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9th January 2024 (before 11-59) (copied to Luton Rising's professional team on 21st December 2023).

**London Luton Airport Way Luton
AONB Special Qualities Study 2nd Draft (Deadline 7)
Comments on any further information/ submissions received by Deadline 6**

My Ref.: F: Planning\Development Management\Luton.
Application by London Luton Airport Limited for an Order Granting Development Consent for the London Luton Airport Expansion project. Notification of decision to accept an application for Examination for an Order Granting Development Consent.

**Chilterns AONB Special Qualities Assessment (2nd draft) 7th January 2023
consultation by Arup/Aecom consultants.**

The Chilterns Conservation Board (CCB) is grateful to be consulted and proposes several additions and amendments to this second draft. This is the same copy as sent to the applicant on 21st December 2023. To assist the ExA and aware of the timetable, we have prepared an Executive Summary. At the very core of this the CCB is especially interested in the apparent discrepancy between the assessment of relative tranquillity in the Sustainability Assessment compared to the second draft special qualities assessment. We deal with this in the Executive Summary at '**The calibration of impacts upon the special quality of relative tranquillity**'.

For ease of reference, all fresh (second draft) CCB comments are denoted in boxed text. We have annotated our executive summary comments, to assist the ExA, as follows:

- 'Matters with which we agree'
- 'New matters welcomed'.
- 'Matters outstanding'

For ease of reference, apart from the Executive Summary (in monochrome with red for emphasis) all new and/or updated points are in red text.

Relevant Action Points.

Action 25. Liaise with the Chilterns Conservation Board and councils on content of further assessment on the Chilterns Area of Outstanding Natural Beauty (AONB).

Action 26. Confirm how achievable it is for the proposed increase in flights to avoid the AONB.

Action Point 42. Submit draft of the assessment on the special qualities of the Chilterns National Landscape with completed report to be submitted at the following deadline (deadline 6 or 7).

Executive Summary of the Special Qualities (SQ) Second draft (CCB Comments)

The CCB fully acknowledges the detailed care and attention given to our comments submitted on the first draft (at Deadline 6).

Disagreements do exist. However, to assist the ExA, we have set out several points in response. For ease of reference, all 2nd draft comments are in boxed text. The timetable may or may not permit further dialogue. In any event, the ExA have been considering the impact of overflying upon the special qualities of the AONB. We consider the special qualities (SQ) report to be material to the ExA's recommendations to the Secretary of State.

In essence, our key points are as:

'Matters outstanding' - This point links to Table 5.1: Special Qualities Screening. Omitted Special Qualities (SQs). The special qualities of an archaeological landscape and the dramatic chalk escarpment should be included in the 'yes' category, to be scoped. (CCB's recommendation for inclusion).

A disagreement remains as to which special qualities linked to relative tranquillity are impacted by the proposed expansion. **The CCB maintains that the setting of an archaeological and dramatic chalk escarpment along the Chilterns Ridge is impacted**, for example, Bronze and Iron Age archaeology at Ivinghoe, Pitstone and Aldbury Nowers. The ExA visited Ivinghoe Beacon during their site visits on Tuesday 23rd May 2023. Aircraft overfly this landscape at or below 7,000ft. The ExA noted that *'the footpath leading to the Beacon is under the footpath'*. (Case Ref: TR020001 The Examining Authority's Note of an Unaccompanied Site Inspection).

The sweeping escarpment of the Chilterns Ridge is rich in archaeology. To illustrate this point, we have pasted (below) Figure 3 from an English Heritage study in 2001, which shows the Bronze Age and Iron Age landscape of the Chilterns Ridge. The CCB is itself heavily engaged in the 'Beacons of the Past' National Lottery Heritage Fund project to record and improve the condition of the many Hillforts that pepper the escarpment, historically taking advantage of its topography and bequeathing what is now a strong place identity. In November 2023, Cholesbury Camp was removed from the Heritage-at-Risk register because of this work.

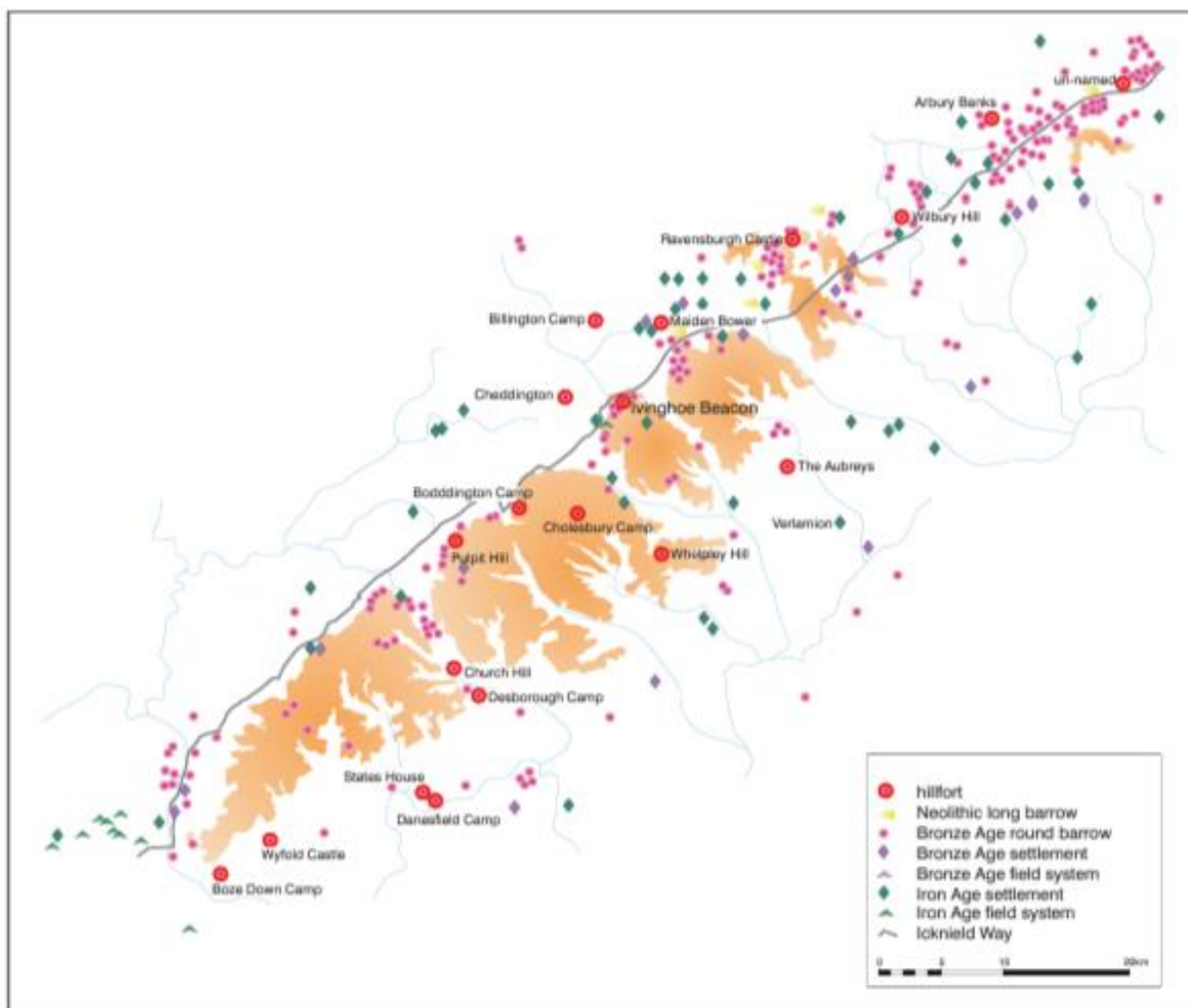


Figure 3 The Bronze Age and Iron Age landscape of the Chiltern Ridge, showing the relationship between known hillforts, settlement, field systems and funerary monuments.
 (Source: English Heritage (2001) Ivinghoe Beacon, Ivinghoe Buckinghamshire Archeological Investigation Report Series 15/2001, ISSN 1478-7008. Report by Moraig Brown. London: English Heritage.

‘Matters outstanding’ – This point links to Methodology and Overview 3.1 as a supplementary point of detail.

Methodology, accommodating the boundary extension project - the Rochdale Envelope approach.

In their detailed response to the CCB, the applicants do not pursue this point. The SQ study, notwithstanding its detail, does not countenance the AONB boundary review at all. The methodology adopted should be duly transferable within the wider Chilterns. If you take the land to the east of the existing airport and its AONB candidate status the metric or measures promoted should be readily transferable to this candidate land. We append the candidate areas, as promoted by the CCB in 2013, as promoted by the CCB in its 2013 report, a document accepted at the NSIP/DCO scoping stage by PINS. **CCB seeks a brief commentary on the methodology agreed for the SQ study, to confirm that it can be carried forward into the boundary review project, once in the public domain (anticipated Spring 2024).**

‘New matters welcomed’ – This links to 6.3.17 + and the assessment of Effects.

Landing Lights.

This is mentioned, albeit briefly, at 6.4.12. **The CCB’s assumption that they are switched on below 10,000 ft remains unchallenged, and, therefore, we assume is correct.**

‘Matters Outstanding’ – This links to 6.0+ dealing with the assessment of special qualities.

The calibration of impacts upon the special quality of relative tranquillity.

The applicants accept that the relative tranquillity of the Chilterns will be impacted. This is the key point. The applicants rely upon the language used by the Landscape Institute in their professional guidance. A material variation exists between the calibrated impacts upon relative tranquillity in the submitted ES and the draft SQ. We draw attention to this below.

In essence, the SQ says that,

(red denotes directly attributable quotes from the SQ second draft or the updated ES)

Phase 2(a) that (6.3.22) *‘The effect on this SQ is assessed to remain **negligible adverse, which is not significant**’.*

Phase 2(b) that (6.3.25) *‘A further increase in the number of overhead aircraft may be perceptible in views from within the AONB during this period. The effect on this SQ is assessed to rise to **minor adverse, which is not significant**’.* (our emphasis)

and continues that, (also 6.3.25) *‘A further increase in the number of overhead aircraft **may** be perceptible in views from within the AONB during this period’* (our emphasis)

On relative tranquillity, (6.4.6) *‘Policies and guidelines for managing change in the AONB recognise that airport expansion could result in more aircraft over-flying the AONB and identify that this could harm the tranquillity of the AONB’.*

On Effects (6.4.12) *‘Aircraft movements would continue to increase over the Study Area during this assessment phase. However, the geographical increase in the extent of the overflight contours during this assessment phase would be small (refer to Figures 6.7, 6.9, 6.11 and 6.13). As noted above, the relative tranquillity of some parts of the AONB within the study area is currently compromised due to **noise from major roads and existing aircraft movements. Any views of aircraft landing lights would be fleeting.** The relative tranquillity of the remainder of the AONB would not be affected. The magnitude of impact on this SQ during this phase is judged to remain as **very low adverse**’.* (our emphasis).

The calibration of impacts in the SQ study is at variance with the submitted ES. The CCB drew attention to this at the 1st draft consultation stage, stating that (on the first draft), ‘Table 10: Summary of Effects on AONB SQ, is at variance with the Environmental Statement when dealing with overflying aircraft movements; for example, in examination document APP 040/AS079 at

14.9.20, at 14.9.22 and in Table 14.7 sensitivity analysis. We know the applicants will want to iron out these issues. The ES must prevail as a document already scrutinised in the examination’.

The applicants response to this in their second draft SQ appendix (stakeholder comments log and responses) is that,

Chapter 14 Landscape and Visual of the ES [AS-079] considers the likely effects of the Proposed Development on the perceptual and aesthetic qualities of the AONB and concludes that significant effects on this receptor occur from Assessment Phase 2b onwards. The Assessment specifically considers ‘Panoramic Views’ and ‘Relative Tranquillity’ and the likely effects of the Proposed Development on these SQ’s. The two reports are assessing the likely effects on different (albeit related) receptors which results in the ‘variance’ noted by CCB.

To refresh, the ES deals with overflying aircraft at **APP 040/AS079 at 14.9.20**), ‘*The aesthetic and perceptual characteristics of the landscape within the Chilterns AONB, which is a high sensitivity receptor, is judged to experience an impact of low adverse magnitude in this assessment Phase 2b period. This is principally due to the noticeable increase in aircraft movements that are anticipated to pass over the AONB below 7,000 ft (AMSL) during this period, associated with an increase from 21.5mppa to 32mppa. and as identified on Figures 14.14 to 14.17 of this ES [TR020001/APP/5.03], which is judged to permanently deteriorate the sense of tranquillity perceived by those recreating within the AONB (APP 040/AS 079 at 14.9.22)*, this is calibrated as, ‘**moderate adverse, likely significant**’ effects.

The ES accepts, rightly, that these operational effects constitute permanent, lasting effects, resulting from the increase in aircraft movements. This increase is calibrated across 3 phases of proposed growth in air traffic movements (21.5 mppa to 2027, 27mppa to 2039 and 32 mppa to 2043). Aesthetic factors cover the appreciation of landscape beauty in the Chilterns and its perceptual qualities, notably wildness and/or tranquillity. **The CCB submits that the ES must be given greater weight due to its reliance on a methodology contained within a statutory instrument, whilst the SQ, even though welcomed, is an ad hoc assessment submitted to assist the examination.**

‘Matters Outstanding’ – This point links to 6.0+ dealing with the assessment of special qualities.

Relative tranquillity calibration – principal point. In the ES the applicants report that at phase 2(b) a significant effect will impact the perceptual and aesthetic qualities of the AONB. In the SQ tranquillity study overflying aircraft at phase 2(b) will impact upon the SQs as a minor impact, which is not significant. (our emphasis).

The applicants encapsulate the difference as accountable due to different (albeit related) receptors. In our judgment, the receptors are the same, i.e. people walking/recreating in the landscape and experiencing a change in their perceptual and aesthetic appreciation of that landscape.

The CCB would make the point that the SQ tranquillity study has recalibrated the ES’s conclusion without any real rationale to support it. No real explanation is offered to justify the claim as to a material difference to receptors. **If time permits, the CCB is grateful that this point is addressed.**

‘New matters welcomed’. This Links to appendices/figures on page 38+

Tranquillity Mapping Fig 6.7 to 6.10 is welcome.

Dark Skies Mapping Fig 6.11 is welcome.

Figures 14.14 to 14.17 of the ES are reproduced in the SQ. We have assumed that this information is the same, noting that the dates of production are different (now Dec 2023). Thus, we assume that 14.14 to 14.17 (ES) is the same as Fig 6.3 to 6.6 (SQ appx).

CCB welcomes clarification on this point.

(Section 1 page 3 para 1.1.7 and 1.1.8) Methodology.

The CCB has not previously been a party to discussing the tranquillity assessment methodology. At the 29th of September 2023 Issue-Specific Hearing (6), we did raise the point that any methodology should also include consideration of the Civil Aviation Authority’s **CAP 1616 Guidance** (Airspace Change: Guidance on the regulatory process for changing the notified airspace design and planned and permanent redistribution of air traffic and on providing airspace information, 4th edition March 2021) and the **Airports National Policy Statement (ANPS)** at its 5.222, ‘Developments outside nationally designated areas which might affect them – *The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The development should aim to avoid compromising the purposes of designation, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints*). Subsequently, we have discovered that the Department for Transport **Air Navigation Guidance 2017** is also relevant.

CCB recommends that these documents be included in this methodology.

This is now dealt with in section 5.

This is now acknowledged, and we are grateful for this.

TRANQUILITY is an acknowledged feature in the definition of natural beauty when AONBs are designated (Natural England’s guidance). We are mindful that a **boundary extension** of the Chilterns AONB is ongoing. The **CCB, in a 2013 report**, promoted the land east of Luton for consideration. That point was recognised by PINS in their scoping opinion/consultation. A series of Landscape Character Assessments to the east, describe the series of ridges and valleys between Luton and Hitchin. This is a chalk landscape of great natural beauty. In the judgment of the CCB it fulfils a number of the NE’s published criteria for natural beauty.

Natural England dealt with the special qualities (SQs) of the Chilterns in their written representations (Deadline 2, 22nd August 2023), requiring **further information to evaluate the potential impacts on the special qualities of the AONB**. A **red flag** raised by Natural England denoted a fundamental concern. We share that concern, and we ask that consideration be given to the forthcoming boundary extension. A strong candidate is the **17 landscape character areas** to the south of the A505 and to the east of the airport. The CCB has promoted this land as a potential candidate since 2013.

CCB recommends that the applicants adopt a Rochdale Envelope approach (i.e., a measure of reasonable flexibility in the final design delivery). It therefore follows that the boundary extension project is acknowledged. Any methodology as approved or promoted in this document would be transferrable to other land, should it be so designated.

We could not find any discussion of the Rochdale envelope.

(Section 2, page 4 para 2.1.2. Stakeholder Engagement).

We comment again on this, but apart from following the 4-stage approach advocated by Scottish Natural Heritage (SNH) in reference I, no other detailed discussion focuses on this document, which resonates greatly with this study. The CCB comments further in section 6 (Assessment).

(Section 2, page 4, Table 1: NE comment on SQ proposed methodology)

(Table 1 - Box Two) - The commentary acknowledges limitations exist when applying a GLVIA/ LVIA approach to the consideration of special qualities, such as relative tranquillity. The commentary, however, goes on to fall back on a LVIA led approach due to the, *'absence of a single defined methodology'*, albeit with a caveat that the methodology will provide an appropriate commentary, *'to explain these limitations and to assess the impacts on the special qualities in question'*.

CCB promotes a far more ambitious approach (see section 6 Assessment methodology comments).

(Table 1 – Box Three) – CCB fully accepts the point made by NE that measuring the susceptibility of relative tranquillity is a very challenging baseline. Yet NE provided a steer (22nd August written representation) stating that this requires a *'full narrative description of effects plus the sensitivity of human receptors more widely across the AONB to increases in air traffic to provide ourselves, the conservation board and ultimately the examining authority with the most helpful assessment possible'*

CCB proposes, in pursuit of the NE 'narrative description' approach (in their letter of 22nd August) a new **tranquillity baseline**, based upon two documents,

(1) Natural England's 2011 Guidance on Assessing Landscapes for Designation as a National Park or AONB. This deals with relative tranquillity, defined as, *'the degree to which relative tranquillity can be perceived in the landscape'*. The Landscape Institute (LI) define tranquillity as *'a state of calm and quietude associated with peace, considered to be a significant asset of landscape'*. (GLVIA 3rd edition glossary).

(2) The GLVIA's glossary definition of perception, as *'combines the sensory (that we receive through our senses with the cognitive (our knowledge and understanding gained from many sources and experiences) and the Landscape Institute's guidance on 'susceptibility of visual receptors to change'*. (GLVIA 3rd edition page 113 and para 6.33), that *'The visual receptors most susceptible to change are generally likely to include (second bullet), people, whether residents or visitors, who*

are engaged in outdoor recreation, including use of public rights of way, whose attention or interest is likely to be focused on the landscape and on particular views’.

In Table I - Box Three, we do not understand the consultant's answer (right-hand column). CCB recommends that the threshold height of 7,000 feet altitude needs to be explained and justified. NE also sought this in their 22nd August written representation. We assume this is derived from the Department for Transport's Air Navigation Guidance (2017).

CCB recommends the need to assess the perceptual qualities of the landscape, based (for example) on CPRE's noise mapping, the PROW network and the LI's susceptibility threshold (i.e., at a higher level of expectation) and then an element of judgment based on site-specific perceptions of tranquillity.

We would anticipate a degree of mapping is undertaken with layers denoting AONB area, overflying contours, CPRE mapping data of dark skies and PROW/access/National Trust and BBOWT or other open access land. We know that some Local Authorities are embarking on tranquillity studies to inform their new Local Plans (for example, South Oxfordshire). Thus, such an approach is not entirely new within the landscape profession. This SQ study needs to set the methodology and, therefore, to include these criteria, as discussed previously.

(Table I – Box Four) This acknowledges that value attached to the special qualities is very high.

CCB supports this.

Section 3, page 6 para 3.1. Methodology – Overview.

CCB recommends, in summary,

- (1) The CCB supports the x 4 stage approach advanced and aligned with the SNH methodology. However, no other technical details in the SNH study are included in the discussion of this methodology. The methodology now proposed (Oct 2023) is a more fulsome reworking of the original (31st July 2023) draft and is wholly based upon the Landscape Institute's GLVIA approach, and
- (2) At stage (c) far greater mention/discussion needs to be made of susceptibility.

Each stage of the x 4 stage process is explored in detail. However, this is almost wholly based upon the GLVIA/LVIA approach. The caveat mentioned at Table One – Box Two appears absent in the stage 3 discussions. That caveat was that, *‘The commentary, however, falls back on this LVIA methodology due to the, ‘absence of a single defined methodology’, albeit with a **caveat** that the methodology will provide an appropriate commentary, ‘to explain these limitations and to assess the impacts on the special qualities in question’.*

Section 3, page 6 para 3.4.7 Methodology – Overview

The stage 3 discussions (paragraph 3.4.7 onwards) briefly touch on visual effects and susceptibility. 3.4.7, states that susceptibility is mainly a function of, *‘the occupation or activity of people experiencing the view at particular locations’.* Table 4 (page 9) acknowledges that a high value may be attributed by *‘people whether residents or visitors who are engaged in outdoor*

recreation, including users of PROW'. This is consistent with the Landscape Institute's GLVIA 3rd edition at its 6.3.3, which states that 'the visual receptors most susceptible to change are generally likely to include (second bullet)... People, whether residents or visitors, who are engaged in outdoor recreation, including use of public rights of way, who attention or interest is likely to be focused on the landscape and on particular views'.

CCB recommends that this GLVIA guidance is quoted in the methodology. This is now acknowledged, and we are grateful for this

CCB recommends acknowledgement that such visual effects include overflying aircraft. That would be consistent with the caveat as mentioned at Table One – Box Two.

CCB recommends further clarification, following the GLVIA 3rd edition approach, that the sensitivity of a visual receptor requires an assessment of the visual value of a view and the susceptibility of the visual receptor. In this case, the visual susceptibility is high and over-flying aircraft impact that. CCB also deals with this in our comments dealing with Table 9 – Screening of the Special Qualities.

This is now acknowledged, and we are grateful for this

Section 4, page 16, para 4.2.1 Special Qualities.

CCB supports this. It is worth stating in the text that this content is drawn from the 2019-2024 Management Plan, as these documents are periodically reviewed, and this project extends for some time into the future.

The AONB Management Plan is now acknowledged, and we are grateful for this.

Section 5, page 18, para 5.1.2 Special Qualities.

This states that, 'The study area therefore defines a limit, based on guidance set out in GLVIA3 and CAP1616 (Ref. 7) and on professional judgement, beyond which it is considered unlikely for significant effects on the SQs to arise'.

CCB recommends that the ANPS (Aviation National Policy Statement) is also included. Regarding CAP 1616, the key thrust of this point should be that such national aviation guidance seeks to avoid over-flying nationally protected landscapes.

This is now acknowledged, and we are grateful for this.

Section 5, page 18, para 5.1.3 Study Area.

5.1.3 (a), (b) and (c) report the criteria for the study area in the ES (landscape and visual – - examination documents AS086 and AS 087).

The CCB would like to know why 7000 ft altitude is a threshold height for assessment. For example, we understand that aircraft landing lights are switched on at 10 000 ft. Natural

England (their written representation of 22nd August 2023) also sought this clarification as to source and baseline reasoning. Are the SQ assessments and proposed viewpoint locations based on planes at less than 7,000ft rather than the airport site? Is the 7,000ft from sea level or ground level at individual locations? If this is derived from the Dept for Transport Air Navigation Guidance 2017? We welcome this clarification and further detail on the altitude at which landing lights are switched on.

6.4.12. Landing lights – This is now included at 6.4.12.

Section 5, page 20, para 5.3 Identification of Relevant SQ's.

Links to section 5. From our reading of this, the new section 5 deals with and at Table 5.1: Special Qualities Screening.

A number of special qualities are incorrectly excluded:

Dramatic Chalk Escarpment, states, *'The Proposed Development would not affect this SQ as it would be located over 3km from this feature whilst aircraft movements associated with the Proposed Development would not affect these physical features, habitats and associated species.'*

CCB would recommend its inclusion because the escarpment at Ivinghoe Beacon / Pitstone and at Dunstable Downs, is impacted by overflying aircraft. In these areas the chalk escarpment is very much a part of the landscape and a strong component of the natural beauty and its perception and appreciation of the SQs of the AONB. The AONB countryside either side of Dunstable and Luton are already important for visitors and organisations such as the National Trust who do a lot to promote this, with in excess of 750,000 visitors a year to the NT's Chilterns Gateway visitor centre and the Dunstable Downs Kite Festival, 10,000 over the 2 days. The CCB's 'Chalkscapes' project (currently paused) seeks to engage underrepresented groups to visit the Chilterns in such locations.

Links to Table 5.1. Now included are panoramic views from and across the escarpment interwoven with intimate dip slope valleys and rolling fields. This is, however, scoped 'out' of the SQ methodology, i.e. deemed unaffected by overflying aircraft. **Links to Table 5.1: Special Qualities Screening**

Distinctive Buildings, Heritage & Archaeology states, *'Similarly, aircraft movements associated with the Proposed Development would not affect this SQ.'*

Heritage and archaeology in this context covers "archaeological landscape", "industrial heritage", "distinctive buildings" and "ancient routeways".

Heritage is one of the SQs excluded.

CCB questions the exclusion of heritage. Overflying along a corridor between Aylesbury and Dunstable and at Warden Hill does impact settlements and heritage within the AONB. We refer to the ES Ch 14 figures 14.4 to 14.17, which denote contours and frequency. Two communities within the AONB at Markyate and Flamstead are acknowledged as affected. This was recorded in the papers supporting the recent Secretary of State's decision on 13th October 2023 to allow 19 MPPA (see reference APP/B0230/V/22/3296455, para 18 and para 8.150. In that decision, we accept the Secretary of State and reporting Inspectors determined that the AONB was not negatively impacted at 19 MPPA. This proposal is distinguished by the much higher MPPA volumes being proposed in the Luton Rising proposal.

Among the SQs of the Chilterns AONB that should not be excluded from the Assessment are those relating to heritage (see e.g. “archaeological landscape”, “industrial heritage”, “distinctive buildings” and “ancient routeways” on p.11 of the Chilterns AONB Management Plan 2019-2024). Aircraft movement and noise might be significant visual and aural detractors from the enjoyment of any of these SQs, whether or not they are designated heritage assets. With regard to this issue the online NPPG guidance observes that “the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity” (Paragraph: 013 Reference ID: 18a-013-20190723). The impacts on the appreciation of the significance of these heritage SQs could be addressed together rather than separately for each SQ. Historic England has produced a guidance note on the setting of heritage assets which would be of value as a source document to inform the assessment methodology, particularly in terms of how HE’s guidance addresses the NPPG guidance.

To assist, this is available at

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>)

This guidance pays specific attention to the online NPPG guidance that “the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity” (Paragraph: 013 Reference ID: 18a-013-20190723)

CCB recommends that these special qualities are impacted and should be included.

Links to Table 5.1 now includes ‘An extensive and diverse archaeological landscape, including ancient parish boundaries, medieval field patterns and iron age hillforts; extensive remnants of woodland heritage, including sawpits, charcoal hearths and wood banks’.

This special quality is deemed ‘out’ of the SQ study methodology, i.e. deemed unaffected by overflying aircraft. **Links to Table 5.1: Special Qualities Screening**

Public Rights of Way & Numerous Ancient Routeways and Sunken Lanes, states, ‘Similarly, aircraft movements associated with the Proposed Development would not affect this SQ’..

The Ridgeway passes to the east of Tring (within the contouring in the ES Ch 14 figures 14.4 to 14.17 and would be impacted. **CCB** deems that these special qualities are impacted and should be included. Many public rights of way crisscross the AONB within these contours.

The **CCB** would recommend that a more holistic assessment of the perceptual qualities of the AONB, is adopted. The impact of overflying aircraft affects the perception of natural beauty, including tranquillity.

Links to Table 5.1 – Overall point. This is a more detailed reporting of the Special Qualities than in the original (first) draft. The ‘in’ and ‘out’ points should, in our judgment, include the ‘archaeological landscape’ and ‘dramatic chalk escarpment’ as mentioned in Table 5.1.

Of material relevance, we noted the inclusion of ‘*Increased aircraft movements associated with the Proposed Development could affect this Special Quality as parts of the AONB are located in areas where aircraft would be below 7,000 ft. and therefore considered in Section 6 of this report.*’

Links to Table 5.1: Special Qualities Screening

Section 6, page 25 ASSESSMENT.

Links to Table 5.1: Special Qualities Screening

In the second draft the authors are still wedded to 3 special qualities, as:

- a. “Panoramic views from and across the escarpment interwoven with intimate dipslope valleys and rolling fields”.
- b. “Relative tranquillity and peace on the doorstep of ten million people, one of the most accessible protected landscapes in Europe; relatively dark skies, of great value to human and wildlife health; unspoilt countryside, secret corners and a surprising sense of remoteness”.
- c. “A dense network of 2000km of rights of way; two national trails, the ridgeway and Thames path; notable regional routes such as the chiltern way and the chilterns cycleway”.

We are of the opinion that an archaeological landscape (for example as found at Ivinghoe Beacon) and a dramatic chalk escarpment (for example as found at Pitstone Hill) should be included in the methodology.

The assessment of impacts in this section is primarily based on landscape views. Paragraph 6.2.7 does acknowledge that these views allow people to appreciate the natural beauty of the area. We agree with that. The CCB recommends that this section refers to the Environmental Statement as an agreed baseline of tranquillity impacts. For ease of reference, we include our summary, which deals with tranquillity.

CCB’S KEY POINTS ON AONB BASELINE.

Aesthetic and Perceptual Characteristics are highly material. (cross-reference to the ES Chapter 14 Examination document **APP 040, superseded by AS079**)

A baseline is established in the Environmental Statement, but no AONB assessment methodology is advanced.

Environmental Statement Chapter 14 on landscape and visual matters. APP 040 is superseded by AS079.

The landscape assessment in the ES chapter 14 places great emphasis (which is applied at many points) on an appreciation of the ‘**aesthetic and perceptual characteristics of the landscape within the Chilterns AONB**’. This baseline is applied in Ch 14 at **APP040/AS079 14.9.4 section x ‘landscape effects’,** in which such **aesthetic and**

perceptual characteristics are deemed potentially sensitive to change, following the airport's expansion.

When dealing with overflying aircraft movements (**APP 040/AS079 at 14.9.20**), *The aesthetic and perceptual characteristics of the landscape within the Chilterns AONB, which is a high sensitivity receptor, is judged to experience an impact of **low adverse magnitude** in this assessment Phase 2b period. This is principally due to the noticeable increase in aircraft movements that are anticipated to pass over the AONB below 7,000 ft (AMSL) during this period, associated with an increase from 21.5mppa to **32mppa**. and as identified on Figures 14.14 to 14.17 of this ES [TR020001/APP/5.03], which is judged to **permanently deteriorate the sense of tranquillity perceived by those recreating within the AONB (APP 040/AS 079 at 14.9.22)**, this is calibrated as, '**moderate adverse, likely significant**' effects. The ES accepts, rightly, that these operational effects constitute **permanent, lasting effects, resulting from the increase in aircraft movements**. This increase is calibrated across 3 phases of proposed growth in air traffic movements (21.5 mppa to 2027, 27mppa to 2039 and 32 mppa to 2043). Aesthetic factors cover the appreciation of landscape beauty in the Chilterns and its perceptual qualities, notably wildness and/or tranquillity.*

APP 040/AS 079 at Table 14.7 sensitivity analysis. The ES methodology accepts that tranquillity is affected when aircraft fly **below a threshold of 7,000 ft**. It is accepted in the ES that (at ES Ch 14 Table 14.7 'sensitivity analysis') next-generation aircraft will result in '**no change**' as to the likely effect when assessing landscape impacts. Our understanding is that most airline operators ask that pilots turn on landing lighting below 10,000 ft. **So the impact is visual – permanently so – and the applicant's accept that technological improvements cannot diminish this.** In the language of the ES the impact will be '**moderate adverse, likely significant**' harm' and this will be of a long-lasting impact upon the aesthetic and perceptual characteristics of the AONB.

CCB is concerned that the calibration of impacts reported in the Special Qualities study appears to be at variance with the Environmental Statement. This text needs to be amended and assessment recalibrated to be consistent with the ES, for example,

at 6.2.3, that, '*a further increase in the number of overhead aircraft may be perceptible in views from within the AONB during this period. The effect on this special quality is assessed to be **minor adverse**, which is not significant*'. (CCB's emphasis)

6.2.5. That by 2025 (the design year) the magnitude of impact will be '**very low adverse**'. (CCB's emphasis).

At 6.3.9, some areas are deemed '**compromised**' due to 'noise from major roads (notably the M1) and existing aircraft movements'. (CCB's emphasis).

CCB recommends that all these statements be cross-referenced or correlated with the ES, as cited above, and the correct ES conclusions are substituted.

Section 6, page 28 6.3 Relative Tranquillity

CCB agrees with the SQ study that,

6.3.5 *Policies and guidelines for managing change in the AONB recognise that airport expansion could result in more aircraft over-flying the AONB and identify that this could harm the tranquillity of the AONB. The Proposed Development would not physically impact land within the AONB but it could introduce changes that may impact on the perceptual and aesthetic characteristics of the landscape within the AONB, including tranquillity. These changes would, in some instances, be experienced in locations where traffic and aircraft noise is evident.*

6.3.6 *The susceptibility of this SQ is therefore assessed to be medium.*

6.3.7 *Based on the value and susceptibility, the sensitivity of this SQ is assessed to be high.*

As a logical follow-on from these statements, CCB recommends that these points are tied into the ES where it deals with such matters as,

*The aesthetic and perceptual characteristics of the landscape within the Chilterns AONB, which is a high sensitivity receptor, is judged to experience an impact of **low adverse magnitude** in this assessment Phase 2b period. This is principally due to the noticeable increase in aircraft movements that are anticipated to pass over the AONB below 7,000 ft (AMSL) during this period, associated with an increase from 21.5mppa to **32mppa**, and as identified on Figures 14.14 to 14.17 of this ES [TR020001/APP/5.03], which is judged to **permanently deteriorate the sense of tranquillity perceived by those recreating within the AONB (APP 040/AS 079 at 14.9.22)**, this is calibrated as, ‘**moderate adverse, likely significant**’ effects. The ES accepts, that these operational effects constitute **permanent, lasting effects, resulting from the increase in aircraft movements**. This increase is calibrated across 3 phases of proposed growth in air traffic movements (21.5 mppa to 2027, 27mppa to 2039 and 32 mppa to 2043). Aesthetic factors cover the appreciation of landscape beauty in the Chilterns and its perceptual qualities, notably wildness and/or tranquillity.*

CCB recommends that the Scottish Natural Heritage (SNH) study needs to be factored into the assessment methodology.

The methodology requires an acknowledgement that ‘effects’ on the landscape are potentially felt outside the boundary of the designated area (SNH para 6), that special landscape qualities are ‘perceptual qualities and are about the way people respond to place’ (SNH para 11) and that ‘where the SLQs interact with each other (contributing to the experience in the study area) they are best presented and consider together as a group’. (SNH para 22). In fact, SNH para 22 also states that, ‘understanding where people go and how people move through and experience the landscape is crucial’. These points are fundamental building blocks for the SQ tranquillity assessment.

CCB, therefore, recommends greater detail in the discussion of tranquillity. The SNH study makes the point that, ‘judgments on special qualities and on the level of the impacts on special qualities are based on (a) the sensitivities of the resource, (b) the nature of the effects, (c) the potential to avoid or mitigate the effects, and (d) limitations to carrying out mitigation’.

CCB recommends that the methodology on tranquillity sets out a matrix for assessment, which includes the following.

- Volumes of overflying aircraft (cross-refer to ES)
- Height of overflying aircraft/threshold heights, including if landing lights are on.
- The nature of perceptual qualities, the number of special qualities and their cumulative impacts
- Public rights of way, National Trust, and other accessible countryside land that is overflown.
- Other metrics may apply, for example, dark skies mapping, heritage assets mapping and the mapping of the AONB itself.
- It is possible to produce a digital map similar to that produced by DEFRA's MAGIC resource to show these layers. Completion of this is not required for this exercise, but the multi-layers of these data sets need to be set out in the methodology. Such data sets establish a tranquillity baseline from which a mitigation strategy may be informed. Such an output also coincides with Action 26 asking the applicants to, 'Confirm how achievable it is for the proposed increase in flights to avoid the AONB'.
- Updated ZTV's (zones of theoretical visibility) to identify where planes would be visible (7,000ft above each location)?
- **Natural England** in their 22nd August written representation, sought clarification on the basis of a flight elevation below 7,000 ft. We welcome the applicant's clarification as to why this elevation was chosen. Natural England's point to a lack of information has yielded further discussion on the delivery of an assessment methodology, to be agreed upon between Natural England and Luton Rising. To assist, tranquillity is impacted by, in this case the AONB, overflying, and the impact is a product of both noise and visual impacts. Below 7,000 ft, we assume, noise is audible and below 10,000 ft visibility is evident, and at that threshold, most aircraft pilots will turn on their landing lights.
- To acknowledge that dark skies are a constituent ingredient of tranquillity.

Links to new section 6.2.

CCB welcomes the introduction of new information in the submission of (new) section 6.2 *Overflights*. We are perfectly content with the locations derived from the ES, to be reported in Table 6.1 at Deadline 7, we assume. The breakdown of data across phases, including baseline data, is welcomed and is an action that focuses on the Panel's Action Point 43

We agree with the selection of Viewpoints A, B and C, for example, which was discussed at the stakeholder meeting on 30th October 2023, as convened by the applicant's landscape team.

On public rights of way - Paragraph 6.3.16 states that based on the value and susceptibility, the sensitivity of this SQ is assessed to be high. This clarification is welcomed.

CCB welcomes (in the appendices) the newly mapped data on tranquillity (Figs 6.3 to 6.6) and on Dark Skies (Fig 6.7). This is immensely useful.

Section 7, page 31, SUMMARY OF EFFECTS ON AONB SPECIAL QUALITIES.

Table 10: Summary of Effects on AONB SQ, is at variance with the Environmental Statement when dealing with overflying aircraft movements; for example, in examination document APP 040/AS079 at 14.9.20, at 14.9.22 and in Table 14.7 sensitivity analysis. We know the applicants will want to iron out these issues. The ES must prevail as a document already scrutinised in the examination.

CCB recommends that the ES points on tranquillity and overflying are included in this study (as listed below).

We wish to draw attention to the helpful ‘overflying’ plans, figures 14.4 to 14.17 in the ES APP-152, superseded by AS-102. These baseline assessments (2019) and overflying projections for phases One, 2(a) and 2(b) are very useful in any discussion of tranquillity, associated with lighting and visual impacts. Reference should be made to them.

Figure 14.14 provides a baseline of the number of aircraft (2019) per day up to 7,000 ft = 150 per day (7-00 to 23-00) eastward over CCB’s AONB candidate land & 10/20 west over the AONB (Bucks direction) & 10/20 north over the AONB (N Herts direction).

Figure 14.15 (phase one) = 150 per day (7-00 to 23-00) eastward over CCB’s AONB candidate land & 10/20 west over the AONB (Bucks direction) & 10/20 north over the AONB (N Herts direction).

Figure 14.16 Phase 2 (a) increases to 200 per day eastwards over CCB’s AONB candidate land & 10/20 west over the AONB (Bucks direction) & 10/20 north over the AONB (N Herts direction).

Figure 14.17 Phase 2(b) increases to 350 per day eastwards over CCB’s AONB candidate land & 20/50 west over the AONB (Bucks direction) & 10/20 north over the AONB (N Herts direction).

Links to section 6 Assessment of Effects on Special Qualities.

As we read the new ‘Effects’ section, a good deal is new. Our comments are set out as,

We are especially interested in the relationship between overflying aircraft and tranquillity. The metric or measure used here is one derived from landscape methodology (negligible, significant, and so on).

Phase One states that:

6.3.19 The increase in aircraft movements would be barely perceptible in views from within the AONB during this period. The significance of effect on this SQ is assessed to be negligible adverse which is not significant.

Phase 2(a) that:

6.3.22 The effect on this SQ is assessed to remain negligible adverse, which is not significant.

Phase 2(b) that:

6.3.25 A further increase in the number of overhead aircraft may be perceptible in views from within the AONB during this period. The effect on this SQ is assessed to rise to minor adverse, which is not significant.

Of interest, 6.3.25 states that, 'A further increase in the number of overhead aircraft may be perceptible in views from within the AONB during this period' (our emphasis)

On relative tranquillity, 6.4.6 Policies and guidelines for managing change in the AONB recognise that airport expansion could result in more aircraft over-flying the AONB and identify that this could harm the tranquillity of the AONB.

Effects

Phase 2(b) that, 6.4.12 Aircraft movements would continue to increase over the Study Area during this assessment phase. However, the geographical increase in the extent of the overflight contours during this assessment phase would be small (refer to Figures 6.7, 6.9, 6.11 and 6.13). As noted above, the relative tranquillity of some parts of the AONB within the study area is currently compromised due to noise from major roads and existing aircraft movements. Any views of aircraft landing lights would be fleeting. The relative tranquillity of the remainder of the AONB would not be affected. The magnitude of impact on this SQ during this phase is judged to remain as very low adverse. (Our emphasis).

We agree that existing aircraft movements are noticeable.

The applicant would need to assist the ExA with which roads exert such an impact. This was mentioned by the applicant in the Issues Specific Hearing on 29th November 2023. No real explanation has been given on these roads, their location and how they impact upon relative tranquillity within the AONB/National Landscape.

The conclusions in the SQ are at variance with the ES's conclusions on relative tranquillity. The applicants address this point in their comments on stakeholder consultation (their appendices). We comment in our summary (at the top of this paper), essentially that the same receptors (people walking in the landscape) are at stake in both the SQ and the ES's methodology.

7.0. QUESTION 5 - Suitability of mitigation measures

7.1. Mitigation Measures.

CCB welcomes mitigation but cannot see how overflying aircraft, with landing lights on, can be mitigated. Any discussion of mitigation must also refer to the decision-making duties set out in the Countryside and Rights of Way Act 2000, section 85 (as amended). We do recommend, in any event, that the mitigation of tranquillity is discussed, and such limitations are placed in the public domain.

We would also draw attention to the enhanced status of AONB Management Plans following a Government amendment to the 'LURB' Levelling Up and Regeneration Bill (introduced on 21st September 2023 at the third Reading in the House of Lords). The LURB received Royal Assent on 26th Oct 2026.

Links to appendix ID 27, page 21 (response to stakeholder consultation).

CCB could not find any discussion of mitigation measures in the final chapter/conclusions.

This was a matter raised by the ExA at **Action 26**. *Confirm how achievable it is for the proposed increase in flights to avoid the AONB.*

The applicants confirm, in their appendices when commenting on stakeholder consultation, that such mitigation by avoiding the AONB, cannot be delivered.

Additional plans figures 6.3 to 6.6 (overflying)

We have assumed that these are the same as those submitted in the ES. We ask because the dates have changed (now Dec 2023 on these plans). If they have been changed, that does present a dilemma in that the ExA and the stakeholders/statutory consultees will need to know if the originally submitted EA is being varied.

CCB welcomes this clarification.

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9th January 2024 (Deadline 7).