

October 2023

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.56 Applicant's response to Deadline 2 submissions
(Comments from Interested Parties on Deadline 1
submission) Appendix D - Buckinghamshire Council**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.56

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.56 APPLICANT'S RESPONSE TO DEADLINE 2 SUBMISSIONS
(COMMENTS FROM INTERESTED PARTIES ON DEADLINE 1
SUBMISSION) APPENDIX D – BUCKINGHAMSHIRE COUNCIL**

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Appendix D - Buckinghamshire Council [REP2-044]

Table D1.1 Applicant's response to Buckinghamshire Council's comments on Deadline 1 submission

I.D	Response Topic	Comments on deadline 1 submission (Verbatim)	Luton Rising's Response
1	Noise and Vibration Noise Envelope Green Controlled Growth	<p>2.11. REP1-012: Commentary on the Overarching Aviation Noise Policy Statement (OANPS) [TR020001/APP/8.24]</p> <p>2.11.1. Para 3.1.8 of REP1-012 states: “The Proposed Development and the controls in the Noise Envelope secured by the Green Controlled Growth Framework, combined with the noise insulation scheme secured by the compensation commitments, meet the overall policy on aviation noise in the OANPS by providing an appropriate balance between the economic and consumer benefits of the Proposed Development against its social and health implications in line with the ICAO Balanced Approach.”</p> <p>2.11.2. The Noise Envelope was not secured by the Green Controlled Growth (GCG) Framework but is a requirement of policy. From the Airports NPS, published 5 June 2018: “1.12 The Airports NPS provides the primary basis for decision making on development consent applications for a Northwest Runway at Heathrow Airport, and will be an important and relevant consideration in respect of applications for new runway capacity and other airport</p>	<p>The Applicant considers that the issue raised regarding the Green Controlled Growth (GCG) Framework was answered within the Applicant's Response to Written Representations Part 2 [REP2-035] page 116.</p> <p>Improvements have been made to the Noise Envelope since submission, see Noise Envelope – improvements and worked example [REP2-032]. The worked example included in this paper demonstrates how the proposed controls are more effective than ones in place under the current planning consent at the airport. In particular, it shows how if the proposed controls were in place, then earlier breaches of noise contour limits at the airport would not have occurred.</p>

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		<p>infrastructure in London and the South East of England. Other NPSs may also be relevant to decisions on airport capacity in this geographical area.”</p> <p>2.11.3. Further:</p> <p>“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 parties mentioned above to ensure the noise envelope’s framework remains relevant.”</p> <p>2.11.4. The Council asserts that the Noise Envelope should be kept integral to GCG but remain independent. It is noted that the applicant has not taken forward all the recommendations of the Noise Envelope Design Group.</p> <p>2.11.5. In respect to the connection to human health, the Council notes the Applicant’s assertion at para. 3.1.8 repeated above.</p>	

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		<p>2.11.6. The Council raises broader reservations about the application of the GCG Framework within its Local Impact Report (REP1A-001) and Written Representation (REP1-042), which provide the current position of the Council. The Council will await the Applicant's response to those documents and will comment further in due course. The matters raised in relation to the GCG Framework need to be resolved before the Council can accept that the attendant health implications are suitably addressed by the Applicant.</p> <p>2.11.7. The Council would also draw the Examining Authority's (ExA) attention to the Initial SoCG between the Applicant and the Council, which will be submitted at Deadline 2. The SoCG reflects the current progression of discussions in relation to the issues raised. The ExA will note that most of the issues raised are ongoing, including the application of the Green Controlled Growth Framework.</p>	
2	Air Quality Green Controlled Growth	<p>2.16. REP1-017: Environmental Improvement Plan Interim Target for PM2.5 Commentary [TR020001/APP/8.28]</p> <p>2.16.1. The Council has reviewed this document. Commentary on how the interim targets for PM2.5 as outlined with the Environmental Improvement Plan (EIP) will impact upon the Green Controlled Growth (GCG) limits and</p>	<p>The matter referred to in 2.16.2 is addressed in 3.3.10 and 3.5.8 of the Applicant's Comments on Local Impact Reports (Buckinghamshire Council) [REP2A-004].</p> <p>The Applicant notes that the Council awaits the results of the updated transport modelling before accepting the conclusions of Chapter 7 Air Quality of the ES [AS-076]. The traffic data will be reviewed</p>

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		<p>thresholds for air quality and the conclusions of the air quality impact assessment has been supplied. This is in response to a request for further information by the ExA in its Rule 6 letter.</p> <p>2.16.2. The Council agrees that the air quality assessment (AS-076) has shown that the interim target for PM2.5 of 12µg/m3 by 2028 will not be exceeded at any of the modelled human receptor locations. However, as outlined within the Council's Relevant Representation (RR-0166), Written Representation (REP1-042) and Local Impact Report (REP1A -001) there is some uncertainty around the traffic data used within the Applicant's Transport Assessment. This is because the ExA has requested that the traffic data used within the transport modelling is reviewed; and the Council is also seeking validation of the Applicant's traffic modelling for use on the Buckinghamshire network.</p> <p>2.16.3. The Applicant has provided a response in a letter dated 27 June 2023 (AS-064) stating it proposes to review the data with the work commencing in July and concluding in December 2023. This traffic data is used for the air quality assessment (AS-076) and therefore a review of any updated data may have an impact on the results of this assessment.</p> <p>2.16.4. The Council awaits the conclusions from this review before accepting the conclusions of</p>	<p>and implications considered and confirmed. At this stage, however, it is anticipated that likely changes would not result in material changes to the overall assessment of significant effects in the ES due to the conservative approach that was undertaken.</p>

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		<p>Environmental Improvement Plan Interim Target for PM2.5 Commentary (REP1-017) in relation to the impact upon the air quality assessment completed.</p> <p>2.16.5. It is acknowledged that the Applicant will now include the interim target for PM2.5 of 12µg/m3 from the EIP into the GCG limits and thresholds and the Council welcomes this commitment.</p> <p>2.16.6. The Applicant states that due to the introduction of the EIP interim target it is likely that increased levels of accuracy in monitoring concentrations of PM2.5 will be required prior to 2040. The Council supports this statement and would recommend that modifications are made to the overall monitoring approach, including equipment and any subsequent analysis (as set out in the GCG Framework Appendix D – Air Quality Monitoring Plan (APP-222)) to enable this.</p>	
3	Planning Green Controlled Growth	<p>2.17. REP1-018: Roles and Responsibilities of Luton Borough Council</p> <p>2.17.1. The content of this submission is noted. The clarification is welcome. The Council's Written Representation (REP1-042) and Local Impact Report (REP1A-001) both include queries relating to the way in which Luton Borough Council will act in relation to the Environmental Scrutiny Group and Green Controlled Growth</p>	<p>The Applicant considers that the issue raised regarding Luton Borough Council's role on ESG was answered within the Applicant's Comments on Local Impact Reports (Buckinghamshire Council) [REP2A-004], Reference 3.2.4, pages 6-8, in response to REP1A-0001.</p>

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		Framework – this additional information should be provided within the relevant DCO documents to ensure clarity on this matter.	
4	Surface Access	<p>2.18. REP1-019: Trip Distribution Plans [TR020001/APP/8.30]</p> <p>2.18.1. The Trip Distribution plans have been supplied in response to requests for further information in paragraph 13 of Annex F, of the Rule 6 letter. This request was made by the ExA, seeking consolidation and simplification of the information.</p> <p>2.18.2. These plans have been reviewed by the Council as supplied to the ExA, and the information contained within the document is considered deficient - it does not provide a quantitative assessment of the trips that the development is expected to produce.</p> <p>2.18.3. The plans show average Daily Traffic plots, with a low resolution key. It is therefore not possible to quantify the numbers of vehicles using specific routes from the information provided.</p> <p>2.18.4. Section 3 of the document shows within the wider area plots, that the route of principal concern to the Council, which is the B489 and B488 through the villages of Ivinghoe, Pitstone and Marsworth, is currently used for access to the</p>	<p>2.18.1. Noted</p> <p>2.18.2. The plans were produced in accordance with earlier drafts that were agreed through correspondence with the ExA.</p> <p>2.18.3. The plans were produced in accordance with earlier drafts that were agreed through correspondence with the ExA.</p> <p>2.18.4. Noted.</p> <p>2.18.5. Noted. The plans were produced in accordance with earlier drafts that were agreed through correspondence with the ExA. The plans therefore purely illustrate the daily distribution of the airport traffic for the different years and scenarios. They are not intended to show and/or quantify the traffic impact of the proposed airport expansion. Information on the traffic impact can be found in Appendix F of the Transport Assessment Appendices – Part 2 of 3, Strategic Modelling Forecasting Report [APP-201].</p> <p>2.18.6. The Strategic Highway Local Model Validation Report (LMVR) [APP-200] contained within the Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) shows that the strategic model CBLTM-LTN has been calibrated and validated as per the DfT's TAG guidance. Moreover,</p>

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		<p>airport (in the 2016 base used by the Applicant for air passengers).</p> <p>2.18.5. The Trip Distribution plans show that with the expansion of the airport, greater numbers of air passengers shall use the B488/B489 route. This is evidenced by the thickening of the difference plot line; however no numerical data has been supplied to quantify this impact.</p> <p>2.18.6. The Council has requested within its Written Representation (REP1-042) and through direct engagement with the Applicant, information showing the calibration of the strategic modelling within Buckinghamshire and validation for use in relation to the Buckinghamshire network. This Trip Distribution Plan document shows an impact on the Buckinghamshire network, notably at the B488/B489 route, but does not quantify that impact.</p> <p>2.18.7. The Council therefore considers that this document is deficient in the information that it presents to the ExA. The data legibility is poor and does not allow the Council to quantify the impacts on its network.</p> <p>2.18.8. The Council remains of the position that it requires the validation information to be provided for the Buckinghamshire network. The Council also requires the trip generation and total flow numbers that are associated with the difference</p>	<p>the model was considered fit for purpose by all Host Authorities and National Highways.</p> <p>The model includes Buckinghamshire within its modelled simulation, with the fully modelled area covering much of the county, as shown in LMVR Figure 4.1 CBLTM-LTN Fully Modelled Area and Figure 7.1 Luton Airport and Non-Airport CBLTM-LTN Zones.</p> <p>The mobile phone demand data, upon which the model travel demands have been built, includes the whole of Buckinghamshire, as shown in the LMVR Figure 5.7 CBLTM-LTN Mobile Network Cordon. The model has also been calibrated / validated to screenlines for demands to/from the county, as shown in LMVR Figure 11.2 'Initial Assignment Calibration' Screenline Classification (Calibration=blue Validation=Red) – Overview.</p> <p>The level of traffic impact within Buckinghamshire is forecast to be relatively low, as shown in the Transport Assessment Appendices - Part 2 of 3 Appendix F: Strategic Modelling Forecasting Report [APP-201]. The Strategic Modelling Forecasting Report has an extensive level of outputs reported.</p> <p>Based on the forecast and impact assessment, the impact on the mentioned route was considered not significant. This is primarily due to the low level of airport demands travelling to and from Buckinghamshire and/or using its local road network.</p>

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		plots. These issues are expressed within the Council's Local Impact Report (REP1A-001) and Written Representation (REP1-042) which also highlight the interconnected nature of this issue with the dependent assessments, including air quality, noise and health.	2.18.7. Please see above responses. 2.18.8. Please see above responses.
5	Human Health	<p>2.26. REP1-027: Applicant's Response to Relevant Representations – Part 4 of 4 (SoCGs and Additional Submissions) [TR020001/APP/8.31]</p> <p>2.26.1. The content of this submission is noted. The Council particularly notes that the UK Health Security Agency (UKHSA) has raised a number of matters within its relevant representation (RR-1546) regarding the way in which air quality and noise assessment findings are used to inform the assessment of health impacts, which are responded to in this document (REP1-027). UKHSA is seeking changes to the methodology adopted and some additional clarifications of Applicant proposals.</p> <p>2.26.2. The UKHSA relevant representation (RR-1546) echoes matters raised within the Council's Written Representation (REP1-042) and Local Impact Report (REP1A001). The Council wishes to be kept informed of any actions taken by the Applicant to address the UKHSA concerns, particularly regarding the assessment of health impacts, noting the Applicant's responses to the</p>	<p>Whilst UKHSA have raised comments, it is not agreed that they are seeking changes to the methodology for the noise assessment and the Applicant has acknowledged that the UKHSA welcomes several aspects of the noise and health assessment. The Applicant has responded to all the comments raised by UKHSA in the Applicant's Response to Relevant Representations - Part 4 of 4 [REP1-027].</p> <p>UKHSA have raised also comments on the assessment of health effects of air quality, but it is not agreed that they are seeking changes to the methodology. The Applicant will provide further clarification to UKHSA on methodology, including the application of concentration response functions, in the Statement of Common Ground between London Luton Airport Limited and the UK Health Security Agency [REP2-019].</p>

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		comments made that are set out in this document (REP1-027).	
6	Flightpaths Noise	<p>2.27. REP1-028 Relationship between the Development Consent Order Process and the Airspace Change Process [TR020001/APP/8.32]</p> <p>2.27.1. The Council has reviewed this document and notes the Applicant's reference to changes in airspace not being a factor leading to the refusal of other airport proposals since 2017. The Council notes the uncertainty embedded within the sensitivity testing and qualitative conclusions drawn.</p> <p>2.27.2. The Council's position is that there is sufficient uncertainty regarding airspace change and the consequential implications for changes in the noise climate that the Applicant should continue to address this within the Proposed Development. It is a relevant consideration in the assessment of cumulative effects and the Council does not consider it to be adequately addressed by the Applicant. The Council's Local Impact Report (REP1A-001) and Written Representation (REP1-042) reference the same issue.</p>	<p>A sensitivity test of potential changes to airspace has been undertaken and is presented in Section 12.7 of Appendix 16.1 Noise and Vibration Information of the Environmental Statement [AS-096]. The result of the sensitivity test provides confidence that airspace changes can be accommodated within the DCO Noise Envelope.</p> <p>It is not possible to test the cumulative impact of potential airspace changes at this stage as, whilst the range of options for London Luton Airport is understood, the process of coordinating the options across all of the airports is ongoing and the outcome unknown. The relationship between the DCO and the airspace change process is explained in the Relationship between the Development Consent Order Process and the Airspace Change Process [REP1-028].</p> <p>Changes in noise as a result of airspace change will be fully assessed, reported and consulted on as part of the separate airspace change process.</p>
7	Human Health	<p>2.28. REP1-069 Hertfordshire County Council (HCC), Dacorum Borough Council (DBC) and North Herts Council (NHC) Written Representation</p>	<p>Chapter 7 Air Quality of the Environmental Statement (ES) [APP-034] has provided an assessment of air quality following the methodology agreed through EIA Scoping and with local</p>

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		<p>2.28.1. HCC, DBC and NHC include requests for further discussions to minimise potential adverse impacts relating to noise, sleep disturbances and air quality. This is presented in the context of an absence of mitigation proposed by the Applicant to address the significant impacts identified on the mental health of residents once the Proposed Development is operational. The Council endorses this as a reflection of good practice in health assessment and has noted the need for fuller consideration of mental health impacts within its Local Impact Report (REP1A-001) and Written Representation (REP1-042).</p>	<p>authorities in the air quality technical working group. Mitigation measures are proposed and no significant impacts are predicted to occur. An assessment of the health impacts of air quality was undertaken and is reported in Chapter 13 Health and Community of the ES [APP-039]. This assessment concluded that operational air emissions from the Proposed Development would have no significant impact on health, therefore no further mitigation is proposed.</p> <p>The adverse impacts of noise from the Proposed Development have been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [REP1-003].</p> <p>Chapter 13 Health and Community of the ES [APP-039] identifies effects on mental wellbeing arising from public concern and uncertainty during the planning and construction stages, about the potential construction and operational effects of the Proposed Development (see Table 13.20). Mitigation measures are embedded through Appendix 4.1 CoCP [APP-049] of the ES and the commitment to provide a Community Engagement Strategy. This effect will not continue once the Proposed Development is operational. Paragraph 13.9.3 of Chapter 13 incorrectly identifies a significant effect</p>

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			<p>during all assessment phases where only the planning and construction stages should have been referred to. This correction has been captured in the Errata Report [REP1-015] submitted at Deadline 1.</p> <p>The Applicant believes that the assessment undertaken and reported, and mitigation measures proposed and secured in the ES are robust and adequate.</p>
8	Noise and Vibration Human Health	<p>2.30. REP1A-002 Central Bedfordshire Council Deadline 1A submission – Local Impact Reports (LIR)</p> <p>2.30.1. Central Bedfordshire Council cites the importance of accurately assessing the impacts of aircraft noise, which it considers to be most prevalent under the flight paths. This requirement for accurate assessment is a view shared by the Council and links to the comments made by the Council in relation to the Applicant's position set out in REP1-028.</p> <p>2.30.2. Central Bedfordshire Council is seeking inclusion of the Joint Spatial Needs Assessment (JSNA) for all relevant authorities to be included within the health assessment workstream. The Council supports this and asserts that the Council is one such relevant authority.</p>	<p>The Applicant has accurately assessed the impact of aircraft noise in Chapter 16 of the Environmental Statement [REP1-003].</p> <p>Chapter 13 Health and Community of the Environmental Statement [APP-039] provides detailed, ward-level health profiles for the Local Study Area. Buckinghamshire falls within the Wider Study Area. Detailed health baseline information (such as that included in the JSNA) has not been presented for the Wider Study Area as this is not proportionate to the scope and level of health assessment undertaken for this area.</p>