality mitigation and monitoring measures to date?

23:40

James manager on behalf of the applicants, we've been carrying out topic working group meetings which have been attended by the local authorities since 2018. There's been a number of those and those are detailed within our air quality as

23:56

we have discussed the approach to air quality modeling, so monitoring during the construction phase, and as noted in the cicp, that be secured and discussed, to agree locations with the local authorities.

24:15

And I know that central Bedfordshire highlighted that measurable targets required in the dust management plan.

24:23

Do the councils have any view on on the council, so many comments on this point?

24:30

Or particular targets that might need to be used in the plan?

24:36

I will defer to Andy for this one.

24:44

As yet, I'm not aware of any discussion on this matter.

24:51

But if there are monitoring thresholds to be set for dust then I would expect them to be there

25:00

based on existing guidance,

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quite possibly similar to the GLA guidance on demolition and construction, dust

25:13

management.

25:16

And in light of the fact that there is an outstanding comment about needing measurable targets, would it be possible for the council's set out what the targets should be in detail in in a written statement following this session? Yes, yeah, wouldn't be.

25:34

Are there any other key matters? The council's consider should be included in the management plan?

25:44

Yes, I mean, maybe this is straying into

25:50

the following Agenda Item regarding odor. But we know that there is reference you are raising the question what will come next temporary apologies. And that's fine. And it was if there's anything anything else sort of dust construction related into particularly when no.

26:18

And table seven point 11 of the air quality chapter considers the potential for in combination climate change, construction dust impacts, and describes the likely increase in number of hot days and drought as remote and a very low consequence. Given the recent weather trends, climate change predictions can the app can provide further justification for this conclusion.

26:43

Thanks, bellandur on behalf of the applicants, the measures outlined in cicp are considered best practice as set out by the Institute of Air Quality Management. Those measures have been set out to mitigate all effects for all high risk sites. And as outlined by the IA QM. They are suitable for action in the UK and are demonstrated to reduce all effects to a negligible level.

27:13

And

27:16

I think that's fine as a final conclusion, but I'm

27:23

suggesting they're both remote and or very low consequence seems unusual, given the dry conditions we've had in the last couple of years and likelihood of those being more common sort of moving forward.

27:38

James Palindrome half of the applicants, I think, to provide a little further reassurance and description around that point, perhaps it might be useful to just say that the monitoring that would be there in place would help identify any peaks in dust

27:54

concentrations that could occur during those periods. And it's also set out in the si, si, si OCP as best practice to increase the monitoring, whether that's just a visual inspection, or whether that's reviewing the

28:09

actual data that's being picked up by the monitors during those periods of hot or dry weather. And there's also measures within there that would be set out to mitigate effects therefore, you know, things like avoiding sweeping large areas, dry areas, that type of thing. So, we have considered that and

28:31

would be covered by the CSCP.

28:36

Thank you.

28:40

Any comments from the council's on that point?

28:47

As zero to six as chapter three, table 3.4 includes in combination climate change, embedded sign measures AI and K to reduce the impact of high winds. In contrast, table seven point 11 At the air quality chapter suggests that changes to wind speed are of remote likelihood, improbable occurrence and very low consequence and therefore not significant. Can the applicant explain this apparent discrepancy?

29:29

I can talk to the applicants sorry, sir, can I just get that first reference again, the actual paragraph reference within the document. So it's ies chapter three table 3.4 Table three. Thank you very much. I'm grateful. And the measures were i and k

30:10

James Ballenger on behalf of the applicants.

30:13

I don't know at this moment in time why there's a discrepancy.

30:18

However, it wouldn't make any difference to the conclusions of our assessments that we've carried out the mitigation measures would still be appropriate and would cover all potential risks.

30:42

Is it potential is there potential that there might be a significant effect prior to mitigation?

30:49

Is the potential for a different conclusion?

30:54

Based on the mitigation that set out in the CSCP, sorry, James manage on behalf of the applicant, based on the mitigation set out on the CSCP. All measures would be suitable to reduce all impacts to a negligible level, so therefore, the answer would be no, there's no risk. Okay, thank you.

31:15

Do the local authorities have any views on wind impacts any further mitigation that might be required?

31:22

In Ross, for the start is no, no comments? Thank you.

31:28

And that's all I wanted to ask on construction, air quality issues. So unless there any other questions from any of the parties in the room.

31:36

We'll move on. So item four is operational air quality assessment and modeling.

31:44

I want to start by considering a few of the air quality modeling assumptions.

31:49

First of all, I wanted to ask in light of last week's announcement, I think you've already touched on this slightly Mr. Village.

31:57

We had the announcements about the delays and diesel ban. Does this affect your future baseline air quality assumptions, in particular the likely speed of improvement of vehicle emissions?

32:09

Expenditure on behalf of the applicant

32:12

in simple terms, now, a conservative approach has been taken firstly, by the use of conservative backgrounds as discussed earlier. And then also in terms of the emission factors used, those are based on the core scenario that's set out in the National Road Traffic projections. And within those, it's the core scenario that does not incorporate a higher level of uptake of EVs, which would be based on the assumption that

32:40

diesel and petrol vehicles were banned earlier is 2030 not 2035. Therefore, as set out in the national national road traffic projections, they are expecting a 65% reduction in NOx between 2520 25 and 2050.

32:58

This wouldn't be anything that affects our conclusions in the assessment.

33:16

Okay, as dashed theory to aid is spending 7.1 Paragraph 3.7 point six uses a 70% westerly 30% easterly modal split for air quality modeling, in contrast, as dash 096, Appendix 16.1 noise and vibration information table 6.4 to apologize for long references I can repeat them if need be, indicates that for noise modeling, the 10 year average modal split is 77% westerly and 23% easterly, the longer term data is considered to be representative of typical modal split trends. Can you explain why different modal splits have been used in the air quality and the noise assessments?

34:16

James manager on behalf of the applicants, I can explain why the air quality assessment uses that split the 7030 and it's from the 2019 baseline data that we received

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in terms of how that then plays out to

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the effects predicted that's a relatively small difference between the air quality and the noise assessment and wouldn't have any significant changes to our conclusions.

34:53

And obviously, you can you can see why I'm probably slightly confused by this point because it seems odd to us to

35:00

Whew, reasonably different assumptions in two parts of the same documentation. And, and clearly,

35:08

to the west of the airport, the air quality issues are probably more substantial. So places more increased the modal split so that more westerly movements occur might increase air quality impacts in areas where there are already existing air quality issues, potentially, you able to provide any

35:32

a short update report or some form of additional modeling data that that explains what the difference would be. So I can be clear that doesn't have a worse consequence and the potential for likely significant effects to occur particularly for areas say where there are air quality management areas.

35:53

James Ballenger on behalf of the applicant, one of the key points here is that noise are looking at a 92 day average whereas for air quality, we'll consider annual average.

36:03

And that's why the data that we've used is suitable and best practice.

36:20

The that is a 10 year average. So it is a substantially longer period of data

36:27

suggesting that those aren't potentially the more prevalent conditions

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manage on behalf of the applicant, we'll take this point away and come back to you thanks

36:48

and app AP dash 062 es appendix 7.2 Air Quality baseline

36:55

rules out ozone as a local source.

36:59

Aviation is a significant source of ozone. So can you provide further just a justification for ruling out this pollutant from consideration?

37:23

Thanks manager on behalf of the applicants, ozone is a trans boundary pollutants, which is primarily influenced by much wider regional impacts. And the suite of pollutants that have been assessed are those which could

37:39

result in a significant impact arising from airport related activity as agreed by through the scoping approach and also through the topic working groups with local authorities.

37:55

Thank you the ICAO white paper on air quality and

38:00

aviation impacts on air quality stations science 2016 suggests that ground ozone is formed by aviation emissions.

38:09

The particular area where ozone emissions is carrying us around the terminal buildings.

38:17

There is the potential to create secondary pollutants from the ozone. And the prevailing wind direction would suggest that would impact the Wigmore area to the north of the airport on that basis. So effectively by ruling out ozone, you've removed a potential source of additional pollutants that might affect the local area. Could you provide some comments on that?

38:52

James Bellanger on behalf of the applicants, the consideration of ozone and the creation of Secondary pollutants its role in the creation of secondary pollutants is taken into account when we take into account the clap and Jeff can approach which we've used to model primary and it along with Nox, which is then also

39:14

better to go too long with that ozone.

39:17

And we've also carried out sensitivity test on that approach, which is included in our appendix

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which demonstrates that the cap and GenCon approach was conservative. That's in Appendix 7.4. A PP. 064.

39:35

Could you expand slightly on exactly what the clap and Jenkins approach is? Yes, absolutely.

39:43

It allows us to model different primary fat fractions from various airport related sources.

39:51

This approach is considered best practice for airport modeling because it allows us to take into account those variances in a much

40:00

more accurate way than if we just use the Defra Knox 202 tool, which is primarily for use with Road Track patients

40:19

do the council's have any comments on ozone as a pollutant notice to say that engagement is ongoing with the the applicant.

40:30

Thank you.

40:32

Thanks.

40:35

And the air quality shatter explains that the ADMS model is unable to take account of terrain.

40:43

Could you explain in qualitative terms what the likely impact of terrain on air quality emissions is and whether there's potential for terrain to affect dispersion of emissions from aircraft and how that would work in practice.

40:58

James Behringer, on behalf of the applicant, we did include a qualitative review of terrain within the sensitivity test, Appendix 7.4, a PP 064 which gives a summary of the fact that wider terrain effects are taken into account within the metrological data that's been used in our dispersion modeling.

41:22

But in terms of the actual what actually is the terrain effect, would qualitatively what would happen if you are dispersing pollutants, say to the west of the airport, where you have a valley situation, and then higher ground?

41:46

Typically, for a dispersion, so James bandage on behalf of the applicants, typically for dispersion modeling, you need a very steep sided valley to have a reasonable impact from terrain effects. And the effects therefore, from this qualitative review did not indicate that it would have a significant effect on the modeling outcomes that we've provided within the Yes.

42:11

What can I just ask what classes are steep sided Valley?

42:16

James belladrum, half of the Atkins and there have been studies that look at

42:23

the type of formations that you'd expect to see perhaps in the Welsh Valleys,

42:28

sort of relatively deep, steep sided valleys, as opposed to the terrain that we see around the Luton area. Can Thank you.

42:37

And, yes, Appendix 7.2. Section two provides a comparison between the different model background, the applicant model background and monitoring data for NOC and pm 10. And between the different applicant models for PM 2.5.

42:55

Table 2.3 indicates that PM 10 may be underrepresented in the model, and no monitored data comparison is provided for PM 2.5.

43:06

Could you explain why there appears to be a best correlation in the model for no two rather than particular matter, and whether the under prediction of particular PM 10 Has any implications for the conclusions of the assessment?

43:26

Change Manager on behalf of the applicants the

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model backgrounds were taken from a 60 by 50 grid

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50 by 60 kilometer grid area using emissions taken from the National Atmospheric Emissions Inventory were modeled on an hour by hour basis. The predictions then were compared as set out in those tables. The

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under the slight under prediction for PM 10

44:00

is noted but wouldn't have a significant impact on the outcome of our assessment, primarily because of the conservative way that we modelled future backgrounds in that we've frozen any improvements from the year 2030 onwards. Therefore were built into our assessment a relatively conservative case for future backgrounds.

44:23

And

44:24

would it be possible to provide a table or the monitor data compared to the model data for PM 2.5 which is one that seems to be missing from that set.

44:38

James velodrome half of the applicant. Yes. We're happy to pull together a table and provide that to you. Which deadline do you think you'd be able to do that?

44:50

We have to do that support deadline three. Thanks

45:02

Table 3.3 of appendix 7.2 provides a comparison and modeled and monitored nit concentrations after adjustment as a similar process being carried out for PM 10pm 2.5.

45:17

James manager on behalf of the applicants, the verification process was carried out for an hour to a stated and or PM.

45:27

There are a very limited number of monitors available with which to verify and they will not be representative of the full study area. And therefore, that process is not carried out as part of this modeling exercise.

45:46

And do the local authorities have any comments on the verification process?

45:54

No.

45:57

So, just in the future, would you introduce yourself before you give your response?

46:04

Apologies Andy salva, representing Hartfordshire hosts authorities. The answer is no. Thank you.

46:15

As appendix 7.2 section 7.3 sets out the model verification process. Table 3.2 sets out the unadjusted data, which normal one instance suggests the model and predict under predicts emissions compared with the monitored data.

46:32

Table 3.3 sets out the adjusted data.

46:35

And there are two monitoring locations in South Bedfordshire AQ Ma, High Street South monitoring Location One and Church Street monitoring location 33

46:47

which are predicting levels more than 10 micrograms per meter cubed below the actual monitored levels.

46:53

Similarly, Castle Street, which Luton Borough Council suggests may be passed on an extension to the town centre Air Quality Management Area location In 67 is also under predicting nitrogen dioxide by 13 micrograms per meter cubed with the actual monitoring data showing an exceedance of the NA two annual main objective

47:15

is the model adjustment reasonable and is the model sufficiently precautionary in light of the sensitivity of the Air Quality Management area to air quality effects.

47:27

Thanks manager on behalf of the applicants, the model verification was carried out following best practices set out within technical guidance set by Defra TG 22. And meets the requirements for the modeling

47:42

that was carried out for the EAS we're happy to take away

47:45

a note on those points on those specific locations that you've noted down today.

47:52

Do you need me to repeat those?

47:55

Yep. Yes, please. So it's monitoring Location One, High Street South Church streets, monitoring location 33. And

48:07

Town Center Air Quality Management Area In 67.

48:15

Sorry, In 67 is just outside of the town center, a call to management area, but may become part of it in the future.

48:24

If it helps at all, I've made a note of it in the action point. Yeah.

48:31

Did the local authorities have any comments before seed

48:35

funerals for the Hartford shocks authorities? Comments?

48:41

I'm

48:48

so sorry, you've said that the model adjustment follows the standards. I suppose I just wants to confirm whether the the adjustment ratios that you used are within normal,

49:01

acceptable ranges in accordance with the standards? I think the answer is yes. From what you've just told me. Is that correct? James manager on behalf of the applicant that that is correct. Thank you.

49:15

And as discussed at the ice h3 Yesterday, predicted road improvements were identified for Vauxhall road during phase one and for other offsite locations close to the airport in the to the north. Can you explain what carriageway with assumptions have been used in the air quality modeling for Vauxhall road, and other areas of future champion improvements?

49:38

Change Manager on behalf of the applicants, we've taken the information that was provided by the design teams and built into account changes in roadway it's

49:48

at those locations that have been mentioned.

49:55

And in terms of those modeling assumptions, I don't think over

50:00

I don't think I saw those in the essay itself. Is that set out anywhere? Or could it be provided as a set of assumptions?

50:09

James velodrome Applicant can't Yes, we are able to provide those as a set of assumptions can be helpful. Thank you. And could you tell me what deadline that's likely to be?

50:21

That can be provided deadline three. Great, thank you.

50:27

The air quality chapter doesn't identify any significant residual adverse effects on air quality. They give rise to saying that

50:35

sorry, yes, Appendix 1.3, air quality results, and app dash 064 as appendix 7.4, air quality sensitivity tests, identified nine substantial adverse and 34 Moderate adverse effects in relation to PCM locations.

50:55

In the Applicants explain why these aren't reported as potential significant effects in the air quality chapter.

51:18

General Manager on behalf of the applicant, those PCM locations are there to take into account assessment against compliance following the methodology set out in dmr, la 105. So those locations aren't representative of relevant exposure in terms of

51:35

when people would be whether whether the objectives would apply. And therefore those don't need to be reported as significant effects within as they are there for the assessment of compliance, which is a different type of assessment that's reported on it. Yes, absolutely. But in the reporting on the compliance assessment in chapter seven, I believe that there the conclusion is there are no significant effects either.

52:03

James belladrum, half of the applicant that is correct, the methodology that set out and dmrba la 105 identifies the process that's carried out which we've followed. And based on that flowcharts, you would conclude no significant effects in terms of delay to compliance with this scheme.

52:23

key reason, if I may say is that the concentrations are well below the limit values at all of those locations.

52:41

And sorry, you said that well below the limits, but at PCM 33 to 34. The increases are over the 40 microgram per cubic metre objective.

53:04

Thanks, manager on behalf of the applicant, If you'd allow us just to come back to in writing just to double check that point for you. If you could, please Yes.

53:21

So the Phase One fast growth sensitivity test also identify as moderate and substantial adverse effects for PCM, 33 and 34. And so my next question was going to be is it appropriate to use a faster growth assumption in the green controlled growth framework? Phase one, given that it's confirmed this would result in deterioration of air quality and compliance areas?

53:56

James Ballenger on behalf of the applicant, we're not looking at PCM locations as part of the green control growth program. So it's purely human health services Correct. Okay. Thank you.

54:16

Do if I can just refer to the local authorities and local authorities have a view as to whether the green control growth should consider both compliance and human health or simply human health?

54:28

In my view, human health

54:31

Thank you.

54:47

Okay, let's move on two. AP O's expired as appendix 7.5, the operational air quality action plan.

54:55

In the agenda, the examining authority asked the applicant to provide a brief overview of the operational air

55:00

Quality action plan. So can I hand over to the Atkins provide the overview?

55:08

Jones manager on behalf of the applicants? Yes, absolutely. The operational air quality action plan is there to provide additional mitigation or actions that say rather than mitigation because the important point start with here is that this isn't mitigation to mitigate any effects identified within as these are additional points which will result in reduction in air pollution.

55:36

The way we've set out the plan that covers all of the areas where emissions could be expected from the airport or related activity, such as aircraft emission, air side vehicles surface access, any fixed plant or energy and miscellaneous emissions, which would cover things like the fire training ground or engine testing Bay, and also odor and monitoring.

56:07

Thank you.

56:09

The operational air quality plan includes quite a number of possible actions that can be taken to mitigate air quality. Well, sorry, rephrase that, to address air quality issues. However, very few are committed measures, and many rely on the airport operator to deliver. Drawing on examples from the agency action plan. Can you explain roughly what proportion of the proposed measures are committed rather than aspirational? And what levers are available to the applicant to ensure that the proposed actions are actually implemented by the airport operator?

57:01

Thanks, manager on behalf of applicants, we'd be happy to provide a separate note on that.

57:08

Class which deadline we might need a bit longer on that one due to engagement with others. On the on the operator side.

57:21

Deadline for will be when we come back to thank you.

57:29

To the local authorities have any comments on the action plan?

57:34

So Michael Fife, Luton Borough Council, I've been signed up till now as you'll be aware that in the statement of common ground rep 2020, most of the issues agreed between the applicant and Luton Borough Council but on this issue, it isn't in the same section. So just to flag up it's LBC 154 in the state crossing the common ground. And it's an ongoing issue. And we are extending documents without can.

58:00

Thank you for that update. Do you have a timeline for resolution of those issues?

58:07

Like fry for legal counsel? Not yet. So but as soon as possible is probably the best way? Good. Thank you.

58:15

And section 2.5 C of the air quality Action Plan notes that diesel generators will be removed where regulations allow by 2037. I was wondering if you could explain what regulations would prevent removal of generators. And why.

58:32

James Berger on behalf of the applicants, the thought there is primarily based on health and safety and I've critical aspects that would be used for those generators.

58:43

Could you just explain which regulations actually prevent might prevent the removal?

58:50

James Benadryl path of the apps gonna have to come back to you on the exact regulations. And what I'd be interested to understand is it obviously if there's a series of commitments by the applicant to improve air quality, but actually regulation doesn't allow it, it's not really a commitment if it can't be done. So I just like to understand what the context is of the regulations, what might prevent that from occurring, just a bit more background would be helpful.

59:21

And that was all I had on operational air quality at this point in time. So if we can move on to Item five, odor from upstream plant and aviation fuel.

59:35

And so if we can start with the water stream plant, table 7.1 of appendix 7.1 assumes the water stream plant is an insignificant source of odor and states that the conceptual design of the water treatment plant includes provision for odor control technology to mitigate odor as a precautionary measure, should it be required and that the environmental permitting process will be

1:00:00

used to mitigate odor to an acceptable level.

1:00:03

Can you confirm how it would be determined whether odor mitigation is required?

1:00:10

James Ballenger on behalf of the applicants during the detailed design of the wastewater treatment plants, the assessment will be carried out based on the final design and relevant permits as required by the Environment Agency would dictate the mitigation as as necessary.

1:00:47

And

1:00:49

to what extent would

1:00:51

odor control likely to be required by the Environment Agency permitting process

1:00:58

manager on behalf of the applicants the h4 assessment that would be required once the detailed design is completed would identify any odor impacts and

1:01:11

therefore, no significant impacts would be

1:01:17

included. Once the final detailed design is completed on the basis that you wouldn't be able to have the Environment Agency, an agency wouldn't allow provide a permit for sites that were going to result in a significant impact

1:01:32

in terms of that process of concluding on a significant impact from odor given that the location the water treatment plant is somewhat removed from residential receptors.

1:01:45

Wood odor requirements being likely to be imposed in that location.

1:01:55

If I can expand on my point, obviously, the concern is that potentially the environment agency might be relaxed about an odor control standard because you're away from residential receptors to certain extent that you are obviously adjacent to with North Valley Park with more finally, Park is already being impacted in various different ways. And an odor impact on local users of the park would be potentially a significant effect or at least contribute to a cumulative worsening of immunity that location.

1:02:31

James manager on behalf of the applicant

1:02:34

sites such as parks or areas of recreation would be considered as a sensitive receptor as part of that study. And that's just following that best practice.

1:02:57

So in table 3.46 of appendix 7.3, a low risk high sensitivity assessment of odor for the Wigmore community area is assigned. Can you confirm whether the extended the Wigmore community area includes the park as well as the residential areas?

1:03:32

Trying to manager on behalf of the applicant? Yes, that is correct. And the sniff testing as well that's carried out as part of the baseline to determine odor related to it. Airport impacts was carried out in that area.

1:03:56

Can you just confirm whether an acceptable level of odor as referenced in ies appendix 7.1 equates to a conclusion of no significant odor effect on recreational amenity.

1:04:10

James manager on behalf of the applicant that is correct the odor assessment carried out using best practice measures following the IQ and guidance and taking into account a multi tool approach would have been did include all of those sectors and recreational areas in order to inform that conclusion. Thank you.

1:04:32

Yes, chapter four paragraph 4.833 identifies that sludge produced on site would be thickened, stored and tankard off site assigned promoters such as

1:04:45

aside promoters such activities can also give rise to nuisance issues such as flies. Can you explain how this risk has been addressed in the statement of statutory nuisance

1:05:00

For the applicant, I think some of those matters go outside of Mr. bellinge as experience but we can come back to you on that in writing, if you could that would be helpful than

1:05:19

turning to aviation fuel. Quite a number of relevant and written reps have referenced aviation fuel odors as as an issue and the suggestion that fuel dumping occurs and is the root cause of that odor. The air quality chapter explains that aircraft types typically used to the airport have no ability to Jessen fuel. Can the applicant confirm whether any aircraft at the airport congestion fuel, what the frequency and circumstances are in which fuel jettisoning occurs? And what the likely source of the odor is? If it is not your due to fuel dumping?

1:05:57

Change Manager on behalf of the applicants

1:06:00

answer to those few questions. The first answer would be yes, there would be aircraft that would have the ability to jettison fuel. In answer to the second part does it occur? The answer is in very rare situations, and best practice from the CIA

1:06:18

being followed would result in no significant impacts at ground level due to following methodologies that would result in dispersion of that or it reached the ground.

1:06:30

As noted most of the aircraft that use Luton such as a 320, and B seven, four sevens don't have the capability to jettison fuel. And as reported by NATs, they are no known. Reports of fuel jettisoning at Luton air port within the last 15 years.

1:06:51

On the last, sorry, in terms of that note from that, is that a publicly available document? Sorry, I don't think I believe I've seen that.

1:07:01

James,

1:07:03

James belladrum, half of the applicant? That is not that was information that was presented to us when we were querying on this exact point. Answer this for you today. Are you able to provide that document for us?

1:07:20

Rebecca and for the applicant, we can see if they're willing to put that in writing? I think as well, I'll just ask you asked Mr. bellandur, to address you on the CIA's reporting of the matter as well, which is in the public domain. Thank you.

1:07:34

The CIA reporting, cites that it's a very rare occurrence and

1:07:42

unlikely to happen.

1:07:48

They also note that if it does occur, there is a mandatory reporting process by which the airline would have to provide a report on the situation to the CIA.

1:08:08

In terms of that record, is that record? Is that record publicly available? claims manager on behalf of the applicant yesterday's would you be able to try and provide some kind of link or guidances where we could see that record?

1:08:24

James Bennett drama for the applicant? Yes, we can provide that link to you. Thank you.

1:08:31

And

1:08:32

if the the odor issues are unlikely to be associated with fuel dumping, what in your professional view is the likely source of the odor that that is the root of the complaints.

1:08:53

James manager on behalf of the applicants, as noted earlier, sniff testing was carried out as part of the baseline to inform our assessments and

1:09:05

as noted within the chapter, there were a few very rare occasions when odor from the airport or potentially associated with airport related activity was noted.

1:09:17

One of those instances for 10 to 15 seconds of odor was noted when we're in Wigmore Park area, and we could see that aircraft movements on the ground were taking place. So therefore, in my professional opinion, it would be that on grounds level, airport related activity, or any other aircraft movement related activity could be a potential source of odor from the airport. And that was used to inform our assessment within source pathway. Odor assessment

1:10:13

Okay, thank you.

1:10:15

That's all I wanted to cover on odor.

1:10:19

If we could move on to item six green controlled growth and

1:10:26

well,

1:10:27

to analyze, and let's let's proceed with their green control growth

1:10:33

would it be possible to bring up table 4.2 of app 218, the green control growth framework for us to look at?

1:11:44

Some table 4.2.

1:11:58

And what's going to ask for the amplicon provide a brief explanation of how the shortlist of monitoring locations and the percentage contributions relating to the in scope elements in this table have been determined, I have to admit, I struggled with the with the concept and the logic behind this particular table. So it's all my understanding as much as anything

1:12:21

marked a on behalf of the applicant on behalf of the applicant. So you're right, we have 15 locations that we are considering for green controlled growth. And with apologies, I'm sort of going to repeat myself again here. The approach to setting out these locations and whether or not with last year was in scope or out of scope is in line with the principles around green control growth that we've outlined in some of the previous hearings. So essentially following on from a position that the environmental statement has identified no significant impacts in respect of air quality that require mitigation, but attempting to provide some certainty to local communities that that will continue to be the case in the future.

1:13:01

I'm also going to apologize a second time because I have made some notes that I was going to make some references to figures and tables, but all of my references are to a p p 217, which is the green control growth explanatory note. The tables and figures are in normally copied across into the framework as the certified document, but I thought it was useful to reference the explanatory note because that provides a bit more context, I'm happy to provide the equivalent references to ABP 218. In writing afterwards, if that will be helpful, I can take it, it's fine.

1:13:31

So we start off in a position where the environmental statement considers 601 receptors for air quality. And given that it is forecasting those significant impacts, we did not feel it would be either feasible or proportionate to monitor all of those. So we needed to filter it down to a more proportionate list of locations.

1:13:52

We started off by considering the top 10 locations for each pollutant and in each forecast year that had the great the greatest total impact from the airport as a whole. So that is both in respect of the existing airport and the proposed development.

1:14:11

Some of those locations were in sort of multiple top 10 lists. So that gave us a then a shortlist of 43 receptors across those lists.

1:14:24

In turn, some of those receptors are very close together. And so we've simplified it to this list of 15 key locations. What we are committing to is that we will monitor air quality on an ongoing basis across all of these 15 locations and the process for doing that is set out in the draft air quality monitoring plan which is a PPE to to to.

1:14:49

Within each of those though, we have looked at the significance be the right word James, the significance of the airport's impact, and essentially what we've done is where

1:15:00

Then we are seeing negligible airport impacts, in accordance with guidance that sets out by the Institute of Air Quality Management and that is reproduced at table 3.2 of a pp 217.

1:15:14

We are only committing to monitoring where the impact is negligible,

1:15:20

where the impact is non negligible, these will then be in scope. For Green controlled growth process rare quality would apply.

1:15:28

That is also subject to a periodic review. So, we have also committed through the green controlled growth framework to review background concentrations at all 15 of those locations every five years. And where the recorded concentration of any one pollutant is 20% or greater than this forecast in the environmental statement, we will consider bringing those into the scope of green controlled growth. And they will be subject to a review process to be undertaken between the airport operator and the proposed environmental scrutiny group.

1:16:01

Thank you that's helpful.

1:16:08

First of all, can you explain why 5% is considered to be a reasonable headroom allowance?

1:16:15

marked a on behalf of the applicants?

1:16:18

I think there's probably two parts to this answer. Firstly, and this this might be something we come on to in some subsequent questions, we are trying to recognize some of the practical constraints around

monitoring accuracy and in particular, around monitoring the airport's contribution to air quality and being able to identify and isolate that from general background situations. Obviously, forecasting your own sake and using that model. And so it's easy to extract that information from a model, it's less easy to do it on a sort of ongoing basis through monitoring.

1:16:51

We therefore felt it was appropriate to allow some buffer. Obviously, we've talked in previous hearings about green controlled growth being a new process that hasn't really been undertaken anywhere else. We've used 5% as the sort of buffer, again, broadly reflecting the bandings of significance that are set out by the IA QM in table 3.2 that I referenced earlier.

1:17:22

So which parts of them I QM? Are you referring to?

1:17:27

Monitoring on behalf of the applicant? This might be where I need to call upon? Okay.

1:17:33

If you wouldn't mind, give me a second.

1:17:49

So that is table 6.3. From land use planning and development control planning for air quality, which is published by the IAEA QM the 2017 guidance? Yes, that's correct.

1:18:07

Can you give me that type of reference once more?

1:18:11

Apologies. This table 3.2 In a PP two uncertain IP sorry, in the guidance.

1:18:20

Sorry, I've just scrolled away from but made table 6.31 question I had, and I may articulate this poorly. But

1:18:45

I appreciate you're struggling to resolve the overlap between the airport and other forms of pollutants, but does the addition of the 5% and the 20% at later points,

1:18:57

any potential to effectively enable a situation where the limits that you're working to are above the statutory air quality objectives?

1:19:10

So effectively, you effectively setting a threshold of 40 microns with miscues and an h2 plus an extra 5% plus an extra 25 Extra 20% on top.

1:19:23

So is there a risk that you're effectively setting a higher standard through the green control growth?

1:19:30

Sorry, a poor standard but a higher threshold? So Mark day on behalf of the applicant, I may have asked Mr. Manager to jump in with some technical points in a second. But what I would say is that we have deliberately designed the green control growth framework in a way that sort of requires the airport operator to take action or a limit is exceeded. That's essentially the purpose of those level one and level two thresholds within green controlled growth to enable a sort of proactive management of environmental effects and to provide an early warning and

1:20:00

have a limit potentially being breached. So across, I suppose all of the for environmental topics within green controlled growth, we are requiring the airport operator to set out action that they are taking to avoid the limits being exceeded. Obviously, the level two thresholds, there's a requirement to prepare the level two plan and to agree that with the environmental scrutiny group, and there are constraints on the growth of the airport until that level C plan is approved.

1:20:25

When a limit or if the limit is then ultimately exceeded, then there are obviously more significant implications for the airport. But Mr. Banerjee may want to add a little bit more on some of the technical detail.

1:20:38

Okay, is James Bennett drew on behalf of the applicant, I don't think there's actually too much to add other than noting the fact that as we've said before, this is not about mitigation or monitoring against likely exceedances, we've already carried out a whole range of very conservative assessments. And the likelihood of even getting close to that is very low. One point I'd come back to again, is that assumption of no improvements in backgrounds beyond 2030. And if you look at where that So, PM, 10pm 2.5 concentrations are at the moment, even in the center of Layton at the busy road, where PM 10 is PM 2.5 is monitored. It's already only at the objective of 10, which is to be achieved by 2040. So we're essentially assuming that there's no improvement between now and 2040.

1:21:29

In our assessment, so it's an unlikely situation to occur.

1:21:35

And

1:21:36

given the earlier discussion regarding

1:21:41

compliance locations.

1:21:45

I know that PM 2.5 was

1:21:49

flagged as exceeding

1:21:53

giving rise to a significant adverse effects

1:21:58

voxel way. And I was wondering why box away hadn't been included as one of the potential monitoring locations.

1:22:34

James manage on behalf of the applicant sorry for the delay. Well, we

1:22:38

just wanted to make sure we answered correctly for you.

1:22:41

That's been that's a PCM location, which isn't relevant to any human exposure at that location along box away. Is that also the same for the north end of the road, as you approach the housing estate to the north, west? Roundabout?

1:22:58

James manager on behalf of the applicant, we'll come back to once we actually just had a chance to look at the map at that point. Again, thank you.

1:23:09

And at 218, green control growth framework table 412. So table 4.2 shows now in scope locations in phase two A. Am I correct in saying then that in phase two, a green control growth provides no limits on aviation emissions at all?

1:23:27

Or air quality emissions?

1:23:32

At margam, half the outcome. So just to confirm we're talking about air quality, from services access wrong, maybe sorry, yes. Excuse me. Okay, excellent. So that is correct subject to the ongoing monitoring that secure through green controlled growth.

1:23:49

Essentially, there are no locations that are shown as being in scope for assessment, phase two, a because all air quality forecasting for that assessment phase is showing negligible impacts across all three pollutants. We have got the five yearly monitoring in place through green controlled growth. So if there were to be any locations where background concentrations exceeded those forecasts subjects, that 20% threshold we were talking about earlier, then there there's a potential for those to be brought into scope and therefore control through breed control growth at that point.

1:24:26

So in phase two, A, is there any actual control provided by green control growth for surface access emissions?

1:24:37

Marked eight on behalf of the applicant? We and the short answer is no. The longer answer is we do not believe it's necessary to do that assessment, phase two a on the basis that airport impacts and that's total airport impacts, both associated with the existing airport and the proposed development are forecast to be negligible across all locations and all pollutants. But as I mentioned

1:25:00

Data is subject to that periodic review to ensure that remains the case as the airport expense.

1:25:07

But in effect, what you have is potentially quite a long time period with no control in place, and only a five yearly review. So if there was a substantial increase in emissions were during that period in time, there would be no control in place until he got your fiber yearly review and identified that.

1:25:33

Rebecca planned for the outcome. So we're here the point that you've raised and we'll we'll take that away and consider it, thank you.

1:25:49

paragraph four, point 2.3 of the green control growth framework explains that we're monitoring shows the level two threshold is exceeded, the applicant will undertake further work to determine the cause of the exceedance paragraph four point 2.4 states that if the cause is unrelated to the airport, for example, with reference to automatic number plate recognition or ANPR, and this is certified by the Environmental scrutiny group.

1:26:15

No green control growth process would be triggered and growth could continue. And

1:26:22

I have to admit I struggle slightly with this provision. If you were submitting a new application, you would have to address the air quality contexts that you were confronted with, regardless of how large or small your contribution was.

1:26:38

It seems to me that to a certain extent, it's only the long term and ongoing nature of the control that makes such a position appear acceptable, when at a certain point in time, if you're just submitting an application, that would not be

1:26:52

shouldn't an exceedance of a level two threshold be the point at which further growth is kept until a policy has improved?

1:27:02

marked a on behalf of the applicant. So

1:27:06

I think it's important to answer this in the context that as I say the the forecasts that are included in the environmental statement are showing no significant effects and no requirements to mitigate. So in terms of that comparison to a planning application that has been carried out at this stage, we're showing no requirements in mitigate this is a voluntary additional layer of protection that we are proposing through green controlled growth.

1:27:28

I think it's also important to just make a bit of a distinction between paragraphs four point 2.3 and four point 2.4 Because they are trying to do slightly different things.

1:27:38

In terms of paragraph 4.2. And really, there is a section in the Lean control growth explanatory notes, which is colleges, paragraphs, two point 2.34 to two point 2.40. That's in a pp 217. Around circumstances beyond the operator's control and how those apply across all four green controlled growth environmental topics. Essentially, the purpose of those provisions is that where a limit has been exceeded, and it is agreed between the airport operator and the environmental scrutiny group. So there is independent scrutiny of this provision that a limit breach has been caused by a short term factor that is beyond the operator's control, then there is there are provisions in the way that the draft DCO and the green control growth framework are drafted that allow that to effectively not be counted for the purposes of that exceedance. So an example of that that could be relevant to air quality for examples if there's significant disruption on the railway,

1:28:40

which is causing fewer people to use public transport more people to drive over a given time period. And the airport operator can demonstrate to the environmental scrutiny group satisfaction that that is the specific cause of the air quality exceedance then they can choose to essentially disapply, the green

controlled growth framework for that breach, but it will always be subject to that independent scrutiny that's provided by the Environmental scrutiny group.

1:29:06

paragraph four

1:29:09

point 2.5 of a PP 218 is then talking about how the airport operator if that provision is not invoked, would then look to try and isolate the impact of the airport specifically. So green controlled growth we've talked before is about a commitment by the applicants to mitigate the environmental impacts of the airport. And on that basis, we think it's important to understand what the airport's contribution to any breach of the UK national air quality objectives would be. We don't think it would be proportionate. For example, if the airport is only responsible for, let's say, 5% or a particular breach, for it to be held solely responsible for mitigating that breach. So the purpose of the paragraph four point 2.4 And the drafting in the draft development consent order for example, report

1:30:00

COVID-19 In part three to schedule series, or I think the right way round is to essentially ensure that when a mitigation plan is put forward by the airport operator,

1:30:15

that that mitigation can be proportionate to the airports contribution to an air quality exceedance. And we talked in some of these hearings before about a toolbox of measures, there are obviously things that the airport has direct control over the toolbox of measures for air quality. And we also talk about surface access related emissions, it's probably quite similar to the toolbox for surface access in terms of encouraging people not to use cars to get to and from the airport to use public transport. But as we discussed in the service access hearing this morning, there are also a variety of things that need to be done in partnership with local authorities to be able to address those types of impacts. And so that provision there is essentially allowing for that to happen.

1:30:55

Okay, thank you. And I'm conscious that we've been going for an hour and a half. I don't know about anyone else, but I could do the break. So I'd like to recess there if we can do and return to this subject after the break. So the time is now

1:31:13

half past three, if we can return on my course to you