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London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.72 Applicant's response to Written Questions - Green
Controlled Growth (GCG)**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.72

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.72 APPLICANT'S RESPONSE TO WRITTEN QUESTIONS – GREEN
CONTROLLED GROWTH (GCG)**

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1 RESPONSE TO EXAMINING AUTHORITY WRITTEN QUESTIONS (GREEN CONTROLLED GROWTH)

Table 1.1: Responses to the Examining Authority's Written Questions (Green Controlled Growth)

| PINS ID | Question / Response |
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| GCG.1.1 | <p>Question:</p> <p>GCG – ESG/ GCG process Given the importance of the GCG framework [REP3-017] and the ESG for the control of future noise, explain why the ESG should not be set up from, or even before, the point of serving notice under Article 45 of the DCO submitted at D3 [REP3-003].</p> <p>Response: The Applicant does not believe it is necessary for the ESG to be established at the point at which notice under Article 44(1) is served as the processes undertaken by the ESG are not triggered until submission of the first Monitoring Report. In addition, establishment of the ESG requires actions to be undertaken by third parties which the Applicant does not have direct control over. As set out in the Applicant's Response to Issue Specific Hearing 1 Actions 20, 21, 24 and 26 and Issue Specific Hearing 2 Action 28: Slot Management [TR020001/APP/8.86]. Notwithstanding this, the Applicant is considering changes to the Draft Development Consent Order [REP3-003] to be made at Deadline 5 that would require the ESG to be established as soon as is reasonably practicable.</p> <p>In respect of the processes undertaken by the ESG, Section 2.4 of the Green Controlled Growth Explanatory Note [REP3-015] sets out the proposals for independent scrutiny and review of the GCG process, including the role of the ESG. Paragraph 2.4.2 sets out the powers of the ESG, enshrined in the Terms of Reference included within the Green Controlled Growth Framework Appendix A Draft ESG REP3-019. These are:</p> <ul style="list-style-type: none"> a. Providing commentary on periodic Monitoring Reports produced by the airport operator (see Section 2.3) following reviews by the relevant Technical Panels; b. Approving or refusing Level 2 Plans or Mitigation Plans put forward as required by the airport operator if any GCG environmental effect has exceeded a Level 2 Threshold or Limit respectively (see Section 2.2); c. Where the airport operator can demonstrate that this is the case, certifying that an exceedance of a Level 2 Threshold or Limit is due to circumstances beyond the operator's control; d. Forum for consideration of statutory enforcement representations; e. Mutually agreeing to modifications to the Terms of Reference included at Appendices A and B and Monitoring Plans included at Appendices C to F of the Green Controlled Growth Framework [REP3-017] and; f. Approving or refusing applications by the airport operator to modify timescales within the GCG process, or Level 1 Thresholds, Level 2 Thresholds or Limits, as allowed for under Paragraph 25 of Schedule 2 to the Draft Development Consent Order [REP3-003]. <p>The ESG Terms of Reference set out in more detail how the ESG would exercise these powers (Section A4, 'Operating Powers'). Crucially, all of the routine procedures that the ESG is required to undertake are triggered by the submission of a Monitoring Report by the airport operator. Where the ESG is required to undertake other more ad hoc procedures, for example taking action in relation to a potential breach of the DCO or in response to a periodic review of GCG by the airport operator, these could not be triggered until after submission of the first Monitoring Report. In this context, the requirement for the ESG to be established a minimum of 56 days ahead of the planned submission of the first Monitoring Report by the airport operator is appropriate. Were the ESG to be established on or before the point which notice is served under Article 44(1) of the draft DCO, it would not be required to undertake any actions until the point that the first Monitoring Report is submitted.</p> |
| GCG.1.2 | <p>Question:</p> <p>GCG – Fixed noise monitoring [REP3-023, Appendix C, paragraphs C4.2.2 and C4.2.3] state that as the airport expands, the airport operator will review and, if necessary, improve the noise monitoring stations in line with 'ISO 20906:2009 - Acoustics — Unattended monitoring of aircraft sound in the vicinity of airports' and will consult/ agree on locations for additional</p> |

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| | <p>permanent noise monitors on departure routes. Confirm what the trigger for reviewing existing noise monitoring would be, how it would be determined whether new monitoring was 'necessary' and the provisional programme for agreeing locations for additional permanent noise monitors.</p> <p>Response: The airport operator's current noise monitoring terminals provide sufficient information to be able to accurately calibrate the noise modelling and comply with the modelling requirements of the Civil Aviation Authority's CAP2091 (Ref 1). Triggers for reviewing existing noise monitoring terminals are therefore likely to be, but would not be limited to:</p> <ul style="list-style-type: none"> • Updates to the CAA CAP2091 guidance, or publication of further noise modelling or noise monitoring guidance from the CAA • If the CAP2091 noise modelling category for London Luton Airport were to change to a category that requires additional noise monitors to be installed • An implemented airspace change which moves flightpaths such that the existing noise monitoring terminals were no longer relevant • Ongoing review of the noise monitoring terminals as part of the Noise and Track Subcommittee • Ongoing review of the noise monitoring terminals as part of any update to Noise Action Plans <p>The principle criteria for the requirement for new noise monitoring terminals as part of such a review would be if they were required to meet the minimum standards of noise monitoring terminals with respect to validation of aircraft noise modelling as per CAP2091.</p> <p>With regards to the provisional programmes, should any of the reviews described above result in the identification of additional noise monitoring terminals it is worth noting the following:</p> <ul style="list-style-type: none"> • flight paths generally overfly the least populated areas where possible, therefore the best places for noise monitors are usually in rural locations and fields; • landowner consent must be sought for access and permission to install noise monitors on private land and contract negotiations can be time consuming; • fixed noise monitors require a continuous power source, which usually requires digging up some of the land to install the cabling, the timing of which can be affected by crop harvesting given monitors are frequently installed in fields; and • installation also requires concreting the equipment into the ground (to ensure it is fixed and theft resistant). <p>For the additional noise monitoring terminals that are already committed to in paragraph C4.2.3 of the Green Controlled Growth Framework Appendix C Aircraft Noise Monitoring Plan [REP3-023] it would not be proportionate to seek to install these before the conclusion of the current ongoing airspace change proposal. Given the process for securing a new monitoring terminal location described above, any new terminals may only be in place for a very short amount of time (between the DCO being implemented, and the process described above being completed) before needing to be moved again once the airspace change process is concluded. It is therefore proposed that the location of these new monitoring terminals would be discussed with the Noise and Track Subcommittee and agreed with the GCG Noise Technical Panel in line with the program for the airspace change and that all reasonably practicable efforts will be made (subject to achieving landowner consent) to install these new monitors within 18 months of the conclusion of the airspace change process.</p> <p>Updates to the Green Controlled Growth Framework Appendix C Aircraft Noise Monitoring Plan [REP3-023] will be made at Deadline 5 to clarify these points.</p> |
| GCG.1.3 | <p>Question:</p> <p>GCG – controls on early/ late flights</p> <p>The ExA welcomes the Applicant's proposal in Noise Envelope – improvements and worked example [REP2-032], that early/late running flights would not be dispensed from the noise contour calculations. Can the Applicant explain what measures would be taken to avoid or minimise late running flights?</p> <p>Response: Clearly, by their nature, late running flights are difficult to control as the external factors that cause these can be varied, such as air traffic control delays, aircraft having technical issues, weather and other operational factors. It needs to be borne in mind that failing to accommodate such delayed movements would lead to substantial inconvenience to passengers, e.g. through aircraft having to divert to an alternative airport, or major operational disruption if an aircraft was unable to return to its operating base at the airport and so was unable to undertake the following day's flights.</p> |

| PINS ID | Question / Response |
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| | <p>The use of a 5% allowance on top of the expected scheduled movements in the night period, as indicated in Para 6.6.61 of the Need Case Revision 1 [AS-125] is based on historic data from the airport when operating normal patterns of traffic (i.e. before COVID disruption). This data shows late running flights made up between 1% and 5% of movements in the night periods and therefore the choice of 5% was selected to provide for the likely worst-case scenario given that most years operate below this. If a lower (than 5%) delay factor had been included, this would have allowed the Applicant to increase the number of scheduled movements in the night periods and the night noise contour assessments would have given a similar answer. However, as there is less ability to control late running flights the use of a lower delay factor was not deemed sensible by the Applicant. In light of this, there are no measures that can feasibly be taken, but protection is added by the inclusion of the aforementioned 5% as part of the overall process.</p> |
| GCG.1.4 | <p>Question:</p> <p>GCG - Appendix C – Annex C1 DCO noise model assumptions Confirm whether the assumptions/parameters expressed in points a-j of Annex C1 [REP3-023] are acceptable and a reasonable basis for future noise modelling.</p> <p>Response: The Applicant would like to clarify that points a-j of Annex C1 of the Green Controlled Growth Framework Appendix C Aircraft Noise Monitoring Plan [REP3-023] are not the only requirements for future noise modelling. Paragraph C4.2.1 also requires the airport operator to validate the noise model in line with the Civil Aviation Authority's CAP2091 (Ref 1) which sets the industry standard for aircraft noise modelling.</p> |
| GCG.1.5 | <p>Question:</p> <p>Quota Counts Confirm whether the approach to calculating day and night-time quota counts in Noise Envelope – improvements and worked example [REP2-032] would form an acceptable basis for noise control on exceedance of a Level 1 and Level 2 thresholds.</p> <p>Response: This question is directed toward the Local Authorities and the Applicant would provide comments on their responses if necessary.</p> |
| GCG.1.6 | <p>Question:</p> <p>Noise Action Plan (NAP) Provide a copy of the 2024-2029 NAP for Luton Airport.</p> <p>Response: London Luton Airport's draft Noise Action Plan 2024-2028 has been provided at [TR020001/APP/8.72]. Please note that this is a draft document that has been submitted to the Department for Environment, Food and Rural Affairs (DEFRA) for approval and is therefore subject to change.</p> |
| GCG.1.7 | <p>Question:</p> <p>Noise Action Plan (NAP) At ISH3 on noise and vibration, the Applicant stated that the operator's quarterly monitoring reports contained a host of information considered relevant to the community that have been developed over time and that there is no expectation that these would change. However, the Applicant also explained that the NAP would be updated to take account of GCG controls replacing any current planning related commitments. Can the Applicant explain whether quarterly reporting would be retained and how the various reporting requirements would be retained if these were not explicitly referenced in the GCG framework or secured by the DCO?</p> <p>Response: The Aircraft Noise Monitoring Plan [REP3-023] was updated at Deadline 3 to secure the ongoing requirement for quarterly monitoring in line with the current consent that was relevant at the time of submission (see Paragraph C7.1.1). The updated reporting requirements in the current consent as a result of the approval of the application to grow to 19mppa (APP/B0230/V/22/3296455) will be considered by the Applicant and updates to the monitoring requirements will be made at Deadline 5 to retain these as considered appropriate.</p> |

| PINS ID | Question / Response | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------|---|---|-----------------------|--|------------------------|----|----------|---|-----------------------|--|------------------------|---|------|------|------------|------|------------|---|----------------------|------|------------|------|------------|---|----------------------|------|------------|------|------------|---|----------------------|------|----------------|------|------------|---|----------------------------|-------|------------------|------|----------------|---|---------------------------|-------|------------------|-------|------------------|---|--------------------|-------|------------------|------|----------------|---|------------------|------|----------------|------|----------------|---|-----------------|------|----------------|------|----------------|----|---------------------|-------|------------------|-------|------------------|----|-----------------|-------|----------------|------|----------------|----|-----------------|------|----------------|------|----------------|
| GCG.1.8 | <p>Question:</p> <p>GCG framework [REP3-017] – In scope locations Explain why Crawley Green Road 2 monitoring location has been removed from being in scope in this document revision.</p> <p>Response: It is assumed that the reference to 'Crawley Green Road 2' by the Examining Authority (ExA) is an error as this location has always been out of scope, and the request from the ExA is for the Applicant to explain why the 'Crawley Green Road 3' location has moved from being in scope to out of scope for NO₂ in Phase 1. For clarity, the previous and corrected results for Phase 1 NO₂ in full are shown in the table provided as part of this response.</p> <p>As set out in Paragraph 3.3.9 of the Green Controlled Growth Explanatory Note [REP3-015] the filtering process to determine whether a location is in scope for air quality in the Green Controlled Growth Framework [REP3-017] includes consideration of the <u>total</u> airport impact on air quality in that location (i.e. the air quality impacts not just of the Proposed Development but also of the existing airport). This total contribution is not reported in the Environmental Statement Chapter 7 Air Quality [AS-076], which is concerned with the comparison between the Do Minimum and the Do Something (i.e. the impact of the Proposed Development only).</p> <p>In preparing Environmental Improvement Plan Interim Target for PM2.5 Commentary [REP1-017] total airport contributions to pollutants in the Faster Growth Case were reviewed. As part of this review, it became apparent there was an error in the apportionment of NO₂ to airport sources in Phase 1. The previous and corrected results for Phase 1 NO₂ are shown in the table below.</p> <table border="1" data-bbox="460 934 2398 1915"> <thead> <tr> <th>ID</th> <th>Location</th> <th>Original Airport Contribution (%), relative to AQAL</th> <th>Original Significance</th> <th>Corrected Airport Contribution (%), relative to AQAL</th> <th>Corrected Significance</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>A505</td> <td>1.43</td> <td>Negligible</td> <td>0.97</td> <td>Negligible</td> </tr> <tr> <td>2</td> <td>Crawley Green Road 1</td> <td>4.71</td> <td>Negligible</td> <td>3.69</td> <td>Negligible</td> </tr> <tr> <td>3</td> <td>Crawley Green Road 2</td> <td>5.02</td> <td>Negligible</td> <td>3.97</td> <td>Negligible</td> </tr> <tr> <td>4</td> <td>Crawley Green Road 3</td> <td>5.87</td> <td>Slight adverse</td> <td>4.74</td> <td>Negligible</td> </tr> <tr> <td>5</td> <td>Eaton Green Road 1 (LLA15)</td> <td>11.68</td> <td>Moderate adverse</td> <td>8.74</td> <td>Slight adverse</td> </tr> <tr> <td>6</td> <td>Eaton Green Road 2 (LN25)</td> <td>14.21</td> <td>Moderate adverse</td> <td>11.08</td> <td>Moderate adverse</td> </tr> <tr> <td>7</td> <td>Eaton Green Road 3</td> <td>12.22</td> <td>Moderate adverse</td> <td>9.73</td> <td>Slight adverse</td> </tr> <tr> <td>8</td> <td>Darley Road (L4)</td> <td>7.76</td> <td>Slight adverse</td> <td>6.37</td> <td>Slight adverse</td> </tr> <tr> <td>9</td> <td>Winch Hill (L6)</td> <td>8.20</td> <td>Slight adverse</td> <td>6.72</td> <td>Slight adverse</td> </tr> <tr> <td>10</td> <td>Dane Street (LLA11)</td> <td>15.77</td> <td>Moderate adverse</td> <td>12.63</td> <td>Moderate adverse</td> </tr> <tr> <td>11</td> <td>Somerles Castle</td> <td>10.09</td> <td>Slight adverse</td> <td>8.13</td> <td>Slight adverse</td> </tr> <tr> <td>12</td> <td>New Airport Way</td> <td>8.01</td> <td>Slight adverse</td> <td>6.11</td> <td>Slight adverse</td> </tr> </tbody> </table> | | | | | ID | Location | Original Airport Contribution (%), relative to AQAL | Original Significance | Corrected Airport Contribution (%), relative to AQAL | Corrected Significance | 1 | A505 | 1.43 | Negligible | 0.97 | Negligible | 2 | Crawley Green Road 1 | 4.71 | Negligible | 3.69 | Negligible | 3 | Crawley Green Road 2 | 5.02 | Negligible | 3.97 | Negligible | 4 | Crawley Green Road 3 | 5.87 | Slight adverse | 4.74 | Negligible | 5 | Eaton Green Road 1 (LLA15) | 11.68 | Moderate adverse | 8.74 | Slight adverse | 6 | Eaton Green Road 2 (LN25) | 14.21 | Moderate adverse | 11.08 | Moderate adverse | 7 | Eaton Green Road 3 | 12.22 | Moderate adverse | 9.73 | Slight adverse | 8 | Darley Road (L4) | 7.76 | Slight adverse | 6.37 | Slight adverse | 9 | Winch Hill (L6) | 8.20 | Slight adverse | 6.72 | Slight adverse | 10 | Dane Street (LLA11) | 15.77 | Moderate adverse | 12.63 | Moderate adverse | 11 | Somerles Castle | 10.09 | Slight adverse | 8.13 | Slight adverse | 12 | New Airport Way | 8.01 | Slight adverse | 6.11 | Slight adverse |
| ID | Location | Original Airport Contribution (%), relative to AQAL | Original Significance | Corrected Airport Contribution (%), relative to AQAL | Corrected Significance | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | A505 | 1.43 | Negligible | 0.97 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Crawley Green Road 1 | 4.71 | Negligible | 3.69 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Crawley Green Road 2 | 5.02 | Negligible | 3.97 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Crawley Green Road 3 | 5.87 | Slight adverse | 4.74 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Eaton Green Road 1 (LLA15) | 11.68 | Moderate adverse | 8.74 | Slight adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Eaton Green Road 2 (LN25) | 14.21 | Moderate adverse | 11.08 | Moderate adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Eaton Green Road 3 | 12.22 | Moderate adverse | 9.73 | Slight adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | Darley Road (L4) | 7.76 | Slight adverse | 6.37 | Slight adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | Winch Hill (L6) | 8.20 | Slight adverse | 6.72 | Slight adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | Dane Street (LLA11) | 15.77 | Moderate adverse | 12.63 | Moderate adverse | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| PINS ID | Question / Response | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | 13 | Hitchin 1 (NH93) | 1.30 | Negligible | 1.06 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 14 | Hitchin 2 (NH2) | 2.37 | Negligible | 1.81 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 15 | M1 | 3.72 | Negligible | 2.59 | Negligible | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>Notes: Airport contribution (%) is with respect to the Limit for NO₂ in Phase 1 of 40µg/m³ (and the Limit is set at the Air Quality Objective Level). Results are provided to two decimal places here but are rounded to zero decimal places in the GCG Framework and GCG Explanatory Note. 'Corrected' results reflect those included in the Revision 1 of the Green Controlled Growth Framework [REP3-017], Green Controlled Growth Framework Appendix D Air Quality Monitoring Plan [REP3-025] and Green Controlled Growth Explanatory Note [REP3-015].</p> <p>As set out in Figure 3.7 of the Green Controlled Growth Explanatory Note [REP3-015], where the total airport impact on concentrations of a pollutant at a particular location is negligible, it will be treated as 'out of scope' for the purposes of GCG. The corrections shown in the table above result in the airport contribution to NO₂ in Phase 1 at Location 4 (Crawley Green Road 3) being treated as negligible, and so this location has been moved to 'out of scope'.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| GCG.1.9 | <p>Question:</p> <p>GCG framework [REP3-017] – Table 4.3 As currently drafted the limits relating to PM_{2.5} are confusing, as 12 microgram/m³ limits are shown in Phase 2b and in the full operating capacity scenario. Phase 2b spans the period during which the 10 microgram/m³ legal limit would be introduced. Similarly, although the row with PM_{2.5} states '10 microgram/m³ limit (post 2040)' the lower limits are shown in Phase 1 and 2a. Provide an amended table to avoid any confusion between the two thresholds.</p> <p>Response: Please see amended table below. Table 4.3 in the Green Controlled Growth Framework [REP3-017] and Table 3.5 in the Green Controlled Growth Explanatory Note [REP3-015] will be updated at Deadline 5 to reflect this change.</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #2c3e50; color: white;"> <th style="width: 20%;">Limit</th> <th style="width: 20%;">Up to 2026 (all Phases)</th> <th style="width: 20%;">2027 to 2039 (all Phases)</th> <th style="width: 20%;">2040 onwards (all Phases)</th> </tr> </thead> <tbody> <tr> <td rowspan="5">Annual average PM_{2.5} concentration</td> <td colspan="3">Limit</td> </tr> <tr> <td>20 µg/m³</td> <td>12 µg/m³</td> <td>10 µg/m³</td> </tr> <tr> <td colspan="3">Level 2 Threshold</td> </tr> <tr> <td>19 µg/m³</td> <td>11.4 µg/m³</td> <td>9.5 µg/m³</td> </tr> <tr> <td colspan="3">Level 1 Threshold</td> </tr> <tr> <td></td> <td>15 µg/m³</td> <td>9 µg/m³</td> <td>7.5 µg/m³</td> </tr> <tr> <td rowspan="3">Annual average PM₁₀ concentration</td> <td colspan="3">Limit</td> </tr> <tr> <td>40 µg/m³</td> <td>40 µg/m³</td> <td>40 µg/m³</td> </tr> <tr> <td colspan="3">Level 2 Threshold</td> </tr> <tr> <td></td> <td>38 µg/m³</td> <td>38 µg/m³</td> <td>38 µg/m³</td> </tr> </tbody> </table> | | | | | Limit | Up to 2026 (all Phases) | 2027 to 2039 (all Phases) | 2040 onwards (all Phases) | Annual average PM _{2.5} concentration | Limit | | | 20 µg/m ³ | 12 µg/m ³ | 10 µg/m ³ | Level 2 Threshold | | | 19 µg/m ³ | 11.4 µg/m ³ | 9.5 µg/m ³ | Level 1 Threshold | | | | 15 µg/m ³ | 9 µg/m ³ | 7.5 µg/m ³ | Annual average PM ₁₀ concentration | Limit | | | 40 µg/m ³ | 40 µg/m ³ | 40 µg/m ³ | Level 2 Threshold | | | | 38 µg/m ³ | 38 µg/m ³ | 38 µg/m ³ |
| Limit | Up to 2026 (all Phases) | 2027 to 2039 (all Phases) | 2040 onwards (all Phases) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Annual average PM _{2.5} concentration | Limit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 µg/m ³ | 12 µg/m ³ | 10 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 2 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 19 µg/m ³ | 11.4 µg/m ³ | 9.5 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 1 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 15 µg/m ³ | 9 µg/m ³ | 7.5 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Annual average PM ₁₀ concentration | Limit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 40 µg/m ³ | 40 µg/m ³ | 40 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 2 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 38 µg/m ³ | 38 µg/m ³ | 38 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="460 298 756 403"></td> <td colspan="3" data-bbox="756 298 1424 340" style="text-align: center;">Level 1 Threshold</td> </tr> <tr> <td data-bbox="460 340 756 403"></td> <td data-bbox="756 340 988 403" style="text-align: center;">30 µg/m³</td> <td data-bbox="988 340 1205 403" style="text-align: center;">30 µg/m³</td> <td data-bbox="1205 340 1424 403" style="text-align: center;">30 µg/m³</td> </tr> <tr> <td data-bbox="460 403 756 508" rowspan="3">Annual average NO₂ concentration</td> <td colspan="3" data-bbox="756 403 1424 445" style="text-align: center;">Limit</td> </tr> <tr> <td data-bbox="756 445 988 508" style="text-align: center;">40 µg/m³</td> <td data-bbox="988 445 1205 508" style="text-align: center;">40 µg/m³</td> <td data-bbox="1205 445 1424 508" style="text-align: center;">40 µg/m³</td> </tr> <tr> <td colspan="3" data-bbox="756 508 1424 550" style="text-align: center;">Level 2 Threshold</td> </tr> <tr> <td data-bbox="460 550 756 613"></td> <td data-bbox="756 550 988 613" style="text-align: center;">38 µg/m³</td> <td data-bbox="988 550 1205 613" style="text-align: center;">38 µg/m³</td> <td data-bbox="1205 550 1424 613" style="text-align: center;">38 µg/m³</td> </tr> <tr> <td data-bbox="460 613 756 676"></td> <td colspan="3" data-bbox="756 613 1424 655" style="text-align: center;">Level 1 Threshold</td> </tr> <tr> <td data-bbox="460 655 756 718"></td> <td data-bbox="756 655 988 718" style="text-align: center;">30 µg/m³</td> <td data-bbox="988 655 1205 718" style="text-align: center;">30 µg/m³</td> <td data-bbox="1205 655 1424 718" style="text-align: center;">30 µg/m³</td> </tr> </table> | | Level 1 Threshold | | | | 30 µg/m ³ | 30 µg/m ³ | 30 µg/m ³ | Annual average NO ₂ concentration | Limit | | | 40 µg/m ³ | 40 µg/m ³ | 40 µg/m ³ | Level 2 Threshold | | | | 38 µg/m ³ | 38 µg/m ³ | 38 µg/m ³ | | Level 1 Threshold | | | | 30 µg/m ³ | 30 µg/m ³ | 30 µg/m ³ |
| | Level 1 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 30 µg/m ³ | 30 µg/m ³ | 30 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Annual average NO ₂ concentration | Limit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 40 µg/m ³ | 40 µg/m ³ | 40 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 2 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 38 µg/m ³ | 38 µg/m ³ | 38 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 1 Threshold | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 30 µg/m ³ | 30 µg/m ³ | 30 µg/m ³ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| GCG.1.10 | <p>Question:</p> <p>GCG framework [REP3-017] and GCG Appendix D – Air Quality Monitoring Plan [REP3-025] – Automatic Number Plate Recognition (ANPR) reference / proportional contribution</p> <p>Reference to use of ANPR has been removed as a means of demonstrating the proportional contribution made by the airport. Instead, Appendix D suggests that an indicative approach to further analysis could include consideration of an emissions inventory and publicly available background/ regional air quality data in order to understand changes in airport-related traffic flows. Expand on your response in the ISH5 post hearing submission as to why ANPR is no longer considered an appropriate basis for monitoring given that it has potential to provide detailed information on traffic flows /origins for cars parking at the airport. In the absence of ANPR data, provide a detailed explanation of the specific data sets and methods that could be used to determine the airport's proportional contribution.</p> <p>Response: The Applicant wishes to clarify the position stated with regards to ANPR, further to the Applicant's Post Hearing Submission - Issue Specific Hearing 5 (ISH5) [REP3-052]. Paragraph 7.1.37 of the post hearing submission was not intended to state that ANPR will not be used at all; rather, that it is only one potential method that might be used, depending on the nature of any future exceedance. ANPR surveys can still be commissioned using a third-party traffic survey contractor if required, but it is not the intention of the Applicant to establish an ANPR monitoring network from the outset.</p> <p>The amendments made at Deadline 3 to the Green Controlled Growth Framework [REP3-017] and Green Controlled Growth Explanatory Note [REP3-015] were similarly intended to clarify the need for future flexibility, to reflect the long term nature of the Proposed Development, and that new and as yet unknown monitoring methods and practices may be available over the course of the next 20 years while the Proposed Development is delivered. Thus, the reference in paragraph 3.3.20 of the Explanatory Note to the “<i>commissioning of additional traffic surveys in order to understand changes in airport-related traffic flows</i>” was intended to be construed as including ANPR as just one potential type of future traffic survey.</p> <p>This approach mirrors the most similar precedent for the ongoing monitoring and management of air quality for a Nationally Significant Infrastructure Project used by the Silvertown Tunnel. Requirement 7 of The Silvertown Tunnel Order 2018 secures compliance with the 'Monitoring and mitigation strategy', which includes air quality impacts. The Monitoring & Mitigation Strategy certified under Schedule 14 is similarly non-prescriptive around how future assessments of that scheme's specific impact will be determined, with respect to the air quality monitoring data that is inclusive of non-scheme impacts:</p> <p style="padding-left: 40px;"><i>“ TfL will therefore appoint an independent air quality expert to review the air quality monitoring data set in the annual monitoring reports.... In coming to a view on the air quality impacts of the Scheme, consideration will therefore need to be given to other data sources including London wide local authority monitoring data, traffic flows, composition or speeds as well as outputs from strategic and local traffic modelling and/or air quality modelling.”</i></p> <p>See Section 4.4 of the Silvertown Tunnel Monitoring & Mitigation Strategy (Ref 2) for further details.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>To expand upon the revised text included at Deadline 3 in paragraph 3.3.20 of Green Controlled Growth Explanatory Note [REP3-015] and reflected in paragraph D2.3.11 of the Green Controlled Growth Framework Appendix D Air Quality Monitoring Plan [REP3-025], the Applicant envisages that there are a range of options that could be used to determine the airport's contribution to the exceedance of a Level 2 Threshold or Limit at an in scope location. These potential analysis methods reflect current best-practice air quality monitoring and analysis techniques, but it is not the intention for the GCG Framework to mandate any of these steps specifically, in order to preserve the necessary flexibility required, including as technology and techniques may change in the future.</p> <p>Indicatively, this could include: engaging with the relevant local authority to understand local air quality trends elsewhere, or to identify location-specific factors (e.g. roadworks or new developments) or regional factors. More detailed analysis could be undertaken if required using post processing software (such as the 'openair' package) to provide more information on likely sources or compiling an updated emissions inventory for airport activities to understand changes from that forecast in the ES. Where the likely source of any breach cannot be identified from these methods, ANPR could then be used to understand potential changes in emissions from airport-related traffic. Ultimately, more in-depth calculations could still then be needed, potentially including air quality modelling, to determine the exact contribution from the airport.</p> <p>The GCG Framework is intended to provide certainty of the outcome in this scenario – i.e. a determination as to whether the airport is or isn't the cause of an exceedance and therefore whether a Level 2 Plan or Mitigation Plan is or isn't required. To achieve this, whatever methodology is utilised must therefore be able to provide the necessary evidence to the Environmental Scrutiny Group for this determination to take place but will most likely vary depending on the exact nature of the exceedance. Further amendments to the wording in this regard within the GCG Framework will be considered to improve the clarity of the intended requirements.</p> |
| GCG.1.11 | <p>Question:</p> <p>GCG framework – Revision of limits and thresholds in light of changing legal limits Explain the circumstances in which it would be acceptable for the operational controls under the GCG framework [REP3-017] not to align with new UK legal limits (or interim targets) as stated in paragraph 4.4.2 and why new pollutants should be excluded from consideration as stated in paragraph 4.4.1.</p> <p>Response: Please see response to Issue Specific Hearing 5 (ISH5) Action 18 provided in Applicant's Response to the Examining Authority's Deadline 4 Hearing Actions [TR020001/APP/8.84] with regards to the need for the alignment of GCG Limits with new UK legal limits. As set out in that paper, the key distinction is whether any future changes to legislation must automatically be transposed into GCG, such that they would automatically be linked to controls on growth of the airport, rather than the need to comply with any new legislative requirements independently from GCG. Environmental assessments and consenting decisions (based on the findings of those assessments) can only be made against current and known future legislation and policy. It is not reasonable for requirements to be imposed where they would prevent the implementation of a planning consent (such as one that would require future legislation to be automatically transposed into GCG).</p> <p>Regarding the exclusion of new pollutants from GCG in future, and further to the response to ISH5 Action 16, the basis of the GCG air quality Limits is the findings of Air Quality Assessment reported in the Environmental Statement Chapter 7 Air Quality Revision 1 [AS-076]. The following pollutants were considered within the assessment; nitrogen dioxide (NO₂), particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), oxides of nitrogen (NO_x) and ammonia (NH₃), with all other pollutants screened out as they are not likely to cause exceedances of their respective standards as demonstrated by local monitoring and the work carried out by the local authority, and agreed through EIA Scoping and engagement summarised in the Section 7.4 [of Chapter 7]. Of the pollutants scoped in, NO_x and NH₃ were only included on the basis of their potential impacts on vegetation and ecosystems rather than human health, and no significant effects are predicted at ecological sites. The remaining three pollutants are therefore the ones most relevant to human health, which were consequently assessed and included as GCG air quality Limits.</p> <p>In circumstances where new UK legal limits are introduced or new pollutants brought into the legal framework it is not considered proportionate to bring those into GCG as it would require a significant re-assessment of the work carried out for the Environmental Impact Assessment (EIA) to provide the necessary evidence base. To undertake such an assessment again in the future (essentially needing to repeat the EIA) would in the Applicant's view be disproportionate and unnecessary, for the reasons set out in the response to ISH5 Action 18.</p> <p>However, without prejudice to the position set out in the response to ISH5 Action 18, as part of the mandatory review process committed to by the Applicant where new legal limits are published, consideration will be given to the need for additional measures to be included within the Operational Air Quality Plan (i.e. outside of GCG). This could, if</p> |

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| | deemed appropriate, include measures relating to other pollutants in addition to NO ₂ , PM ₁₀ and PM _{2.5} . The Applicant is willing to make changes to the Green Controlled Growth Framework [REP3-017] to reflect these requirements as part of the review process, subject to further engagement on the changes with relevant stakeholders. |
| GCG.1.12 | <p>Question:</p> <p>GCG Appendix A – Draft ESG Terms of Reference [REP3-019] Applicant: Explain why the threshold for ESG being quorate in paragraph A2.2.1 has been revised from “<i>where the independent chair and independent aviation specialist (or a substitute agreed as per paragraph A2.1.12) and at least 50% of other representatives are present</i>” to “<i>where the independent chair, independent aviation specialist and slot allocation expert (or a substitute agreed as per paragraph A2.1.12) are present</i>”.</p> <p>Joint Host Authorities: Is this change acceptable and if not, why not?</p> <p>Response: Following submission of the application for development consent, a critical review of the Terms of Reference for both the Environmental Scrutiny Group and Technical Panels included at Green Controlled Growth Framework Appendix A Draft ESG Terms of Reference [REP3-019] and Green Controlled Growth Framework Appendix B ESG Technical Panels Draft Terms of Reference [REP3-021] was carried out to ensure that the functioning of GCG could not be frustrated or otherwise unintentionally hindered by any party to the process. This review identified a risk that local authorities could nominate an officer to represent them on the ESG and Technical Panels, but that if these local authority representatives subsequently did not attend meetings of the ESG or Technical Panels they would not be quorate and the GCG process could not be moved forward. The changes made at Deadline 3 were therefore only to ensure the future functioning of the GCG process in this (unlikely) scenario, with the intention that the operation of ESG and the Technical Panels would still be independent from the airport and would be in accordance with the operating principles of GCG.</p> <p>However, the Applicant understands the potential concerns around the changes made to this wording and is engaging with the Host Authorities on this matter, with a view to agreeing further changes through the Statement of Common Ground process to be made to the Terms of Reference at Deadline 5. The changes will reintroduce a minimum number of local authority representatives to be present for the ESG and Technical Panels to be quorate.</p> |
| GCG.1.13 | <p>Question:</p> <p>GCG Framework Appendix B – Draft Technical Panels Terms of Reference [REP3-021] Applicant: Explain why the threshold for a technical panel being quorate in paragraph B2.2.1 has been revised from “<i>where the independent technical expert and at least 50% of any other approved representatives (as per Paragraph B2.1.7) are present</i>” to “<i>where the independent technical expert is present.</i>”</p> <p>Joint Host Authorities: Is this change acceptable and if not, why, not?</p> <p>Response: Please see the response to GCG.1.12.</p> |
| GCG.1.15 [GCG1.14 not included by ExA] | <p>Question:</p> <p>GCG Framework Appendix B – Draft Technical Panels Terms of Reference [REP3-021] Applicant: Explain why meetings of the Technical Panel would only be at the discretion of the technical expert as set out in B2.5.1.</p> <p>Joint Host Authorities: Is this change acceptable and if not, why not?</p> <p>Response: The Applicant would note that this is not a change, and that this drafting has been in the GCG Framework Appendix B ESG Technical Panels Draft Terms of Reference [REP3-021] since submission of the application for development consent.</p> <p>This drafting has been put forward to recognise the fact that there may not always be a requirement for a Technical Panel to meet and that, where this is the case, there should be no obligation secured via the DCO to do so. For example, if all members of a Technical Panel are satisfied that monitoring results reported to it do not give rise to</p> |

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| | <p>any issues and have not triggered any requirements linked to a Level 2 Threshold or Limit, they are able to respond to the airport operator and ESG on that basis in writing without a requirement to formally meet, as per the process set out in Section B4.3 of the Terms of Reference.</p> <p>As set out in Paragraph B2.5.1, any member of a Technical Panel may request that a meeting takes place where they feel this is necessary, but ultimately this will be at the discretion of the technical expert in their role as chair of the relevant Technical Panel</p> |

REFERENCES

Ref 1 Civil Aviation Authority, (2021); CAP 2091: CAA Policy on Minimum Standards for Noise Modelling
Ref 2 Transport for London (2017). Silvertown Tunnel Monitoring & Mitigation Strategy (Rev 2).