



## Hertfordshire Host Authorities

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# **HERTFORDSHIRE HOST AUTHORITIES' COMMENTS ON ANY FURTHER INFORMATION / SUBMISSIONS RECEIVED BY DEADLINE 7**

London Luton Airport Expansion



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London Luton Airport Expansion

TYPE OF DOCUMENT (VERSION) **PUBLIC**

PROJECT NO. 70107305

PINS REF. NO. TR020001

DATE: **JANUARY 2024**



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# 1 INTRODUCTION

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## 1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This document represents a table of responses by the Hertfordshire Host Authorities to certain further information and submissions made by the Applicant at Deadline 7, to be submitted at Deadline 8. It has been prepared jointly by Dacorum Borough Council (“DBC”), North Herts Council (“NHC”) and Hertfordshire County Council (“HCC”), in collaboration with their technical consultants, together as the “the Hertfordshire Host Authorities” to set out further comments considered necessary in detailing the impacts upon the local area of the Applicant’s proposed London Luton Airport Expansion Project (“the Proposed Development”).
- 1.1.2. This document should be read alongside a separate response document also submitted at Deadline 8, entitled Host Authorities’ Response at Deadline 8 to DCO Matters which sets out the Hertfordshire Host Authorities’ responses to the dDCO documents and the Consents and Agreements Position Statement [REP7-007].
- 1.1.3. It should be noted that where information or a submission or point has not been responded to, it should not be taken that means the Hertfordshire Host Authorities agree to it. The current status of the various matters under discussion with the Applicant are recorded in the Statements of Common Ground (SoCG) and Principal Areas of Disagreement Summary Statements (PADSS).



## 2 REP7-019- GREEN CONTROLLED GROWTH EXPLANATORY NOTE (TRACKED CHANGE VERSION)

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table 3.7	GCG Limits and Thresholds for GHG emissions	Amendments to GCG Limits and Thresholds for GHG emissions.	<p>The limits and thresholds for Phase 2b operational emissions have been increased by approximately 20%, as per Table 5.1 of 7.08 Green Controlled Growth Framework [REP7-030] and Table 3.7 of 7.07 Green Controlled Growth Explanatory Note [REP7-018]. The following Phase 2b operational scope 1 and 2 emissions increases have been proposed:</p> <ul style="list-style-type: none"> <li>• Scope 1 and 2 emissions limit increase from 236 to 280 tCO<sub>2</sub>e/year;</li> <li>• Scope 1 and 2 emissions Level 2 Threshold increase from 224 to 266 tCO<sub>2</sub>e/year;</li> <li>• Scope 1 and 2 Level 1 Threshold increase from 212 to 252 tCO<sub>2</sub>e/year.</li> </ul> <p>The Applicant does not appear to have provided justification for these proposed Phase 2b operational emissions increases, which, according to the Green Controlled Growth Framework, are to align with the Jet Zero Strategy ambition of net zero airport operation emissions by 2040. Justification for the proposed emissions increases and alignment with the Jet Zero Strategy is therefore requested.</p>



### 3 REP7-021 – GREEN CONTROLLED GROWTH FRAMEWORK (TRACKED CHANGE VERSION)

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table 5.1	GCG Limits and Thresholds for GHG emissions	Amendments to GCG Limits and Thresholds for GHG emissions.	<p>The limits and thresholds for Phase 2b operational emissions have been increased by approximately 20%, as per Table 5.1 of 7.08 Green Controlled Growth Framework [REP7-030] and Table 3.7 of 7.07 Green Controlled Growth Explanatory Note [REP7-018]. The following Phase 2b operational scope 1 and 2 emissions increases have been proposed:</p> <ul style="list-style-type: none"> <li>• Scope 1 and 2 emissions limit increase from 236 to 280 tCO<sub>2</sub>e/year;</li> <li>• Scope 1 and 2 emissions Level 2 Threshold increase from 224 to 266 tCO<sub>2</sub>e/year;</li> <li>• Scope 1 and 2 Level 1 Threshold increase from 212 to 252 tCO<sub>2</sub>e/year.</li> </ul> <p>The Applicant does not appear to have provided justification for these proposed Phase 2b operational emissions increases, which, according to the Green Controlled Growth Framework, are to align with the Jet Zero Strategy ambition of net zero airport operation emissions by 2040. Justification for the proposed emissions increases and alignment with the Jet Zero Strategy is therefore requested.</p>



**4 REP7-023 – GREEN CONTROLLED GROWTH FRAMEWORK APPENDIX A – DRAFT ESG TERMS OF REFERENCE (TRACKED CHANGE VERSION)**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
A4.9.2 and A4.11.1	Noise Limit Review and GCG Review	Amendments to refer to Paragraph 24 of Schedule to the DCO.	The Hertfordshire Host Authorities have no comments to make suggest that these paragraphs be amended to refer to <i>Schedule 2</i> to the DCO.





**5 REP7-025 - GREEN CONTROLLED GROWTH FRAMEWORK APPENDIX B - DRAFT TECHNICAL PANELS TERMS OF REFERENCE (TRACKED CHANGE VERSION)**

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<b>Reference</b>	<b>Topic</b>	<b>Matters Raised</b>	<b>Hertfordshire Host Authorities Comment</b>
B4.12.1	GHG review	Amendments to refer to Paragraph 24 of Schedule to the DCO.	The Hertfordshire Host Authorities have no comments to make suggest that these paragraphs be amended to refer to <i>Schedule 2</i> to the DCO.



**6 REP7-035 - DESIGN PRINCIPLES (TRACKED CHANGE VERSION)**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Para 1.1.3 (a)	Landscape and Visual	<p>The Design Principles [REP7-034 and REP7-035] have been developed to secure ‘good design’ at the detailed design stage and were updated at Deadline 7 in response to initial feedback. It does not take into consideration additional comments sent to the Applicant prior to Deadline 7 by the Hertfordshire Host Authorities.</p> <p>Paragraph 1.1.3 (a):</p> <p><i>Requirement 5 (detailed design, phasing and implementation) in Schedule 2 of the Draft DCO [TR020001/APP/2.01] requires that the details of the buildings, structures and works must be approved by the relevant planning authority and that these details must be in accordance with this document, Design Principles.</i></p>	<p>The Hertfordshire Host Authorities are of the view that the revised Design Principles document [REP7-034] will not secure ‘good design’ at the Detailed Design Stage.</p> <p>The Hertfordshire Host Authorities are not aware of any narrative relating to landform and built form considerations that have informed the outline design but would welcome signposting to such. Such narrative should be complimented by the requirements set out in the Design Principles [REP7-034] document to ensure that such considerations are carried through to detailed design.</p> <p>The inclusion of Landscape-specific Design Principles LAND.14 and LAND.15 are welcomed. However, the Hertfordshire Host Authorities do not believe that these principles are sufficient to ensure ‘good design’ at detailed design stage, particularly in relation to built form, as no meaningful principles are outlined. Refer to more detailed comments on this in relation to <i>Visual impact of large scale-built development in a relatively elevated location</i> outlined in the PADSS, <b>to be issued at Deadline 8.</b></p> <p>The Hertfordshire Host Authorities welcome the Applicants commitment to a Design Review and the ongoing discussions with regard to the proposed scope of works proposed to be encompassed by Review but maintain its requirement for the Operator to engage in on-going Masterplan discussions with the Hertfordshire Host Authorities, stakeholders and the community throughout detailed design to ensure each “part” of the development realises ‘good design’ and as part of a holistic Masterplan.</p> <p>The new paragraph 5(6) inserted in Schedule 2 of the Draft DCO submitted at Deadline 7 [REP7-003] committing the undertaker to providing ‘specified authorities’ with an expected programme of works for the initial five-year period and, on a five year basis thereafter. Whilst this is welcomed, it does not satisfy the Hertfordshire Host Authorities on the need for a rather more wide-ranging engagement process.</p> <p>Reference should also be made to comments made in Section 6 of the Hertfordshire Host Authorities’ Comments On Any Further Information / Submissions Received By Deadline 6 [REP7-085], Applicant’s Post Hearing Submission – ISH8 [REP6-066] in relation to ISH 8 Agenda Item 10: Design - Paragraphs 11.1.8 and 11.1.17 Action Point 53.</p>
Para 1.1.3 (a)	Landscape and Visual	<p>The Design Principles [REP7-034 and REP7-035] have been developed to secure ‘good design’ at the detailed design stage and were updated at Deadline 7 in response to initial feedback. It does not take into consideration additional</p>	<p>The Hertfordshire Host Authorities are of the view that the revised Design Principles document [REP7-034] will not secure ‘good design’ at the Detailed Design Stage.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p>comments sent to the Applicant prior to Deadline 7 by the Hertfordshire Host Authorities.</p> <p>Paragraph 1.1.3 (a):  <i>Requirement 5 (detailed design, phasing and implementation) in Schedule 2 of the Draft DCO [TR020001/APP/2.01] requires that the details of the buildings, structures and works must be approved by the relevant planning authority and that these details must be in accordance with this document, Design Principles.</i></p>	<p>The Hertfordshire Host Authorities are not aware of any narrative relating to landform and built form considerations that have informed the outline design but would welcome signposting to such. Such narrative should be complimented by the requirements set out in the Design Principles [REP7-034] document to ensure that such considerations are carried through to detailed design.</p> <p>The inclusion of Landscape-specific Design Principles LAND.14 and LAND.15 are welcomed. However, the Hertfordshire Host Authorities do not believe that these principles are sufficient to ensure 'good design' at detailed design stage, particularly in relation to built form, as no meaningful principles are outlined. Refer to more detailed comments on this in relation to <i>Visual impact of large scale-built development in a relatively elevated location</i> outlined in the PADSS, <b>to be issued at Deadline 8.</b></p> <p>The Hertfordshire Host Authorities welcome the Applicants commitment to a Design Review and the ongoing discussions with regard to the proposed scope of works proposed to be encompassed by Review but maintain its requirement for the Operator to engage in on-going Masterplan discussions with the Hertfordshire Host Authorities, stakeholders and the community throughout detailed design to ensure each "part" of the development realises 'good design' and as part of a holistic Masterplan.</p> <p>The new paragraph 5(6) inserted in Schedule 2 of the Draft DCO submitted at Deadline 7 [REP7-003] committing the undertaker to providing 'specified authorities' with an expected programme of works for the initial five-year period and, on a five year basis thereafter. Whilst this is welcomed, it does not satisfy the Hertfordshire Host Authorities on the need for a rather more wide-ranging engagement process.</p> <p>Reference should also be made to comments made in Section 6 of the Hertfordshire Host Authorities' Comments On Any Further Information / Submissions Received By Deadline 6 [REP7-085], Applicant's Post Hearing Submission – ISH8 [REP6-066] in relation to ISH 8 Agenda Item 10: Design - Paragraphs 11.1.8 and 11.1.17 Action Point 53.</p>
Para 1.1.3 (a)	Landscape and Visual	<p>The Design Principles [REP7-034 and [REP7-035] have been developed to secure 'good design' at the detailed design stage and were updated at Deadline 7 in response to initial feedback. It does not take into consideration additional comments sent to the Applicant prior to Deadline 7 by the Hertfordshire Host Authorities.</p> <p>Paragraph 1.1.3 (a):  <i>Requirement 5 (detailed design, phasing and implementation) in Schedule 2 of the Draft DCO [TR020001/APP/2.01] requires that the details of the buildings,</i></p>	<p>The Hertfordshire Host Authorities are of the view that the revised Design Principles document [REP7-034] will not secure 'good design' at the Detailed Design Stage.</p> <p>The Hertfordshire Host Authorities are not aware of any narrative relating to landform and built form considerations that have informed the outline design but would welcome signposting to such. Such narrative should be complimented by the requirements set out in the Design Principles [REP7-034] document to ensure that such considerations are carried through to detailed design.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p><i>structures and works must be approved by the relevant planning authority and that these details must be in accordance with this document, Design Principles.</i></p>	<p>The inclusion of Landscape-specific Design Principles LAND.14 and LAND.15 are welcomed. However, the Hertfordshire Host Authorities do not believe that these principles are sufficient to ensure ‘good design’ at detailed design stage, particularly in relation to built form, as no meaningful principles are outlined. Refer to more detailed comments on this in relation to <i>Visual impact of large scale-built development in a relatively elevated location</i> outlined in the PADSS, <b>to be issued at Deadline 8.</b></p> <p>The Hertfordshire Host Authorities welcome the Applicants commitment to a Design Review and the ongoing discussions with regard to the proposed scope of works proposed to be encompassed by Review but maintain its requirement for the Operator to engage in on-going Masterplan discussions with the Hertfordshire Host Authorities, stakeholders and the community throughout detailed design to ensure each “part” of the development realises ‘good design’ and as part of a holistic Masterplan.</p> <p>The new paragraph 5(6) inserted in Schedule 2 of the Draft DCO submitted at Deadline 7 <b>[REP7-003]</b> committing the undertaker to providing ‘specified authorities’ with an expected programme of works for the initial five-year period and, on a five year basis thereafter. Whilst this is welcomed, it does not satisfy the Hertfordshire Host Authorities on the need for a rather more wide-ranging engagement process.</p> <p>Reference should also be made to comments made in Section 6 of the Hertfordshire Host Authorities’ Comments On Any Further Information / Submissions Received By Deadline 6 <b>[REP7-085]</b>, Applicant’s Post Hearing Submission – ISH8 <b>[REP6-066]</b> in relation to ISH 8 Agenda Item 10: Design - Paragraphs 11.1.8 and 11.1.17 Action Point 53.</p>



**7 REP7-043 - APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 26 AND ISSUE SPECIFIC HEARING 7 ACTION 10 - SUSTAINABLE TRANSPORT FUND (TRACKED CHANGE VERSION)**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Section 2.3 & s106 agreement	Surface Access	<p>The value of the Sustainable Transport Fund (SFT) has been increased to £37m through a change to the parking levy. This will be capped at either (A) the year when within 1mppa of the DCO application limit or (B) £37m. The Applicant has confirmed that any monies collected through the STF during the time period would remain available for sustainable transport measures.</p> <p>In the s106 agreement, the Applicant has identified a forward-fund of £1m for scheme pump-priming.</p>	<p>The Hertfordshire Host Authorities consider that there should be no cap on funding and that it should run in perpetuity to ensure that any ongoing impacts of London Luton Airport can continue to be managed and that the success of measures being implemented at the peak can be continued to support and manage the airport growth. This could be periodically reviewed by the ATF Steering Group following London Luton Airport reaching full capacity. Were reviews to find there to be a reduced need for STF interventions the levy could be subject to a phased reduction and in time ceased, if appropriate.</p> <p>The Applicant has confirmed that a fund of up to £1m could be brought forward to pump-prime early schemes (not limited to bus services) if required and evidenced through the monitoring, with the provision for the money to be re-couped from the fund by the Applicant at a later stage. The Hertfordshire Host Authorities would like to see greater flexibility in the value assigned for any early pump-priming of schemes through the STF as the level of schemes and potential value is currently unknown and it cannot be confirmed that £1m would be sufficient. The early scheme pump-priming fund should be available for any schemes that are identified and backed through the ATF process, so flexibility in the value is therefore required to manage the risk that is introduced to the Hertfordshire Host Authorities through insufficient funding being available.</p>





**8 REP7-047 - APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 8 ACTION 42 - CHILTERNs AREA OF OUTSTANDING NATURAL BEAUTY SPECIAL QUALITIES ASSESSMENT (TRACKED CHANGE VERSION)**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
REP7-047 Whole doc	Landscape and Visual	ISH 8 Agenda Item 9: Landscape & visual Action Point 42: <i>Submit draft of the assessment on the special qualities of the Chilterns National Landscape with completed report to be submitted at the following deadline.</i>	<p>The Hertfordshire Host Authorities welcome receipt of the Chilterns Area of Outstanding Natural Beauty Special Qualities Assessment <b>[REP7-046 and REP7-047]</b>. Comments provided on the draft version of the document were sent to the Applicant prior to Deadline 7, but were also formally submitted at Deadline 7 in Hertfordshire Host Authorities Comments On Any Further Information / Submissions Received By Deadline 6: Appendices <b>[REP7-085]</b>. Updates in response to these comments remain outstanding.</p> <p>Refer to comments made in Section 6 of the Hertfordshire Host Authorities’ Comments On Any Further Information / Submissions Received By Deadline 6 <b>[REP7-085]</b> and in Section 10 of the Applicant’s Post Hearing Submission – ISH8 <b>[REP6-066]</b> in relation to ISH 8 Agenda Item 9: Landscape &amp; Visual Paragraph 10.2.7 Action Point 42.</p>



**9 REP7-048 - APPLICANT’S RESPONSE TO WRITTEN QUESTIONS ARISING FROM HEARINGS**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Section 2.3, Table 1.3: ISH8 – WQ4	Landscape and Visual	<p>Question:</p> <p><i>For the earth bund illustrated in general arrangement drawing [AS-018] provide a further explanation for the design rationale for the earth bund and, noting its steep gradient and change in levels, how the design approach has had regard to the landscape character assessment for HLCA Area 200 – Peters Green Plateau.</i></p> <p>Applicants’ response:</p> <p><i>The design of the earth bund is largely influenced by the requirement to generate a plateau for the expanded airfield... The landscape character assessment (LCA) for HLCA Area 200 – Peters Green Plateau Character Area (Ref 2) states, amongst other things, that the character area is “truncated by the man-made landscape features associated with Luton Airport”...The proposed earth bund will therefore form part of the man-made landscape features within this LCA.</i></p>	<p>The Applicant is requested to signpost where the landform of the Site has been documented in terms of its existing character, levels and visibility as the baseline for informing the design.</p> <p>Whilst this bund is not located within HCCs boundary, the slopes are within the strategic landscape masterplan area and shown as amenity grassland (thus providing no screening). Creating taller screening belts of planting alongside the fuel tanks in the foreground of the slopes would better mitigate views from within HCCs boundary and contribute to more holistic mitigation than just hedgerow planting alongside footpaths within the HCC boundary.</p> <p>It should also be noted that the existing Airport infrastructure is described as ‘truncating’ the LCA – this is not a positive character that should be amplified within the LCA and should not become more extensive simply because a similar element already exists within the LCA.</p>
Section 2.3, Table 1.3: ISH8 – WQ5	Landscape and Visual	<p>Question:</p> <p><i>In respect of the earth bund design, and with reference to paragraph 5.218 of the Airports National Policy Statement, explain how the approach has aimed to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</i></p> <p>Applicants’ response:</p> <p><i>The earth bund design has developed in accordance with the Airports National Policy Statement (ANPS) (Ref 3) paragraph 5.218 and the need to take into account the potential impact on the landscape. The earth bund would be constructed using fill material excavated from within the development area rather than importing material from areas further afield. This approach minimises harm to the wider physical landscape as well as reducing other environmental impacts resulting from less movement of fill material.</i></p>	<p>The Hertfordshire Host Authorities do not agree that the earth bund minimises impact on the landscape as it appears to be, in part, a way to use up fill material in a cut and fill balance exercise rather than reflective of the character and requirements of the landscape. The Applicant is requested to signpost where the landform across the Site (in particular the area of the site where the built form / structures are to be located) has been discussed in terms of its character, levels and visibility and how the proposed design has responded to this. Clarification on how the earth bund has been created to mitigate harm to this baseline character and local landscape would then be welcomed.</p> <p>In relation to the earth bund, whilst it is not located within HCCs boundary, the slopes are within the strategic landscape masterplan area and shown as amenity grassland (thus providing no screening). The planting alongside the proposed fuel tanks area is very thin and if this was beefed up through the creation of taller screening belts of planting alongside the fuel tanks in the foreground of the slopes, this would better mitigate views from within HCCs boundary (to better screen views of the tanks and the slopes beyond) and contribute to more holistic mitigation than just hedgerow planting alongside footpaths within the HCC boundary (which create the adverse impact of blocking current open rural views).</p>
Section 2.3, Table 1.3: ISH8 – WQ8	Landscape and Visual	<p>Question:</p> <p><i>Paragraphs 4.21 to 4.24 of GLVIA3 identifies mitigation measures in respect of landscape and visual effects with reference to both primary and secondary measures. Can the applicant explain what primary mitigation measures were considered in respect of the siting, layout and parameters of buildings and structures in the Proposed Development.</i></p>	<p>The documents signposted in the Applicants response do not provide a clear narrative of the existing landform, character and context and how they have informed the design – i.e. a landscape-led approach to design to reduce landscape and visual impacts, particularly in the area where the main built form and structures would be located. The examples shown suggest retrofitting, by choosing / offering options that work technically / fiscally rather</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p>Applicants' response:</p> <p><i>The primary mitigation measures or those developed to become integrated or embedded into the project's design are identified in section 14.8 of Chapter 14 of the ES [AS079] and illustrated on Figure 14.9 of the ES [REP4-037]. Secondary measures are identified in section 14.8.6 onwards [AS-079] and illustrated on Figure 14.11-14.13 [REP4-037].</i></p> <p><i>The Proposed Development evolved through the consultation process during the pre-application period. This process and the embedded design (primary) mitigation adopted is summarised in Chapter 3 Alternatives and Design Evolution of the Environmental Assessment [AS-026] with reference to further information in the Design and Access Statement [AS-049] and associated appraisals, where landscape and visual impacts were considered In further summary, for example, these included:</i></p> <p><i>a. landform – the earthworks solution required to deliver the expansion to the airfield and landside facilities, paragraphs 3.3.4 to 3.3.6 [AS-026] e.g. “The preferred landform option performed best in terms of environmental effects, as it retained land along the northern part of the Main Application Site, thereby reducing the potential landscape effects and retaining open space for local communities.”</i></p> <p><i>b. drainage paragraphs 3.3.7 to 3.3.9 [AS-026] – the approach to water treatment;</i></p> <p><i>c. car parks paragraphs 3.3.14 to 3.3.24 [AS-026] – the location, scaling and makeup of car parks to continue to serve the airport, e.g. “Potential parking typologies for each site were identified on the basis of operational requirements. Multi-storey car parking was considered as the least suitable typology of car parking for the majority of locations, as a result of potential visual impacts ...” and “the preferred option minimised environmental impacts through the removal of car parking locations on Green Belt land (Sites 3, 4, 5 and 6) and allowed further land within the existing Wigmore Valley Park to be retained..;</i></p> <p><i>d. fuel farm – paragraphs 3.3.10 to 3.3.13 [AS-026] options to deliver fuels to aircraft;</i></p> <p><i>e. terminal, apron and supporting facilities paragraphs 3.3.20 to 3.3.24 [AS-026] – location and configuration of terminal, apron and supporting facilities. E.g. “..the selected western option (1A) scored best overall, as it minimised visual disturbance, impacts on land use...”, ; and</i></p> <p><i>f. design development following statutory consultation - Paragraph 3.4.3 of [AS-026] “Revised layout of the Proposed Development to reduce the extent of construction works required. This included a reduced Terminal 2 footprint, reduced footprints of car parks, reconfigured taxiways and reduced footprint of aircraft stands,”...iv. “a greater extent of the Winch Hill ridgeline was retained, including mature woodland/ hedgerow vegetation, which would screen the Proposed Development from visual receptors..’</i></p>	<p>than understanding the existing Site and designing it creatively to respond to site character and context.</p>





Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p><i>The siting and layout of the proposed buildings are described in Chapter 5 of Design and Access Statement [AS-049], in particular section 5.4 which articulates the rationale for the location of Terminal 2, section 5.9 which describes the rationale for the layout and parameters of T2, and later sections of Chapter 5 which describe rationale for siting of other buildings and structures.</i></p> <p><i>A section of Chapter 3 of the ES [AS-026] titled “Summary of environmental design measures in the ES” includes Table 3.4 which describes measures for each environmental aspects assessed including Landscape and Visual.</i></p> <p><i>The Design Principles document [TR020001/APP/7.09] includes general principles requiring designs to be responsive to landscape, landform and the historic environment (DQ.01, DQ.08, LAND.05). There are also specific principles requiring appropriate architectural surface finishes to reduce the visual impact of T2 (T.02), the Coach Station (T.41), T2 Dart Station (T.65), Hotel (ASF.02) and Hangars (ASF.09). A revised version of the Design Principles document was submitted at Deadline 7</i></p>	



10 REP7-052 - APPLICANT'S RESPONSE TO WRITTEN QUESTIONS - PHYSICAL EFFECTS OF DEVELOPMENT AND OPERATION

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
PED.2.4	Design	<p>Applicants Response to Design principles – highway works.</p> <p><i>Generally, the highway mitigation is designed with DMRB standards (Ref 3) as the key consideration, as these typically represent the most onerous requirements in terms of visibility and other design aspects, and therefore determine a more onerous Order Limit. However, as the designs are taken through the detailed design process, the Applicant will continue to work with the relevant local authorities in developing the designs, and this could- subject to agreement of relevant local highway authorities- include the application of Manual for Streets Ref 5) principles at certain junctions where appropriate.</i></p>	<p>The Hertfordshire Host Authorities response remains as detailed in Deadline 7 submission - Responses to the Examining Authorities Further Written Questions [REP7-087] relating to PED2.4:</p> <p><i>“Design Manual for Roads and Bridges (DMRB) is specifically aimed at major interurban roads. Applying it in more urban settings leads to over provision for vehicular traffic and under provision for other types of road user (e.g., cyclists and pedestrians). In the Hertfordshire context the Manual for Streets (MfS), DfT, 2007 &amp; MfS2, DfT 2010 and Local Authority Highway Design Requirements (Roads in Hertfordshire Highway Design Guide, 2011) should prevail. Hertfordshire County Council’s ‘Place and Movement Planning &amp; Design Guide’ (consultation version, 2023) states that the direct use of DMRB design standards are unsuitable for roads classified as rural lane, residential streets or inner urban streets and it is not possible to define specific locations at this time.”</i></p>
PED.2.18	Landscape and Visual	<p>Applicants Response to Hedgerows:</p> <p><i>The planting of hedgerows provides an opportunity for interconnected landscape and biodiversity enhancements responding positively to and offering opportunities for Landscape Character restoration. Landscape and Visual Impact Assessment (Chapter 14 Landscape and Visual of the ES [AS-079]) provides an objective and not a subjective approach to the landscape and wider views. Mitigation is designed and is intended throughout the construction activities as well as the future operation.</i></p>	<p>The Hertfordshire Host Authorities response remains as detailed in Deadline 7 submission - Responses to the Examining Authorities Further Written Questions relating to PED2.18 at Deadline 7 [REP7-087].</p>
PED.2.19	Landscape and Visual	<p>Applicants Response Hedgerow and hedgerow tree planting to footpath KW 005:</p> <p><i>The Detailed Visual Assessment [AS-139] identifies construction phase moderate adverse effects to the Users of footpaths near Lye Hill (including users of footpaths Kings Walden 003; Kings Walden 005; and Kings Walden 051) (pg. 123 of Appendix 14.5 Detailed Visual Assessment of the ES [AS-139]). Therefore mitigation planting was identified at this location to manage this effect and the content of pages 123-125 states that in Phase 2a: ‘Additional hedgerow and hedgerow tree planting proposed adjoining footpath Kings Walden 005 would have established to largely screen the Proposed Development during this assessment Phase. The magnitude of visual impact on this receptor is accordingly judged to reduce to low adverse’. The mitigation in this location has been proposed to reduce a significant moderate adverse effect down to a minor adverse, which is not significant.</i></p>	<ol style="list-style-type: none"> <li>1. The Applicants response identifies hedgerow planting as screening – presumably for the built form. It does not address the enclosing of a currently open view (itself an impact) or seek to consider built form in relation to site landform or character.</li> <li>2. The Hertfordshire Host Authorities request further clarification on mitigation and justification for its appropriateness by the Applicant in order to understand its effectiveness and purpose, particularly given that this forms the framework for the detailed design. The Hertfordshire Host Authorities do not consider a hedgerow in this location to be appropriate or justified if the impact of creating it results in an adverse impact itself. This does not appear to have been considered. It is considered that an open view across the more rural landscape should be maintained (i.e. to maintain much of the existing view and experience of those viewing it), with consideration of alternative mitigation given, such as in relation to building siting and design, and landscape mitigation such as tree planting in closer</li> </ol>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>proximity to the built form, or greening of facades through green wall planting.</p> <p>The Hertfordshire Host Authorities provided additional comments on Mitigation at Deadline 7 in Hertfordshire Host Authorities Comments on any further Information / Submissions received by Deadline 6 <b>[REP7-085]</b>.</p> <p>The Hertfordshire Host Authorities have provided additional comments on Mitigation in their Responses to the Examining Authorities Further Written Questions relating to Agenda Item 10 - Design - Primary Mitigation submitted at Deadline 7 <b>[REP7-087]</b>.</p>
PED.2.25	Landscape and Visual	<p>Applicants' Response to Planning Policy Assessment – NPPF:</p> <p><i>The Applicant considers that NPPF (Ref 6) paragraph 174a (now paragraph 180a in the NPPF as updated December 2023) has limited relevance to the Proposed Development having regard to the distance between the Proposed Development and the Area of Outstanding Natural Beauty (AONB), the topography, the scale of development proposed and the nature of existing intervening and surrounding built form. Although the Proposed Development would not strictly conserve or enhance the landscape and scenic beauty of the AONB, nor would it have any significant impacts upon it with the exception of effects arising from increased aircraft movements over the AONB from Phase 2b onwards <b>[AS-079]</b>, and not on its Special Qualities <b>[TR020001/APP/8.144]</b>. Whilst the Proposed Development is not in strict accordance with NPPF 180a, nor is there any strong policy conflict. Notwithstanding that great weight is to be given to conserving and enhancing landscape and scenic beauty of AONBs, the Applicant considers that this issue does not weigh heavily in the planning balance for the Proposed Development due to its limited relevance given the nature and scale of the assessed impacts.</i></p>	<p>The Hertfordshire Host Authorities agree with the Applicant that significant effects on the Chilterns AONB are predicted for assessment Phase 2b. However, it disagrees that these effects avoid compromising the purposes of designation i.e. to conserve and enhance their natural beauty. The Hertfordshire Host Authorities maintain that a 'significant effect' on the AONB will result in compromising the natural beauty of the Chilterns AONB by way of the perceptual and aesthetic qualities experienced. To that end, the Hertfordshire Host Authorities do not agree that the Proposed Development is consistent with the LURA amendment to Section 85 of the Countryside and Rights of Way Act 2000, in relation to impacts on the Chilterns AONB.</p> <p>The Hertfordshire Host Authorities refer the Applicant to their response in relation to PED 1.31 (unacceptable levels of Harm) submitted at Deadline 7 in their Comments on any further Information / Submissions received by Deadline 6 <b>[REP7-085]</b>.</p> <p>The Hertfordshire Host Authorities refer the Applicant to their response in relation to Implications of Section 245 of the Levelling-up and Regeneration Act 2023, which will amend Section 85 of the Countryside and Rights of Way Act 2000 submitted at Deadline 6 in their ISH Post-Hearing Submission <b>[REP6-093]</b>.</p>



11 REP7-055- APPLICANT’S RESPONSE TO WRITTEN QUESTIONS - NEED

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
NE.2.1	Revised Gross Domestic Product (GDP) Forecast	<p><i>The Office for Budgetary Responsibility (OBR) published its economic forecasts in November 2023 including revised GDP figures. Given that the model used for future forecasts in the Need Case uses economic forecasts dating back to March 2022, to allow the ExA to provide a recommendation to the Secretary of State (SoS) based on more up-to-date economic data, please provide revised forecasts for the central, slower and faster planning case based on the November 2023 OBR data and a written commentary of the extent to which the revised economic forecast affects the previous demand forecasts. If this is not considered to be appropriate, please explain why not.</i></p>	<p>Passenger forecasts are generally one of the first products of a forecasting exercise and form the basis of most other forecasts that need to be considered in an airport’s expansion plans. Therefore, it is often necessary to persist with the initial forecast for practical and economic reasons. One approach to handling this difficulty is to assume that the timing for other forecasts moves forward or backward but their values are not altered.</p> <p>In this application, the lower GDP forecasts of the OBR in November 2023 would be likely to result in lower passenger forecasts with other forecasts moving later in time. The impact on the forecasts for London Luton Airport though as noted previously can be overwhelmed by the assumptions made about the passenger handling capacities of Heathrow and Gatwick.</p> <p>The Applicant has presented the performance of previous Government forecasts against actual outcome, and draws attention to the DfT’s forecasts for 2011 and 2013. The data presented for those two years appears to correspond with the forecasts given in the original documents for those two years. However, The PDF version of the DfT’s 2011 forecast currently available online shows lower forecasts, with some 520 mppa in 2050 in the Central Case (c.f. nearly 600 mppa in Figure 1 of the LR document). The ExA should note that a systematic (though unacknowledged) error in the DfT’s modelling approach (pointed out to the DfT by CSACL) resulted in a change in the DfT’s approach applied to all later forecasts from 2013 onwards. The 2011 forecast gives at Para 8.3, a forecast of 345 mppa in 2030, some 40 mppa lower than that believed to be in the original 2011 document itself and which would be in agreement with the data presented in LR (York’s) Figure 1. It would seem that the DfT has retrospectively corrected its 2011 forecasts: it would be unreasonable to expect York to be aware of this.</p> <p>If Figure 1 of the LR document were re-drawn using the corrected (and lower) 2011 DfT forecasts, different conclusions might be drawn about whether forecasts “...produced during periods of strong economic growth can lead to an overstatement of long term demand...”.</p> <p>Passenger traffic at UK airports in the 12 months to the end of November 2023 was 269.5 mppa based on the addition of data in CAA monthly airport statistics. Calendar year 2023 traffic is likely to be some 272 mppa, compared to a 2019 total of 296.8 mppa.</p>
NE.2.2	Forecasting with Gatwick	<p><i>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</i></p>	<p>The Applicant’s response to the ExA’s first question concerning the difference in capacity assumptions is that they come from different sources,</p>





Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p><i>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).</i></p>	<p>the Applicant using a DfT assumption from 2017 and the Joint Host Authorities using those of Gatwick Airport's management. In a more recent document, the DfT has not given a passenger capacity assumption for Gatwick (or Heathrow) in acknowledgement that passenger handling capacities may increase with a given/capped number of aircraft movements as a consequence of increases in passengers per ATM (DfT jet-zero-further-technical-consultation-dataset, March 2023, Airport Capacity tab). The DfT now allows capacity to be determined by the number of aircraft movements allowed.</p> <p>Gatwick's own forecast of being able to handle 67 mppa in 2047 is based on greater use of the runway during both the quieter winter months and some less busy hours of the day to allow some 326,000 ATMs to be operated. It would in essence become more like Heathrow in having flatter diurnal and seasonal ATM profiles. This assumed capacities would require an average of 206 passengers per ATM – some short haul flights from Gatwick will already be operating today with passenger loads equal to or greater than this, with both easyJet and WizzAir operating their A321 neos with some 235 seats. In the 12 months to the end of November 2023 this parameter at Gatwick had recovered to 158 passengers per ATM. From this base, passengers per ATM would need to increase at an average rate of 1.1% per annum over the 23 year period. This may be compared with an historic achieved average rate of 1.4% per annum over the 20 years between 1999 and 2019.</p> <p>Without resort to modelling it is clear that an extra 14 mppa capacity at Gatwick would mean fewer passengers at London Luton. The heat chart in LR's Need Case (Need Case Figure 6.6) showing the forecast growth rates in Luton's catchment area is hottest in areas south of the Thames meaning that many of these passengers are likely to find Gatwick a more convenient airport. This chart shows growth rates rather than actual incremental passengers at Luton, so analysis would clearly be required. However, given that the total growth forecast by LR for Luton Airport over the next 25 years or so is only some 14 mppa, an additional capacity at Gatwick of a similar magnitude would clearly lead to lower forecasts at London Luton.</p>
NE.2.3	Load Factors	<p><i>The Applicant's response to ExQ1 N.E.1.4 [REP4-059] states low cost carriers, such as those that provide the majority of flights at Luton Airport, tend to operate with higher load factors than the full service airlines, such as British Airways, that play a more substantive role at Heathrow and Gatwick, due to offering different classes of travel and flexibility of tickets. Given that Gatwick also operates as a hub for Easyjet, where the factors quoted in your response would not apply, provide further evidence to justify this statement.</i></p>	<p>The Applicant's response adds little to support its contention. All airlines seek to maximise their load factors and it is very doubtful if any airline restricts its sales to accommodate requests for late changes of flights by holders of flexible tickets: if there happen to be seats available, then the passenger may change flights. In any event, many airlines have an over-booking policy in anticipation of 'no-shows': if more booked passengers turn up at departure than there are seats available, an airline will accommodate its most important commercial passengers first before deciding which passengers will not fly.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			easyJet carries most passengers at Gatwick Airport, and is expected to account for 45% of seat availability in the forthcoming summer season, versus British Airways' 12%.
NE.2.4	Load Factors and Average Seats per flight	<p>The Applicants response to ExQ1 N.E.1.4 [REP4-059] states it is highly unlikely that load factors could feasibly continue to grow at the pace seen over the period 1999-2019. It is estimated that this would continue at an initial rate of 1% per annum to the mid-2020s, declining to 0.25% per annum.</p> <ol style="list-style-type: none"> <li>1. Explain how the 1% and 0.25% figures have been calculated.</li> <li>2. To allow for greater understanding of how the average seats per flight would change as a result of new generation aircraft being introduced, provide details of a comparison between current average seats per flight at Luton Airport and estimated average seats per flight on each of the aircraft listed in the Need Case [AS-125, Table 6.12] at each assessment year. Alternatively, explain why this information is not considered necessary.</li> <li>3. To what extent has the continued increase in average seats per flight as a result of transition to new generation aircraft, and the extent of how this could be experienced at other airports, been included in your forecasting model?</li> </ol>	<p>Passengers per Passenger ATM at Luton had reached 165.5 over the 12 months to the end of November 2023, exceeding 2019's 164.6, even though passenger numbers were only at 89% of 2019 levels.</p> <p>The Applicant's response to the third question states that forecasts for other airports are based on passenger preferences limited only by any passenger cap. While Heathrow and Gatwick have no legal passenger caps, it is believed that York's modelling applies a de facto cap by limiting those airports' passenger capacities based on outdated DfT capacity assumptions derived from application of a passenger per movement assumption applied to annual ATM limits (either legal or practical).</p>
NE.2.5	Forecasts	<p>A number of parties eg [REP2-064], [REP2-075] refer to the reduction from 70% to 52% in forecast passenger demand growth in the High Ambition Scenario on page 11 of the Jet Zero strategy: one year on (2023) (JZS OyO). In response eg [REP-061] and [REP-065], you acknowledge that the Government projections of air passenger demand in 2050 are slightly lower than their previous projections, state that demand growth is expected to be faster in the near term and slower over the longer term, which means that the estimated passenger market size of 391 million air passengers in 2043 is understated. You also state that economic projections for the UK have been revised upwards and are slightly more optimistic over the medium to long term than those adopted by the Department for Transport (DfT). Given this:</p> <ol style="list-style-type: none"> <li>1. Explain why your forecasts using less optimistic economic assumptions, as noted in your response to Chris Smith Aviation Consultancy Ltd [REP2-042], maintain an increase in passenger demand whereas those used by the DfT in JZS OyO have resulted in a reduced estimated forecast.</li> <li>2. Explain the differences between the data used in your forecasts and those used in the DfT forecasts for JZS OyO.</li> <li>3. Explain why demand in passenger forecast would be faster in the short term when revised GDP figures by the OBR in November 2023 forecasts slower economic growth in the short term.</li> </ol>	The Applicant's responses in essence leave this matter pending its Deadline 8 submission.



**12 REP7-055- APPLICANT’S RESPONSE TO WRITTEN QUESTIONS - NEED**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
NO2.2	Fleet Forecasts	<p><i>Appendix A of the Applicant’s post hearing submission for ISH8 [REP6-066] includes forecast data to explain the differences between the 19mppa consented forecasts for 2028 and the Proposed Development’s 2027 core and faster growth cases. Can the Applicant explain why their forecasts assume: • no Embraer aircraft movements in future but allow for this in other scenarios; • a trend of B737-800/ 73H reductions in future years but an increase in the core/ faster growth cases; • a reduction in the B737-max against a trend of increasing B737-max aircraft; and • proportionately greater increase in A320ceo in the faster growth case in 2027 than A320neo compared with the core case?</i></p>	<p>There are long order books for both Airbus A320-family neos and Boeing-MAX aircraft as well as there being other concerns about the MAX. A cautious view about the rate of transition is justified, especially as this would be unlikely to lead to an under-estimation of the environmental consequences of their use.</p> <p>In a faster growth scenario, it is plausible that there would be greater global demand for the Airbus neos, which considered against a finite build-capacity for new aircraft could result in delayed retirements of existing older generation aircraft. However, in the faster growth case the absolute number (rather than relative proportion) of neos should not be fewer than assumed in the Core Case. It would be reasonable to assume that such a position would be temporary (lasting a few years) while Airbus expands its manufacturing capability.</p>
NO2.5	ATM Cap	<p><i>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?</i></p>	<p>The total number of aircraft movements forecast in 2043 the Applicant’s Need Case is 209,410 (Core Development, summation of Tables 6.12, 6.15 and 6.16), 85% (or 177,110) of which are Passenger ATMs. Of the balance, a further 2,300 are cargo ATMs, while there are 30,000 Business Aviation movements, some of which will be classified as ATMs operated by air taxi firms, but others will not be ATMs as they are operated by private and executive jets. In 2019, CAA statistics did not show a single air taxi movement at LTN, but recorded 27,813 Business Aviation movements, that is they were not ATMs. This position for air taxi movements was unchanged in 2022. It is improbable that there were zero air taxi operations at LTN, so there is likely to be a reporting issue. Hence, it is not possible for the Hertfordshire Host Authorities to suggest how many of the forecast 30,000 Business Aviation movements might be ATMs. If a cap is to be imposed, it may be preferable for it to govern aircraft movements rather than ATMs.</p> <p>Notwithstanding this point, the Applicant’s suggestion for a cap of 225,000 movements is 15,000 movements more than its own forecasts. The bulk of these movements are Passenger ATMs, which the CSACL review of the Need Case for the Hertfordshire Host Authorities considered to be an over-estimation although reasonable for assessment purposes (Para 2.10).</p> <p>The Applicant has in effect suggested that it does not know if its forecasts are correct in seeking to justify a higher movement limit. The advice to the Hertfordshire Host Authorities from CSACL has been that the Passenger ATM forecasts are likely to be over-estimated in view of the cautious assumptions made by York in their derivation. CSACL has also questioned the likely extent of long haul services. Should some long haul services not materialise as forecast by York, then CSACL has accepted that they might be substituted by passengers on short haul flights. CSACL has now</p>





Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>estimated that this could lead to fewer than 1,000 extra flights per annum with 32 mppa. When combined with the likely over-estimation of the base Passenger ATM figure, any cap should be set at 210,000 annual aircraft movements. Setting the cap at a higher level would likely result in incompatible annual restrictions.</p>
NO2.6	Shoulder Period Noise Controls	<p><i>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?</i></p>	<p>The Applicant's states in their response to this question, "<i>The controls proposed represent the most restrictive noise controls in UK aviation.</i>"</p> <p>The controls proposed are viewed by the Hertfordshire Host Authorities as less restrictive than those currently in place at Luton, as can be seen from the (only) table in Appendix 1 (noise control benchmarking) in Applicant's Response to Issue Specific Hearing 9 Actions 8, 19 and 20 - Quota Count Noise Controls [REP7-077]. The Hertfordshire Host Authorities note again (as they did at ISH8) that the QC budgets marked within the summer and winter limits columns are not controls, as these only assist in planning for the noise contour limits.</p> <p>Taking Stansted Airport as a reasonable comparison to London Luton Airport, the table in Appendix 1 also shows that Stansted is subject to more noise controls than London Luton Airport is proposing, and so the basis of the Applicant's stated position is questioned. Manchester and Bristol Airports are also taken as having similar levels of noise control placed on them, demonstrating that Luton is not being subject to excessive controls and that the inclusion of an early morning limit would be appropriate (as the question pertains).</p> <p>Within the same question response, the Applicant also puts forward an annual aircraft movement limit in the morning shoulder period of 0600-0700 of 13,000 movements. This value is not accepted; no justification has been provided for this figure nor is it demonstrated whether the noise assessment undertaken by the Applicant can accommodate this figure.</p> <p>Provision of the morning shoulder period (0600-0700) limit would in effect provide a proxy limit on the evening shoulder period (2300-2330), noting that there is already a core night period movement limit (2330-0600), the night-time summer contour and the potential annual 24-hour movement limit, all of which envelop this period. For the avoidance of doubt, the full night period is 2300-0700.</p> <p>The Hertfordshire Authorities take the view that given the very sensitive nature of the shoulder periods the operator should be required to provide an evidenced assessment of the lowest possible number of movements that ATMs could be restricted to in order to facilitate the proposal. That would then be available for all parties to review and comment.</p>





Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>In advance of that, while all airports are different and have their own characteristics and features, the Hertfordshire Host Authorities consider that Stansted Airport may provide some guidance in determining an appropriate figure for an aircraft movement limit in the morning Shoulder period of 6 to 7 am. Like London Luton Airport, Stansted has a high proportion of its passenger traffic carried by Low Cost Carriers with significant numbers of aircraft based at the airport. Stansted also handles a significant volume of air freight most of which is flown on pure freighter aircraft which also operate in the early morning period. Stansted is currently handling some 28 mppa and may therefore act as an analogue for what might be achieved at a 32 mppa London Luton Airport.</p> <p>In the current winter season and the forthcoming Summer 2024 season, Airport Co-ordination Limited (ACL) has approved slots for both airports: at these airports, all aircraft movements require a slot from ACL to operate legally. At Stansted, 5.0% of slots were in the period between 6 am and 7 am, whereas at Luton the figure was 5.9%. This shows that a busier airport can operate with a lower proportion of flights in this hour, perhaps illustrating that there has been some peak spreading as traffic levels have increased.</p> <p>Applying this lower proportion to LR's passenger ATM forecasts for a 32 mppa Luton (177,110 per annum) points to a Shoulder period limit at Luton of 8,829 movements per annum. Freighter aircraft generally operate at a lower utilisation (viz. flying hours per day) so should not be too inconvenienced by having operations delayed until after 7 am. The Hertfordshire Host Authorities also note that while LR's passenger ATM forecast was regarded as reasonable for assessment purposes they were also advised that it was likely to be an over-estimation, which in turn would suggest a shoulder period cap below the 8,829 figure derived above.</p>



**13 REP7-069 - APPLICANT'S RESPONSE TO DEADLINE 6 SUBMISSIONS APPENDIX - F CBC, DBC, HCC, LBC, NHDC**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
ID 5	Landscape and Visual	<p>Applicant's Response:</p> <p><i>The Applicant's Post Hearing Submission - Issue Specific Hearing 8 [REP6-066] explains that no weight should be given to the potential AONB extension as the boundary change plan is at a very early stage akin to the early stages of a Local Plan review. Given this position, it is not necessary for the potential AONB extension to be considered as part of the Future Baseline within Chapter 14 of the ES [AS-079].</i></p>	<p>The Hertfordshire Host Authorities response in Deadline 6 Submission - Post-hearing submission ~ ISH8 [REP6-093] explains why the Future Baseline should consider the extension area and that consideration should be given in relation to a Sensitivity Test produced in accordance with GLVIA3.</p>
ID 6	Landscape and Visual	<p>Applicant's Response (in relation to Post Hearing Note and Action point 46 relating to the possible extension to the Chilterns AONB):</p> <p><i>The Applicant has previously responded to this question as set out below:</i></p> <ul style="list-style-type: none"> <li>• Applicant's Post Hearing Submission - Issue Specific Hearing 8 [REP6-066]</li> <li>• Written Question Responses - Applicant's Response to Hertfordshire Host Authorities' Comments [REP6-061])</li> </ul>	<p>The Hertfordshire Host Authorities response remains that outlined in Deadline 6 Submission – Post-hearing submission ~ ISH8 [REP6-093].</p>
ID 7	Landscape and Visual	<p>Applicant's Response (in relation to Post Hearing Note on the Sensitivity Test).</p> <p><i>The Applicant's position remains that described in previous response [REP6-066], Light Obtrusion Assessment [APP-052] and the LVIA [AS-079], the effects of additional vehicles, headlights, number of people etc. On the aesthetic and perceptual qualities of the potential AONB extension area cannot be meaningfully modelled or quantified.</i></p> <p><i>The Sensitivity Test (Appendix 14.9 of the ES Chilterns AONB Sensitivity Test [APP-107]) has had regard to additional aircraft movements over the potential AONB extension area and is considered by the Applicant to adequately assess the aesthetic and perceptual qualities of the AONB extension area.</i></p>	<p>The Hertfordshire Host Authorities maintain their disagreement with the Applicant that the 'value' of a view would not alter after designation. Perception of the value of a view would change where a location / view is recognised in art or literature such as guidebooks or tourist leaflets. The expectation as to the quality of the view and its management, tranquillity and scenic beauty is raised in a location that is designated. It could also generate more visitors to experience the landscape, with a similar raised expectation as to quality and value of that view.</p> <p>Whilst the proposed AONB Extension Area may not currently be listed in guidebooks or tourist information leaflets, it would become so after designation by virtue of that designation. As such, its recognition to a wider audience would alter and therefore the existing judgements, including its value, should be reconsidered.</p> <p>With regards to Section 6.37 of Guidelines for Landscape and Visual Impact Assessment (GLVIA) 3 and the Applicant's view that this does not apply as it relates to current and not potential views, the Hertfordshire Host Authorities disagree, given that the purpose of the Sensitivity Test is to reconsider the assessment as though the extended area were in operation. As such, the effects on the Setting of the AONB should also be considered.</p> <p>Refer to Section 6 of the Hertfordshire Host Authorities' Comments On Any Further Information / Submissions Received By Deadline 6 [REP7-085], Applicant's Post Hearing Submission – ISH8 [REP6-066] in relation to ISH 8 Agenda Item 9: Landscape &amp; Visual Paragraph 10.3.9 - 10.3.10 Action Point 47.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			Refer to comments outlined in Deadline 6 Submission – Post-hearing submission ~ ISH8 <b>[REP6-093]</b> .
ID 8	Landscape and Visual	<p>Applicant’s Response (in relation to Post Hearing Note and Action Point 48 on the implications of section 245 of the 2023 Act).</p> <p><i>The Applicant’s position on this matter is set out in the <b>Applicant’s Post Hearing Submission - Issue Specific Hearing 8 [REP6-066]</b>.</i></p> <p><i>In summary Section 245 of the Levelling-up and Regeneration Act 2023, which will amend Section 85 of the Countryside and Rights of Way Act 2000, has no material effect on the findings and conclusions of <b>Chapter 14 of the ES [AS-079]</b> and the <b>Draft Chilterns Area of Outstanding Natural Beauty Special Qualities Assessment [REP6-075]</b>.</i></p>	The Hertfordshire Host Authorities response remains that outlined in Deadline 6 Submission – Post-hearing submission ~ ISH8 <b>[REP6-093]</b> .
ID 9	Landscape and Visual	<p>Applicant’s Response (in relation to the visual impact of erecting large-scale buildings on an elevated plateau):</p> <p><i>Section 14.8 of the ES [AS-079] sets out the embedded and good practice mitigation for landscape and visual impact that has been incorporated into the Proposed Development. This includes commentary on design development avoiding impacting on ancient woodland at Winch Hill Wood, retaining mature woodland/hedgerow vegetation and coniferous plantation woodland along the ridgeline of Winch Hill, retaining an area of mature woodland to the north of Dairyborn Escarpment, and to retain (in part) hedgerow vegetation on the retained northern part of Wigmore Valley Park.</i></p> <p><i>Soft landscape maturation is demonstrated via the illustrative photomontages provided in Appendix 14.7 of the ES [REP3-010, REP3-012, REP3-014].</i></p> <p><i>The design evolution of the proposals is conveyed through the design documents and consultation process, with a wide variety of options explored that provide the operational requirements. Key documents to be considered are the Scheme Layouts [AS-072] and General Arrangement Drawings Vol 1 to appreciate the scale/massing of the buildings [AS018]. Illustrative visuals are included in a revision of Design Principles [TR020001/APP/7.09] provided at Deadline 7. The Design and Access Statement Volume II [AS-124] section 5 (in particular, 5.4 and 5.6) describes the relationship between the airfield and building layouts (notably T2), and the landform that has to respond to the existing airport layout and assets (notably the runway and taxiways), which also directly influences the landform. It also needs to interface with existing surface access, notably the DART. Both aspects influence the need to establish an essentially flat platform at a higher level and a transition (via an embankment) to lower level, whilst achieving a balanced cut and fill to reduce environmental impacts.</i></p> <p><i>In terms of building finishes, as noted above, the proposals do not constitute a detailed design and this matter is considered in the Design Principles [REP5-034] specifically DQ.01, DQ.02, DQ.08, T.02, T.12, T.13, T.28, T.41, T.65, T.67, ASF.02</i></p>	The Hertfordshire Host Authorities response remains that outlined in Deadline 6 Submission – Post-hearing submission ~ ISH8 <b>[REP6-093]</b> .



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p>and ASF.09. The Design Principles have been updated at Deadline 7 [TR020001/APP/7.09] and include additional visuals to further articulate building massing across the Proposed Development.</p> <p>Please refer to] Environmental Statement Appendix 14.5 Detailed Visual Assessment. [AS139] with reference to specific receptors and the visual effects.</p> <p>With regard the ability of any proposed planting to mitigate adverse effects in winter – It was noted that c10% of hedgerow species would be evergreen as outlined in the Landscape and Biodiversity Management Plan [AS- 029].</p> <p>This sets out potential species selection and includes Hornbeam (c10%) has a high leaf retention during winter months. Further, native species with high leaf retention could be added to the mix i.e Beech (<i>Fagus sylvatica</i>). The density of planting which has yet to be specified will also affect the visibility as will the retention of planting protection measures</p>	
ID 10	Landscape and Visual	<p>Applicant’s Response (in relation to the request for clarity on mitigation screening effects):</p> <p><i>Additional mitigation includes hedgerow restoration or new hedgerow planting to provide visual screening as well as interconnected landscape and biodiversity enhancements and positive landscape character restoration.</i></p> <p><i>Additional mitigation will be delivered in assessment phase 1 enabling maturation and effective screening throughout assessment phases 2a and 2b and during operation. Screening will also be provided by existing vegetation and landforms.</i></p> <p><i>Hedgerow planting/restoration will provide maximum screening when in leaf during the summer months. During winter filtered views of the Proposed Development may be available through parts of these hedgerows but such views are likely to be limited due to the thickness/density of the proposed/restored hedgerows.</i></p> <p><i>Please refer to Environmental Statement Appendix 14.5 Detailed Visual Assessment Rev 2 [AS-139].</i></p> <p><i>All mitigation measures are proposed between the receptor and the Proposed Development.</i></p> <p><i>a) Receptors at/associated with viewpoints 9, 10A, 10B, 11, 29, 41, 59, 60 - For receptors 9,10A, 10B, 11, 29, 41, 59 these are along the south/ southwest/ west of the PROWs. Receptor 60 is mitigated by the intervening vegetation.</i></p> <p><i>b) Receptors at/associated with viewpoints 35 and 35A – this is mitigated by hedgerow planting to the west of the PROW as well as intervening vegetation and landform.</i></p> <p><i>c) c. Receptors at/associated with viewpoints 20 and 27 – is mitigated by hedgerow to the north side of the PROW.</i></p>	The Hertfordshire Host Authorities welcome the clarification, although there remains a lack of clarity on effectiveness of mitigation and its location in relation to receptors.
ID 11	Landscape and Visual	Applicant’s Response (in relation to a night-time assessment that is GLVIA3 compliant):	The Hertfordshire Host Authorities response remains that outlined in Deadline 6 Submission – Post-hearing submission ~ ISH8 [REP6-093].



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<i>The Applicant has responded to this point in the <b>Applicant's Post Hearing Submission - Issue Specific Hearing 8 [REP6-066]</b>.</i>	





**14 REP7-070- APPLICANT'S RESPONSE TO DEADLINE 6 SUBMISSIONS APPENDIX G - DACORUM BOROUGH COUNCIL, HERTFORDSHIRE COUNTY COUNCIL AND NORTH HERTFORDSHIRE DISTRICT COUNCIL**

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table 1.1 ID 1	Surface Access	The Applicants response to Table 1.1 ID 1.	The Applicant should provide the plots, which are within the Trip Distribution Plans document [REP5-037], with figures on them to enable the Hertfordshire Host Authorities to understand the plots in more detail.
Table 1.3 ID 4	Landscape and Visual	<p>The Applicants response to Table 1.3 ID 4.</p> <p>Applicant's response: <i>It is acknowledged that GLVIA3 recognises a clear distinction between 'impact,' and 'effect. For consistency with other chapters of the ES, the LVIA varies from this advice and refers to 'magnitude of impact,' even when describing a combination of several effects. This variance does not compromise the assessment which remains robust and follows required principles to assess significance of effects.</i></p> <p><i>The approach to assessing the Magnitude of Impacts on landscape receptors is set out in Section 5.6 of Appendix 14.1 of the ES [AS-036]. The approach to assessing the Magnitude of Impacts on visual receptors is set out in Section 6.5 of Appendix 14.1 of the ES.</i></p>	The Applicant should define how or why they are proposing to combine various 'effects' (derived by a combination of Magnitude of Impact / Change and Sensitivity) to inform the Magnitude of Impact. This is not clearly outlined in Appendix 14.1 LVIA Methodology of the ES [AS-036].
Table 1.3 ID 5	Landscape and Visual	<p>The Applicants response to Table 1.3 ID 5.</p> <p>Applicant's response: <i>The Applicant notes that the AONB Sensitivity Test in Appendix 14.9 of the ES [APP-107] is considered to be in accordance with GLVIA3 for the reasons set out in the <b>Applicant's Post Hearing Submission ISH8 [REP6-066]</b>.</i></p> <p><i>The Applicant has responded to the second element of the Hertfordshire Host Authorities' response in the following documents:</i></p> <ul style="list-style-type: none"> <li><i>Applicant's Post Hearing Submission - Issue Specific Hearing 8 (ISH8) [REP6-066].</i></li> <li><i>TR020001/APP/8.130 Written Question Responses - Applicant's Response to Hertfordshire Host Authorities' Comments December 2023.</i></li> </ul> <p><i>The effects of additional vehicles, headlights, number of people etc. on the aesthetic and perceptual qualities of the potential AONB extension area cannot be meaningfully modelled or quantified. The Sensitivity Test has had regard to additional aircraft movements over the potential AONB extension area and, based on the methodology set out in Chapter 14 of the ES [AS-079], is considered to adequately assess the aesthetic and perceptual qualities of the AONB extension area.</i></p>	Hertfordshire Host Authorities reiterate and maintain their comments previously provided in the Hertfordshire Host Authorities' Comments on Any Further Information / Submissions Received by Deadline 5 Written Questions [REP6-101].
Table 1.3 ID 6	Landscape and Visual	The Applicants response to Table 1.3 ID 6.	Hertfordshire Host Authorities reiterate and maintain their comments previously provided in the Hertfordshire Host Authorities' Comments on Any



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		Applicant's response: <i>The Applicant has responded to this matter in the Applicant's Post Hearing Submission - Issue Specific Hearing 8 (ISH8) [REP6-066].</i>	Further Information / Submissions Received by Deadline 5 Written Questions [REP6-101].
Table 1.2 ID 12	Air Quality	Applicant's response " <i>There are no proposals to notify any of the Host Authorities in the event of the near-real time monitoring data providing an 'early warning' that there is a risk of a Limit or Threshold being exceeded in future. Similarly, there is no obligation on the airport operator to have to take action in these circumstances (as no Limit or Threshold has been exceeded). The use of this data is a management tool for the airport operator to help them remain within the Limits and Thresholds in future. As stated previously and described in Green Controlled Growth Appendix D - Air Quality Monitoring Plan [TR020001/APP/7.08]], the data will be made open source and freely available should any Authority or other interested party wish to view it.</i> "	The Applicant appears reticent about the use of the near-real time monitoring to provide an early warning of risk of Limit or Threshold being exceeded. Furthermore, the Applicant states " <i>there is no obligation on the airport operator to have to take action in these circumstances (as no Limit or Threshold has been exceeded)</i> " which does not give confidence that emissions will be managed proactively. As the Applicant states that the data will be "open source" the Hertfordshire Host Authorities ask that the hourly near real-time data are made available to download on a publicly accessible web page.



15 REP7-074- DRAFT SECTION 106 AGREEMENT

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	General	Revised draft of the section 106 agreement.	<p>The draft of the Section 106 Agreement [REP7-074] submitted at Deadline 7 had not been provided to the Hertfordshire Host Authorities in advance of submission. However, it was pleasing to note that the draft had been revised in part to take into account various comments from the Hertfordshire Host Authorities.</p> <p>Subsequent to the Hertfordshire Host Authorities having sight of the draft, comments were provided to the Applicant and a meeting was held on 12 January 2024, with a subsequent meeting held on 19 January 2024. By all accounts these meetings were positive and it is considered that good progress is being made on the draft agreement.</p> <p>However, it appears highly unlikely that by Deadline 9 agreed and completed versions of the agreement will be able to be submitted. This is in part down to various items outstanding (pending further discussion) and in part down to the governance requirements of the Authorities. Indeed, this latter issue means having agreed and completed agreements in place by the end of the Examination could be challenging.</p> <p>However, based on discussions to date, the Hertfordshire Host Authorities are optimistic that agreement can be reached, at the very least, on the <i>form</i> of the Section 106 Agreement by the end of the Examination. If this is achieved, the Hertfordshire Host Authorities will work with the Applicant to seek to complete the agreement as soon as possible, albeit (as stated) this may not be before the end of the Examination.</p> <p>The Hertfordshire Host Authorities will provide an update to the ExA on the status of discussions on the Section 106 Agreement at Deadline 9.</p>
N/A	Securing of obligations	Proposed 'fallback' position should the section 106 agreement not be agreed by the end of the Examination.	<p>The Hertfordshire Host Authorities note the Applicant's proposals (contained in its Deadline 7 Cover Letter – [REP7-001]) for dealing with the various items proposed to be secured in the Section 106 Agreement, should agreement not be reached by the end of the Examination.</p> <p>The Hertfordshire Host Authorities consider that those proposals introduce unnecessary complexity, with many items still requiring to be secured by some form of agreement between the Applicant and the Host Authorities, with other items spread across the DCO and a Unilateral Undertaking. As such, the Hertfordshire Host Authorities remain of the view (as set out in their response to the ExA's further written questions - BCG.2.12 [REP7-087]) that the simplest (and their preferred) solution is to secure an agreement to be entered into by a certain trigger date by way of a DCO requirement. This also allows the Hertfordshire Host Authorities to have an element of control as to what the commitments from the Applicant amount to.</p>





Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			As set out above, the parties to the Section 106 Agreement are engaged in positive discussions, particularly following receipt of the revised draft of the agreement after Deadline 7. It is therefore hoped that agreement can be reached on the form of the Section 106 Agreement by the end of the Examination.



## 16 REP7-079 - ACCOUNTING FOR COVID-19 IN TRANSPORT MODELLING – ENVIRONMENTAL APPRAISAL

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Paragraph 1.3.3	Air Quality	<p><i>“The traffic data for each road link in the modelled road network was compared and if any one of the following statements were true for the road link, it was screened out of further detailed assessment:</i></p> <ul style="list-style-type: none"><li><i>a. If the total volume decreased in updated traffic compared to ES traffic.</i></li><li><i>b. If the change between Do Minimum (DM) and Do Something (DS) traffic (DM-DS change) in the updated traffic was less than the change in the ES traffic.</i></li><li><i>c. If the DM-DS change in the updated traffic was more than the DM-DS change in the ES traffic, but the updated DM-DS change was below the relevant IAQM/EPUK criteria.</i></li><li><i>d. If the DM-DS change in the updated traffic was more than the DM-DS change in the ES traffic, and the updated DM-DS change was above the relevant IAQM/EPUK criteria, but the difference between the updated DMDS change and the ES DM-DS change (i.e. the difference between the changes in each dataset) was below the relevant IAQM/EPUK criteria.”</i></li></ul>	<p>Criterion d. is an atypical application of the IAQM / EPUK criteria which is not supported by the IAQM / EPUK guidance by Moorcroft and Barrowcliffe. et al. (2017) Land-use Planning &amp; Development Control: Planning for Air Quality. v1.2, 2017. Institute of Air Quality Management, London. (Online: <a href="https://www.air-quality-planning-guidance.pdf">air-quality-planning-guidance.pdf</a> (iaqm.co.uk), accessed on: 18 January 2024).</p> <p>This was discussed with the Applicant (as represented on Air Quality matters by Arup) on 18 January 2024. According to the Applicant, the ExA has also raised this issue and asked for clarification. It is understood that the Applicant will be issuing an amendment.</p>