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23rd May 2022

Variation of Conditions 8 (passenger throughput cap), 10 (noise contours), 22 (car parking management), 24 (travel plan) and 28 (approved plans and documents) to Planning Permission 15/00950/VARCON (dated 13th October 2017) to accommodate 19 million passengers per annum and to amend the day and night noise contours.
at London Luton Airport Airport Way Luton.

Written Representations on behalf of the Chilterns Conservation Board following the decision of the Secretary of State for Levelling Up, Communities and Housing to call-in the application for determination.

Luton BC reference: 21/00031/VARCON
Planning Inspectorate reference: APP/BO230/V/22/3296455

The Chilterns Conservation Board (CCB) are grateful for the opportunity to submit written representations, following the decision of the Secretary of State to call-in the above application.
We set out our comments below and to assist the appointed Inspector we can confirm that these are the same as those comments previously submitted to Luton Borough Council, when at application stage, on 15th February 2021. We have included a very small edit, to incorporate the subsequently withdrawal of application 19/00428/EIA and to update the AONB Management Plan for 2019-2024.

CCB's Written Representations.

The CCB has previously commented, at pre-application consultation and is content to repeat those comments as the application is now submitted. We have also commented on application 19/00428/EIA to vary condition 10 on noise matters. As that original application was withdrawn, we also set out those earlier comments for completeness. We welcome the consideration of the noise and passenger throughput cap in one application as the planning merits are intertwined.

SUMMARY.

CCB CONCLUSIONS PASSENGER THROUGHPUT CAP ON CONDITION 8

The local communities affected by these proposals require access to a clear reporting structure that allows them to know exactly where the operator is with new aircraft delivery, noise contour mapping and the periods where the condition variation is in effect or is in abeyance. Conversely, they will also need to know when the variation is not being applied, for example during periods when the MPPA threshold is not exceeded. A web resource should suffice for access to what is live or very up-to-date reporting. A schedule of mitigation delivery can also be reported by this web resource.
CCB recommended withdrawal of application 19/00428/EIA, in the interests of clarity and to assist the public. It was immensely confusing for the public and confused the various mitigation strategies and the

reporting and monitoring strategies that will be required, should this matter proceed to decision. In our judgment it is fundamental that a clear reporting structure is established that allows for a ready and quick understanding of (a) noise envelopes, (b) new fleet acquisitions and (c) the MPPA data, almost on a live basis. Further, with the advance of this new aircraft technology, the operator will be able to establish that noise contouring can be actively managed so that even if 19 MPPA is reached the 57 dBA contour daytime and night-time data will reduce back to levels consistent with or indeed below the 18 MPPA levels. With new aircraft technologies now in the pipeline the operator could, with some accuracy, plot and predict the future noise contours and make this information available as a goal or objective. This would help serve to reassure those affected and provide a platform for assessment should the operator progress their Development Consent Order / Nationally Significant Infrastructure Proposals.

We understand from other consultees, however, that this new technology (in aircraft design) will not be available until 2028, at the earliest.

CCB CONCLUSIONS NOISE VARIATIONS CONDITION 10.

The arguments put here appear to be set within the reasonableness of the planning condition (i.e., the incentive or disincentive it gives the operator), the precision of the conditions and (in our opinion) the enforceability of the condition. The now agreed variation of condition 11(i) allows some 6,400 (15%) of all movements to potentially violate the 76 dBA threshold. That means that 85% will comply with this threshold or 36, 266 movements. Put another way 6,400 will potentially violate out of 42,666 movements. During that (now approved) application CCB made the point that the majority of operators satisfied the condition. We would seek an explanation as to the relationship between the agreed variation to condition 11 (noise violations) and the current extension of the noise contour. In particular it is important to know just how the overlapping impact between these two conditions impacts as presumably condition 11 allows violations about the limits as now sought.

The CCB would oppose the relaxation of condition 10 because it offers an appropriate environmental threshold to protect the noise environment of those affected by an expansion of the airports facilities. Consultation responses to the original condition 11 (noise violation) condition application 15/00950 VARCON sought noise reductions as a key part of their submissions, in the interests of quality of life (for example see Bucks County Council and Aylesbury Vale DC). To relax the noise thresholds, which offer an improvement in the noise environment, must be restricted. This is of even greater necessity when consideration is given to the point that air traffic volumes are increasing. The saved Luton Local Plan 2011-2011 clearly made the point in reasoned text at paragraph 9.73 that, 'Controlling aircraft noise is particularly important at Luton as the airport is situated close to residential areas'.

For this current application CCB places great weight on the need to conserve and enhance the AONB. Any manifest and tangible longer-term reduction in the noise environment and with appropriate targets is to be welcomed in a complex case such as this. The applicant's case is, as we understand it, is that by 2024 less noisy aircraft will deliver the original planning objective against a growth model that has reached 18 MPPA ahead of the original 2012 forecasting.

CCB raises a holding objective on 3 principal grounds that:
(a) There is no spatial assessment as to impact in association with a numeric impact as to dwellings. CCB would want to be reassured that the spatial extent as to impact does not impact upon the AONB as aircraft noise will be increased during at least 4 months of the year over the proposed 6 month period. Further, these months are during the busier summer months when days are longer and people recreate in the AONB and enjoy the tranquillity of the landscape as an essential component of its natural beauty. CCB would seek additional details as plotted on a plan or map.
(b) That in striking a balance of issues (as the applicant's seek to do) the local planning authority must give greater weight to the environmental sensitivity of the impacts. The s 85 of CROW and NPPF 172 duties (as above) indicate this, notwithstanding the significant environmental constraints in the Development Plan at LLP6. We seek a commentary on the environmental impacts of approved

condition 11 as it overlaps condition 10. The cumulative assessment of impacts must be assessed here. CCB would seek a commentary on this matter.
(c) CCB would want to also be reassured that the mooted airspace changes result in a more favourable impact on the local environment, including airspace changes over the AONB. These changes should be reported in this application as they are also material to the planning issues. CCB would seek further details.
(d) If the local planning authority is minded to permit this variation, then, alongside all other key duties, great weight must be given to Development Plan policy LLP6 (vii) so that a tangible and measurable longer term improvement is achieved in quality of life and tranquillity in the environment as affected. Such commitments will need to be easily understood and clearly enforceable within the planning system. The operator will need to set out the delivery schedule for these quieter aircraft and reassure that the cumulative impact of greater numbers in no ways offsets these evolving technological improvements. As far as the application is currently constituted there is insufficient information upon which to make a decision under LLP6 (vii) and bodies like the CCB who enjoy a statutory duty to conserve and enhance the AONB seek greater detail and assurances, as set out above

DETAILED COMMENTS - CONDITION 8 PASSENGER THROUGHPUT CAP

Background issues.

The Chilterns Conservation Board was established as an independent body by Parliamentary Order in July 2004 and has 27 members, all drawn from local communities. The Board's purposes are stated in section 87 of the Countryside and Rights of Way Act 2000 (CROW Act), as: s 87 (1) *It is the duty of a conservation board, in the exercise of their functions, to have regard to: (a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and (b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty, but if it appears to the Board that there is a conflict between those purposes, they are to attach greater weight to the purposes mentioned in paragraph (a).*

The Chilterns AONB is a nationally protected landscape and one rich in special qualities with a unique offering of ancient woodlands, chalk streams, farmland, chalk down land, and cultural heritage shaped not just by natural processes but by generations of human activity. Today, the Chilterns offers considerable public benefits, including recreational and open-air benefits to a population based within and well beyond its borders. The recent DEFRA commissioned Glover Review (Landscape Review Sep 2019) recommended National Park status is considered for the Chilterns.

As with all AONBs, the Chilterns is protected by a host of legislation and policy tests that focus upon the conservation and enhancement of its special qualities. In recent years the CCB has noted a significant erosion of tranquillity in some areas, a combination of most commonly noise, traffic growth and light pollution. The Institute of Lighting Professionals (ILP) place AONBs within intrinsically dark skies environments, by definition.

Our interest in development at or related to Luton Airport focuses on the overflying of the AONB, often at lower levels. The villages of Flamstead and Markyate are within the AONB and affected by air traffic movements, for example. Other impacts involve transport related pressures, for example travelling eastwards from Aylesbury towards the airport requires a journey that traverses the Chilterns AONB.

Planning background history.

The Chilterns Conservation Board (CCB) was currently a consultee on application 19/00428/EIA. CCB submitted a holding objection (based on the lack of information as to environmental impact) against application LBC reference 19/00428/EIA, ' Application to vary condition 10 of planning permission 15/00950/VARCON for a temporary period (to the end of 2024) to enable the area enclosed by the 57dB(A) daytime noise contour to increase from 19.4 sq km to 23.4 sq km and the

area enclosed by the 48dB(A) night time noise contour to increase from 37.2 sq km to 44.1 sq km at London Luton Airport Airport Way Luton'.

This application was withdrawn.

Current Consultation Questions raised by this application.

1. What comments do you have on our plans for increasing the airport's capacity from 18 to 19 million passengers per annum (mppa)?

Within an AONB or for matters that impact upon an AONB the key decision-making duty is set out a section 85 of the Countryside and Rights of Way Act 2000 which states that '*in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*'. National policy in the National Planning Policy Framework sets an understandably high test at Paragraph 172 which establishes that 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty' and Luton Borough Council Policy LLP29 - Landscape & Geological Conservation (A) states that 'Development proposals will be supported where they protect, conserve, or enhance the character, setting, and natural beauty of national and local landscape areas, according to the following hierarchy of designations and with Tier 1 landscapes representing National landscape areas the special character, natural beauty, landscape and setting of the Chilterns Area of Outstanding Natural Beauty'. The duty under s85 deals with the impacts upon the AONB and can, therefore, be derived from development outside such a nationally protected landscape but impacting upon it, as is the case with overflying aircraft.

From an AONB perspective the (19MPPA consultation) Environmental Impact Assessment (EIA) accepts that (3.2.16), '*It should be acknowledged that there will be a slight increase in the extent of the 57 dB daytime noise contour over the Chiltern AONB for the 2021 19 MPPA scenario, however there will be a decrease in the 2028 19 MPPA scenario*'.

The original EIA (for application 19/00428/EIA) did accept that Markyate and Flamstead (within the AONB) must be included within the mitigation strategy. The decrease in the 2028 19 MPPA scenario is the consequence of new technology as fleet upgrades result in quieter aircraft and greater capacity. The current consultation is triggered by the operator's understandable fear of non-compliance with planning conditions attached to the 2012 consent, most notably condition 10. The background rationale, in essence, being an increase in passenger numbers ahead of new quieter fleet delivery aircraft that also carry more passengers. In this mix of issues, CCB would identify a number of issues which require further commentary and attention when the planning application is progressed:
(a) The consultation document fully accepts that 'noise can have a significant impact on the quality of life of those living under flight paths and this needs to be responsibly managed' (p18). Reference is made to enhanced noise insulation and one off grants for community improvements (this is also mentioned in application19/00428/EIA). The anticipated breaking of this planning condition now appears unlikely. We say this because the combination of post- pandemic recovery and phased implementation of the new fleets, combines to suppress the recent trajectory of MPPA growth and then allows the new technologies of engines and design capacity to effectively 'catch up' with the planning condition. 2024 is now the projected target date for when the variation will be required. The Master-Plan document states at paragraph 0.1.3 that as aircraft are upgraded they increase their seat capacity and then at paragraph 2.1.6 explores the fleet carriers who will acquire these aircraft. Master-plan paragraph 2.2.3 states that 'based on industry expectations and on the current pandemic situation, it is expected that the airport will recover to the 18 mppa traffic horizon by 2023 and to the 19 mppa traffic horizon by 2024'.

CCB Conclusions. Therefore, the condition variation would not apply until 2024, as a worst-case scenario. Para 2.6.4 of the Master-Plan document plots purchasing strategies for 3 operators who

account for 90% of all aircraft movement. If the purchasing strategies are publicly available and factored in, accepting some contingency planning, then the need for the variation may disappear in all probability. CCB recommends that these data are made available, comprising the timeline for delivery of the new aircraft fleets, set against the MPPA for post pandemic recovery.

2. Do you have any comments on how we should manage the effects of our proposals on the environment and local communities?

The Chilterns Conservation Board (CCB) has previously submitted representations on the original application 12/01400/FUL, granted in June 2014 and for substantial operational development at London Luton Airport. Representations here focused on (i) the prematurity of the application in the absence of a national aviation strategy, (ii) an approximate 60% increase in the number of flights and frequency (with fewer quiet periods), (iii) impacts on the AONB being summarily dismissed in the (then) Environmental Statement, (iv) the need to address the landscape and tranquillity implications of overflying aircraft, (v) concern over night time traffic movements with the AONB being given consideration as a sensitive receptor, (vi) the need for restrictions to control number and frequency of night time flight, (vii) an opportunity to seek significant improvements and mitigation to the noise impacts on the environment which are created by the airport, (viii) the need for any expansion plans to be developed in the light of existing operational constraints, (ix) a need to account for any NATS review of routing and (x) an overarching conclusion that The Chilterns Conservation Board considers that LLAOL is failing in its statutory duty of regard to the purpose of the AONB (to conserve and enhance the natural beauty of the area of outstanding natural beauty, in accordance with Section 85 of the Countryside and Rights of Way Act 2000). These points related to the 2012 application.

CCB Conclusions. The current application before Luton Borough Council proposes a variation of condition 10 of 15/00950/VARCON, to permit a variation of the spatial extent (expressed in hectares) of both the daytime and night-time noise limits around the airport. Mitigation of impact is a requirement of the Environmental Impact Assessment Regulations. We comment below but the delivery of noise mitigation must be linked to the sustainability objectives as set out by the operator. In the current consultation the Master-Plan document sets the framework for this in its chapter 6. A set of noise objectives, dealing with monitoring and reporting is required. This must be linked to the stated sustainability objectives, with a clear end point whereby the noise mapping shrinks back to its original contours or less.

3. What opportunities are there to enhance the local area through our proposals for 19 mppa?

Mitigation strategies are set out in the Master-Plan chapter 6 and linked to a Quota Count system (QC), which requires a reporting back to the Local Planning Authority. We consider that a reporting structure is key. This mechanism must be built into any approved variation of condition 10. Mitigation payments towards noise insulation and community projects must also be linked to this condition. Nevertheless , with the acquisition of new aircraft , the need for this condition variation will diminish. CCB would seek a review mechanism that allows reporting of when the condition 'kicks in' and when it is 'stood down'. That allows for fair reporting and reassurance to all those affected.

CCB Conclusions. The local communities affected by these proposals require access to a clear reporting structure that allows them to know exactly where the operator is with new aircraft delivery, noise contour mapping and the periods where the condition variation is in effect or is in abeyance. Conversely, they will also need to know when the variation is not being applied, for example during periods when the MPPA threshold is not exceeded. A web resource should suffice for access to what is live or very up-to-date reporting. A schedule of mitigation delivery can also be reported by this web resource.

4. Do you agree that the proposals will help to support regional prosperity and economic growth? a. Yes b. No CCB is not able to form a view on this.

5. Do you have any comments on any of the documents provided as part of this consultation?

CCB Conclusions. CCB recommends withdrawal of application19/00428/EIA, in the interests of clarity and to assist the public. It would be immensely confusing for the public should this still be running in parallel to the variation of conditions 10/ 22/24/and 28. Further, it confuses the various mitigation strategies and the reporting and monitoring strategies that will be required, should this matter proceed to decision. In our judgment it is fundamental that a clear reporting structure is established that allows for a ready and quick understanding of (a) noise envelopes (b) new fleet acquisitions and (c) the MPPA data, almost on a live basis. Further, with the advance of this new aircraft technology, the operator will be able to establish that noise contouring can be actively managed so that even if 19MPPA is reached the 57 dBA contour daytime and night-time data will reduce back to levels consistent with or indeed below the 18 MPPA levels. With new aircraft technologies now in the pipeline the operator could, with some accuracy, plot and predict the future noise contours and make this information available as a goal or objective. This would help serve to reassure those affected and provide a platform for assessment should the operator progress their Development Consent Order / Nationally Significant Infrastructure Proposals.

CCB Detailed Comments on CONDITION 10 NOISE CONTOURS

Background Issues.
Within an AONB or for matters that impact upon an AONB the key decision-making duty is set out a section 85 of the Countryside and Rights of Way Act 2000 which states *that 'in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*'. National policy in the National Planning Policy Framework sets an understandably high test at Paragraph 172 which establishes that 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty' and Luton Borough Council Policy LLP29 - Landscape & Geological Conservation (A). Development proposals will be supported where they protect, conserve, or enhance the character, setting, and natural beauty of national and local landscape areas, according to the following hierarchy of designations and with Tier 1 landscapes representing National landscape areas the special character, natural beauty, landscape and setting of the Chilterns Area of Outstanding Natural Beauty. The duty under s85 deals with the impacts upon the AONB and can, therefore, be derived from development outside such a nationally protected landscape but impacting upon it, as is the case with overflying aircraft. Planning History / Background. CCB last submitted comments, in objection, to the application under reference 15/00950/VARCON to vary the noise violation condition 11(i) as attached to consent 12/01400/FUL. We understand this application was granted on 13th October 2017.

Planning History.
The Chilterns Conservation Board (CCB) has previously submitted representations on the original application 12/01400/FUL, granted in June 2014 and for substantial operational development at London Luton Airport. Representations here focused on (i) the prematurity of the application in the absence of a national aviation strategy, (ii) an approximate 60% increase in the number of flights and frequency (with fewer quiet periods), (iii) impacts on the AONB being summarily dismissed in the Environmental Statement, (iv) the need to address the landscape and tranquillity implications of overflying aircraft, (v) concern over night time traffic movements with the AONB being given consideration as a sensitive receptor, (vi) the need for restrictions to control number and frequency of night time flight, (vii) an opportunity to seek significant improvements and mitigation to the noise impacts on the environment which are created by the airport, (viii) the need for any expansion plans to be developed in the light of existing operational constraints, (ix) a need to account for any NATS review of routing and (x) an overarching conclusion that The Chilterns Conservation Board considers that LLAOL is failing in its statutory duty of regard to the purpose of the AONB (to conserve and enhance the natural beauty of the area of outstanding natural beauty, in accordance with Section 85 of the Countryside and Rights of Way Act 2000).

The current application proposes a variation of condition 10 of 15/00950/VARCON to permit a variation of the spatial extent (expressed in hectares) of both the daytime and night-time noise limits around the airport. We have taken this noise envelope to be the operational airport and its immediate environs but we also comment on this below as it is not a matter defined in a plan or map.

Policy Matters.
In light of the 2012 application being granted (2014) and aware that air traffic movements will increase, it is wholly beneficial and desirable that noise implications are both mitigated and reduced, by virtue of statutory controls. Statutory Instrument 2003/1742 at its Schedule 2 sets out matters to be taken into account when considering operating restrictions at a relevant airport and this includes at paragraph 1.4, *A description of measures to reduce aircraft noise already implemented: for example, information on land use planning and management; noise insulation programmes; operating procedures such as PANS-OPS; operation restrictions such as noise limits, night flying restrictions; noise charges; preferential runway use, noise preferred routes/track-keeping, and noise monitoring*.

The Government's Aviation Policy Framework gives due weight and attention to land-use planning and management. Paragraph 3.3 states that, '*We want to strike a fair balance between the negative impacts of noise (on health, amenity (quality of life) and productivity) and the positive economic impacts of flights. As a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities*'. Paragraph 3.12 states that '*The Government's overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise, as part of a policy of sharing benefits of noise reduction with industry*'. Paragraph 5.6 states that '*The Aviation Policy Framework may also be a material consideration in planning decisions depending on the circumstances of a particular application*'. The 2018 Aviation 2050 (draft) strategy encourages innovation and new technology, stating that '*innovation is key to delivering the outcomes of the Aviation Strategy. The government recognises the important role that technological advances and new business models play in economic growth, especially in industries such as aviation and aerospace*' but it also establishes that aviation can grow sustainably, stating that '*Demand for aviation has grown significantly since 2010 and the government welcomes growth in the sector, but this growth must be sustainable. Achieving this requires a partnership between the government, the regulator, the industry and other interested parties to work within a comprehensive policy framework to better manage the environmental impacts of the sector.*'

The Chilterns Conservation Board Statutory Management Plan 2019-2024 is a material planning consideration and contains policy **DP14** '***Avoid new or upgraded infrastructure (roads, railways, airports, pylons, masts etc.) which harm the AONB landscape, nature, air quality, tranquillity or the visitor experience. Fully assess impacts on the AONB, including increased recreation pressure, traffic, overflying and severance of ecological connectivity in the AONB. Avoid, mitigate and compensate to achieve a net gain for the AONB'.***

Applicant's Case. The applicant's put in their supporting case that Luton Airport has experienced unprecedented levels of growth above those predicted in 2012 (Planning Statement 3.1) and that the maximum operational ceiling of 18 MPPA could be reached ahead of its previously projected date and by 2021, ahead of the delivery of new aircraft that emit lower noise levels. Various operational mitigation is offered (Planning Statement 3.2) and it is suggested that the best path to noise compliance by 2024 is through the delivery of new aircraft. In citing the Environmental Statement, the impact is measured against the number of individual properties and equates to 1 dB change which is considered 'negligible'. This assessment does not take account of the cumulative impact of the assessment. Economic analysis is advanced to suggest that employment could be in jeopardy should this variation be refused. Having taken into account the national and Development Plan policy as well as the Government's national policy statement on aviation, the planning statement forms the view that 'local planning policy needs to be read holistically'. The Non-Technical ES Summary (section 4) deals with environmental effects and focuses exclusively on noise matters at 4.1.4. The ES makes no comment on other criterion such as environmental matters. The ES does not deal with the residual / cumulative assessment of impacts.

Chilterns Conservation Board Representations. The arguments put here appear to sit within the reasonableness of the planning condition (i.e., the incentive or disincentive it gives the operator), the precision of the conditions and (in our opinion) the enforceability of the condition. The now agreed variation of condition 11(i) allows some 6,400 (15%) of all movements to potentially violate the 76 dBA threshold. That means that 85% will comply with this threshold or 36, 266 movements. Put another way 6,400 will potentially violate out of 42,666 movements. During that (now approved) application CCB made the point that the majority of operators satisfied the condition. We would seek an explanation as to the relationship between the agreed variation to condition 11 (noise violations) and the current extension of the noise contour. In particular it is important to know just how the overlapping impact between these two conditions impacts as presumably condition 11 allows violations about the limits as now sought.

The CCB would oppose the relaxation of condition 10 because it offers an appropriate environmental threshold to protect the noise environment of those affected by an expansion of the airport's facilities.

Consultation responses to the original condition 11 (noise violation) condition application 15/00950 VARCON sought noise reductions as a key part of their submissions, in the interests of quality of life (for example see Bucks County Council and Aylesbury Vale DC). To relax the noise thresholds, which offer an improvement in the noise environment, must be restricted. This is of even greater necessity when consideration is given to the point that air traffic volumes are increasing.

For this current application, CCB places great weight on the need to conserve and enhance the AONB. Any manifest and tangible longer-term reduction in the noise environment and with appropriate targets is to be welcomed in a complex case such as this. The applicant's case is, as we understand it, is that by 2024 less noisy aircraft will deliver the original planning objective against a growth model that has reached 18 MPPA ahead of the original 2012 forecasting.
CCB raises a holding objective on 3 principal grounds that,
(a) There is no spatial assessment as to impact in association with a numeric impact as to dwellings. CCB would want to be reassured that the spatial extent as to impact does not impact upon the AONB as aircraft noise will be increased during at least 4 months of the year over the proposed 6 month period. Further, these months are during the busier summer months when days are longer and people recreate in the AONB and enjoy the tranquillity of the landscape as an essential component of its natural beauty. CCB would seek additional details as plotted on a plan or map.
(b) That in striking a balance of issues (as the applicant's seek to do) the local planning authority must give greater weight to the environmental sensitivity of the impacts. The s 85 of CROW and NPPF 172 duties (as above) indicate this, notwithstanding the significant environmental constraints in the Development Plan at LLP6. We seek a commentary on the environmental impacts of approved condition 11 as it overlaps condition 10. The cumulative assessment of impacts must be assessed here. CCB would seek a commentary on this matter.
(c) CCB would want to also be reassured that the mooted airspace changes (on page 11 of the planning statement) result in a more favourable impact on the local environment, including airspace changes over the AONB. These changes should be reported in this application as they are also material to the planning issues. CCB would seek further details.
(d) If the local planning authority is minded to permit this variation then, alongside all other key duties, great weight must be given to Development Plan policy LLP6 (vii) so that a tangible and measurable longer term improvement is achieved in quality of life and tranquillity in the environment as affected. Such commitments will need to be easily understood and clearly enforceable within the planning system. The operator will need to set out the delivery schedule for these quieter aircraft and reassure that the cumulative impact of greater numbers in no ways offsets these evolving technological improvements. As far as the application is currently constituted there is insufficient information upon which to make a decision under LLP6 (vii) and bodies like the CCB who enjoy a statutory duty to conserve and enhance the AONB seek greater detail and assurances, as set out above.

Dr Michael Stubbs Dip TP Ph.D. MRTPI MRICS
Planning Advisor, for and on behalf of the Chilterns Conservation Board, 23rd May 2022.