

November 2023

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.107 Applicant's response to Deadline 3 Submissions -
Appendix F The Chilterns Conservation Board (REP3-143)**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.107

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.107 APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSIONS -
APPENDIX F THE CHILTERN'S CONSERVATION BOARD [REP3-143]**

Deadline:	Deadline 4
Planning Inspectorate Scheme Reference:	TR020001
Document Reference:	TR020001/APP/8.107
Author:	Luton Rising

Version	Date	Status of Version
Issue 1	November 2023	Additional Submission – Deadline 4

Contents

Page

Appendix F – The Chilterns Conservation Board [REP3-143]

1

Tables

Table F.1 Applicant's response to submission by The Chilterns Conservation Board at Deadline 3

Appendix F – The Chilterns Conservation Board [REP3-143]

Table F.1 Applicant's response to submission by The Chilterns Conservation Board at Deadline 3

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
1	Landscape and visual	5.7. The AONB boundary extension, if progressed to a conclusion, will materially raise the sensitivity of the landscape to the south of the A505 and to the east of the airport operation. To what extent have the applicant's / promoters considered this?	The Applicant considers that the issue raised regarding the search area for a potential extension to the Area of Outstanding Natural Beauty (AONB) was answered within the Applicant's Response to Relevant Representations Part 4 of 4 (SoCGs and Additional Submission) [REP1-027] page 15 to 17, in response to Natural England's Relevant Representation [RR-1079] .
2	Noise and Vibration	6.1. On aircraft noise (referred to in the GCGF) as 'the noise envelope'. Noise forecasts are proposed to be updated every 5 years. We seek technical assurances. The operator's section 73 variation call-in (currently before the Secretary of State), from 18 to 19 MPPA is, in part, predicated on engine technology not being delivered within their anticipated timescale. We have grave concerns about whether these technical improvements can be accurately predicted. We question the general approach here that an 'evidence-based' decision-making forum should engage in an element of crystal ball gazing, no matter how well-informed.	<p>In August 2023, 31% of aircraft movements were by new generation aircraft (aircraft that are currently in service, i.e. Airbus Neo and Boeing 737 MAX) and by the end of the year the proportion of such aircraft are expected to make up approximately 40% of the commercial aircraft fleet. This is ahead of expectations at the time of the 19 mppa planning application. It was always anticipated that fleet modernisation would largely take place over the period to 2028 and this is still the expectation.</p> <p>This progress in re-fleeting is in line with the recent decision taken in relation to the application for the airport to grow to 19 mppa where the Secretaries of State said, at paragraph 13 of the decision letter:</p> <p><i>"Like the Panel, for the reasons given in IR 15.9-15.15, the Secretaries of State place more reliance on the modernisation forecasts submitted by the Applicant than the alternatives put forward (IR15.14)"</i></p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>Can the applicants/promoters comment on how the impact of aircraft technology can be reported to this examination when it is a wholly evolving sector?</p>	<p>This cross referred to the Panel's report, which stated at paragraphs 15.14 and 15.15:</p> <p><i>“information from the airlines, which was not the case for other parties. Importantly, information produced by the main operators clearly indicates an ongoing commitment to modernise their fleets [8.99]. Taking all these factors into account, the Panel places more reliance on the modernisation forecasts submitted by the Applicant than the alternatives put forward.</i></p> <p><i>15.15 The modernisation programme is outside the direct control of the Applicant. Whilst we expect that the introduction of more efficient and modern aircraft is something which the airlines would be keen to pursue, future circumstances may affect the programme.”</i></p> <p>Given that the fleet transition assumptions for the DCO are broadly similar to those adopted for the 19 mppa application, the Applicant considers that the same conclusions would hold true. The technical improvements for these aircraft do not need to be predicted as they exist in the fleet today and their performance is evidence-based as the noise modelling is based on noise measurements of these aircraft.</p>
3	Noise and Vibration	<p>6.2. CCB Promotes a discussion of aircraft noise and its impact on tranquillity. The Green Growth explanatory note (GCGF APP 217 and APP 218) makes the point at its 3.2.5, that ‘the next generation of aircraft technology that are expected to start to become available in the mid-2030s</p>	<p>In contrast to the entry directly above (I.D. 2), the performance of next-generation aircraft (aircraft that will utilise future technologies and are expected to start to become available in the mid-2030s) cannot currently be known with certainty, as these aircraft do not yet exist. That is why their performance has not been relied upon at this time, and instead a mechanism for sharing the noise reduction benefits of future technological</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>(and the subsequent generation expected from the 2050s onwards) do not yet exist and their noise performance is unknown. It is also not possible to accurately forecast at this point in time the expected rate at which this next generation aircraft will be adopted into the fleet'.</p> <p>The CCB assumes that the Rochdale Envelope methodology cannot apply, where such uncertainty exists. [i.e. reserving judgment as regards future matters of design].</p>	<p>improvements in aircraft between the airport and local communities as and when future technology becomes available, and its noise performance known, has been incorporated into the Noise Envelope.</p> <p>Such a reduction in the Noise Envelope contour area Limits would mean that the environmental effects are reduced and would remain within the envelope of effects identified in the Environmental Statement.</p>
4	<p>Surface Access</p> <p>Noise and Vibration</p>	<p>6.4. On surface traffic and transport, the Green Controlled Growth Framework (GCGF) contains several legally binding commitments, including aircraft noise, air quality, greenhouse gas emissions and surface access volumes. We welcome a discussion of the implications of increased surface access traffic movements and its impact on tranquillity. We say this because an undertaking is made that 55% of all passengers will arrive by non-sustainable modes when Phase 2(b), is fully operational.</p>	<p>The impact of traffic noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. The assessment takes into account relative tranquillity.</p> <p>No significant adverse noise effects have been identified from increased surface access traffic in the Chilterns AONB. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003].</p> <p>The Applicant has reporting on the forecast traffic flows and associated effects of the 55% mode share limits in the Transport Assessment [APP-203 to APP-206].</p>
5	GCG	<p>8.0 Matters of Common Ground</p> <p>The green controlled growth mechanism must be divided into tangible deliverables</p>	<p>The Green Controlled Growth Framework [REP3-017] does contain tangible and quantifiable deliverables, in the form of</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>(biodiversity updates within the red line planning application area, for example), policy choices (mechanisms to protect tranquillity) and longer-term visions and goals (net zero, for example). We recommend a detailed set of gateways and ambitions/targets are set out against what can be delivered within a DCO/NSIP as compared to what forms aspirational goals. That both helps the decision-makers, the public and other stakeholders when they come to comment on the future ES/DCO. A good deal of the GCGF is speculative and should be given proportionate weight in the balancing of land use and other matters.</p>	<p>Level 1 Thresholds, Level 2 Thresholds and “Limits” for noise, air quality, surface access and greenhouse gas emissions.</p> <p>These are considered to be the most appropriate topics for GCG to cover for several reasons. They are the environmental topics that could result in adverse environmental effects that are most closely correlated with the growth of the airport in terms of passenger numbers and aircraft movements. Consequently, these are the effects that are subject to greater potential uncertainty over time, as the extent of these effects will change as the airport expands.</p> <p>Other environmental topics and their resulting effects are not included within the scope of GCG as they are not directly correlated with the growth of the airport and are, instead, a function of the design and construction of the Proposed Development.</p> <p>The GCG Framework itself is secured under the terms of the Development Consent Order (see Schedule 2 (Requirements), Part 3 (Requirements pertaining to Green Controlled Growth) to the Draft DCO [REP3-004]). The Applicant strongly refutes that this Framework is “speculative”, and instead considers it to be groundbreaking in securing an adaptive monitoring and mitigation approach for a DCO project.</p> <p>Nonetheless, mitigation in connection with biodiversity is also secured under the terms of the DCO.</p>