



**LONDON LUTON AIRPORT EXPANSION DEVELOPMENT CONSENT ORDER APPLICATION
CENTRAL BEDFORDSHIRE COUNCIL RESPONSE TO ExAs FURTHER WRITTEN QUESTION**

The following table sets out the response of Central Bedfordshire Council to the ExAs Further Written Questions (dated 15 December 2023).

ExQ2 Broad, cross-topic and general questions	Question to	Question	CBC Response
BCG.2.1	All Interested Parties	<p>Written questions following Hearings At the Hearings [EV13-006], [EV14-008], [EV15-013] and [EV16-009] a number of questions were converted to written questions to be answered at deadline (D)7. Please provide responses to these questions alongside those requested under further written questions (ExQ2). If you are providing your responses to ExQ2 in a table, the Examining Authority (ExA) is happy for you to include the responses to the hearing questions at the end of the relevant section. For example, questions from EV-014 could be included at the end of the responses to the traffic and transport questions from ExQ2.</p>	<p>Issue Specific Hearing (ISH) 9 – Action Point (AP) AP11 – CBC have no remaining concerns regarding the timescales for approvals and activities set out in the GCG Framework, and accept the amendment made by the Applicant from 21 to 28 days for the ESG to approve plans.</p> <p>ISH9 – AP14 – Sanctions for continued breaches</p> <p>As noted at ISH9, CBC remain concerned that there are no effective sanctions for continued breaches of Limits under the proposed GCG Framework. As currently drafted, where a Limit is breached the Applicant would be required to implement a Mitigation Plan, but there is no consideration of what might happen should that Mitigation Plan not reduce impacts below those which were assessed as part of EIA, beyond implementation of a further Mitigation Plan. As such, simply by breaching a Limit, a breach of the DCO does not occur, provided efforts are made to mitigate that breach. This means the enforcement regime under the Planning Act 2008 would not apply.</p>

			<p>CBC noted the discussions at ISH9 around the appropriateness of use of a local rule restricting (or reversing) slot allocation in the event of a continued breach, but note concerns raised by the Applicant that local rules require agreement with airlines, and as such commitment to implementing a local rule could not be made by the Applicant.</p> <p>Absent an ability to 'reverse' growth in the event of continued breaches of Limits, CBC consider that a proportionate, but suitably robust, financial sanctions regime should be put in place, culminating in payments to a community fund (which the Authorities propose is the existing Community Fund proposed to be kept in place under the s.106 agreement, which already envisages 'penalty' payments for different breaches (by airlines) being paid into it). There has been discussion during the Examination as to the need for the benefits of growth to be equitably shared between the Applicant and local communities. The same principle applies in the event of continuing breaches which give rise to ongoing adverse effects on communities – those communities should be appropriately compensated. This approach is supported in various aviation industry guidance, such as in the Civil Aviation Authority CAP 1129: Noise Envelopes available at https://publicapps.caa.co.uk/docs/33/CAP%201129%20Noise%20Envelopes.pdf [accessed 5 January 2024]. This states on page 51 that financial compensation to a community fund is one</p>
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			<p>form of appropriate action in the event planning controls are breached.</p> <p>CBC are not advocating for such a sanctions regime to be triggered in the event a Limit is breached initially. Instead, it is proposed to apply only where a Mitigation Plan has not been effective in removing that breach within 12 months of its implementation (or within the relevant timetable contained within that Plan). The financial sanctions could be payable periodically where a Limit is shown to remain breached (e.g. every 3 months) or annually on a pro rata basis – it would depend on the nature of the breach and the monitoring in place. This would clearly need to operate alongside the required revised Mitigation Plan – if that was able to correct the Limit breach within a reasonable timescale, the financial sanctions would clearly be reduced.</p> <p>The quantum of financial penalty needs to be of a sufficient level to act as a real incentive to operate the Airport in a way so as to encourage a precautionary approach to growth. In this context, CBC note that the Applicant will have benefited from increasing its capacity whilst not meeting the Limits in the GCG Framework. In terms of how such financial penalties should be calculated, it is helpful to consider, by way of analogy, penalties payable under other regulatory regimes. For example, the environmental sentencing guidelines link the level of fines with turnover, resulting in significant fines (running into the millions) for breaches of environmental legislation. Another</p>
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			<p>example is that under the street works regime – in the event that such works overrun, a set amount is payable per day for the duration of that overrun. However, CBC also acknowledge the need for a proportionate, reasonable approach. For that reason, the Host Authorities are willing to discuss the level of financial penalty with the Applicant.</p> <p>CBC are aware of the Applicant's position that such a sanctions regime is not required due to the robustness of the GCG Framework. In response to that, the Authorities would submit that if that is correct, the risk of a financial sanctions regime being triggered would be minimal, so putting one in place would be of low risk to the Applicant. In any event, an approach similar to the GCG Framework is unprecedented, so it is reasonable there is some residual doubt as to its effectiveness.</p> <p>Please see document reference: [REP6-094].</p>
BCG.2.3	All Interested Parties	<p>Central Government policy and guidance Are you aware of any updates or changes to Government policy or guidance, including emerging policies, such as the National Planning Policy Framework (NPPF), that may come into force before the end of the reporting period that could be relevant to the determination of this application? If yes, what are the likely implications for the application?</p>	<p>The NPPF was updated in December 2023 and places significant emphasis on beautiful design. This should be reflected in the Design Principles document. There are no other changes to the NPPF that are considered applicable to the proposed development that would alter CBCs previous policy assessment.</p> <p>Noise response: Government indicated within the Overarching Aviation Noise Policy (March 2023) that it is their intention to publish a noise policy paper later this year in 2023.</p>

			<p>CBC consider it is likely to incorporate the changes set out in Appendix 30: Response to ExQ1 PED.1.2 - Aviation 2050 The Future of UK Aviation [REP4-156], which are:</p> <ul style="list-style-type: none">• setting a new objective to limit, and where possible, reduce total adverse effects on health and quality of life from aviation noise.• developing a new national indicator to track the long-term performance of the sector in reducing noise.• routinely setting noise caps as part of planning approvals (for increase in passengers or flights).• requiring all major airports to set out a plan which commits to future noise reduction, and to review this periodically. <p>The Overarching Aviation Noise Policy issued in March 2023 maintains the commitment to noise reduction, through reference to ICAO's Balanced Approach to Aircraft Noise Management, which aims to reduce aircraft noise in a variety of ways.</p> <p>There is not expected to be any support for the Applicant's position that no reduction in night-time noise is acceptable.</p>
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BCG.2.4	All Local Authorities	<p>Updates on development Provide an update on any applications for planning permission or prior approval that have been submitted/ determined since the ExA's first written questions (ExQ1) [PD-010] that could either affect the Proposed Development or be affected by the Proposed Development and confirm whether these could change the conclusions reached in the Environmental Statement (ES). Could you also provide an update on the following applications: 1. Wandon End Solar Farm; and 2. Bloor Homes application.</p>	<p>CBC have confirmed that a proposed solar farm to the south of the runway constitutes permitted development by virtue of Class F of Part 8 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (CBC ref. CB/23/03617/OAC). This is part of a solar farm that would also extend into the administrative area of LBC (reference 23/01314/GDPOP).</p>
BCG.2.6	Applicant, Luton Borough Council (LBC) and the Joint Host Authorities	<p>Section (s)106 – Heads of Terms (HoT) At D6 the Applicant provided a summary of the s106 HoT [REP6-072]. These differ from those included in the Planning Statement [REP5-016, section 5.8] in that they no longer include a provision for highways works or the re-provision of Prospect Day Nursery. Explain why these are no longer included or if they are still required, where/ how they should be secured.</p>	<p>CBC are engaged in on-going discussions with the Applicant on the proposed S106 agreement.</p> <p>CBC have continued concerns around the proposed highway mitigation at various locations (relating to but not limited to their design, funding etc.) and the interaction between this and the TRIMMA arrangements. Discussions are on-going around the best mechanism for ensuring the funding and timely delivery of appropriate mitigation through a legal agreement.</p> <p>The removal of the reference to entering into Section 278 agreements as the means of securing and delivering highways works places an even greater emphasis on the need for a robust set of protective provisions for the Local Highway Authorities. Reinstating this provision within the</p>

			<p>Section 106 would help address the significant concerns currently related to the currently proposed wording within the DCO.</p> <p>A Section 278 / 38 agreement would also provide for an appropriate mechanism to allow for the dedication of land as public highway should detailed design or amendments to any schemes make this necessary. As such CBC would advise that reference to S278 being the mechanism referenced within the Section 106 should be retained.</p>
BCG.2.11	Applicant and all Interested Parties	<p>s106 – HoT</p> <p>Throughout the Examination the Applicant and various Interested Parties (IPs) have advised that certain mitigation measures would be needed and could be secured through the s106. These include, but are not limited to:</p> <ul style="list-style-type: none"> • request by Historic England [REP1-070] and [REP4-173]; • request by Bedfordshire Fire and Rescue Service [RR-0142]; • request by East of England Ambulance Service NHS Trust [RR-0401]; and • various requests from the Joint Host Authorities. <p>1. Applicant: Explain why these are not included in the current HoT and, if they are required, signpost where/ how these are being secured.</p>	<p>As set out above, CBC are engaged in on-going discussions with the Applicant on the proposed s106 agreement, as well as other issues, with a view to agreement being reached prior to the end of the Examination, including on the items to be included in the s.106. Whilst CBC are now broadly content with scope of the heads of terms (subject to the response above), as discussions progress and conclude on other matters (e.g., GCG), it may be that further items need to be secured through the s.106 agreement or variations made to those items currently secured.</p> <p>The headings of additional items CBC are seeking to secure are set out below:</p> <ul style="list-style-type: none"> • Contribution for traffic calming and works to the Luton Road / Chaul End Road junction in Caddington • Works to the junction of Luton Road / Newlands Road / Farley Hill

		2. Interested Parties: List any further mitigation measures that should be included in the HoT with an explanation as to why.	<ul style="list-style-type: none"> • Monitoring and mitigation at the junction of the B653 / West Hyde Road • Monitoring of the Slip End Cross Roads.
BCG.2.12	Applicant and all Interested Parties	<p>s106 – Alternatives The Applicant intends to submit a completed s106 agreement at D9 (30 January 2024) [REP6-072]. However, should the s106 not be completed could any of the matters that would have been secured by the agreement be secured through other means eg a requirement? If so, provide details of which elements, how they could be secured and an appropriate form of drafting.</p>	<p>CBC will continue to seek to work with the Applicant with a view to reaching agreement on the s.106 agreement in good time during the Examination.</p> <p>However, CBC are conscious that the end of the Examination is fast approaching, so it would be prudent to consider a 'backstop' solution in a scenario where the s.106 agreement is not agreed prior to the end of the Examination.</p> <p>Notwithstanding the points made in the Examining Authority's Rule 17 request dated 3 January 2024, CBCs' view at this stage is that the nature of the detailed provisions that would be contained in a completed s.106 agreement would not in themselves be appropriate for inclusion as a DCO requirement (or requirements). Instead, CBC consider that the most robust approach would be for a new DCO requirement to be included that requires a s.106 agreement to be entered into prior to the authorised development commencing (or certain DCO powers being exercised). There is general precedent for this approach in other made DCOs (such as the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (as amended)).</p> <p>CBC will discuss this approach with the Applicant as part of the on-going engagement on the s.106</p>

			agreement and will seek to present an update on this position to the Examining Authority at Deadline 8.
BCG.2.13	Applicant and all Relevant Highway Authorities	<p>Traffic modelling – implications for air quality, health, and noise and vibration assessments</p> <p>1. Relevant Highway Authorities: Review the final report summarising the outcome of the accounting for Covid-19 in transport modelling that should be submitted by the Applicant on 15th December 2023 [AS-159]. Provide a summary of any outstanding concerns and what needs to be amended/included in order to satisfactorily address the concern(s) by D7.</p> <p>2. Applicant: If there are outstanding concerns please review and provide details of how they will be resolved during the Examination by D8.</p> <p>You may wish to link the answer to this question with your response to question TT.2.1.</p>	Please see comments on D6 documents.

Green Controlled Growth (GCG)			
GCG.2.2	All Local Authorities	<p>Increase of thresholds, limits and contours</p> <p>Confirm whether any additional wording is required in the GCG framework [REP5-022] to limit the circumstances in which an increase in the thresholds, limits or contours could be allowed, for example in paragraph 2.3.4 of the framework.</p>	No additional wording is required.

GCG.2.10	All Local Authorities	<p>Automatic Number Plate Recognition (ANPR) data Do you consider that a specific mechanism is required in the draft DCO to agree the location and approach to monitoring traffic using ANPR, or similar, to inform air quality impacts in Appendix C of the GCG framework [REP5-028]? If not, why not?</p>	<p>A specific mechanism within the Draft DCO would be supported by CBC, as this would provide greater certainty to the Local Authorities. At present the only reference to ANPR locations is within the OTRIMMA, which would not directly relate to the monitoring requirements in Appendix C. There would therefore appear to be some logic and benefit in ANPR locations which cover traffic movements and air quality to be agreed and coordinated (as far as is practicable).</p>
Need			
NE.2.2	Applicant and all Local Authorities	<p>Forecasting with Gatwick The forecasting parameters in the Need Case [AS-125] limits growth at Gatwick Airport to 50 million passengers per annum (mppa), although the response to ExQ1 N.E.1.4 [REP4-059] states this could rise to 53.5mppa on a single runway by 2050 (51mppa at 2030 and 52mppa). The post hearing submission response for ISH2 from the Joint Host Authorities [REP3-093] comments that Gatwick Airport has estimated that the airport could accommodate a passenger throughput of 67mppa in a base case without a northern runway (ie do-nothing scenario). Applicant: 1. Explain why there is a difference between your assumptions and that by Gatwick Airport as quoted by the Joint Host Authorities. 2. Explain whether a difference of 14mppa between the figures can be considered</p>	<p>London Gatwick Airport's assessment of its own capacity with just its existing single runway is higher than that used as an illustration by CSACL in its September report to the Host Authorities (REP2-057). Therefore this capacity assessment made by Gatwick's management/advisors gives further weight to the position of CSACL that the Applicant has under-estimated the capacity available at Gatwick, and in turn this would delay achievement of a 32 mppa throughput at Luton. CSACL also contended that passenger handling capacity at Heathrow would increase for similar reasons as at Gatwick (viz. continued growth in average passengers per movement) in contrast to the Applicant's assumed 90 mppa limit at Heathrow. Further growth in Heathrow's capacity would also make its own contribution</p>

		<p>'marginally greater' (using the terminology in your response to ExQ1 NE.1.4 in [REP4-059]) and the implications a difference in increase of 14mppa would have on your forecasting figures.</p> <p>Local Authorities: 3. Provide any comments on this question.</p>	<p>to delaying achievement of 32 mppa throughput at Luton.</p>
Noise			
NO.2.1	All Local Authorities	<p>2019 actuals/ consented baseline The called-in decision for application ref: 21/00031/VARCON creates a potential 19 mppa fall-back position. On the basis that this fall-back position now exists, can the local authorities provide detailed reasons if, and if so why, they consider it necessary to use a baseline position other than the 2019 actuals that is set out in the ES? If an argument remained to use the 2019 consented baseline as the core case, what specific additional assessment do the Local Authorities consider would need to be submitted (including any health-related assessment) and why?</p>	<p>The P19 decision only increases the noise contour limit for future years and does not amend limits for years past. For 2019, any baseline can therefore only be directly compared against the previous P18 decision. No summer periods since 2019 have given rise to noise contours greater than those that would have been limits for the P18 decision, and therefore use of any of these other years as a baseline would also be compliant and acceptable to CBC.</p> <p>The Applicant is requested to propose future summer period noise limits in both the day and the night that fall below the historic baseline, showing noise reduction over time. These noise limits can be greater than the future baseline years (the do-minimum), as this increase in total adverse effects is permitted by UK aviation policy, so long as a trend of noise reduction continues.</p> <p>The Applicant's newly proposed summer period noise limits should also demonstrate</p>

			<p>a fairer balance of benefit sharing with the local community than currently proposed. It is noteworthy that acceptance of a non-compliant baseline could set a precedent whereby regularising a breach only results in positive outcomes for an airport. In such a case, it becomes easier to demonstrate noise reduction associated with any new application (even then the Airport only manages this in the daytime).</p>
NO.2.3	All Local Authorities	<p>Disregarded movements The Air Noise Management Plan [REP6-051, paragraph 2.6.1] includes a list of movements to be disregarded. Confirm whether the grounds for dispensation are acceptable, given that certain matters identified may be within the control or influence of the airport. Confirm whether the Applicant should reference any particular guidelines on dispensation.</p>	<p>Paragraph 2.6.1 of the referenced document refers to Sections 2.1.6 to 2.5 within it. It is assumed that this should properly read 2.2 to 2.5 and would request the Applicant double-check these references.</p> <p>The grounds for dispensation listed in bullets a - g (forming the total list) are acceptable, on the basis that accepted definitions are used for bullets a and b. The Applicant should either fully define these two terms or make reference to Annex F: Guidelines on Dispensations of Department for Transport's Night Flight Restrictions, March 2023 to ensure these grounds are correctly applied and for the avoidance of doubt.</p> <p>The two terms are: 'serious congestion' (bullet a), and 'widespread and prolonged disruption of air traffic' (bullet b). The remaining bullets are sufficiently clear to not need further definition.</p>

<p>NO.2.4</p>	<p>Applicant and all Local Authorities</p>	<p>Noise violation limits The Air Noise Management Plan [REP6-051] includes a proposed reduction in the noise violation limits from 2028, consistent with the current permission. Given the long-term nature of the Proposed Development, should the plan seek to include additional reductions in those limits in subsequent phases?</p>	<p>The Noise Violation Limits (NVLLs) in place at London Luton Airport have contributed to ensuring aircraft fly in the correct manner, but manner but have not clearly led to incentivisation for quieter aircraft, which has been achieved through other means. NVLs should be proposed to reduce over time, in line with the introduction of quieter aircraft. If these are not entering service, then reducing NVLs could lead to fines for the majority of aircraft, which potentially disincentives flying quieter aircraft. The Air Noise Management Plan therefore needs to include scope to reduce NVLs, where appropriate, and for this approach to be suitably secured. Such an approach could include reviewing NVLs as part of London Luton Airport's Noise Action Plan.</p> <p>While this is within the control of London Luton Airport, should they choose not to tighten NVLs over time, a situation could arise whereby aircraft fly in a less-regulated manner. This in turn impacts the summer noise contours, which are enforceable. NVLs are therefore a useful tool for London Luton Airport to maintain for their own benefit.</p> <p>These comments should be read in conjunction with the Response to Suono's Note on Noise Controls [REP6-052] in the CBC comments on Deadline 6 documents.</p>
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<p>NO.2.5</p>	<p>Applicant and all Local Authorities</p>	<p>ATM cap Noting the Applicant's comments about the crudeness of simple movement caps [REP1-003], can the Applicant and Local Authorities confirm what the numeric value of a total ATM cap should be if one were to be applied to the airport. Should the cap vary over time?</p>	<p>The total ATM cap should be no greater than what has been assumed within the various assessments undertaken for the DCO application. This will ensure that the provided secondary metric information, such as overflights and Number Above contours remains accurate. The Need Case [AS-125] identifies this figure as 209,410 aircraft movements.</p> <p>A phasing or varying of this cap over time is not expected to offer material benefits beyond what is being proposed by the 5-yearly forecasting period within the Green Controlled Growth framework. Variation of the ATM cap is not sought.</p> <p>These comments should be read in conjunction with the Response to Suono's Note on Noise Controls [REP6-052] in the CBC comments on Deadline 6 documents.</p>
<p>NO.2.6</p>	<p>Applicant and all Local authorities</p>	<p>Shoulder period noise controls If additional ATMs were consented during the night shoulder periods, as proposed by the Applicant, can you suggest what would be suitable shoulder period quota count point limits and/ or ATM limits?</p>	<p>As with the response to NO.2.5 ATM cap, the Limits, and associated quota count (QC) values, should be set based on aircraft movements and mix assumed within the DCO application. This would ensure that movements do not drift out of the core night period into the shoulder periods, where there is higher potential for sleep disturbance. It is not clear from the Applicant's documentation what the actual limit would be, but we expect the future possible QC budget figures will be provided by the Applicant at Deadline 7. Once this is</p>

			provided, CBC will be able to consider further.
NO.2.8	LBC, Central Bedfordshire Council and North Herts Council	Monitoring for ground noise impacts Do you consider that any additional noise monitoring should be undertaken in proximity to the airport in respect of ground noise impacts? If so, where should this be?	There is no control against which to monitor ground noise, which would make monitoring an additional exercise for CBC to maintain with little benefit. The controls in place limit the number of aircraft movements that can occur to a suitable extent such that ground noise is inherently controlled. This works alongside the Outline Ground Noise Management Plan [REP4-049].
NO.2.9	Applicant and all Local Authorities	Cargo, business and private ATM movements The impact of night flights has been raised as a significant concern by residents, in particular late night/ early morning cargo flights. 1. Applicant: explain what specific restrictions apply to cargo, business and private flights during the night-time period if different from commercial flights. 2. Local authorities: Given the proposed increase in commercial flights during the night period, should additional constraints now be placed on any cargo, business and private flights? If not, why not, and if yes what should they be?	As set out within the response to NO.2.6, a shoulder period limit would prevent drifting of movements from the core night to the shoulder periods. Cargo flights are likely to cause the most concern of the three listed in the question, as these flights typically consist of heavier, larger aircraft which create higher noise levels than commercial aircraft. These comments should be read in conjunction with the Response to Suono's Note on Noise Controls [REP6-052] in CBC comments on Deadline 6 documents.
Physical effects of development and operation Design			
PED.2.4	Applicant and the Local Authorities	Design principles – highway works	Whilst MfS may be suited to some locations, the nature of the roads within CBC where

		<p>Applicant: Design Principle HW.01 [REP5-034] refers to the detailed design being in accordance with the DMRB and Local Authority Highway Design Requirements. Has any consideration been given to design being in accordance with the DfT guidance Manual for Streets, particularly in areas where public realm functions are proposed? If not, why not?</p> <p>Local Authorities: Are there any aspects of Manual for Streets where the design of highway works would be applicable or should be applied in your respective areas? If so, indicate where and if not, why not?</p>	<p>highways works are proposed are such that DMRB would be the appropriate design standard to apply (with the works largely outside of populated areas and where speed limits and traffic flows would not accord with the criteria within MfS). The reference to being in accordance with Local Authority Highway Design Guidance should still allow for the application of MfS principles where appropriate, with CBC Local Guidance including reference to where DMRB and MfS standards would apply within the authority area.</p>
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<p>Historical Environment PED.2.8</p>	<p>Applicant and Central Bedfordshire Council (CBC)</p>	<p>Excavation of Roman settlement (HER 10808) Originally the Applicant proposed that the Late Iron Age/ Early Roman and Roman occupation site (Historic Environment Record (HER) 10808) would be preserved in situ. However, following a request from the Archaeology Advisor for CBC, section 9.1 of the Cultural Heritage Management Plan [REP4-020] includes a methodology for archaeological excavation of the site. The Cultural Heritage Gazetteer (CHG) [REP4-017] considers there would be a minor adverse/ not significant residual effect in the ES and a less than substantial harm on this asset. Applicant: 1. Given the proposal would now result in the loss of this heritage asset, justify the assessments provided on page 75 of the CHG [REP4-017]. CBC: 2. Are you in agreement with the assessments on this asset provided by the Applicant in the CHG? If not, why not? 3. Noting the content of footnote 68 on page 57 of the NPPF, is this non-designated heritage asset of archaeological interest demonstrably of equivalent significance to scheduled monuments? If it does would this change the conclusions of the assessment and if not, why not? Applicant and CBC: 4. Provide justification for the loss of this non-designated heritage asset against relevant policies in the NPPF, Airports National Policy Statement (ANPS) and development plan.</p>	<p>This is not a CBC matter. It has been flagged with LBC for consideration.</p>
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<p>PED.2.12</p>	<p>Applicant and all Local Authorities</p>	<p>Assessment on harm The CHG [REP4-017] identifies a number of heritage assets where 'less than substantial' harm would arise.</p> <p>What weight should be given to the cumulative impact of several cases of 'less than substantial' harm to heritage assets'?</p>	<p>CBC accept cumulative impact is inherent in respect to the operational outcomes of the proposed development to tranquillity and landscape character as setting. However, particular weight should be given to cumulative impact in respect of heritage assets with particular assigned significance of setting - such as the Luton Hoo mansion house with its historic designed parkland and historically encompassed landscape, beyond the B653, to the north east, as consistently flagged by CBC.</p>
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Landscape and visual impacts

<p>PED.2.18</p>	<p>Applicant and all Local Authorities</p>	<p>Hedgerows Work No. 5e proposes planting hedgerows alongside public footpaths across nearby fields as proposed 'additional mitigation' to screen the Proposed Development. However, it was noted during site inspections [EV1-021] that a number of these would be planted within open fields where views of the wider landscape, including towards the airport, could be considered to form part of the enjoyment and recreational value of these receptors. 1. Applicant: To what extent has this been considered in determining the suitability of planting hedgerows as a mitigation measure? 2. Local Authorities: Are there any areas of proposed hedgerow located within your areas that raise concern in this respect?</p>	<p>CBC recognise that users of Hyde FP4, FP5 and BW3 may use these to enjoy the wider landscape towards the airport. CBC Officer's have undertaken site visits and there are opportunities to view planes landing and taking off. However, this is more limited from BW3 and the purpose of the hedgerow planting in this location is unclear. From FP5 the hedgerow planting could potentially screen the FTG from these receptors but there is lack of detail in the submission to determine whether the hedgerow planting and potential boundary treatment (as detailed in the scope of Works 5e) would be suitably effective. There are other vantage points and scope for views to the airport from other nearby footpaths and field openings that ensure the enjoyment and recreational value of these receptors would not be detrimental.</p>
<p>PED.2.21</p>	<p>Applicant and all Local Authorities</p>	<p>Ash dieback Has the potential effect of ash dieback and the implications this could have on the proposed mitigation measures been considered in the Landscape and Visual Impact Assessment? If not, why not and should it be?</p>	<p>CBC are not aware that Ash dieback has been considered in the Landscape and Visual Impact Assessment. Existing woodland planting, notably Bush Pasture and George Wood provide an important role in screening the proposed development from key receptors and vantage points within Luton Hoo, as per the viewpoints listed below:</p> <ul style="list-style-type: none"> • Viewpoint 5 (REP3-009)

			<ul style="list-style-type: none"> • Viewpoint 17 and 17A (REP3-010) • Viewpoint 18 and 19 (REP3-011) <p>This screening needs to be maintained to ensure no further impact. CBC expect mitigation measures to be highlighted if the existing species include Ash.</p>
PED.2.22	Applicant and CBC	<p>Glint and glare Your response at D6 [REP6-056] to CBC D5 submission [REP5-066] states the mitigation proposed in the Glint and Glare assessment [REP4-040] to reduce the impact on airport operations would also reduce any impact that there may be on the sensitive landscape.</p> <p>1. Applicant: Explain how you have come to this conclusion in the absence of reference to landscape within the assessment.</p> <p>2. CBC: Does this response address your concerns?</p>	<p>Given the sensitive nature of Luton Hoo RPG it is considered that the Glint and Glare Assessment should include a landscape and visual assessment.</p>
Traffic and Transport			

TT.2.1	Applicant and all Relevant Highway Authorities	Transport modelling 1. Relevant Highway Authorities: Review the final report summarising the outcome of the accounting for Covid-19 in transport modelling that should be submitted by the Applicant on 15th December 2023 [AS-159]. Provide a summary of any outstanding concerns and what needs to be amended/included in order to satisfactorily address the concern(s) by D7. 2. Applicant: If there are outstanding concerns please review and provide details of how they will be resolved during the Examination by D8.	Please see comments on D6 documents.
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