

# 5. Assessment of impacts

## Introduction

- 5.1 This chapter focuses on the potential impacts of the Heathrow Northwest Runway scheme, the assessments that any applicant will need to carry out, and the specific planning requirements that they will need to meet, in order to gain development consent.
- 5.2 In its Final Report, the Airports Commission recommended that “to make expansion possible...a comprehensive package of accompanying measures [should be recommended to] make the airport’s expansion more acceptable to its local community, and to Londoners generally”.<sup>134</sup>
- 5.3 When the Government stated in December 2015 that it agreed with the Airports Commission that one additional runway was required in the South East of England by 2030, it also emphasised the importance of securing the best possible deal for communities affected by the preferred scheme to increase airport capacity. The Government undertook further work, including through engagement with all three shortlisted scheme promoters, during 2016 to develop a package of location-specific measures to mitigate the impacts of increased capacity, and to enhance beneficial effects.
- 5.4 The Government announced on 25 October 2016 that its preferred scheme to deliver additional airport capacity in the South East of England was a Northwest Runway at Heathrow Airport. Alongside this, it set out a number of supporting measures that any application for development consent will be required to demonstrate and secure in order to mitigate the impacts of expansion on the environment and affected communities.

## Surface access

### Introduction

- 5.5 The Government’s objective for surface access is to ensure that access to the airport by road, rail and public transport is high quality, efficient and reliable for passengers, freight operators and airport workers who use transport on a daily basis. The Government also wishes to see the number of journeys made to airports by sustainable modes of transport maximised as much as possible. This should be delivered in a way that minimises congestion and environmental impacts, for example on air quality.
- 5.6 A Northwest Runway at Heathrow Airport will have a range of impacts on local and national transport networks serving the airport, during both the construction and operational phases. Passengers, freight operators and airport workers share the

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<sup>134</sup> *Airports Commission: Final Report*, p4

routes to and from the airport with other road and rail users, including commuters, leisure travellers and business users. Without effective mitigation, expansion is likely to increase congestion on existing routes and have environmental impacts such as increased noise and emissions.

- 5.7 The Airports Commission identified three major rail improvements which would support a new Northwest Runway at Heathrow Airport. These were Crossrail, a Western Rail Link to Heathrow and Southern Rail Access to the airport. Notwithstanding the requirements for the applicant's assessment set out below, Government has supported, or is supporting, all three of these schemes subject to a satisfactory business case and the agreement of acceptable terms with the Heathrow aviation industry. Crossrail is in construction and full services are anticipated to commence in 2019. The Western Rail Link to Heathrow was one of the schemes named as being in the 'develop' phase in the Rail Network Enhancements Pipeline, published in March 2018 and, subject to obtaining planning consent, it is expected to commence operations before 2030. Any Southern Rail Access to Heathrow is at an earlier stage of development and, subject to an acceptable business case and obtaining planning consent, should commence operations as soon as reasonably practicable after a new runway has opened.
- 5.8 It is important that improvements are made to Heathrow Airport's transport links to be able to support the increased numbers of people and freight traffic which will need to access the expanded airport, should development consent be granted.

### **Applicant's assessment**

- 5.9 The applicant must prepare an airport surface access strategy in conjunction with its Airport Transport Forum, in accordance with the guidance contained in the Aviation Policy Framework.<sup>135</sup> The airport surface access strategy must reflect the needs of the scheme contained in the application for development consent, including any phasing over its development, implementation and operational stages, reflecting the changing number of passengers, freight operators and airport workers attributable to the number of air traffic movements. The strategy should reference the role of surface transport in relation to air quality and carbon. The airport surface access strategy must contain specific targets for maximising the proportion of journeys made to the airport by public transport, cycling or walking. The strategy should also contain actions, policies and defined performance indicators for delivering against targets, and should include a mechanism whereby the Airport Transport Forum can oversee implementation of the strategy and monitor progress against targets alongside the implementation and operation of the preferred scheme.
- 5.10 The applicant should assess the implications of airport expansion on surface access network capacity using the WebTAG methodology stipulated in the Department for Transport guidance,<sup>136</sup> or any successor to such methodology. The applicant should consult Highways England, Network Rail and highway and transport authorities, as appropriate, on the assessment and proposed mitigation measures. The assessment should distinguish between the construction and operational project stages for the development comprised in the application.
- 5.11 The applicant should also consult with Highways England, Network Rail and relevant highway and transport authorities, and transport operators, to understand the target completion dates of any third party or external schemes included in existing rail, road or other transport investment plans. It will need to assess the effects of the preferred

<sup>135</sup> <https://www.gov.uk/government/publications/aviation-policy-framework>, paragraphs 4.20-4.21

<sup>136</sup> <https://www.gov.uk/guidance/transport-analysis-guidance-webtag>

scheme as influenced by such schemes and plans. Such consultation and assessment, both of third party schemes on which the preferred scheme depends, and others which interact with it, all of which may be subject to their own planning, funding and approval processes, must be understood in terms of implications of the timings for the applicant's own surface access proposals.

- 5.12 The applicant will need to demonstrate that Highways England, Network Rail and any relevant highway and transport authorities and transport providers have been consulted, and are content with the deliverability of any new transport schemes or other changes required to existing links to allow expansion within the timescales required for the preferred scheme as a whole, the requirements of the Airports NPS and other statutory requirements. This includes changes to the M25 to allow a new runway to cross the motorway, local road changes, and improvements including the diversion of the A4 and A3044, changes to the Colnbrook Freight branch railway and on-airport station works and safeguarding. On the strategic road network, it will be important to ensure that any changes to the M25 which the applicant proposes will be implemented consistently with the Secretary of State's statutory directions and guidance set out in Highways England's licence. This includes ensuring that sufficient provision is made to accommodate flexibility and future-proofing in planning the long-term development, improvement and operation of Highways England's network.
- 5.13 For schemes and related surface access proposals or other works impacting on the strategic road network, the applicant should have regard to DfT Circular 02/2013, *The Strategic Road Network and the delivery of sustainable development*<sup>137</sup> (or prevailing policy), and the National Networks NPS. This sets out the way in which the highway authority for the strategic road network will engage with communities and the development industry to deliver sustainable development and economic growth, whilst safeguarding the primary function and purpose of the network.
- 5.14 The surface access systems and proposed airport infrastructure may have the potential to result in severance in some locations. Where appropriate, the applicant should seek to deliver improvements or mitigation measures that reduce community severance and improve accessibility.

### Mitigation

- 5.15 In its application, the applicant should set out the mitigation measures that it considers are required to minimise and mitigate the effect of expansion on existing surface access arrangements.
- 5.16 The applicant should demonstrate in its assessment that the proposed surface access strategy will support the additional transport demands generated by airport expansion. This should be appropriately secured.
- 5.17 Any application for development consent and accompanying airport surface access strategy must include details of how the applicant will increase the proportion of journeys made to the airport by public transport, cycling and walking to achieve a public transport mode share of at least 50% by 2030, and at least 55% by 2040 for passengers. The applicant should also include details of how, from a 2013 baseline level, it will achieve a 25% reduction of all staff car trips by 2030, and a reduction of 50% by 2040.<sup>138</sup>
- 5.18 The applicant should commit to annual public reporting on performance against these specific targets. The airport surface access strategy should consider measures and

<sup>137</sup> <https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development>

<sup>138</sup> These mode share targets are derived from *Heathrow Airport Ltd. Statement of Principles*, part 5, paragraph 1.6  
<https://www.gov.uk/government/publications/heathrow-airport-limited-statement-of-principles>

incentives which could help to manage demand by car users travelling to and from the airport, as well as physical infrastructure interventions, having at all times due regard to the effect of its strategy on the surrounding area and transport networks. The strategy should also include an assessment of the feasibility of the measures proposed as well as the benefits and disbenefits related to those measures, including any implications for Highways England, Network Rail and affected relevant highway authorities and transport providers. These measures could be used to help achieve mode share targets and should be considered in conjunction with measures to mitigate air quality impacts as described in the Airports NPS.

- 5.19 The Government expects the applicant to secure the upgrading or enhancing of road, rail or other transport networks or services which are physically needed to be completed to enable the Northwest Runway to operate. This includes works to the M25, local road changes and improvements including the diversion of the A4 and A3044, and on-airport station works and safeguarding, as set out in more detail in paragraph 5.12.
- 5.20 Where a surface transport scheme is not solely required to deliver airport capacity and has a wider range of beneficiaries, the Government, along with relevant stakeholders, will consider the need for a public funding contribution alongside an appropriate contribution from the airport on a case by case basis. The Government recognises that there may be some works which may not be required at the time the additional runway opens, but will be needed as the additional capacity becomes fully utilised. The same principle applies that, where a transport scheme is not solely required to deliver airport capacity, the Government, along with relevant stakeholders, will consider the need for a public funding contribution alongside an appropriate contribution from the airport on a case by case basis.

### Decision making

- 5.21 The applicant's proposals will give rise to impacts on the existing and surrounding transport infrastructure. The Secretary of State will consider whether the applicant has taken all reasonable steps to mitigate these impacts during both the development and construction phase and the operational phase. Where the proposed mitigation measures are insufficient to effectively offset or reduce the impact on the transport network, arising from expansion, of additional passengers, freight operators and airport workers, the Secretary of State will impose requirements on the applicant to accept requirements and / or obligations to fund infrastructure or implement other measures to mitigate the adverse impacts, including air quality.
- 5.22 Provided the applicant is willing to commit to transport planning obligations to satisfactorily mitigate transport impacts identified in the transport assessment (including environment and social impacts), with costs being considered in accordance with the Department for Transport's policy on the funding of surface access schemes, development consent should not be withheld on surface access grounds.

## Air quality

### Introduction

- 5.23 Increases in emissions of pollutants during the construction or operational phases of the scheme could result in the worsening of local air quality. Increased emissions can contribute to adverse impacts on human health and on the natural environment.



- 5.24 The European Union has established common, health-based and ecosystem based ambient concentration limit values for the main pollutants in the Ambient Air Quality Directive (2008/50/EC) ('the Air Quality Directive'),<sup>139</sup> which member states are required to meet by specified dates.
- 5.25 Where compliance by those dates has not been achieved, the member state is required to put in place an action plan showing how the period of exceedance in each non-compliant area will be kept as short as possible. In December 2015, the UK submitted its national air quality plan for nitrogen dioxide, including a zonal plan for Greater London and the South East, for the approval of the European Commission.
- 5.26 In November 2016 the High Court ordered the Government to produce a modified air quality plan that delivers compliance in the shortest possible time. The Government published a final, modified air quality plan on 26 July 2017. The European Commission were notified of this plan on 31 July 2017.<sup>140</sup>
- 5.27 Other relevant legislation includes the fourth daughter Air Quality Directive (2004/107/EC), which sets targets for levels in outdoor air of certain toxic heavy metals and polycyclic aromatic hydrocarbons, and the National Emission Ceilings Directive (2016/2284/EU),<sup>141</sup> which sets national emission limits for a range of atmospheric pollutants.
- 5.28 Air quality impacts are generated by all types of infrastructure development to varying degrees, and the geographical extent and distribution can cover a large area. At Heathrow Airport in 2015, aircraft movements were modelled to have contributed 17% on average to local NO<sub>x</sub> concentrations at nearby roadside locations. Road transport, by comparison, accounted for 64% of NO<sub>x</sub> concentrations in the same areas. Off-road transport and mobile machinery (a category which would include airside vehicles) contributed 5%.<sup>142</sup>
- 5.29 The Airports Commission identified (and in some cases quantified the impact of) a number of measures that would help mitigate any negative impacts on air quality.<sup>143</sup> In addition, for the Heathrow Northwest Runway scheme, the Airports Commission recommended the following supporting measures:
- That Heathrow Airport should be held to performance targets to increase the percentage of employees and passengers accessing the airport by public transport; and
  - That the introduction of a congestion or access charge for road vehicles should be considered.
- 5.30 The Airports Commission undertook extensive analysis on air quality and concluded that expansion could take place within legal obligations (including in a high demand growth scenario). The Department for Transport conducted a study of the implications of the Government's 2015 national air quality plan on the conclusions of the Airports Commission's air quality assessment.<sup>144</sup>
- 5.31 Since this work was completed in June 2016, updated international evidence on vehicle emission forecasts was published at the end of September 2016. The Department for Transport has conducted further analysis to assess the impact that this updated evidence base would have on estimated compliance with EU limit values of

<sup>139</sup> The Ambient Air Quality Directive (2008/50/EC) was brought into law in England through the Air Quality Standards Regulations 2010 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/633270/air-quality-plan-detail.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf)

<sup>140</sup> This Directive succeeds an earlier National Emissions Ceilings Directive (2001/81/EC) and contains transitional provisions

<sup>142</sup> Based on 2015 data from the Pollution Climate Mapping Model for roads affected by Heathrow emissions

<sup>143</sup> <https://www.gov.uk/government/consultations/airports-commission-air-quality-assessment>

<sup>144</sup> <https://www.gov.uk/government/publications/airport-expansion-further-analysis-of-air-quality-data>

expansion options at Heathrow Airport and Gatwick Airport. This analysis has been updated to take account of the revised aviation demand forecasts and the Government's final air quality plan. The result of this analysis helped inform the Government's view that, with a suitable package of policy and mitigation measures, including the Government's modified air quality plan, the Heathrow Northwest Runway scheme would be capable of being delivered without impacting the UK's compliance with air quality limit values.

### **Applicant's assessment**

5.32 The applicant should undertake an assessment of the project, to be included as part of the environmental statement, demonstrating to the Secretary of State that the construction and operation of the Northwest Runway will not affect the UK's ability to comply with legal obligations. Failure to demonstrate this will result in refusal of development consent.

5.33 The environmental statement should assess:

- Existing air quality levels for all relevant pollutants referred to in the Air Quality Standards Regulations 2010 and the National Emission Ceilings Regulations 2002 (as amended) or referred to in any successor regulations;
- Forecasts of levels for all relevant air quality pollutants at the time of opening, (a) assuming that the scheme is not built (the 'future baseline'), and (b) taking account of the impact of the scheme, including when at full capacity; and
- Any likely significant air quality effects of the scheme, their mitigation and any residual likely significant effects, distinguishing between those applicable to the construction and operation of the scheme including any interaction between construction and operational changes and taking account of the impact that the scheme is likely to cause on air quality arising from road and other surface access traffic.

5.34 Defra publishes future national projections of air quality based on evidence of future emissions. Projections may be updated as the evidence base changes. The applicant's assessment should, in so far as practicable, be based on the latest available projections.

### **Mitigation**

5.35 The Secretary of State will need to be satisfied that the mitigation measures put forward by the applicant are acceptable, including at the construction stage. A management / project plan may help record and secure mitigation measures.

5.36 Mitigation measures may affect the project design, layout, construction and operation, and / or may comprise measures to improve air quality in pollution hotspots beyond the immediate locality of the scheme.

5.37 While the precise package of mitigations should be subject to consultation with local communities and relevant stakeholders to ensure the most effective measures are taken forward, an extensive range of mitigation measures is likely to be required.

5.38 In addition, Heathrow Airport should continue to strive to meet its public pledge to have landside airport-related traffic no greater than today. To achieve this, it should set out and regularly review its plans to meet the mode share targets set at paragraph 5.17 above. Heathrow Airport should also develop and keep under review plans to improve the impact of road freight serving the airport.

5.39 Other mitigation measures which may be put forward by the applicant could include, but are not limited to:

- Landing charges structured to reward airlines for operating cleaner flights (for example NOx emissions charging);
- Zero- or low-emission hybrid or electric vehicle use (ultra-low emission vehicles), charging and fuel facilities;
- Reduced or single engine taxiing (improved taxiing efficiency);
- Reducing emissions from aircraft at the gate (for example installation of fixed electrical ground power and preconditioned air to aircraft stands to reduce the use of auxiliary power unit);
- Modernised heating supplies in airport buildings;
- Changes to the layout of surface access arrangements;
- Traffic restrictions and / or traffic relocation around sensitive areas;
- An emissions-based access charge; and
- Physical means, including barriers to trap or better disperse emissions and speed control on roads.

5.40 Mitigation measures at the construction stage should also be provided and draw on best practice from other major construction schemes, including during the procurement of contractors. Specific measures could include but are not limited to:

- Development of a construction traffic management plan (which may include the possible use of rail and consolidation sites or waterways);
- The use of low emission construction plant / fleet, fitting of diesel particulate filters, and use of cleaner engines;
- The use of freight consolidation sites;
- Active workforce management / a worker transport scheme;
- Construction site connection to grid electricity to avoid use of mobile generation; and
- Selection of construction material to minimise distance of transport and increase recycling percentages of the material where appropriate.

5.41 The implementation of mitigation measures may require working with partners to support their delivery.

### **Decision making**

5.42 The Secretary of State will consider air quality impacts over the wider area likely to be affected, as well as in the vicinity of the scheme. In order to grant development consent, the Secretary of State will need to be satisfied that, with mitigation, the scheme would be compliant with legal obligations that provide for the protection of human health and the environment.

5.43 Air quality considerations are likely to be particularly relevant where the proposed scheme:

- is within or adjacent to Air Quality Management Areas,<sup>145</sup> roads identified as being above limit values, or nature conservation sites (including Natura 2000 sites and Sites of Special Scientific Interest);
- would have effects sufficient to bring about the need for new Air Quality Management Areas or change the size of an existing Air Quality Management Area, or bring about changes to exceedances of the limit values, or have the potential to have an impact on nature conservation sites; and
- after taking into account mitigation, would lead to a significant air quality impact in relation to Environmental Impact Assessment and / or to a deterioration in air quality in a zone or agglomeration.

## Noise

### Introduction

- 5.44 The impact of noise from airport expansion is a key concern for communities affected, and the Government takes this issue very seriously. High exposure to noise is an annoyance, can disturb sleep, and can also affect people's health. Aircraft operations are by far the largest source of noise emissions from an airport, although noise will also be generated from ground operations and surface transport, and during the construction phase of a scheme.
- 5.45 Aircraft noise is not only determined by the number of aircraft overhead, but also by engine technologies and airframe design, the paths the aircraft take when approaching and departing from the airport, and the way in which the aircraft are flown.
- 5.46 Over recent decades, there have been reductions in aviation noise due to technological and operational improvements, and this trend is expected to continue.<sup>146</sup> New technology is already making aircraft quieter. Newer generation aircraft coming into service have a noise footprint typically 50% smaller on departure than the ones they are replacing, and at least 30% smaller on arrival. In addition, further opportunities for noise reductions are expected in the next decade as part of the UK airspace modernisation programme. One of the key benefits of this programme is expected to be "reduced noise from aircraft overflying communities, with less 'holding' at lower altitudes".<sup>147</sup> However, evidence has shown that people's sensitivity to noise has increased in recent years, and there has been growing evidence that exposure to high levels of aircraft noise can adversely affect people's health.<sup>148</sup> Expansion will lead to a rise in the number of flights in the local area compared to a no expansion scenario.
- 5.47 The Government wants to strike a fair balance between the negative impacts of noise (on health, amenity, quality of life and productivity) and the positive impacts of flights. There is no European or national legislation which sets legally binding limits on aviation noise emissions. Major airports are, however, under a legal obligation<sup>149</sup> to

<sup>145</sup> <https://uk-air.defra.gov.uk/aqma/>

<sup>146</sup> *The Sustainable Aviation Noise Roadmap, A Blueprint for Managing Noise from Aviation Sources to 2050*: <http://www.sustainableaviation.co.uk/road-maps/>

<sup>147</sup> UK Airspace Policy: A framework for balanced decisions on the design and use of airspace, p21, para 3.9, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/588186/uk-airspace-policy-a-framework-for-balanced-decisions-on-the-design-and-use-of-airspace-web-version.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/588186/uk-airspace-policy-a-framework-for-balanced-decisions-on-the-design-and-use-of-airspace-web-version.pdf)

<sup>148</sup> CAP 1164, *Aircraft noise, sleep disturbance and health effects 2014*: <http://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=6275>  
CAP 1506, *Survey of noise attitudes 2014: Aircraft*

<http://www.gov.uk/government/publications/survey-of-attitudes-to-aviation-noise>

<sup>149</sup> The EU Environmental Noise Directive 2002/49 which is implemented in England by the Environmental Noise (England) Regulations 2006 (S.I. 2006/2238 as amended)



develop strategic noise maps and produce Noise Action Plans based on those maps, on a five yearly basis. They are also required to review and, if necessary, revise action plans when a major development occurs affecting the existing noise situation. In addition, the Government already expects the noise-designated airports (Heathrow, Gatwick and Stansted) to produce noise exposure maps on an annual basis.

- 5.48 The International Civil Aviation Organisation introduced the concept of a ‘Balanced Approach’ to noise management (resolution A33/7). This is given legal effect in the UK through EU Regulation 598/2014.<sup>150</sup>
- 5.49 The Airports Commission undertook a thorough assessment of the noise impacts of the proposed development. The Airports Commission used a “noise scorecard” to assess the noise impacts of the scheme in 2030, 2040 and 2050.<sup>151</sup> The noise scorecard included both conventional metrics, which assess noise levels over a period of time (daytime, night time and 24-hour), and more innovative metrics that assess the number of times a location is overflown by aircraft whose noise impacts exceed a specified level.
- 5.50 The Airports Commission’s assessment was based on ‘indicative’ flight path designs, which the Government considers to be a reasonable approach at this stage in the process. Precise flight path designs can only be defined at a later stage after detailed airspace design work has taken place. This work will need to consider the various options available to ensure a safe and efficient airspace which also mitigates the level of noise disturbance. Once the design work has been completed, the airspace proposal will be subject to extensive consultation as part of the separate airspace decision making process established by the Civil Aviation Authority.
- 5.51 The Airports Commission concluded that “expansion at Heathrow must be taken forward with a firm guarantee that the airport and its airlines will be held to the very highest standards of noise performance”. In addition, the Airports Commission stated that “the airport should not be allowed to expand without appropriate conditions being put in place in respect of its noise impacts”.<sup>152</sup>

### **Applicant’s assessment**

- 5.52 Pursuant to the terms of the Environmental Impact Assessment Regulations,<sup>153</sup> the applicant should undertake a noise assessment for any period of change in air traffic movements prior to opening, for the time of opening, and at the time the airport is forecast to reach full capacity, and (if applicable, being different to either of the other assessment periods) at a point when the airport’s noise impact is forecast to be highest. This should form part of the environmental statement. The noise assessment should include the following:
- A description of the noise sources;
  - An assessment of the likely significant effect of predicted changes in the noise environment on any noise sensitive premises (including schools and hospitals) and noise sensitive areas (including National Parks and Areas of Outstanding Natural Beauty);
  - The characteristics of the existing noise environment, including noise from aircraft, using noise exposure maps, and from surface transport and ground operations

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<sup>150</sup> Regulation (EU) No 598/2014 of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC

<sup>151</sup> *Airports Commission: Final Report*, p170-171

<sup>152</sup> *Airports Commission: Final Report*, p276

<sup>153</sup> Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/572)

associated with the project, the latter during both the construction and operational phases of the project;

- A prediction on how the noise environment will change with the proposed project; and
- Measures to be employed in mitigating the effects of noise.

These should take into account construction and operational noise (including from surface access arrangements) and aircraft noise. The applicant's assessment of aircraft noise should be undertaken in accordance with the developing indicative airspace design. This may involve the use of appropriate design parameters and scenarios based on indicative flightpaths.

5.53 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. For the prediction, assessment and management of construction noise, reference should be made to any British Standards and other guidance which give examples of mitigation strategies. In assessing the likely significant impacts of aircraft noise, the applicant should have regard to the noise assessment principles, including noise metrics, set out in the national policy on airspace.

### Mitigation

5.54 Noise management at airports where a noise problem has been identified is subject to the concept of a 'Balanced Approach', referred to above. EU Regulation 598/2014, which adopts the Balanced Approach,<sup>154</sup> also lays down a procedure for the adoption of noise-related operating restrictions, in particular a requirement for prior consultation.

5.55 The Government recognises that aircraft noise is a significant concern to communities affected and that, as a result of additional runway capacity, noise-related action will need to be taken. Such action should strike a fair balance between the negative impacts of noise and positive impacts of flights.

5.56 The Government also recognises that predictable periods of relief from aircraft noise (known as respite) are important for communities affected, and that noise at night is widely regarded as the least acceptable aspect of aviation noise for those communities, with the costs on communities of aircraft noise during the night (particularly the health costs associated with sleep disturbance) being higher.

5.57 While the package and detail of noise mitigation measures should be subject to consultation with local communities and other stakeholders to ensure the most appropriate and effective measures are taken forward, in the context of Government policy on sustainable development, the Government expects the applicant to make particular efforts to avoid significant adverse noise impacts and mitigate other adverse noise impacts as a result of the Northwest Runway scheme and Heathrow Airport as a whole.

5.58 The Secretary of State will consider whether the mitigation measures put forward by the applicant following consultation are acceptable. The noise mitigation measures should ensure the impact of aircraft noise is limited and, where possible, reduced compared to the 2013 baseline assessed by the Airports Commission.<sup>155</sup>

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<sup>154</sup> For the purposes of EU Regulation 598/2014, an airport means an airport which has more than 50,000 civil aircraft movements per calendar year (a movement being a take-off or landing), on the basis of the average number of movements in the last three calendar years before the noise assessment

<sup>155</sup> With reference to the 2013 baseline for the 54 decibel LAeq, 16h noise contour assessed by the Airports Commission. LAeq,16h indicates the annual average noise levels for the 16-hour period between 0700 – 2300

- 5.59 The applicant should specifically seek to deliver the mitigation measures set out in paragraphs 5.60-5.62 below.
- 5.60 The applicant should put forward plans for a noise envelope. Such an envelope should be tailored to local priorities and include clear noise performance targets. As such, the design of the envelope should be defined in consultation with local communities and relevant stakeholders, and take account of any independent guidance such as from the Independent Commission on Civil Aviation Noise. The benefits of future technological improvements should be shared between the applicant and its local communities, hence helping to achieve a balance between growth and noise reduction. Suitable review periods should be set in consultation with the parties mentioned above to ensure the noise envelope's framework remains relevant.
- 5.61 The applicant should put forward plans for a runway alternation scheme that provides communities affected with predictable periods of respite (though the Government acknowledges that the duration of periods of respite that currently apply will be reduced). Predictability should be afforded to the extent that this is within the airport operator's control.<sup>156</sup> The details of any such scheme, including timings, duration and scheduling, should be defined in consultation with local communities and relevant stakeholders, and take account of any independent guidance such as from the Independent Commission on Civil Aviation Noise.
- 5.62 The Government also expects a ban on scheduled night flights for a period of six and a half hours, between the hours of 11pm and 7am, to be implemented.<sup>157</sup> The rules around its operation, including the exact timings of such a ban, should be defined in consultation with local communities and relevant stakeholders, in line with EU Regulation 598/2014. In addition, outside the hours of a ban, the Government expects the applicant to make particular efforts to incentivise the use of the quietest aircraft at night.
- 5.63 It is recognised that Heathrow Airport already supports a number of initiatives to mitigate aircraft noise, such as developing quieter operating procedures (like steeper descent approaches) and keeping landing gear up as long as possible. The applicant is expected to continue to do so, and to explore all opportunities to mitigate operational noise in line with best practice. The implementation of such measures may require working with partners to support their delivery.
- 5.64 Noise mitigation measures at the construction stage should also be provided. These should draw on best practice from other major construction schemes, with due regard given to any relevant British Standards and other guidance, and should be taken into account during the procurement of contractors.
- 5.65 Other measures to mitigate noise during the construction and operation of the development may include one or more of the following:
- Reducing noise at point of generation and containment of noise generated;
  - Where possible, optimising the distance between source and noise-sensitive receptors, and incorporating good design to minimise noise transmission through screening by natural barriers or other buildings; and
  - Restricting activities allowed on the site.
- 5.66 The Secretary of State will expect the applicant to put forward proposals as to how these measures may be secured and enforced, including the bodies who may enforce

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<sup>156</sup> Examples of circumstances outside of an airport operator's control might be severe weather disruption and similar events

<sup>157</sup> 11pm to 7am is the standard night period used in noise measurement, and is used in World Health Organisation guidelines and the Environmental Noise Directive

the measures. These bodies might include the Secretary of State, local authorities (including those over a wider area), and / or the Civil Aviation Authority.

## Decision making

- 5.67 The proposed development must be undertaken in accordance with statutory obligations for noise.<sup>158</sup> Due regard must have been given to national policy on aviation noise, and the relevant sections of the Noise Policy Statement for England,<sup>159</sup> the National Planning Policy Framework,<sup>160</sup> and the Government's associated planning guidance on noise.<sup>161</sup> However, the Airports NPS must be used as the primary policy on noise when considering the Heathrow Northwest Runway scheme, and has primacy over other wider noise policy sources.
- 5.68 Development consent should not be granted unless the Secretary of State is satisfied that the proposals will meet the following aims for the effective management and control of noise, within the context of Government policy on sustainable development:
- Avoid significant adverse impacts on health and quality of life from noise;
  - Mitigate and minimise adverse impacts on health and quality of life from noise; and
  - Where possible, contribute to improvements to health and quality of life.

## Carbon emissions

### Introduction

- 5.69 The Planning Act 2008 requires that a national policy statement must give reasons for the policy set out in the statement and an explanation of how the policy set out in the statement takes account of Government policy relating to the mitigation of, and adaptation to, climate change.<sup>162</sup> The Government has a number of international and domestic obligations to limit carbon emissions. Emissions from both the construction and operational phases of the project will be relevant to meeting these obligations.
- 5.70 The Government's key objective on aviation emissions, as outlined in the Aviation Policy Framework, is to ensure that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions.<sup>163</sup> This must be achieved while minimising the risk of putting UK businesses at a competitive international disadvantage. The development of the Heathrow Northwest Runway scheme being considered under the Airports NPS does not override this objective.
- 5.71 The UK's obligations on greenhouse gas emissions are set under the 2008 Climate Change Act. Under this framework, the UK has a 2050 target to reduce its greenhouse gas emissions by at least 80% on 1990 levels, and has a series of five year carbon budgets on the way to 2050.

### ***Coverage of aviation emissions under the UK's Climate Change Act***

- 5.72 Whilst UK domestic aviation emissions are included in the 2050 target, international aviation emissions are not currently formally included within the UK's 'net carbon account' for greenhouse gas emissions and are therefore not included in the 2050 target as defined by the Climate Change Act, nor within the first five carbon budgets. The Climate Change Act says that the Government must "take into account" the

<sup>158</sup> EU Regulation 598/2014; The Environmental Noise (England) Regulations 2006

<sup>159</sup> Noise policy statement for England, March 2010, <https://www.gov.uk/government/publications/noise-policy-statement-for-england>

<sup>160</sup> National Planning Policy Framework, March 2012, paragraph 123, or any successor document

<sup>161</sup> <https://www.gov.uk/guidance/noise--2>

<sup>162</sup> Planning Act 2008, section 5(8)

<sup>163</sup> Aviation Policy Framework, paragraph 12



“estimated amount of reportable emissions from international aviation for the budgetary period or periods in question” when setting carbon budgets. The Committee on Climate Change has interpreted the requirement to take these emissions into account as requiring the UK to aim to meet a 2050 target which includes these emissions, and has made its recommendations for the levels of the existing carbon budgets on this basis.

5.73 The Government has accepted the Committee on Climate Change’s recommendations on the first five carbon budgets. The fifth carbon budget, for the period 2028-2032, was set in July 2016 in line with the Committee on Climate Change’s advice. In effect, this means that carbon budgets for other sectors of the UK economy have been set at a level which the Committee on Climate Change considers is consistent with meeting the overall 2050 target when international aviation emissions are included.

### **Impacts**

5.74 The carbon impact of the proposed development falls into four areas: increased emissions from air transport movements (both international and domestic) as a result of increased demand, emissions from airport buildings and ground operations, emissions from surface transport accessing the expanded airport, and emissions caused by construction. The first is by far the largest of these impacts.

5.75 The Airports Commission used two sets of carbon scenarios: one in which a cap is imposed on UK aviation emissions in line with the Committee on Climate Change’s planning assumption of 37.5 million tonnes of CO<sub>2</sub> in 2050; and another in which an international trading mechanism allows carbon emissions from aviation to be offset by paying for emissions reductions in other sectors of the global economy. The analysis also assumed certain carbon-limiting developments largely outside the applicant’s control. These include growth in numbers of more fuel-efficient aircraft, increasing use of biofuels, and other airline operational measures.

### **Applicant’s assessment**

5.76 Pursuant to the terms of the Environmental Impact Assessment Regulations,<sup>164</sup> the applicant should undertake an assessment of the project as part of the environmental statement, to include an assessment of any likely significant climate factors. The applicant should provide evidence of the carbon impact of the project (including embodied carbon), both from construction and operation, such that it can be assessed against the Government’s carbon obligations, including but not limited to carbon budgets. The applicant should quantify the greenhouse gas impacts before and after mitigation to show the impacts of the proposed mitigation. This will require emissions to be split into traded sector and non-traded sector emissions, and for a distinction to be made between international and domestic aviation emissions.

5.77 As far as possible, the applicant’s assessment should also seek to quantify impacts including:

- Emissions from surface access due to airport and construction staff;
- Emissions from surface access due to freight and retail operations and construction site traffic.
- Emissions from surface access due to airport passengers / visitors; and
- Emissions from airport operations including energy and fuel use.

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<sup>164</sup> Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/572). Regulation 5(2)(c) refers to the significant effects of the proposed development on, among other factors, climate.

This should be undertaken in both a 'do minimum' and also in the 'do something' scenario for the opening, peak operation, and worst case scenarios.

### **Mitigation**

5.78 The Secretary of State will need to be satisfied that the mitigation measures put forward by the applicant are acceptable, including at the construction stage. A management / project plan may help clarify and secure mitigation at this stage. The applicant is expected to take measures to limit the carbon impact of the project, which may include, but are not limited to:

- Zero or low-emission hybrid or electric vehicle use (ultra-low emission vehicles), charging and fuel facilities;
- Reduced engine taxiing (improved taxiing efficiency);
- Reducing emissions from aircraft at the gate;
- Reduced emissions from airport buildings (for example from lower carbon heating);
- Changes to the layout of surface access arrangements; and
- Encouraging increased use of public transport by staff and passengers.

5.79 Aircraft are expected to become cleaner as technology and standards improve and fleets evolve. It is recognised that the applicant already supports a number of initiatives to reduce the carbon emissions from flights, such as reduced-engine taxiing and ground-towing, and airspace and navigational reform.

5.80 Mitigation measures at the construction stage should also be provided and draw on best practice from other major construction schemes, including during the procurement of contractors. Specific measures could include but are not limited to:

- Development of a construction traffic management plan (which may include the possible use of rail and consolidation sites);
- Transport of materials to site by alternative modes to road (for example by rail or water);
- Increased efficiency in use of construction plant;
- Use of energy efficient site accommodation;
- Reduction of waste, and the transport of waste;
- Construction site connection to grid electricity to avoid use of mobile generation;
- Selection of construction material to utilise low carbon options; and
- Selection of construction material to minimise distance of transport.

5.81 The implementation of mitigation measures may require working with partners to support their delivery.

### **Decision making**

5.82 Any increase in carbon emissions alone is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the project is so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets, including carbon budgets.

5.83 Evidence of appropriate mitigation measures (incorporating engineering plans on configuration and layout, and use of materials) in both design and construction should be presented as part of any application for development consent. The Secretary of

State will consider the effectiveness of such mitigation measures in order to ensure that, in relation to design and construction, the carbon footprint is not unnecessarily high. The Secretary of State's view of the adequacy of the mitigation measures relating to design, construction and operational phases will be a material factor in the decision making process.

## Biodiversity and ecological conservation

### Introduction

- 5.84 Biodiversity is the variety of plant and animal life in the world or in a particular habitat, and encompasses all species of plants and animals and the complex ecosystems of which they are a part. Government policy for the natural environment, including on biodiversity, is set out in the *Natural Environment White Paper*.<sup>165</sup> The biodiversity section in the *Natural Environment White Paper* sets out a vision of moving progressively from new biodiversity loss to net gain, by supporting healthy, well-functioning ecosystems and establishing more coherent ecological networks that are more resilient to current and future pressures. It is also a requirement of the Water Framework Directive to protect and enhance biodiversity associated with the water environment. Geological conservation relates to the sites that are designated for their geology and / or geomorphological importance.<sup>166</sup>
- 5.85 The Government's biodiversity strategy is set out in *Biodiversity 2020: A Strategy for England's wildlife and ecosystem services*.<sup>167</sup> Its aim is to halt overall biodiversity loss, support healthy, well-functioning ecosystems, and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. The contribution that the planning system should make to enhancing the local and natural environment, including establishing coherent ecological networks, is set out in the National Planning Policy Framework, to which the applicant should also refer.<sup>168</sup>
- 5.86 The National Planning Policy Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. This includes moving from a net loss of biodiversity to achieving net gains for nature.<sup>169</sup>
- 5.87 The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and ecological conservation is set out in the Planning Practice Guidance on biodiversity and ecosystems.<sup>170</sup> This includes a description of the potential impacts on internationally, nationally and locally protected sites which may arise through development, and should therefore be considered through further assessment.
- 5.88 Airport development may require the netting of open watercourses to manage the risk of bird strike, which may have a detrimental impact on water environment and biodiversity.

### Applicant's assessment

- 5.89 The applicant should ensure that the environmental statement submitted with its application for development consent clearly sets out any likely significant effects on

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<sup>165</sup> <https://www.gov.uk/government/publications/the-natural-choice-securing-the-value-of-nature>

<sup>166</sup> A list of designated sites is included in the Geological Conservation Review held by the Joint Nature Conservation Committee

<sup>167</sup> <https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services>

<sup>168</sup> National Planning Policy Framework, March 2012, paragraph 109, or any successor document

<sup>169</sup> National Planning Policy Framework, March 2012, paragraph 9, or any successor document

<sup>170</sup> <http://planningguidance.communities.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>

internationally, nationally and locally designated sites of ecological or geological importance, protected species, and habitats and other species identified as being of principal importance for the conservation of biodiversity.

- 5.90 The Environmental Impact Assessment should reflect the principles of *Biodiversity 2020* and identify how the effects on the natural environment will be influenced by climate change, and how ecological networks and their physical and biological process will be maintained.
- 5.91 The applicant should show how the project has taken advantage of and maximised opportunities to conserve biodiversity and geological conservation interests.

### Mitigation

- 5.92 The Secretary of State will consider what requirements should be attached to any consent and / or in any planning obligations entered into in order to ensure that mitigation measures are delivered and monitored for their effectiveness.
- 5.93 The Secretary of State will take account of any mitigation measures agreed between the applicant and Natural England, and whether Natural England has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.
- 5.94 The applicant's proposal should address the mitigation hierarchy (which supports efforts to conserve and enhance biodiversity), which is set out in the National Planning Policy Framework.<sup>171</sup>
- 5.95 Compensation ratios relating to the effects of the preferred scheme should be considered in more detail during the design. The application of 2:1 compensation ratio is considered to represent the minimum requirement. However, there are other mechanisms for establishing compensation ratios, such as Defra's biodiversity offsetting metric. Equally, it is important to note that habitat ratios form only one part of potential compensation which should be considered, and the location and quality of any compensation land is of key importance. In this regard, habitat creation, where required, should be focused on areas where the most ecological and ecosystems services benefits can be realised.

### Decision making

- 5.96 As a general principle, and subject to the specific policies set out below and the Infrastructure Planning (Decisions) Regulations 2010,<sup>172</sup> development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. The applicant may also wish to make use of biodiversity offsetting in devising compensation proposals to counteract any impacts on biodiversity which cannot be avoided or mitigated.<sup>173</sup> Where significant harm cannot be avoided or mitigated, as a last resort appropriate compensation measures should be sought. The development consent order, or any associated planning obligations, will need to make provision for the long term management of such measures.
- 5.97 In taking decisions, the Secretary of State will ensure that appropriate weight is attached to designated sites of international, national and local importance, protected

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<sup>171</sup> National Planning Policy Framework, March 2012, paragraph 118, or any successor document

<sup>172</sup> <http://www.legislation.gov.uk/uksi/2010/305/regulation/7/made>

<sup>173</sup> <https://www.gov.uk/government/collections/biodiversity-offsetting> Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for residual adverse biodiversity impacts arising from a development after mitigating measures have been taken. The goal of biodiversity offsets is to achieve no net loss and, preferably, a net gain of biodiversity



species, habitats and other species of principal importance for the conservation of biodiversity, and to biodiversity and geological interests within the wider environment.

### ***International sites***

5.98 The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for European sites and require an assessment of impacts upon such sites.<sup>174</sup> The Government considers that the following wildlife sites should have the same protection as European sites:

- Potential Special Protection Areas and possible Special Areas of Conservation;
- Listed or proposed Ramsar sites;<sup>175</sup> and
- Sites identified or required as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

5.99 At this stage, it is not possible to rule out adverse effects of the Heathrow Northwest Runway scheme, given that more detailed project design information, and detailed proposals for mitigation, are not presently available. However, the applicant will need to demonstrate that Article 6(3) or 6(4) of the Habitats Directive are complied with in order to satisfy the competent authority that development consent can be granted on that basis.

### ***Sites of Special Scientific Interest***

5.100 Many Sites of Special Scientific Interest are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of Sites of Special Scientific Interest that are not covered by an international designation, will be given a high degree of protection. All National Nature Reserves are notified as Sites of Special Scientific Interest.

5.101 Where a proposed development on land within or outside a Site of Special Scientific Interest is likely to have an adverse effect on the site (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect on the site's notified special interest features is likely, an exception should be made only where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. The Secretary of State will ensure that the applicant's proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest, are acceptable. Where necessary, requirements and / or planning obligations should be used to ensure these proposals are delivered.

### ***Regional and local sites***

5.102 Sites of regional and local biodiversity interest (which include Local Nature Reserves, Local Wildlife Sites and Nature Improvement Areas) have a fundamental role to play in meeting overall national biodiversity targets, contributing to the quality of life and the wellbeing of the community, and supporting research and education. The Secretary of State will give due consideration to such regional or local designations. However,

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<sup>174</sup> This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in Regulation 8 of the Conservation of Habitats and Species Regulations 2010

<sup>175</sup> Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site

given the need for new infrastructure, these designations should not be used in themselves to refuse development consent, although adequate compensation should always be considered, and ecological corridors and their physical processes should be maintained as a priority to mitigate widespread impacts.

***Irreplaceable habitats including ancient woodland and veteran trees***

- 5.103 Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost, it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided.<sup>176</sup> Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.

***Biodiversity within and around developments***

- 5.104 The proposed development comprised in the preferred scheme should provide many opportunities for building in beneficial biodiversity as part of good design. When considering proposals, the Secretary of State will consider whether the applicant has maximised such opportunities in and around developments, and particularly to establishing and enhancing green infrastructure. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.

***Protection of other habitats and species***

- 5.105 In addition to the habitats and species that are subject to statutory protection or international, regional or local designation, other habitats and species have been identified as being of principal importance for the conservation of biodiversity in England and Wales and therefore requiring conservation action. The Secretary of State will ensure that the applicant has taken measures to ensure that these other habitats and species are protected from the adverse effects of development. Where appropriate, requirements or planning obligations may be used in order to deliver this protection. The Secretary of State will refuse consent where harm to these other habitats, or species and their habitats, would result, unless the benefits of the development (including need) clearly outweigh that harm. In such cases, compensation will generally be expected to be included in the design proposals.

## Land use including open space, green infrastructure and Green Belt

### Introduction

- 5.106 Access to high quality open spaces and the countryside<sup>177</sup> and opportunities for sport and recreation can be a means of providing necessary mitigation and / or compensation requirements. Green infrastructure can enable developments to provide positive environmental and economic benefits.

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<sup>176</sup> This does not prevent the loss of such trees where the decision maker is satisfied that their loss is unavoidable

<sup>177</sup> All open space of public value, including not just land but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity

- 5.107 Green Belts, defined in a development plan,<sup>178</sup> are situated around certain cities and built up areas, including London. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Further information on the purposes and protection of Green Belt is set out in the National Planning Policy Framework.<sup>179</sup>
- 5.108 Best and most versatile agricultural land is land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals. The National Planning Policy Framework sets out how local planning authorities should take into account the economic and other benefits of best and most versatile agricultural land.<sup>180</sup> Planning practice guidance for the natural environment provides additional guidance on best and most versatile agricultural land and soil issues.
- 5.109 Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.
- 5.110 Construction and operation of airport facilities is a potential source of contaminative substances (for example, through de-icing or leaks and spills of fuel). Where pre-existing land contamination is being considered through development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.<sup>181</sup>

### **Applicant's assessment**

- 5.111 The applicant should identify existing and proposed land uses<sup>182</sup> near the project, including any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. The applicant should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors.
- 5.112 Existing open space, sports and recreational buildings and land should not be developed unless the land is no longer needed or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. If the applicant is considering proposals which would involve developing such land, it should have regard to any local authority's assessment of need for such types of land and buildings.
- 5.113 During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is no longer needed. These are also matters that local authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.

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<sup>178</sup> Or else so designated under the Green Belt (London and Home Counties) Act 1938

<sup>179</sup> National Planning Policy Framework, March 2012, paragraphs 79-92, or any successor document

<sup>180</sup> National Planning Policy Framework, March 2012, paragraph 112, or any successor document

<sup>181</sup> <https://www.gov.uk/government/publications/contaminated-land-statutory-guidance>

<sup>182</sup> For example, where a planning application has been submitted

- 5.114 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances which are already the subject of Government guidance.<sup>183</sup> The applicant should therefore determine whether the proposal, or any part of it, is within an established Green Belt and, if so, whether its proposal may be considered inappropriate development within the meaning of Green Belt policy. Metropolitan Open Land and land designated a Local Green Space in a local or neighbourhood plan are subject to the same policies of protection as Green Belt, and inappropriate development should not be approved except in very special circumstances.
- 5.115 The applicant should take into account the economic and other benefits of best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, the applicant should seek to use areas of poorer quality land in preference to that of a higher quality. The applicant should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed.
- 5.116 For developments where land may be affected by contamination, or existing mitigation is in place in respect of historic contamination, the applicant should have regard to the statutory regime contained in Part IIA of the Environmental Protection Act 1990 and relevant Government guidance relating to or dealing with contaminated land.<sup>184</sup>
- 5.117 The applicant should safeguard any mineral resources on the proposed site for the preferred scheme as far as possible.

### Mitigation

- 5.118 The applicant can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site, by the application of good design principles, including the layout of the project and the protection of soils during construction.<sup>185</sup>
- 5.119 Where green infrastructure is affected, the applicant should aim to ensure the functionality and connectivity of the green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to National Trails and other public rights of way.
- 5.120 The Secretary of State must also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of requirements, planning obligations, or any other means, for example to provide exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Alternatively, where sections 131 and 132 of the Planning Act 2008 apply,<sup>186</sup> any replacement land provided under those sections will need to conform to the requirements of those sections.
- 5.121 Where the preferred scheme has an impact on a mineral safeguarding area, the Secretary of State must ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.

<sup>183</sup> [https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment#paragraph\\_044](https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment#paragraph_044)

<sup>184</sup> <https://www.gov.uk/government/collections/land-contamination-technical-guidance>

<sup>185</sup> <https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites>

<sup>186</sup> <http://www.legislation.gov.uk/ukpga/2008/29/section/131> and <http://www.legislation.gov.uk/ukpga/2008/29/section/132>



- 5.122 Where a project has a sterilising effect on land use, there may be scope for this to be mitigated through, for example, using the land for nature conservation or wildlife corridors.
- 5.123 Public rights of way, National Trails and other rights of access to land are important recreational facilities for walkers, cyclists and equestrians. The applicant is expected to take appropriate mitigation measures to address adverse effects on National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way, consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures might be attached to any grant of development consent.

### Decision making

- 5.124 The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be no longer needed, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.
- 5.125 Where networks of green infrastructure have been identified in development plans, they should normally be protected from development and, where, possible, strengthened by or integrated within it. The Secretary of State will also have regard to the effect of the development upon and resulting from existing land contamination, as well as the mitigation proposed.
- 5.126 The Secretary of State will take into account the economic and other benefits of the best and most versatile agricultural land, and ensure the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.
- 5.127 When located in the Green Belt, projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development. In exchange for, or so as to ensure the re-provision of, lost Green Belt land,<sup>187</sup> the Secretary of State may require the provision of other land by the applicant, to be declared as Green Belt under the Green Belt (London and the Home Counties) Act 1938. The provision of such land should be in accordance with the National Planning Policy Framework or any successor document, and take into account relevant development plan policies.

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<sup>187</sup> The term "Green Belt land" refers to land designated as Green Belt land under a local development plan and/or land declared as Green Belt under the 1938 Act.

## Home Office assets

### Introduction

- 5.128 There are two Immigration Removal Centres (IRCs) to the north-west of Heathrow Airport, run as one facility, within the land shown inside the red line on the scheme boundary map (at Annex A). Detention at immigration removal centres plays a vital role as part of the infrastructure which allows the Government to maintain effective immigration control and secure the UK's borders. The IRCs are Harmondsworth IRC and the Colnbrook IRC.
- 5.129 Continuous service provision of the IRCs at Heathrow is necessary. This consideration extends to the need to provide appropriate road access to the IRCs.

### Assessment

- 5.130 The applicant should show how it has considered the impacts of the project upon the existing IRCs. This should include the process in identifying alternative means of addressing the impact of the project on the IRCs, including the means by which they will be reprovided.
- 5.131 The applicant should discuss the provision to be made in substitution for the existing IRCs with the Home Office and any local authority whose area is likely to be affected by a replacement facility.
- 5.132 The applicant's assessment should also set out how a replacement IRC would function in relation to neighbouring land uses, as well as how it can best be accommodated without adversely affecting such uses. These are also matters which local authorities may wish to address in their local impact report, which can be submitted after an application for development consent has been submitted.

### Decision making

- 5.133 The Secretary of State considers that replacement facilities in substitution for the affected IRCs should be provided prior to any works which may significantly interfere with the service and facilities provided by the existing IRCs. The Secretary of State will consider whether the applicant has taken all reasonable steps to mitigate impacts of the project on the existing IRCs. Where necessary, the Secretary of State will impose requirements or obligations upon the applicant to deliver suitable replacement facilities.
- 5.134 Provided that the applicant is willing to commit to appropriate provision of such facilities on a continuous service basis and with constant road access, and to mitigate the effect of the project on the existing and replacement IRCs, development consent should not be withheld on the grounds of its effects on the existing IRCs.

## Resource and waste management

### Introduction

- 5.135 Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.
- 5.136 Sustainable waste management is implemented through the waste hierarchy:

- Waste prevention;
- Preparing for reuse;
- Recycling;
- Other recovery, including energy recovery; and
- Disposal.

- 5.137 The targets for preparation for re-use and recycling of municipal waste (50%), and for construction and demolition waste (70%) set out by the Waste Framework Directive (2008/98/EC)<sup>188</sup> should be considered ‘minimum acceptable practice’ for the construction and operation of any new airport infrastructure. Exceeding these targets if possible by aiming for exemplar performance in resource efficiency and waste management is recommended, to align with the principles of the EU Action Plan for the Circular Economy.<sup>189</sup>
- 5.138 Large airport infrastructure projects may generate hazardous and non-hazardous waste during construction and operation. The Environment Agency’s environmental permitting regime incorporates operational waste management controls for certain activities. When the applicant applies to the Environment Agency for an environmental permit, the Environment Agency will require the application to demonstrate that processes are in place to meet all relevant conditions.
- 5.139 In addition, the Heathrow Northwest Runway scheme would involve the removal of the Lakeside energy from waste plant.
- 5.140 Waste generated and sent to landfill during construction and operation will be an ongoing management issue, and will continue to have adverse effects on the environment into and beyond the operational phase. The principal adverse effects of sending waste to landfill include:
- Permanent loss of materials from potential use higher up the waste management hierarchy;
  - Reduction of local and regional landfill capacity;
  - Visual, noise, health and other nuisance impacts on local communities;
  - Environmental degradation and pollution;
  - Greenhouse gas emissions; and
  - Environmental implications of transporting waste to landfill sites.

### **Applicant’s assessment**

- 5.141 The applicant should set out the arrangements that are proposed for managing any waste produced in the application for development consent. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental, social and economic outcome when considered over the whole lifetime of the project.
- 5.142 The effects of removing the Lakeside energy from waste plant upon capacity for treatment of waste will require assessment.

<sup>188</sup> <http://ec.europa.eu/environment/waste/framework/>

<sup>189</sup> [http://ec.europa.eu/environment/circular-economy/index\\_en.htm](http://ec.europa.eu/environment/circular-economy/index_en.htm)

## Mitigation

- 5.143 The applicant should set out a comprehensive suite of mitigations to eliminate or significantly reduce the risk of adverse impacts associated with resource and waste management.
- 5.144 The Government recognises the role of the Lakeside Energy from Waste plant in local waste management plans. The applicant should make reasonable endeavours to ensure that sufficient provision is made to address the reduction in waste treatment capacity caused by the loss of the Lakeside Energy from Waste plant.

## Decision making

- 5.145 The Secretary of State will consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous waste arising from all stages of the lifetime of the development. The Secretary of State should be satisfied that the process set out provides assurance that:
- Waste produced will be properly managed, both onsite and offsite;
  - The waste from the proposed development can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arising should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arising in the area; and
  - Adequate steps have been taken to ensure that all waste arising from the site is subject to the principles of the waste hierarchy<sup>190</sup> and are dealt with at the highest possible level within the hierarchy.
- 5.146 Where necessary, the Secretary of State will require the applicant to develop a resource management plan to ensure that appropriate measures for sustainable resource and waste management are secured.

## Flood risk

### Introduction

- 5.147 Climate change over future decades is likely to result in milder, wetter winters and hotter, drier summers in the UK, while sea levels will continue to rise. Within the lifetime of the proposed development, these factors will lead to increased flood risk in areas susceptible to flooding, and to an increased risk of flooding in some areas not currently thought of as being at risk. In addition to increasing flood risk, longer term climate change will result in changes to weather-related disruption, most often caused by wind, rain, snow and ice. The applicant, the Examining Authority and the Secretary of State in taking decisions should take account of the policy on climate change adaptation as set out in the National Planning Policy Framework<sup>191</sup> and other supporting guidance.<sup>192</sup>
- 5.148 The National Planning Policy Framework sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.<sup>193</sup> But where development is necessary, it should be made safe without

<sup>190</sup> Article 4 of the revised EU Waste Framework Directive (Directive 2008/98/EC) sets out the 'waste hierarchy' with five steps for dealing with waste, ranked according to environmental impact

<sup>191</sup> National Planning Policy Framework, March 2012, paragraph 99, or any successor document

<sup>192</sup> <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances> and <https://www.gov.uk/government/publications/adapting-to-climate-change-for-risk-management-authorities>

<sup>193</sup> National Planning Policy Framework, March 2012, paragraphs 100-104, or any successor document



increasing flood risk elsewhere. Supporting guidance<sup>194</sup> explains that essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk is permissible in areas of high flood risk, subject to the Exception Test. In addition, as set out in the National Planning Policy Framework, new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.<sup>195</sup>

- 5.149 Loss of flood plain storage may increase the overall flood risk for the catchment. The extent of any impact will depend on the ability of the development to manage storage of water on or off-site.
- 5.150 There is the potential for airport expansion to result in increased risk from climate change effects, particularly to increased surface water runoff rate and pressure on potable water supply. There may also be effects on groundwater.
- 5.151 Where the Airports NPS mentions the UK Climate Change Risk Assessment, the reader should refer to the most recent version of the document.

### **Applicant's assessment**

- 5.152 Applications for projects in the following locations should be accompanied by a flood risk assessment:
- Flood Zones 2 and 3 (medium and high probability of river and sea flooding);
  - Flood Zone 1 (low probability of river and sea flooding) for projects of 1 hectare or greater, or projects which may be subject to other sources of flooding (local watercourses, surface water, groundwater or reservoirs), or where the Environment Agency has notified the local planning authority that there are critical drainage problems.
- 5.153 The applicant should identify and assess the risks of all forms of flooding to and from the preferred scheme, and demonstrate how these flood risks will be managed, taking climate change into account.<sup>196</sup>
- 5.154 In preparing a flood risk assessment the applicant should:
- Consider the risk of all forms of flooding arising from the development comprised in the preferred scheme, in addition to the risk of flooding to the project, and demonstrate how these risks will be managed and, where relevant, mitigated, so that the development remains safe throughout its lifetime;<sup>197</sup>
  - Take into account the impacts of climate change, clearly stating the development lifetime over which the assessment has been made;
  - Consider the need for safe access and exit arrangements;
  - Include the assessment of residual risk after risk reduction measures have been taken into account, and demonstrate that this is acceptable for the development;
  - Consider if there is a need to remain operational during a worst case flood event over the preferred scheme's lifetime; and
  - Provide evidence for the Secretary of State to apply the Sequential Test and Exception Test,<sup>198</sup> as appropriate.

<sup>194</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

<sup>195</sup> National Planning Policy Framework, March 2012, paragraph 99, or any successor document

<sup>196</sup> <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

<sup>197</sup> Updated flood maps are available on the Environment Agency's website

<sup>198</sup> National Planning Policy Framework, March 2012, paragraphs 100-104, or any successor document

- 5.155 Where the preferred scheme may be affected by, or may add to, flood risk, the applicant is advised to seek early pre-application discussions with the Environment Agency, and, where relevant, other flood risk management bodies such as lead local flood authorities, Internal Drainage Boards, sewerage undertakers, highways authorities and reservoir owners and operators. These discussions can be used to identify the likelihood and possible extent and nature of the flood risk, help scope the flood risk assessment, and identify the information that may be required by the Secretary of State to reach a decision on the application. If the Environment Agency has concerns about proposals on flood risk grounds, the applicant is encouraged to discuss these concerns at a sufficiently early stage with the Environment Agency and explore ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns, before the application for development consent is submitted.
- 5.156 For local flood risk (surface water, groundwater and ordinary watercourse flooding), local flood risk management strategies and surface water management plans provide useful sources of information for consideration in a flood risk assessment. Surface water flood issues need to be understood to allow them to be taken into account, for example by clearly identifying and managing flow routes.
- 5.157 When assessing the potential impacts of climate change on airports which can be wider than flooding impacts, such as implications from heat and water availability and the potential adaptation strategies for them, the applicant should take into account the latest UK Climate Change Risk Assessment, the latest set of UK Climate Projections, and other relevant sources of climate change evidence.

### Mitigation

- 5.158 The applicant should ensure that the preferred scheme design takes into account flood risk, and should put forward measures to mitigate the impact of flooding.
- 5.159 Mitigation measures will need to be developed as part of the applicant's application for development consent to ensure that it is safe from flooding, and will not increase flood risk elsewhere for the proposed development's lifetime, taking into account climate change.
- 5.160 To satisfactorily manage flood risk and the impact of the natural water cycle on people, property and ecosystems, good design and infrastructure may need to be secured using requirements or planning obligations. This may include the use of sustainable drainage systems but could also include vegetation to help to slow runoff, hold back peak flows, and make landscapes more able to absorb the impact of severe weather events.
- 5.161 In the Airports NPS, the term sustainable drainage systems is used and taken to cover the whole range of sustainable approaches to surface water drainage management including:
- Source control measures including rainwater recycling and drainage;
  - Infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;
  - Filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;
  - Filter drains and porous pavements to allow rainwater and runoff to infiltrate into permeable material below ground and provide storage if needed;

- Basins and ponds to hold excess water after rain and allow controlled discharge that avoids flooding; and
  - Flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.
- 5.162 Site layout and surface water drainage systems should be able to cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.
- 5.163 The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, taking into account climate change, unless specific off-site arrangements are made and result in the same net effect.
- 5.164 It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the main application site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation or a development consent order requirement.
- 5.165 The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. The applicant should seek opportunities where appropriate to use open space for multiple purposes such as amenity, wildlife habitat, and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using sustainable drainage systems.

### Decision making

- 5.166 Where flood risk is a factor in determining an application for development consent, the Secretary of State will need to be satisfied that, where relevant:
- The application is supported by an appropriate flood risk assessment; and
  - The Sequential Test<sup>199</sup> has been applied as part of site selection and, if required, the Exception Test.<sup>200</sup>
- 5.167 When determining an application, the Secretary of State will need to be satisfied that flood risk will not be increased elsewhere, and will only consider development appropriate in areas at risk of flooding where, informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test, it can be demonstrated that:
- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
  - Over its lifetime, development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning, and that priority is given to the use of sustainable drainage systems.
- 5.168 The applicant should take into account the potential impacts of climate change using the latest UK Climate Change Risk Assessment, the latest set of UK Climate Projections, and other relevant sources of climate change evidence. The applicant should also ensure any environment statement that is prepared identifies appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new

<sup>199</sup> National Planning Policy Framework, March 2012, paragraph 101, or any successor document

<sup>200</sup> National Planning Policy Framework, March 2012, paragraph 102, or any successor document

infrastructure. Should a new set of UK Climate Projections become available after the preparation of an environmental statement, the Examining Authority or the Secretary of State will consider whether they need to request additional information from the applicant as part of the development consent application.

- 5.169 When determining an application, the Secretary of State will need to be satisfied that the potential effects of climate change on the development have been considered as part of the design.
- 5.170 For construction work which has drainage implications, approval for the preferred scheme's overall approach to drainage systems will form part of any development consent issued by the Secretary of State.<sup>201</sup> The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any technical standards issued by the Government<sup>202</sup> or to any National Standards<sup>203</sup> issued under Schedule 3 to the Flood and Water Management Act 2010.<sup>204</sup> In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any sustainable drainage systems, including any necessary access rights to property. The Secretary of State will need to be satisfied that the most appropriate body would be given the responsibility for maintaining any sustainable drainage systems, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body such as the Internal Drainage Board.
- 5.171 If the Environment Agency continues to have concerns, and therefore objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied that all reasonable steps have been taken by the applicant and the Environment Agency to attempt to resolve the concerns. Similarly, if the lead local flood authority objects to the development consent on the grounds of surface or other local sources of flooding, the Secretary of State can grant consent, but would need to be satisfied that all reasonable steps have been taken by the applicant and the lead local flood authority to attempt to resolve the concerns.

## Water quality and resources

### Introduction

- 5.172 Airport infrastructure projects can have adverse effects on the water environment, including groundwater, inland surface water and transitional waters.<sup>205</sup> During construction and operation, it can lead to increased demand for water, involve discharges to water, and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected and other species and habitats, and could, in

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<sup>201</sup> Drainage implications as defined in Paragraph 7(2) of Schedule 3 to the Flood and Water Management Act 2010  
<http://www.legislation.gov.uk/ukpga/2010/29/schedule/3/crossheading/requirement-for-approval>

<sup>202</sup> <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

<sup>203</sup> The National Standards set out requirements for the design, construction, operation and maintenance of sustainable drainage systems, and may include guidance to which the Secretary of State will have regard

<sup>204</sup> <http://www.legislation.gov.uk/ukpga/2010/29/contents>

<sup>205</sup> As defined in the Water Framework Directive (2000/60/EC), transitional waters are bodies of surface water in the vicinity of river mouths which are partly saline in character as a result of their proximity to coastal waters by which are substantially influenced by freshwater flows



particular, result in surface waters, groundwaters or protected areas<sup>206</sup> failing to meet environmental objectives established under the Water Framework Directive.<sup>207</sup>

5.173 The Government's planning policies make clear that the planning system should contribute to and enhance the natural and local environment by, among other things, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, water pollution. The Government has issued guidance on water supply, wastewater and water quality considerations in the planning system.<sup>208</sup> Where applicable, an application for development consent has to contain a plan with accompanying information identifying water bodies in a river basin management plan.<sup>209</sup>

5.174 Development may result in an increased potential for impacts on the water environment, especially the quality of the surface and groundwater through the discharge of waters contaminated with de-icer along with hydrocarbons and other pollutants.

### **Applicant's assessment**

5.175 The applicant should make sufficiently early contact with the relevant regulators, including the Environment Agency, for abstraction licensing and environmental permitting, and with the water supply company likely to supply the water. Where the proposed development is subject to an Environmental Impact Assessment and the development is likely to have significant adverse effects on the water environment, the applicant should ascertain the existing status of, and carry out an assessment of, the impacts of the proposed project on water quality, water resources and physical characteristics as part of the environmental statement.

5.176 Any environmental statement should describe:

- The existing quality of water affected by the proposed project;
- Existing water resources affected by the proposed project and the impacts of the proposed project on water resources;
- Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project, and any impact of physical modifications to these characteristics;
- Any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones around potable groundwater abstractions; and
- Any cumulative effects.

5.177 The applicant should assess the effects on the surrounding water and wastewater treatment network in cooperation with the relevant water and sewerage undertaker(s). It should also address any future water infrastructure needed for the preferred scheme, including for supplies and sewerage treatment, and the effects on the surrounding water and wastewater treatment network. This assessment would be based on the additional wastewater flows which would need to be treated at sewage treatment works and should be developed through liaison with the relevant water and sewerage undertaker(s).

<sup>206</sup> Protected areas are areas which have been designated as requiring special protection under specific community legislation for the protection of their surface water and groundwater or for the conservation of habitats and species directly depending on water

<sup>207</sup> Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy

<sup>208</sup> <http://planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/>

<sup>209</sup> <http://www.legislation.gov.uk/uksl/2009/2264/made>

## Mitigation

- 5.178 The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling.
- 5.179 The Secretary of State will need to consider whether the mitigation measures put forward by the applicant which are needed for operation and construction (and which may be over and above any which may form part of the development consent application) are acceptable.
- 5.180 The project should adhere to any national standards for sustainable drainage systems, which introduce a hierarchical approach to drainage design that promotes the most sustainable approach but recognises the feasibility and use of conventional drainage systems as part of a sustainable solution for any given site given its constraints.
- 5.181 The risk of impacts on the water environment can be reduced through careful design to adhere to good pollution practice.

## Decision making

- 5.182 Activities that discharge to the water environment are subject to pollution control, and the considerations set out at paragraphs 4.53-4.59 above covering the interface between planning and environmental permitting therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the environment, and to the control regimes relating to works to, and structures in, on, or under, a controlled water.
- 5.183 The Secretary of State will generally need to give more weight to impacts on the water environment where a project would have adverse effects on the achievement of the environmental objectives established under the Water Framework Directive.
- 5.184 The Secretary of State will need to be satisfied that a proposal has had regard to the Thames river basin management plan and the Water Framework Directive and its daughter Directives on priority substances and groundwater. In terms of Water Framework Directive compliance, the overall aim of development should be to prevent deterioration in status of water bodies, to support the achievement of the objectives in the Thames river basin management plan and not to jeopardise the future achievement of good status for any affected water bodies. If the development is considered likely to cause deterioration of water body status or to prevent the achievement of good groundwater status or of good ecological status or potential, compliance with Article 4.7 of the Water Framework Directive must be demonstrated. Any use of Article 4.7 must be reported in the Thames river basin management plan.
- 5.185 The Secretary of State will need to consider the interactions of the preferred scheme with other plans, such as statutory water resources management plans.
- 5.186 The Secretary of State will need to consider proposals put forward by the applicant to mitigate adverse effects on the water environment, taking into account the likely impact of climate change on water availability, and whether appropriate requirements should be attached to any development consent and / or planning obligations. If the Environment Agency continues to have concerns, and objects to the grant of development consent on the grounds of impacts on water quality / resources, the Secretary of State can grant consent, but will need to be satisfied that all reasonable steps have been taken by the applicant and the Environment Agency to try to resolve the concerns.

## Historic environment

### Introduction

- 5.187 The construction and operation of airports and associated infrastructure has the potential to result in adverse impacts on the historic environment above and below ground. This could be as a result of the scale, form and function of the development, and the wider impacts it can create in terms of associated infrastructure to connect the airport to existing transport networks, changes in aircraft movement on the ground and in the surrounding airspace, additional noise and light levels, and the need for security and space to ensure the airport's operation.
- 5.188 The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
- 5.189 Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset's physical presence, but also from its setting.<sup>210</sup>
- 5.190 Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:
- World Heritage Sites;
  - Scheduled Monuments;
  - Listed Buildings;
  - Protected Wreck Sites;
  - Protected Military Remains;
  - Registered Parks and Gardens;
  - Registered Battlefields; and
  - Conservation Areas.<sup>211</sup>
- 5.191 Non-designated heritage assets of archaeological interest that are demonstrably equivalent to Scheduled Monuments should be considered subject to the policies for designated heritage assets.<sup>212</sup> The absence of designation for such heritage assets does not indicate lower significance.
- 5.192 The Secretary of State will also consider the impacts on other non-designated heritage assets on the basis of clear evidence that the assets have a significance that merits consideration in that decision, even though those assets are of lesser value than designated heritage assets. The non-designated heritage assets would be identified

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<sup>210</sup> Setting of a heritage asset is the surroundings in which it is experienced. Its extent is not fixed, and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral

<sup>211</sup> The issuing of licences to undertake works on protected wreck sites in English waters is the responsibility of the Secretary of State for Culture, Media and Sport and does not form part of development consent orders. The issuing of licences for protected military remains is the responsibility of the Secretary of State for Defence

<sup>212</sup> There will be archaeological interest in a heritage asset if it holds, or may potentially hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and the people and cultures that made them

either through the development plan process by local authorities, including through 'local listing', or through the nationally significant infrastructure project examination and decision making process.

### Applicant's assessment

- 5.193 As part of the environmental statement, the applicant should provide a description of the significance of the heritage assets affected by the proposed development, and the contribution of their setting to that significance. The level of detail should be proportionate to the asset's importance, and no more than is sufficient to understand the potential impact of the proposal on the significance of the asset. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. At a minimum, the relevant Historic Environment Record<sup>213</sup> should be consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation. The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage asset affected can be adequately understood from the application and supporting documents.
- 5.194 Detailed studies will be required on those heritage assets affected by noise, light and indirect impacts based on the guidance provided in *The Setting of Heritage Assets*<sup>214</sup> and the *Aviation Noise Metric*.<sup>215</sup> Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to assess the impact.
- 5.195 The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:
- Enhancing, through a range of measures such as sensitive design, the significance of heritage assets or setting affected;
  - Considering measures that address those heritage assets that are at risk, or which may become at risk, as a result of the scheme; and
  - Considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to or interpretation, understanding and appreciation of the heritage assets affected by the scheme.

Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary or permanent.

### Decision making

- 5.196 In determining applications, the Secretary of State will seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development (including by development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise from:

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<sup>213</sup> Historic Environment Records are information services maintained and updated by (or on behalf of) local authorities and National Park Authorities with a view to providing access to comprehensive and dynamic resources relating to the historic environment of an area for public benefit and use. Details of Historic Environment Records in England are available from the Heritage Gateway website. Historic England should also be consulted where relevant

<sup>214</sup> <https://www.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

<sup>215</sup> <https://www.historicengland.org.uk/images-books/publications/aviation-noise-metric/>



- Relevant information provided with the application and, where applicable, relevant information submitted during examination of the application;
- Any designation records included on the National Heritage List for England;
- Historic landscape character records;
- The relevant Historic Environment Record(s) and similar sources of information;
- Representations made by interested parties during the examination; and
- Expert advice, where appropriate and when the need to understand the significance of the heritage asset demands it.

5.197 The Secretary of State must also comply with the regime relating to Listed Buildings, Conservation Areas and Scheduled Monuments set out in The Infrastructure Planning (Decisions) Regulations 2010.<sup>216</sup>

5.198 In considering the impact of a proposed development on any heritage assets, the Secretary of State will take into account the particular nature of the significance of the heritage asset and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.

5.199 The Secretary of State will take into account: the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets; the contribution of their settings; and the positive contribution their conservation can make to supporting sustainable communities – including to their quality of life, their economic vitality, and to the public's enjoyment of these assets. The Secretary of State will also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example screen planting).

5.200 When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State will give great weight to the asset's conservation. The more important the asset, the greater the weight should be. The Secretary of State will take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.

5.201 Once lost, heritage assets cannot be replaced, and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given that heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

5.202 Substantial harm to or loss of a Grade II Listed Building or a Grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of designated sites of the highest significance, including World Heritage Sites, Scheduled Monuments, Grade I and II\* Listed Buildings, Protected Wreck Sites, Registered Battlefields, and Grade I and II\* Registered Parks and Gardens should be wholly exceptional.

5.203 Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the

<sup>216</sup> <http://www.legislation.gov.uk/ukxi/2010/305/regulation/3/made>

harm to the significance of the heritage asset, the greater the justification that will be needed for any loss.

- 5.204 Where the proposed development will lead to substantial harm to or the total loss of significance of a designated heritage asset, the Secretary of State will refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm, or alternatively that all of the following apply:
- The nature of the heritage asset prevents all reasonable uses of the site;
  - No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
  - Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
  - The harm or loss is outweighed by the benefit of bringing the site back into use.
- 5.205 Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.206 Not all elements of a World Heritage Site or conservation area will necessarily contribute to its significance. The Secretary of State will treat the loss of a building (or other element) that makes a positive contribution to the significance of a World Heritage Site or conservation area's significance either as substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the elements affected and their contribution to the significance of the World Heritage Site or conservation area as a whole.
- 5.207 Where the loss of significance of any heritage asset is justified on the merits of the new development, the Secretary of State will consider imposing a requirement on the consent, or require the applicant to enter into an obligation, that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed.
- 5.208 The applicant should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance and better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.<sup>217</sup>

## Recording

- 5.209 A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.
- 5.210 Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the nature and level of the asset's significance. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should

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<sup>217</sup> Further good practice advice on decision making in the historic environment can be found at:  
<https://www.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/>

also be required to deposit the archive generated in a local museum or other public repository willing to receive it.

- 5.211 Where appropriate, the Secretary of State will impose requirements to the development consent order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in the Airports NPS and has been agreed in writing with the relevant local authority, and that the completion of the exercise is properly secured.
- 5.212 Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.

## Landscape and visual impacts

### Introduction

- 5.213 For airport development, landscape and visual effects also include tranquillity effects, which would affect people's enjoyment of the natural environment and recreational facilities. In this context, references to landscape should be taken as covering local landscape, waterscape and townscape character and quality, where appropriate.

### Applicant's assessment

- 5.214 Where the development is subject to an Environmental Impact Assessment, the applicant should undertake an assessment of any likely significant landscape and visual impacts and describe them in the environmental statement. The landscape and visual assessment should reference any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the preferred scheme. In addition, the applicant's assessment should take account of any relevant policies based on these assessments in local development documents.
- 5.215 The applicant's assessment should include any significant effects during construction of the preferred scheme and / or the significant effects of the completed development and its operation on landscape components and landscape character, including historic characterisation. This should include assessment of any landscape and visual impacts as a result of the development, for example surface access proposals or aviation activity.
- 5.216 The assessment should include the visibility and conspicuousness of the preferred scheme during construction and the presence and operation of the preferred scheme and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquillity and nature conservation.

### Mitigation

- 5.217 Adverse landscape and visual effects may be minimised through appropriate design (including choice of materials), and landscaping schemes. Materials and designs for the Heathrow Northwest Runway scheme should be given careful consideration.

### Decision making

#### *Landscape impact*

- 5.218 Landscape effects depend on the nature of the existing landscape likely to be changed and nature of the effect likely to occur. Both these factors need to be considered in judging the impact of the preferred scheme on the landscape. The preferred scheme

needs to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the development should aim to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.

***Development proposed within nationally designated areas***

- 5.219 Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a statutory duty to have regard to in decisions.
- 5.220 The Secretary of State should refuse development consent in these areas except in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration of such applications should include an assessment of:
- The need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy;
  - The cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and
  - Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 5.221 Where consent is given in these areas, the Secretary of State should be satisfied that the applicant has ensured that the preferred scheme will be carried out to high environmental standards and, where possible, includes measures to enhance other aspects of the environment. Where necessary, the Secretary of State should consider the imposition of appropriate requirements to ensure these standards are delivered.

***Developments outside nationally designated areas which might affect them***

- 5.222 The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The development should aim to avoid compromising the purposes of designation, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints.

***Developments in other areas***

- 5.223 Outside nationally designated areas, there are local landscapes and townscapes that are highly valued locally and may be protected by local designation. Where a local development document in England has policies based on landscape character assessment, these should be given particular consideration. However, local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development.
- 5.224 In taking decisions, the Secretary of State will consider whether the preferred scheme has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.

***Visual impact***

- 5.225 The Secretary of State will judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development.



## Land instability

### Introduction

- 5.226 The effects of land instability may result in landslides, subsidence or ground heave. Failing to deal with this issue could cause harm to human health, local property and associated infrastructure, and the wider environment. They occur in different circumstances for different reasons and vary in their predictability and in their effect on development.

### Applicant's assessment

- 5.227 Where necessary, land stability should be considered in respect of new development, as set out in the National Planning Policy Framework and supporting planning guidance.<sup>218</sup> Specifically, proposals should be appropriate for the location, including preventing unacceptable risks from land instability. If land stability could be an issue, the applicant should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected. Applicants should liaise with the Coal Authority if necessary.
- 5.228 A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed application for development consent is prepared. The applicant should ensure that any necessary investigations are undertaken to confirm that their sites are and will remain stable, or can be made so as part of the development. The site needs to be assessed in the context of surrounding areas where subsidence, landslides and land compression could threaten the development during its anticipated life or damage neighbouring land or property. This could be in the form of a land stability or slope stability risk assessment report.

### Mitigation

- 5.229 The applicant has a range of mechanisms available to mitigate and minimise risks of land instability. These include:
- Establishing the principle and layout of new development, for example avoiding mine entries and other hazards;
  - Ensuring proper design of structures to cope with any movement expected and other hazards such as mine and / or ground gases; or
  - Requiring ground improvement techniques, usually involving the removal of poor material and its replacement with suitable inert and stable material. For development on land previously affected by mining activity, this may mean prior extraction of any remaining mineral resource.

## Dust, odour, artificial light, smoke and steam

- 5.230 The construction and operation of airports infrastructure has the potential to create a range of emissions such as dust, odour, artificial light, smoke and steam. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990.<sup>219</sup> These may also be covered by pollution control or other environmental consenting regimes.

<sup>218</sup> <https://www.gov.uk/guidance/land-stability>

<sup>219</sup> <http://www.legislation.gov.uk/ukpga/1990/43/part/III>

- 5.231 Because of the potential effects of these emissions and in view of the availability of the defence of statutory authority against nuisance claims described previously, it is important that the potential for these impacts is considered by the applicant in its application, by the Examining Authority in examining applications, and by the Secretary of State in taking decisions on development consent.
- 5.232 For nationally significant infrastructure projects of the type covered by the Airports NPS, some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable.

### **Applicant's assessment**

- 5.233 Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of dust, odour, artificial light, smoke and steam, and describe these in the environmental statement.
- 5.234 In particular, the assessment provided by the applicant should describe:
- The type and quantity of emissions;
  - Aspects of the development which may give rise to emissions during construction, operation and decommissioning;
  - Premises or locations that may be affected by the emissions;
  - Effects of the emission on identified premises or locations; and
  - Measures to be employed in preventing or mitigating the emissions.
- 5.235 The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency, about the scope and methodology of the assessment.

### **Mitigation**

- 5.236 The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of dust, odour, artificial light, smoke and steam from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help clarify and secure mitigation.

### **Decision making**

- 5.237 The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of dust, odour, artificial light, smoke and steam. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 5.238 If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the development consent order.

## Community compensation

### Introduction

- 5.239 The Secretary of State recognises that, in addition to providing economic growth and employment opportunities, airport expansion will also have negative impacts upon local communities. This will include impacts through land take requiring the compulsory acquisition of houses that fall within the new boundary of the airport, exposure to air quality impacts, and aircraft noise, that is both an annoyance and can have an adverse impact on health and cognitive development.
- 5.240 The Secretary of State expects the applicant to provide an appropriate community compensation package, relevant to planning. This will include financial compensation to residents who will see their homes compulsorily acquired, as well as ongoing financial compensation to the local community. In addition to controlling and reducing aircraft noise impacts, the applicant will be required to commit appropriate resources to mitigate the impacts of aircraft through noise insulation programmes for both private homes and public buildings such as schools.
- 5.241 A number of statutory protections are provided in these areas, and the applicant must fulfil its statutory duties in a timely and efficient manner.
- 5.242 Under planning law, residential and agricultural owners in the area within the red line on the map shown in Annex A will be able to make a claim for statutory blight upon the designation of the Airports NPS.
- 5.243 In addition, compensation can be sought in respect of loss of value of a property arising from the development during construction (under the Compulsory Purchase Act 1965)<sup>220</sup> and for loss of value arising from the operation of an expanded airport (under Part 1 of the Land Compensation Act 1973)<sup>221</sup> after one year of operation.
- 5.244 People are entitled to know what steps will be taken to help protect them against aircraft noise and, where appropriate, to help them to move house.
- 5.245 In addition to statutory requirements, Heathrow Airport has publicly committed to a community compensation package comprising a number of more generous offers:
- To pay 125% of market value, plus taxes and reasonable moving costs, for all owner occupied homes within the compulsory acquisition zone;<sup>222</sup>
  - To pay 125% of market value, plus taxes and reasonable moving costs, for all owner occupied homes within an additional voluntary purchase / acquisition zone incorporating the area known as the Heathrow Villages;<sup>223</sup>
  - Following a third party assessment, to provide full acoustic insulation for residential property within the full single mode easterly and westerly 60dB LAeq (16hr)<sup>224</sup> noise contour of an expanded airport;
  - Following a third party assessment, to provide a contribution of up to £3,000 for acoustic insulation for residential properties within the full single mode easterly and

<sup>220</sup> <http://www.legislation.gov.uk/ukpga/1965/56/contents>

<sup>221</sup> <http://www.legislation.gov.uk/ukpga/1973/26/contents>

<sup>222</sup> <http://your.heathrow.com/newpropertycompensation/>

<sup>223</sup> <http://your.heathrow.com/newpropertycompensation/>

<sup>224</sup> Leq is the measure used to describe the average sound level experienced over a period of time (usually sixteen hours for day and eight hours for night) resulting in a single decibel value. Leq is expressed as LAeq when it refers to the A-weighted scale

westerly 57dB LAeq (16hr) or the full 55dB Lden<sup>225</sup> noise contours of an expanded airport, whichever is the bigger; and

- To deliver a programme of noise insulation and ventilation for schools and community buildings within the 60dB LAeq (16hr) contour.<sup>226</sup>

5.246 In addition to the statutory requirements and the public commitments made by Heathrow Airport, the Government also supports the Airports Commission's recommendation for an additional component of ongoing community compensation proportionate to environmental impacts.

5.247 The Airports Commission suggested this should take the form of a national noise levy paid for by passengers. The Government does not consider a national levy appropriate, but supports the development of a community compensation fund at an expanded Heathrow Airport. The Government expects that the size of the community compensation fund will be proportionate to the environmental harm caused by expansion of the airport. The Government notes that, in its consideration of a noise levy, the Airports Commission considered that a sum of £50 million per annum could be an appropriate amount at an expanded Heathrow Airport, and that, over a 15 year period, a community compensation fund could therefore distribute £750 million to local communities.

5.248 Expansion at Heathrow Airport is likely to increase the amount of locally collected business rates in the area. The Government will consider how authorities can benefit from this through a business rate retention scheme and the opportunities for authorities to work together to share the benefits. Heathrow Airport is currently the highest single site business rates payer in the UK.<sup>227</sup>

### **Applicant's assessment**

5.249 The Government expects to see arrangements being made for the community compensation schemes which Heathrow Airport has publicly stated would be provided, and for a community compensation fund.

5.250 The applicant should seek to minimise impacts on local people, to consult on the details of its works, and to put them in place quickly. The Government also looks to the applicant to consult on the detail of a community compensation fund.

### **Decision making**

5.251 The Secretary of State will consider whether and to what extent the applicant has sought to minimise impacts on local people, has consulted on the details of its works, and has put mitigations in place, at least to the level committed to in Heathrow Airport's public commitments. This includes whether the applicant has set out appropriate eligibility criteria, how delivery will be ensured, and whether the applicant has made reasonable efforts to put the works in place quickly.

5.252 The Secretary of State will also consider whether the applicant has consulted on the details of a community compensation fund, including source of revenue, size and duration of fund, eligibility, and how delivery will be ensured.

5.253 The Secretary of State will expect the applicant to demonstrate how these provisions are secured, and how they will be operated. The applicant will also need to show how these measures will be administered to ensure that they are relevant to planning when in operation. The mechanisms for enforcing these provisions should also be

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<sup>225</sup> Lden is the 24 hour LAeq calculated for an annual period, but with a five decibel weighting for evening and a ten decibel weighting for night to reflect people's greater sensitivity to noise within these periods

<sup>226</sup> <http://your.heathrow.com/newpropertycompensation/>

<sup>227</sup> <http://www.cvsuk.com/news-resources/news/draft-list-release>

demonstrated, along with the appropriateness of any identified enforcing body, which may include the Secretary of State.

## Community engagement

### Introduction

- 5.254 The Government recognises that the planning, construction, and subsequent operation of a Northwest Runway will bring both significant impacts and opportunities to communities living around Heathrow Airport. Communities will wish to participate fully in the development and delivery of expansion, and the Government expects them to be able to do so.
- 5.255 There will be many opportunities for communities to engage as expansion is taken forward. The Government is required to consult on and publicise the Airports NPS, and the applicant is subject to pre-application consultation duties. Additional consultations on issues such as airspace change, overseen by the Civil Aviation Authority, will take place outside of the planning process. Ongoing engagement will also be required as the applicant takes forward its compensation package.
- 5.256 The Government wishes to maximise local stakeholder engagement with the expansion process, and it wishes to encourage any applicant and local stakeholders to strengthen the way in which the airport and local stakeholders work together to make engagement effective. Local stakeholders, including those representing communities around Heathrow Airport, have the experience and expertise to identify solutions tailored to their specific circumstances. A number of engagement forums already exist at Heathrow Airport. These have developed over time in response to emerging needs and are consistent with the Government's view that, in principle, it encourages collaborative local solutions.
- 5.257 A community engagement board will be developed at Heathrow Airport to help to ensure that local communities are able to contribute effectively to the delivery of expansion, including to consultations and evidence gathering during the planning process.

### Applicant's assessment

- 5.258 The applicant must engage constructively with the community engagement board throughout the planning process, with its membership (including an independent chair), and with any programme(s) of work the community engagement board agrees to take forward.

### Decision making

- 5.259 The Secretary of State will consider whether the applicant has engaged constructively with this community engagement board throughout the planning process.

## Skills

### Introduction

- 5.260 The Government is committed to helping people into jobs and improving the skills of the UK workforce, with a target of three million new apprenticeships being created in the current Parliament.<sup>228</sup> Continuing to create jobs and new training opportunities will

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<sup>228</sup> <https://www.gov.uk/government/news/government-kick-starts-plans-to-reach-3-million-apprenticeships>



help to consolidate the national economic recovery, put the UK on the path to full employment and raise the nation's productivity. Apprenticeships have an essential role to play within this work, helping individuals to develop key skills which will benefit both them and employers.

- 5.261 To help deliver the Government's wider skills agenda, the Department for Transport published *Transport Skills Strategy: building sustainable skills* in January 2016, setting out its skills strategy for transport, including aviation, and an additional 30,000 apprenticeships by 2020 across the road and rail sectors.<sup>229</sup> The Strategic Transport Apprenticeship Taskforce has been created to deliver this work.<sup>230</sup>
- 5.262 The Government notes that Heathrow Airport already makes a significant contribution to local employment and already has a number of skills and employment initiatives designed to support the business needs of the airport. The Heathrow Academy, established in 2004, supports recruitment and retention of local residents across the retail, construction, aviation and logistics sectors, and includes apprenticeships as a part of the package.<sup>231</sup>
- 5.263 The Government notes that, with expansion, Heathrow Airport has publicly committed to ensuring 10,000 apprenticeships before 2030, thereby doubling the number currently available at the airport and in its supply chain and airport-related businesses.<sup>232</sup>
- 5.264 The Heathrow Northwest Runway scheme represents an opportunity to grow the number of jobs and apprenticeships supported by the applicant and its supply chain and airport-related businesses, particularly in neighbouring communities.

### Applicant's assessment

- 5.265 Heathrow Airport should put in place arrangements for the delivery of the 5,000 new apprenticeships which it has publicly stated would be created. Heathrow Airport should set out the timetable for delivering the apprenticeships, provide information on the areas and skills to be covered by these apprenticeships, the breakdown between opportunities to be created within the core airport and those being offered by companies within its supply chain and other airport-related businesses, and the qualification level and standards which they will need to achieve. Heathrow Airport should also set out how it will publicly report progress against the target.
- 5.266 The Government expects the applicant to maximise the employment and skills opportunities for local residents, including apprenticeships.
- 5.267 Heathrow Airport will also need to show how these measures will be administered to ensure that they are relevant to planning when in operation. The mechanisms for enforcing these provisions should also be demonstrated, along with the appropriateness of any identified enforcing body, which may include the Secretary of State.

### Decision making

- 5.268 The Secretary of State will consider whether Heathrow Airport has set out a credible plan to implement its commitment to deliver a total of 10,000 apprenticeships at an expanded airport.

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<sup>229</sup> <https://www.gov.uk/government/publications/transport-infrastructure-skills-strategy-building-sustainable-skills>

<sup>230</sup> <https://www.gov.uk/government/news/strategic-transport-apprenticeship-taskforce-to-boost-apprenticeships>

<sup>231</sup> <http://www.heathrow.com/company/heathrow-jobs/heathrow-academy>

<sup>232</sup> <https://www.heathrowexpansion.com/uk-growth-opportunities/job-opportunities/>

- 5.269 The Secretary of State will consider how these provisions are secured, and how they will be operated.

## Ruling out a fourth runway

### Introduction

- 5.270 As part of its work, the Airports Commission considered the possibility that, in addition to the increased capacity provided by a Northwest Runway at Heathrow Airport, the airport might wish in the future to develop a fourth runway. The Airports Commission found no sound case for such a development.
- 5.271 First, the Airports Commission concluded that the airspace around the airport would be increasingly difficult to manage if a fourth runway was built. It noted that the airport could safely support 800,000 air transport movements per year at a four runway site, only 60,000 more than under the (three runway) Heathrow Northwest Runway scheme, but that the airspace impacts would lead to reduced numbers of air transport movements at the other airports in the London area.
- 5.272 Second, the Airports Commission concluded that it would be increasingly challenging to physically accommodate a fourth runway at the Heathrow Airport site. Taken together, these conclusions mean that building a fourth runway at Heathrow Airport would result in significant costs while providing less overall additional benefit.
- 5.273 Finally, the Airports Commission noted that there would be no guarantee that the potential demand for a further runway would be backed by a strong economic or environmental case. Any project to deliver a fourth runway at Heathrow Airport would be costly and extremely difficult to deliver given all of these considerations.
- 5.274 The Airports Commission also noted the importance of a clear signal from Government on limiting expansion to reassure local communities that Heathrow Airport will not expand any further.

### Decision making

- 5.275 The Government agrees with the Airports Commission's recommendation and the analysis that underpins it, and therefore does not see a need for a fourth runway at Heathrow Airport. An application in the vicinity of Heathrow Airport for a fourth runway would not be supported in policy terms, and should be seen as being in conflict with the Airports NPS.

## Annex A: Heathrow Northwest Runway scheme boundary map

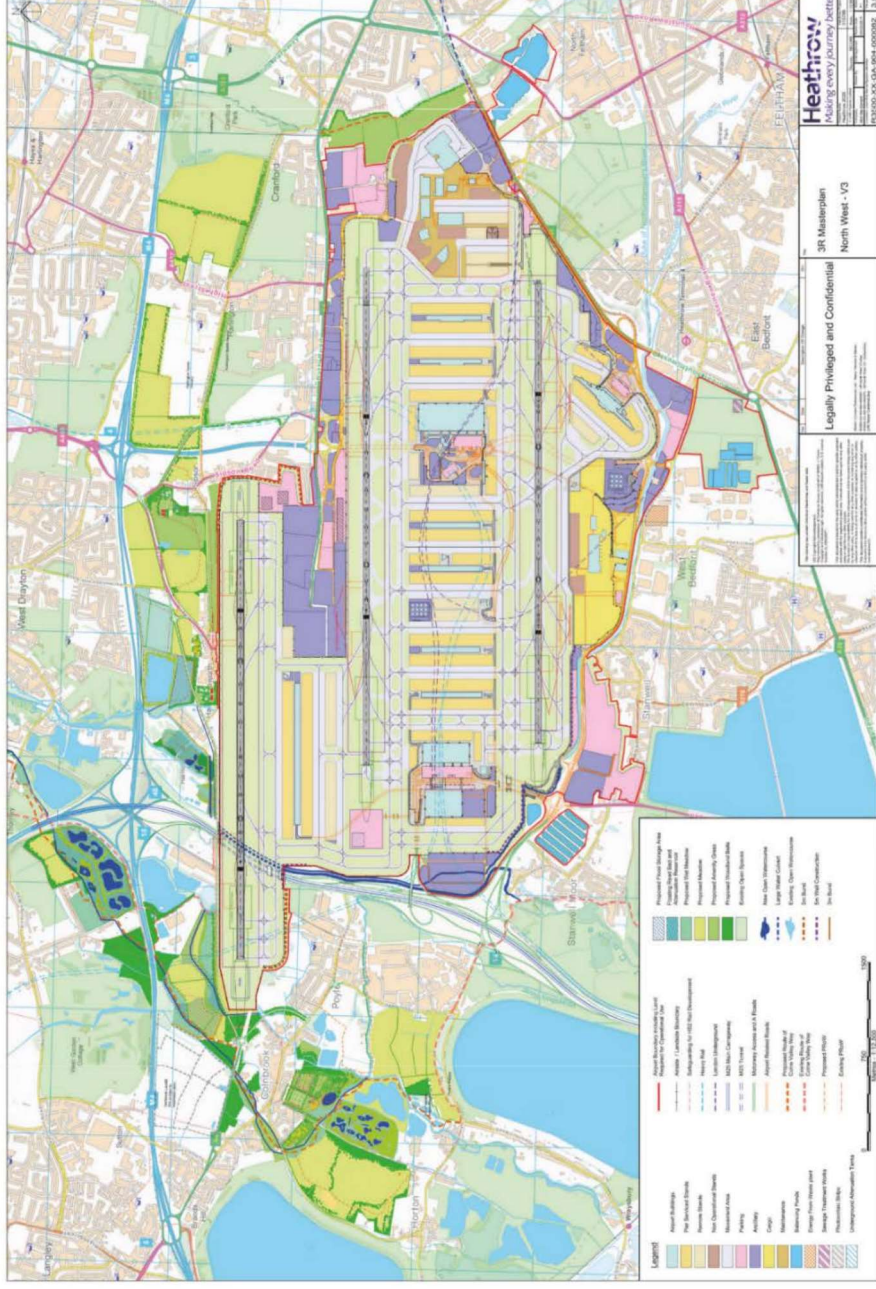


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# Annex B: Illustrative Heathrow Northwest Runway scheme masterplan



NB: This map is for illustrative purposes and is a masterplan of the Heathrow Northwest Runway scheme as submitted by Heathrow Airport to the Airports Commission. It should not be considered as a detailed site plan; the full detail and design of the scheme will be considered as part of Heathrow Airport's development consent application.