

Appendix C

**SCOPING RESPONSES FROM STATUTORY ENVIRONMENTAL
BODIES**

APPENDIX C-1

HISTORIC ENGLAND



Historic England

Statutory Environmental Body consultation
Aviation Capacity Programme Office
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London
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Your ref:
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BY E-MAIL:

Ac-Pmo@dft.gsi.gov.uk

15th April 2016

Dear Sir/Madam,

Statutory Environmental Bodies consultation – Airport Capacity- National Policy Statement Scoping Report March 2016

Thank you for consulting Historic England on the above Appraisal of Sustainability (AoS) Scoping Report and welcome our continued engagement with the Department of Transport in the development of the Aviation Capacity National Policy Statement (NPS).

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages in the development and implementation of the NPS.

Accordingly we welcome the opportunity to comment on the above consultation document. It should be noted that our comments are provided in the context of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and Historic England's Good Practice Advice (GPA) notes and our guidance on Strategic Environmental Assessment, Sustainability Appraisal and The Historic Environment (web link - <https://historicengland.org.uk/images-books/publications/strategic-environmental-assessment-sustainability-appraisal-historic-environment/>).



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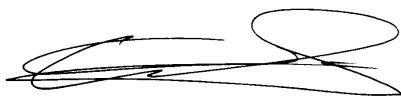
Our detailed response to the Scoping Report is set out in the attached consultation feedback form. However as an aid we would expect the NPS to meet the following criteria, so assuring its successful drafting and subsequent application by the successful sponsor of the preferred option.

- Respond positively and in accordance with the NPPF and reflect recent up-to-date NPS (rather than DMRB) in the management of the historic environment
- Provide a robust up to date evidence base on the historic environment, and demonstrate an understanding of their contribution to the development of the NPS.
- Set out a proper assessment, both qualitative and quantitative, of the historic environment in terms of the significance and condition of assets, and potential impacts upon all heritage assets including those that are not designated. All types of impacts should be fully explored whether direct, indirect, cumulative, and temporary.
- Provide a clear, deliverable and tailored mitigation strategy that addresses the potential impacts upon the historic environment, including potential compensation, off-setting for each of the three current options for airport expansion.
- Ultimately this should be developed and delivered as an exemplar project, where the historic environment is considered thoroughly and managed appropriately to its significance.

We would like to stress that this opinion is based on the information provided by you. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, where Historic England consider it appropriate to do so.

In the meantime, once you have considered the details of our response, we are happy to meet to discuss further on how this important document can be further developed so that it conserves and enhances appropriately the historic environment in line with national policy and best practice. Please do not hesitate to contact me.

Yours faithfully,



Graham Saunders
Principal Adviser - Historic Environment Planning - London



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Department
for Transport

Statutory Environmental Bodies consultation - Airports capacity - Scoping Report

Feedback Form

Consultee name:	Graham Saunders
Organisation:	Historic England
Date:	13 th April 2016

1) Are the objectives and deliverables of the Assessment of Sustainability (AoS) clear?

Yes, they appropriately reflect SEA directive and if applied appropriately will reflect our guidance on Strategic Environmental Assessment, Sustainability Appraisal and The Historic Environment. (web link - <https://historicengland.org.uk/images-books/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>).

2) Do you consider that all appropriate and relevant policies, plans, programmes (PPP's) have been identified (Appendix A)? Are there any other issues that have not been identified with the review of the PPP's in chapter 3 that should be considered within the AoS?

No, in that the PPPs specifically in relation to national documents are incomplete with regards to the historic environment.

First, it is not clear why the NPPF has been split into topic areas. When the Framework published was promoted as national policy it was advised to be read in its totality, due to the inherent linkages between the different topic areas. So we would suggest that the whole of NPPF needs to be considered, to reflect the documents characteristics and to ensure the NPS reflects effectively the Framework's purpose of delivering sustainable development which achieves economic, social and environmental gains.

No reference appears to have been made to the National Planning Policy Guidance (NPPG), which is a key national document that supports the interpretation of the NPPF. This should be reviewed, in particular with regards to the historic environment.

Historic England have also published to support the interpretation of national policy a series of Good Practice Advice Notes (GPAs), which should be reviewed as part of the AoS process. This includes Managing Significance in Decision Taking in the Historic Environment (GPA2), and Setting of Heritage Assets (GPA3). There are other PPPs that could be reviewed which are relevant to the management of the historic environment, but are more locally specific. This includes the Kew World Heritage Site Management Plan, and the other management plans related to affected heritage assets such as conservation areas.

Finally some of the PPPs appear to be listed under the wrong geographical level, with the NPPF for the historic environment being classed as ‘international’ when it is national policy.

In relation to the identification of the relevant PPPs and their interpretation as issues we would suggest that following changes to the historic environment and landscape references so that they reflect more appropriately national policy and other PPPs identified in Appendix A.

3.2.2 Environmental PPPs

Conserving and enhancing significance of heritage assets, including ~~and the~~ archaeological heritage and wider historic environment.

Promoting the protection and improvement of landscape and townscape character and quality

3) Do you consider that all appropriate and relevant baseline information has been identified (Appendix B)? Are there any other issues that have not been identified within the review of the baseline data in Chapter 4 that should be considered with the AoS?

We note (paragraph 1.1.2) that the baseline year is 2014. We accept that a cut-off point needs to be found when gathering evidence, but we would seek an assurance that as the NPS is drafted, and used as a basis for decisions, that the latest up to date information is used where appropriate or available. For example the National Heritage List for England (NHLE), which captures nationally designated heritage assets, is not a static record, but is a constantly updated record of listings. It is therefore important to ensure that the latest information is used so that proposals can be judged against an accurate record of designated heritage assets.

9 Landscape

In the context of landscape, we would draw your attention to the availability of tools such as historic landscape, urban characterisation, and visual analysis which can help identify the heritage issues found in the landscape and townscape, and provide approaches to resolving potential impacts. In particular Historic England have prepared advice on these important issues which should be used as part of the appraisals process -

- <https://historicengland.org.uk/research/approaches/research-methods/characterisation-2>
- <https://historicengland.org.uk/advice/planning/setting-and-views>

To ensure consistency it is important to ensure key issues identified here in Appendix B, is compatible with the key issues identified from Appendix A and as expressed in the Scoping Report (section 5) Proposed AoS Framework. With this in mind we would suggest that the key issue highlighted in the summary ‘box’ should read

- Effects on nationally or locally designated landscapes, townscapes and waterscapes characters, and their settings.

10 Historic Environment

First we would seek to ensure all of the foot notes are up to date and relevant to the baseline evidence for the historic environment. For example the Heritage Counts latest edition was released in 2015.

National baseline & issues -

It is important that the baseline sets out clearly and recognises the importance of all heritage assets including those that are not designated. The details at present are limited with a focus on

the number of designated heritage assets. In addition at the national level a reference is made to 2002 figures as a benchmark of change. It is not clear why this date has been chosen and what value it provides to the process.

For designated heritage assets, it is also important to have an understanding of the date of designation and whether the details provided that help inform their significance is up to date. For example many of the listing descriptions for Listed Buildings (LBs) may be quite old and brief, so their value of defining the significance could be limited and in need of updating. A mitigation strategy that included resources to update the list of designations that may be impacted by the proposal, so providing a more detailed understanding and framework for decision making should be considered.

For assets not designated, the details are still vague and do not provide a sense of the national picture. For example heritage assets that are not designated could include locally listed buildings, or areas of special character as defined by the local authority. In addition, and as a link to the 'landscape' topic, Historic landscape character have been mapped across England. These provide details on the overall landscape character of places, including nationally designated landscape areas such as Areas of Outstanding Natural Beauty. Features such as ancient woodlands and commons should also be considered undesignated heritage assets in their own right, due to their potential heritage interest.

In terms of archaeology it is important to recognise NPPF's position (paragraph 139), where it states that 'non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'. This should be reflected in the baseline information.

In this context we would suggest that as part of the appraisal process an assessment of non-designated assets should be undertaken using the following sift approach:

Buildings, and Areas – the premise for identifying these types of non-designated assets is the HERs and other local authority records/documents (e.g. Local Plan, SPDs, Article 4's and decision making committee reports) where buildings and areas of local importance have been recognised. This could include locally listed buildings, areas of special character, and features of archaeological historic interest. Where the options would have a direct impact (e.g. works) then the significance of these assets and their setting should be fully assessed. Where there is no physical impact there can still be sensory harm (e.g. visual, noise related) from development within the setting of an asset.

Archaeology – the premise for identifying both above and below ground potential archaeology is through a process of research and review, of existing archaeological studies, HERs and where available Archaeological Priority Area details. This research as part of the appraisal process should help identify potential sensitive areas where archaeological interest is expected or could be present where as part of the next stage via the preferred option detailed field studies would need to be undertaken. It may be possible to identify potential sites of national importance at an early stage but field evaluation may be necessary to provide further clarity provided on the potential status of the archaeological interest

Where the potential archaeological interest is within the footprint of the proposals (whether above or below ground) for all options then more detailed desk assessment and field evaluation should be undertaken in line with the above.

However where the archaeological interest is below ground and not directly affected by potential works (outside the footprint), then at this stage it is a matter of recording in broad terms the potential sensitive areas.

For potential archaeological interest above ground, then the key issue to consider would be related to its setting.

To ensure the baseline is sufficiently robust, we would also suggest that the condition of heritage assets is also recognised at the national level. Historic England maintains the Heritage at Risk Register (HAR) which identifies those sites/assets that are most at risk of being lost as a result of neglect, decay or inappropriate development. (Web link attached - <https://historicengland.org.uk/advice/heritage-at-risk/>). Use of the HAR as a contributor to benchmarking change and the impact of the NPS as part of the AoS would be encouraged.

Finally a key issue which the baseline & issues section should consider is the potential of harm being caused by the NPS whether directly, indirectly, cumulatively or temporarily upon the significance of heritage assets and their setting. At the national level it is important to recognise the tests as set out by the NPPF, on assessing the degrees of harm, significance of heritage assets and justifications which may outweigh harm.

Future baseline and issues -

This section should recognise the vulnerability of heritage assets to being harmed, but also the potential for developments to enhance their significance, through proactive development management that seeks to deliver sustainable change in line with national policy.

Relevance to Gatwick and Heathrow -

We have concerns that the 2km radius of the study area will be rigorously applied, to the extent that the significance of heritage assets outside of this area that could be impacted by the NPS, will not be appropriately assessed. For example the operation of the airport once expanded would result in changes in flight patterns and numbers, which could generate greater noise levels and visual impact upon areas that previously experienced a lower level of air flight activity. Where heritage assets are present then their significance could be harmed (e.g. relative tranquillity) or jeopardise their secured use, if the asset is vulnerable. It is therefore important to recognise the impact of other topic issues upon the historic environment, related to;

- changes in noise patterns generated from both the construction and operation of the preferred expanded airport; and
- improvements in the servicing and connectability of the expanded airport, through surface transport works.

More site specific details of these issues and their impact upon heritage assets should be identified in the baseline and considered for each option as part of the AoS process.

The focus of this section appears to be on designated heritage asset with no reference to other types of heritage assets. It is important for the purpose of measuring the impact of the NPS that assets not designated are also identified and assessed in this baseline information. This includes non-designated assets and potentially unknown archaeology within the study area. This information and its relevance to the two existing airports should include consideration of the historic character of the landscape/townscape in and around Gatwick and Heathrow. The point relating to non-designated heritage assets was previously raised in response to the Jacob's report.

Topic key issues –

To ensure consistency it is important to ensure key issues identified here in Appendix B, is compatible with the key issues identified from Appendix A and as expressed in the Scoping Report (section 5) Proposed AoS Framework. Suggest the following minor changes to the wording of the third and fourth bullet points so that they read;

- Effects direct and indirect on the significance of non-designated heritage assets and potential for unknown ~~buried~~ archaeological remains and their setting.
- Potential to conserve and enhance the significance of heritage assets

Albeit the baseline should not define the mitigation measures needed to address the issues, it is still important to recognise the need for a comprehensive strategy that includes both generic and site specific approaches that respond positively to the potential impacts and heritage issues identified in the baseline.

4) Do you agree with the proposed AoS Framework presented in Table 5.1 of the Scoping Report?

Yes, subject to following changes being made to the details so that they reflect sufficiently the findings from appendices A and B. These include:

Historic Environment -

Key issues column

- Loss or harm to significance of designated heritage assets and their settings, from physical works or indirectly, e.g. ~~through generation of traffic~~ surface transport and aviation noise.
- Loss or harm to the significance of non-designated heritage issues assets and their settings, from physical works or indirectly e.g. surface transport and aviation noise.
- Potential to conserve and enhance the significance of heritage assets, including better access to and/or interpretation, understanding and appreciation.
- Potential direct and indirect effects on ~~the~~ historic landscape, ~~or~~ townscape and waterscapes.

AoS objective column -

Conserve and where possible enhance heritage assets and the wider historic environment including buildings, structures, landscapes, townscapes and archaeological remains.

Appraisal Questions column –

Will its construction and operation lead to harm the significance of heritage assets for example from the generation of noise, pollutants and visual intrusion?

And add the following question to help prompt the potential to enhance our understanding and access to the historic environment, as a potential benefit of the proposed works:

Will it improve access to and/or interpretation, understanding and appreciation of the significance of heritage assets?

Sources of information column -

Further consideration should be given to developing a robust mitigation strategy for the historic

environment that was both generic and site specific, takes account of direct and indirect effects, and is sufficiently tailored to the impact of the options upon the distinctive heritage issues in and around each airport.

In addition further consideration should be given to non-designated heritage assets, in terms of their identification, significance and potential harm through the impacts of the options.

Landscape –

Appraisal Questions column –

Will it lead to impact on sensitive views and settings?

5) Do you have any views on the methodology (5.2) proposed for undertaking the AoS?

We would seek clarification on potential mitigation as expressed in paragraph 5.2.6. The current wording suggests mitigation and monitoring will be identified for significant adverse effects and uncertainties. To ensure consistency in language should this not read ‘significant negative effects’? Thus reflecting the wording used in the table under paragraph 5.2.1. If so, should then the mitigation and monitoring measures consider all negative effects, whether minor or significant, with the degree of the measure responding to the effect? We would prefer this to be approach.

When applying the methodology of testing the options against the appraisal questions for the historic environment, we would seek to ensure that heritage assets are not all treated as being of equal importance. The NPPF is clear in that the significance of heritage assets needs to be identified and then used as a baseline in which to assess the impact of proposals. This by default leads to a more nuanced understanding of the potential impacts of developments, whether it is direct or indirect (e.g. setting of heritage assets). National policy then details that the level of harm a proposal may cause needs to be assessed in the context of the type (e.g. LB, CA, WHS, RP&G, SM and non-designated) and grade of the heritage asset (e.g. grade I, II* and II). The result is that we would seek to ensure that the methodology used in the appraisal is sensitive and responsive to the heritage assets being considered, so providing a reasonable account of the expert judgement on relative importance and impact.

6) Are there any other PPPs that should be considered for cumulative effects (5.3)?

We would draw your attention to the possibility of strategic strategies that local planning authorities may lead on, which could have a cumulative impact on the AoS. In the context of London this includes Mayor of London’s strategies on Transport, Infrastructure, and Climate Change. Outside of the capital, the relevant County Council may have equivalent strategies such as local transport plans, which may have a cumulative impact on the AoS.

7) Is there anything else that needs to be taken into account in the AoS or are there any other comments on the Scoping Report?

For consistency page 18

Promoting the protection and improvement of landscape and townscape character and quality
Conserving and enhancing significance of heritage assets, including archaeological heritage

and wider historic environment.

APPENDIX C-2

NATURAL ENGLAND

Date: 12 April 2016
Our ref: [Click here to enter text.](#)
Your ref:



Caroline Low
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CC: Sarah Tyler, Defra

Dear Caroline

Department for Transport (DfT) Appraisal of Sustainability (AoS) for expanding airport capacity: Scoping Study - Statutory Environmental Body consultation

Natural England welcomes the opportunity to comment on DfT's Scoping Study for the Appraisal of Sustainability (AoS) for expanding airport capacity.

As the Government's advisor on the natural environment, our purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We very much appreciate the efforts DfT has made in engaging with the Statutory Environmental Bodies and particularly the ongoing dialogue that has been established. We recognise the efforts that have been made to date in scoping the likely impacts of different policy options. Through our engagement we are seeking to help you make this exercise complete and accurate, so that future decisions are based on a full understanding of the environmental implications.

Our response below is a continuation of the work we did with the Airports Commission. We recognise that all the options have significant environmental impacts which we are keen to ensure are accurately reflected in this assessment. Though our comments are detailed they mirror the thoroughness of the exercise that DfT is undertaking and are intended to help secure sustainable development outcomes that fully respect the natural environment.

Our detailed response is in the feedback form attached to this letter. If you have further questions regarding our response to this consultation, please contact Clare Warburton, Senior Environmental Specialist on 0300 060 1843 or at clare.warburton@naturalengland.org.uk.

Yours faithfully

Gill Kerr,
Acting Director, Sustainable Development.



Statutory Environmental Bodies consultation - Airports capacity - Scoping Report

Feedback Form

Consultee name:	
Organisation:	Natural England
Date:	

1) Are the objectives and deliverables of the Assessment of Sustainability (AoS) clear?

The objectives and deliverables are clear.

2) Do you consider that all appropriate and relevant policies, plans, programmes (PPP's) have been identified (Appendix A)? Are there any other issues that have not been identified with the review of the PPP's in chapter 3 that should be considered within the AoS?

Do you consider that all appropriate and relevant policies, plans, programmes (PPP's) have been identified (Appendix A)?

We welcome the reference to the National Planning Policy Framework (NPPF)¹ and Biodiversity (p98) and the commitment that the AoS should 'encourage protection and enhancement of natural habitats for wildlife and ecosystems'. We suggest that 'no net loss' should be referred to – the planning practice guide² says '*the National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature*'. The NPPF states that the planning system should contribute to and enhance the natural and local environment by "*minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*"³. We advise that this net gain principle underpins the AoS and specifically the development of the mitigation and compensation measures.

We note that there is no reference to green infrastructure and the NPPF and advise that this is covered in Appendix A. DCLG has published useful new guidance on green infrastructure in its Planning Practice Guidance on the natural environment. The guidance is available [here](#). The guidance identifies that *green infrastructure 'is important to the delivery of high quality sustainable development' and 'should be a key consideration in local plans planning decisions where relevant'*.

We note that there is no reference in Appendix A to the NPPF and landscape. The AoS should clearly set out the policy context in relation to nationally protected landscapes including National

¹ [The National Planning Policy Framework 2012](#)

² [Planning Practice for the Natural Environment](#)

³ Paragraph 109, NPPF

Parks, the Broads and Areas of Outstanding Natural Beauty as set out in in paragraph 115 of the National Planning Policy Framework. The NPPF states that “*great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and AONBs which have the highest level of protection in relation to landscape and scenic beauty.*”⁴

We recommend that Appendix A highlights the policy context in relation to ancient woodland, as set out in the NPPF which states: *‘planning permission should be refused for development resulting 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 need for, and benefits of, the development in that location clearly outweigh the loss’*; It should also refer to the standing advice on ancient woodland and veteran trees ⁵. The irreplaceable nature of ancient woodland and veteran trees needs to be explicit.

We recommend that Appendix A is amended to include the policies and objectives in relation to soil protection as well as protection of best and most versatile agricultural land. Para 112 of the NPPF on the protection of best and most versatile agricultural land should be referenced, as should the protection of soil in the NPPF (para 109). This extends beyond the consideration of ‘land quality’ (contamination) as described in Appendix A and should more explicitly refer to the protection of soil resources during development. The Planning Practice for the Natural Environment⁶ paras 025 & 026 provide additional guidance on best and most versatile agricultural land and soil issues, which could usefully be referenced.

Appendix A should also reflect the plans and policies referenced in Table 5.2 of the main AoS scoping report eg Local Plan references. It should also make reference to Climate Change Adaptation Reports produced by the airports.

We have noticed a number of errors in Appendix A plans and policies and suggest that the biodiversity policies are checked for accuracy eg P56: The policy described under Directive 2002/49/EC on environmental noise appears to be a biodiversity policy rather than a noise policy.

Are there any other issues that have not been identified with the review of the PPP’s in chapter 3 that should be considered within the AoS?

Para 3.3 bullets 10 and 11 it seems that land quality (contaminated land) has been confused with agricultural land quality (protection of best and most versatile agricultural land) and general protection of soil resources. We suggest these are reworded as follows:

Bullet 10 *‘Protecting land quality, including the identification and remediation of contaminated land’*

Bullet 11 *‘ Protecting soils and best and most versatile agricultural land’*

3) Do you consider that all appropriate and relevant baseline information has been identified (Appendix B)? Are there any other issues that have not been identified within the review of the baseline data in Chapter 4 that should be considered with the AoS?

Overarching Comments

⁴ Paragraph 115, National Planning Policy Framework

⁵ Standing Advice Natural England and the Forestry Commission, Ancient woodland and veteran trees: protecting them from development, updated October 2015

⁶ [Planning Practice for the Natural Environment](#)

We note that coverage of climate change issues in both Appendix B and Chapter 4 is inconsistent, with some chapters in Appendix B considering climate change as a future issue and others not. We also note that there is no mention of climate change adaptation in Table 4.1. Climate change is a cross cutting theme that needs to be considered across all topics as identified in the main AoS at 3.2.2. Specifically in relation to biodiversity the AoS will need to give consideration to future ability of species to adapt to climate change. An example of this is the maintenance of networks of interconnected habitats to maintain robust population dynamics and allow species migration in response to changing climatic conditions. However all sub-topics will need to consider mitigation and adaptation to climate change.

Main Scoping Report Table 4.1: We note that ecosystems services are only cited in the Biodiversity section. This topic is overarching and covers a range of services egg soils, water and air pollution for example. We recognise that the AoS is not taking forward the ecosystem services assessment (ESA) as part of the strategic level AoS. However for future project level assessments we would recommend that ESA is considered as a cross cutting theme (see further comments below on ecosystem services assessment).

Biodiversity, flora and fauna

Appendix B Chapter 7: The baseline information provides a basic overview. We recognise that this is a high level assessment and we would expect a more robust baseline to be developed at the project level assessment stage, including more detailed information on designated sites, their qualifying features of interest, current condition and conservation objectives.

Main Scoping Report Table 4.1: This table doesn't mention ancient woodland. Whilst this is covered in 4.2, we would advise that the irreplaceable nature of ancient woodland and veteran trees needs to be explicit in all sections. This is a key factor when considering the Gatwick proposal in particular. Similarly this needs to be picked up in Appendix B, Chapter 7; 7.3.6: Key Issues for AoS, where we would recommend that the this summary specifically refer to effects on ancient woodland.

In line with EA comments, we would recommend adding effects on watercourses and wetland habitats. We would also like to see recognition of the need to avoid deterioration and improve ecological status of water bodies in line with the Water Framework Directive.

Landscape

Appendix B Chapter 9: The baseline information provides a basic overview. We recognise that this is a high level assessment and we would expect a more robust baseline to be developed at the project level assessment stage, including more detailed information on protected landscapes, their distinctive characteristics and special qualities.

Appendix B para 9.3: We had understood that a 15km zone was used to scope impacts on nationally designated landscapes, rather than the 5km referred to in this chapter. There is no reference to protected landscapes in this section which we consider this to be a significant omission. It is important that landscape and visual impacts on protected landscapes are included in the scope of the AoS and relevant information should be included in the baseline. We do however welcome the recognition that *Effects on designated landscapes and their setting*, as well as *Effects on local landscape and townscape character* and quality and *Loss of tranquillity and increase in light pollution* have been identified as key issues for the AoS.

Soil

Appendix B para 8.1.1: Potential loss of geodiversity is normally considered in relation to the geological conservation impacts of the project i.e. in relation to geological SSSIs and Regionally Important Geological and Geomorphological Sites (RIGS); it is not really clear why this is included under a 'Soils' topic heading? We would advise that a separate 'Geo-conservation' topic heading is warranted.

Appendix B Para 8.1.2: Add 'water infiltration and drainage' to last sentence, e.g. Soil sealing prevents the soil from performing other functions such as food and fibre production, *water infiltration and drainage* or the ecological functions of soil, including storage of carbon and as a habitat.

Appendix B Para 8.2.1: Add new bullet '*Loss through sealing, or other degradation or contamination caused by construction or human activity*' (this is intended to summarise the other key threats to soils described in Defra (2009).

Appendix B Box : Soil - Key Issues for AoS : 2nd Bullet '*those valuable to agriculture*' should be replaced by 'impact on best and most versatile agricultural land'

Table 4-1 Key sustainability issues for AoS: For Soil heading '*those valuable to agriculture*' should be replaced by 'impact on best and most versatile agricultural land' (see other NPS's and/or NPPF para 112 for full policy ref).

4) Do you agree with the proposed AoS Framework presented in Table 5.1 of the Scoping Report?

Community

We are pleased to see this section of the AoS covers the potential for the proposals to affect demand for housing and community services and facilities, including recreational facilities. Additional housing could lead to increased recreational disturbance on or adjacent to designated sites. These kinds of consequential impacts need to be considered in the AoS and HRA.

The loss of or increased demand for recreational facilities is rightly recognised as a key issue and we would highlight the need at the strategic level to consider potential impacts on National Trails, specifically the Thames Path and North Downs Way National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts, particularly those arising from visual and disturbance impacts from aircraft overflight.

At the EIA stage, impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development will also need to be considered. At this later stage we would recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced. Relevant aspects of local authority green infrastructure strategies should be considered where appropriate.

Biodiversity

We welcome the key issues, objectives and appraisal questions set out for biodiversity. Through the objectives and appraisal questions the AoS scoping report sets out its intention to assess the potential for three options to conserve and enhance internationally, nationally and locally designated biodiversity sites, undesignated sites, internationally and nationally protected species and valuable ecological habitats such as priority habitats and priority species, which we support.

European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. Natura 2000 network site conservation objectives are available from:

<http://publications.naturalengland.org.uk/category/6490068894089216>.

The Habitats Regulations Assessment undertaken as part of the AoS will need to feed into and inform the AoS assessment of biodiversity as set out at table 2.3.

Further information on Sites of Special Scientific Interest (SSSIs) and their special interest features can be found at www.magic.gov. The AoS should include an assessment of the direct and indirect effects of the development on the features of special interest supported by these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Based on our analysis of work undertaken by the Airports Commission in its sustainability appraisal, we would highlight the following impacts as needing further consideration within the AoS:

- disturbance impacts from increased bird control activities and aircraft overflight on the South West London Waterbodies Special Protection Area and Ramsar site (SWLW SPA/Ramsar), including any functionally linked habitats (for Heathrow). The site is designated for internationally important numbers of gadwall and shoveler. We would advise making use of the BTO Wetland Bird Survey data as well as data collected by airports on bird activity. Both sources could make a useful contribution to the baseline and ongoing monitoring.
- air quality impacts on designated sites from aviation activities and surface access proposals.
- direct and indirect impacts on Staines Moor Site of Special Scientific Interest (SSSI) and mitigation relating to the River Colne alterations to avoid this (for Heathrow).
- impacts on ancient woodlands and their associated habitats and networks, with recognition of their status as irreplaceable habitats and that avoidance of loss should therefore be the principal approach. The Gatwick proposals include 70ha of woodland loss and 50km of hedgerow. A key issue here will be consideration of the landscape-scale impacts on the functioning of the ecological network.
- impacts on Bechstein's bats (for Gatwick) through the loss and fragmentation of woodlands and hedgerows. Bechstein's are one of the Annex II qualifying species present at Mole Gap and Reigate Escarpment SAC and are also found at Ebernoe Common SAC and The Mens SAC.

We note that ancient woodland is not specifically referred to in table 4.1, but it is identified as a key issue in Table 5.1. As set out above ancient woodlands are given strong protection in the NPPF and the irreplaceable nature of ancient woodland and veteran trees needs to be explicit at all stages of the AoS. We recommend that specific reference is made to ancient woodland in appraisal questions 12 and 13 to ensure that they are fully considered in the AoS. This is an important consideration for the Gatwick proposals, in particular.

Landscape

We welcome objective 18: *To promote the protection and improvement of landscapes townscapes, waterscapes and the visual resource, including areas of tranquillity and dark skies.*

All three options have the potential to impact on nationally protected landscapes. As suggested above the AoS should clearly set out the policy context in relation to nationally protected landscapes including National Parks, and Areas of Outstanding Natural Beauty as set out in in paragraph 115 of the National Planning Policy Framework. The NPPF states that “*great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and AONBs which have the highest level of protection in relation to landscape and scenic beauty.*”⁷

We recognise that the AoS is a high-level and entirely desk-based study. In this context there will be limits on what might be concluded in the AoS prior to a full assessment of landscape and visual impacts.

It will be important to undertake a full landscape and visual impact assessment at the project level including assessing views from the protected landscapes involving site-based assessments from publically accessible viewpoints from the designated landscapes towards the development site. This would also enable the need for screening or other mitigation to be assessed and subsequently designed. Natural England supports the use of *Guidelines for Landscape and Visual Impact Assessment*, 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment. We encourage the use of Landscape Character Assessment (LCA) which provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

One of the key impacts on protected landscapes will be those arising from changes to flight paths and the potential effects on tranquillity. It will also be important to consider cumulative noise impacts in these areas and to look at the potential for mitigation such as respite for designated landscapes. This will depend on detailed airspace design. Reducing or avoiding flight paths below 7000 feet over protected landscapes would be in line with CAA guidance which recommends that “*where practicable, and without a significant detrimental impact on efficient aircraft operations or noise impact on populated areas, airspace routes below 7,000 feet (amsl) should, where possible, be avoided over Areas of Outstanding Natural Beauty (AONB) and National Parks*”.⁸

The most significant effects are going to be on local landscapes which are not designated. It will be for local planning authorities and others to advise on the full Landscape and Visual Impact Assessment. It would be helpful for the AoS to set this out.

Water

⁷ Paragraph 115, National Planning Policy Framework

⁸ Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Function, 2014

We would advise that the key issues and appraisal objectives reflect the requirements of the Water Framework Directive. The importance of the Water Framework Directive for biodiversity should be recognised as well as its importance for water quality. Clarification is needed on where ecological impacts in relation to the water environment will be considered and whether these will be considered in the biodiversity topic or the water topic.

Appraisal objective 11 'To protect the quality of surface and ground water and use water resources efficiently' needs to ensure that it reflects the requirements of the Water Framework Directive River Basin Management Plans and promotes sustainable use of water resources including surface and groundwater. Development must not cause deterioration of water body. However WFD is not just about 'no deterioration', but about whether the proposal will affect good surface water status or good ecological potential and good surface water chemical status and good chemical and quantitative status for groundwater. This links closely with the biodiversity topic, where the impacts on the ecology of designated water bodies will be a key consideration.

This objective should reflect an aspiration for the 'sustainable use of water'. Without new water resource provision, the South East of England will be in deficit by 2040 (end of planning horizon for water resource management plans (WRMPs)), with some areas such as the Thames in deficit by 2025. WRMPs have to bring forward new resources to address the deficit and Thames Water and Southern and South East Water who supply Heathrow and Gatwick are bringing new resources forward, including effluent reuse as a potential major new supply.

Further planning and design work is needed to ensure that environmental standards are achieved with regard to the risks of surface water containing contaminants from the extended hard standing areas entering watercourses. De-icing is a particular potential issue and there is also the potential for pollution arising from the large quantities of chemicals including fuels stored and used on site during both construction and operation.

Climatic factors

We welcome the recognition of the importance of climate change adaptation within the Water topic. The vulnerability and adaptability of airport infrastructure to impacts of future climate change is an important consideration. However, we recommend that this is a cross cutting theme as it will affect other topic areas as well as water e.g. biodiversity, air quality. The future ability of species to adapt to climate change will be an important consideration in biodiversity mitigation, for example the maintenance of networks of interconnected habitats to maintain robust population dynamics and allow species migration in response to changing climatic conditions.

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The AoS should reflect these principles and identify how the effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the AoS.

There is a need to consider the main climate risks that airports should be resilient to eg flood risk, extreme weather (strong winds and increased temperatures), and water supply. Changes to biodiversity and landscape as a result of climate change could also significantly affect the operational viability of airports. Equally airports may constrain the ability of other sectors to adapt to the effects of climate change. In recent year airports have produced Climate Change Adaptation Reports to assess the risks and identify priority actions for adaptation.

The importance of using green infrastructure in adapting to climate change is recognised in the National Planning Policy Framework (NPPF), paragraph 99: *'New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure'*. Green infrastructure can act as a barrier to air pollution and dust, attenuate storm water runoff, reduce the urban heat island effect, reduce costs including drainage, heating and cooling, reduce airport noise and enhance the visual aesthetics. Green roofs, for example, have been installed at a number of European airports including major airports in Germany, France and Amsterdam.

Air Quality

Appraisal Question 26: We would suggest that 'issues' is replaced with 'impacts'.

A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England has recently published the following reports, which may assist in the assessment of air quality impacts:

- An updated review of the ecological effects of air pollution from road transport: [NECR199 - The ecological effects of air pollution from road transport: an updated review](#)
- A mapping and site analysis report which classifies designated sites in terms of their exposure to NOx from road traffic, taking into account other background sources of NOx, and goes on to consider potential risk of impacts of NOx from road transport: [NECR200 - Potential risk of impacts of nitrogen oxides from road traffic on designated nature conservation sites](#)
- A Natural England commissioned report that quantifies the degree to which background nitrogen deposition will likely affect species richness or composition for certain habitats. [NECR210 - Assessing the effects of small increments of atmospheric nitrogen deposition \(above the critical load\) on semi-natural habitats of conservation importance](#)

As stated above AoS will need to consider the air quality impacts on designated sites from aviation and surface access proposals. Consideration of sites that could be affected by changes to road traffic emissions associated with the airport expansion will need to be considered once detailed traffic modelling data is available.

Resources and waste

We welcome the aspiration to minimise consumption of natural resources and generation of waste materials in appraisal questions 29 and 30. We would advise that the project applies the circular economy principles wherever possible and sets an exemplar of sustainability in this area. Obligations under the Waste Hierarchy, require that everything possible is done to minimise the generation of waste, from design through to operation and end of life.

Impacts on local energy from waste plants need to be considered and opportunities to

improve/expand the facilities, to provide heat energy, either to the airport, or other local users considered. Natural England is currently working with a range of transport and other infrastructure asset owners in the management of green infrastructure and reducing whole life costs, for example by developing biomass to bioenergy approaches that recycle grass and woody biomass for use in bioenergy plants. The associated grassland/woodland management can help to support biodiversity gains. There could be scope to look at management of airport green infrastructure in a similar way.

Soil

Section 5.1 (Soil topic): Potential loss of geodiversity is normally considered in relation to the geological conservation impacts of the project i.e. in relation to geological SSSIs and RIGS. We would advise that a separate 'Geo-conservation' topic heading may be warranted. The paragraph on 'greenfield land loss' is a separate issue and is better included in the section below (row below in table) dealing with 'potential for loss and damage to soil ...& etc).

Under 'AoS objectives' column Objective 10: To minimise loss of undeveloped soils *and of best and most versatile agricultural land* , and protect soil against erosion, contamination, and degradation.

Under 'Appraisal Questions' column Question 16: Will it maximise construction on previously developed land, minimise use of greenfield land *and minimise use of best and most versatile agricultural land?*

Under Sources of Information – Question 16: The Place Assessment report includes information about Agricultural Land Classification (ALC) grades from the published provisional mapping but does not refer to the companion 'Likelihood of land being best and most versatile' mapping which is also to be used. Suggest an additional comment is made here to this effect.

Under Sources of Information – Question 17: Not just loss of soil resources but risk of degradation through disturbance (e.g. compaction, mixing) – suggest reword as follows: 'The Report addresses potential effects *of contamination or loss/disturbance* of soil/land resources associated with each scheme'

Additional Information:

There were a number of key issues that Natural England identified in its response to the Airports Commission's Final Report that will need to be followed up in the main AoS. These comments are attached to the email response for completeness.

5) Do you have any views on the methodology (5.2) proposed for undertaking the AoS?

We would like to see more on how the AoS will inform the NPS. For example how recommendations from the AoS will be included as part of the policy and the critical importance of mitigation measures to the environmental impact, and potentially legal compliance of alternatives.

6) Are there any other PPPs that should be considered for cumulative effects (5.3)?

We would advise the following PPPs should be considered alongside those already listed in

table 5.2:

River Thames Flood Relief Scheme

Lower Thames Crossing

Climate Change Adaptation Strategy

River Basin Management Plans

Minerals and Waste plans - historically there has been a lot of mineral extraction in these areas and there have been issues in relation to restoration of mineral extraction sites as water bodies due to potential for bird strike.

7) Is there anything else that needs to be taken into account in the AoS or are there any other comments on the Scoping Report?

Table 2.3: Ecosystem services assessment:

Natural England welcomed the work undertaken by the Airports Commission on the ecosystem services assessment. Whilst there were some gaps in the assessment, consideration of ecosystem services helps to ensure that the value of services that may have been overlooked in the past are better reflected in the decision-making process. Taking full account of ecosystems and their services can increase the long-term resilience of business decisions, policies and actions. It is part of good practice in assessing the general environmental impact of policy options, consistent with HM Treasury (2013) 'Green Book' which guides appraisal and evaluation.

Taking an ecosystem approach provides improved assurance of sound stewardship and risk management, facilitating the processes of securing planning permission. An awareness of potential implications across the range of ecosystem services contributes to averting unintended negative consequences and potentially to optimising net benefits arising from decision-making.

The Ecosystem Services Assessment (2013) states: *'Ecosystem services assessments are useful risk assessment tools for all sectors of society, forming a subset of implementation of the wider Ecosystem Approach. They can be applied to determine and communicate the broader ramifications of decisions, policies and planned schemes, to consider options for the future use or management of habitats ('places'), to broaden the scope of impact assessments, to address the robustness of business plans, and to communicate with and better engage local communities.'*

We note that the further work on the ESA is not being undertaken at the strategic level, but that 'further assessment of impacts on ecosystem services and identification of mitigation can be undertaken at project level'. Given the benefits of ESA as set out above, we would recommend this wording is changed to: 'further assessment of impacts on ecosystem services and identification of mitigation *should be* undertaken at project level'.

This topic is overarching and is not confined to biodiversity, but covers multiple services such as soil regulation, water management, air quality regulation etc. It is not therefore appropriate to confine Ecosystems Services to the Biodiversity topic, and further project level assessments should consider ESA as a cross cutting theme.

Table 2.3 Habitats Regulations Assessment

We welcome the clarification in Table 2.3 of the relationship between the AoS and the Habitats Regulations Assessment. This will be an iterative process, with the Habitats Regulations Assessment being informed by, and informing the AoS. It will be important for these two processes to be undertaken in a way that allows each to inform the other and to be cross referenced.

Mitigation and Enhancement

The AoS should include proposals for mitigation of any significant adverse impacts and, if appropriate, compensation measures. We note that 5.2.6 is the only reference in the document to mitigation measures. We would like the document to acknowledge the critical importance of mitigation measures to the environmental impact, and potentially legal compliance of alternatives. We suggest that the document should set out how mitigation will be considered and ensured, albeit that much of this work will be carried out at later, more detailed stages in the process.

Considerable further work on mitigation will be required as proposals are developed to ensure that appropriate standards are met, in particular those required for Habitats Regulations Assessment.

Consideration will need to be given to the likelihood of bird strike control requirements having a significant influence on the type and function of habitats created as mitigation for all three scheme proposals.

Overall we would advise that in addition to mitigation, opportunities for environmental enhancement and the improvement of current environmental conditions and features are sought.

Exemplar Approaches

We would like to see a steer that the promoters should seek to implement exemplar approaches to protect and where possible enhance the environment to benefit people and the environment. In practice this will be in line with planning policy in the NPPF and relevant legislation.

We advise that this would entail an overarching commitment to exemplar standards and net environmental gain e.g. net gain in biodiversity. This would be in line with approaches adopted across the wider transport sector. HS2's Sustainability Policy sets out the project's ambition, in the form of its Chief Executive's words: *This policy sets out HS2 Ltd's commitment to be an exemplar project.* Network Rail is looking to deliver net positive approach to all its infrastructure projects in Control Period 5 and Highways England has a commitment in its Road Investment Strategy to no net loss by 2020 and net gain by 2040. It would be appropriate if the AOS took a similar approach to airport expansion.

APPENDIX C-3

ENVIRONMENT AGENCY

RESPONSE TO THE DEPARTMENT FOR TRANSPORT (DfT) CONSULTATION

APPRAISAL OF SUSTAINABILITY (AoS): AIRPORTS NATIONAL POLICY STATEMENT (NPS) SCOPING REPORT

INTRODUCTION

We welcome the opportunity to respond to this scoping consultation that is being carried out in line with Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment. We have worked with DfT, Defra and other statutory bodies to advise on early drafts of this report. We welcome continued involvement and opportunities to advise on issues within our remit as the work progresses.

Our key comments on the AoS Scoping consultation are summarised below and our full response in the format DfT require is attached as in Appendix 1.

SUMMARY

We believe that the environmental issues relating to our remit can be mitigated for all three proposed options, and there is potential for some local environmental gains although considerable work is required to secure this outcome. Our chief concerns relate to implementation of proposals and mitigation and we believe it is important that the NPS and AoS recognise these details and set a framework to address them. We would like to see that in addition to mitigating potential impacts, opportunities for environmental enhancement should be sought. We would like the promoters to seek to implement exemplar approaches to protect and enhance the environment to benefit people and wildlife. This would be in line with planning policy in the National Planning Policy Framework (NPPF) and legislation such as the Water Framework Directive (WFD).

GENERAL COMMENTS

- We would like to see an overarching commitment to exemplar standards and net environmental gain e.g. in line with improved ecological status as set out in the WFD.
- We suggest including more detail about how recommendations from the AoS will be included as part of the policy, for example the critical importance of mitigation measures to environmental impact, and compliance with legislation, standards and policy. We suggest that the AoS and NPS should set out how mitigation will be considered, in line with the mitigation hierarchy, and to secure a clear framework for project delivery.
- All the proposed options involve making extensive changes to watercourses. Considerable further work on mitigation will be required as proposals are developed to ensure that standards are met, in particular those required for flood risk management and by the WFD.
- WFD assessments including Article 4.7 assessments are likely to be required.

- The importance of the WFD for biodiversity should be recognised as well as its importance for water.
- We welcome that climate change adaptation has been recognised as part of the water topic. However, we suggest that climate change adaptation should be a cross cutting topic as it will affect other topic areas e.g. biodiversity and air quality. We suggest that the vulnerability and adaptability of airport infrastructure to impacts of future climate change should be considered too. For example, we recommend that airport infrastructure should be assessed in terms of resilience to climate change risks such as extreme temperatures, water shortages, strong winds; and how these will change over the lifetime of the development. We recommend that reference should be made to the UK Climate Change Risk Assessment (CCRA) 2012.
- Detailed hydraulic modelling will be required to understand the interaction between surface and groundwater, needed to develop appropriate mitigation for the Heathrow options.
- Bird strike mitigation measures could have significant impacts on water bodies. Further work is required to ensure that WFD and other standards and targets are not compromised.
- Further work is required to understand impacts on water infrastructure (sewage treatment works and sewerage), for example on what additional wastewater flows will need to be treated at sewage treatment works, the permits that will be required to prevent deterioration of the environment, and whether current technology can deliver these levels of treatment.
- Further planning and design work is needed to ensure that environmental standards are achieved with regard to the risks of surface water containing contaminants from the extended hard standing areas entering watercourses. De-icing is a particular potential issue and there is also the potential for pollution arising from the large quantities of chemicals including fuels stored and used on site during both construction and operation.
- The removal and replacement of the Lakeside energy from waste plant would be required as part of the Heathrow North West runway option. Putting in place a replacement facility would be a major undertaking, requiring a very early start if disruption to strategic contracts is to be avoided. It should also be borne in mind that this is a merchant facility, with numerous contracts, some as far away as Dorset. It is important that impacts on waste disposal in other areas, is investigated as a part of the process, to establish overall impacts and potential to reallocate contracts in the interim. Were the plant to be moved, it would provide an opportunity to improve the facility, to provide heat energy, either to the airport, or another local user.
- The way the economic 'key issues' are worded is unbalanced compared to those for other topics. For example it is stated that there is a 'need' for growth etc. For other



topics the issues are couched in terms of impacts and effects. We suggest using a consistent way to describe all the topics in terms of impacts and effects.

Further information

Further information or background to this response can be obtained from:

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**Statutory Environmental Bodies consultation - Airports capacity - Scoping
Report**
Feedback Form

Consultee name:	Gerard Stewart, Senior Advisor
Organisation:	Environment Agency
Date:	1 April 2016

1) Are the objectives and deliverables of the Assessment of Sustainability (AoS) clear?

The objectives and deliverables are clear.

2) Do you consider that all appropriate and relevant policies, plans, programmes (PPP's) have been identified (Appendix A)? Are there any other issues that have not been identified with the review of the PPP's in chapter 3 that should be considered within the AoS?

We suggest that the common themes and objectives in 3.2.2 reflect quantitative goals where possible e.g. the Climate Change Act 2008 commitment to an 80% cut in GHG emissions by 2050.

We suggest that 'no net loss' should be referred to – the Planning Practice Guidance says *'the National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.'*

We suggest that this approach would help to clarify the assessment of options, mitigation measures, monitoring, and the setting standards for promoters to meet.

We would like to see the need to comply with environmental regulations and standards stated here.

Water Company Water Resources Management Plans should be taken into account. These are key to making sure any new development has a reliable supply of potable water.

We suggest that the review of the Waste Framework Directive (2008/98/EC) should recognise that the Directive provides for recycling targets for municipal waste and includes a target for recycling of construction and demolition waste (which is reiterated in the Circular Economy Principles). It also provides for the waste hierarchy and the efficient use of resources (which is mentioned in the scoping paper), as policy drivers for waste planning, and we suggest they should be included here. We believe that the reference to climate adaptation in this context could be confusing and suggest it should be dealt with by adherence to the waste hierarchy.

3) Do you consider that all appropriate and relevant baseline information has been identified (Appendix B)? Are there any other issues that have not been identified within the review of the baseline data in Chapter 4 that should be considered with the AoS?

Table 4.1 Key Sustainability Issues Identified for the AoS

Water

See answer to question 4 below.

Biodiversity, flora and fauna

We note that woodland habitats are specifically mentioned and we recommend adding effects on watercourses and wetland habitats too.

We would also like to see recognition of the need to avoid deterioration and improve ecological status of water bodies in line with the Water Framework Directive (WFD) rather than the need to meet legislation, standards or policy.

Economy

The way the economic 'key issues' are worded is unbalanced compared to those for other topics. For example it is stated that there is a 'need' for growth etc. For other topics the issues are couched in terms of impacts and effects. We suggest using a consistent way to describe all the topics in terms of impacts and effects.

Air Quality

Section 5, Objective 13, Question 25. The report states that 'The Airports Commission Air Quality – National and Local Assessment and 6. Air Quality – Baseline 43 can be used in conjunction with subsequent modelling undertaken by the Government (2015) 44 to determine likely air quality exceedances attributed to Airport Expansion, and compliance with targets and legislation.'

We understand that the modelling is being updated to tie in with that done by Defra for their new NO₂ Action Plans. The Scoping Report refers to documents published 1 July 2015. We suggest reference is made to the latest Defra work.

Soil

We suggest that the Objectives and Appraisal questions should include consideration of impacts of contaminated land and the risks of development creating contaminant pathways that enable contaminant sources to enter water bodies including groundwater.

4) Do you agree with the proposed AoS Framework presented in Table 5.1 of the Scoping Report?

Water Key Issues

'Adverse effects on water quality' – we suggest rewording to 'impacts on 'good status' and 'potential' as required by the WFD.

Water – Appraisal objective 11

'To protect the quality of surface and ground water'. We suggest rewording to 'there is a need to meet the requirements of the WFD River Basin Management Plans and promote sustainable use of water resources including surface and groundwater'. Development must not cause deterioration of water body status or jeopardise the attainment of good water status or of good ecological status potential and good surface water chemical status, or impede the attainment of WFD protected area objectives. This would better describe the wider environmental objectives that must be met e.g. protected area objectives and ensuring the sustainable use of water.

Appraisal question 18:

'Will surface and groundwater quality be adversely affected?' It is important to recognise that WFD is not just about 'no deterioration' and we suggest rewording to 'will proposals have adverse effects on the achievement of the environmental objectives established under the WFD i.e. will proposals affect the achievement of good surface water status (including chemical status) or good ecological potential and/or will proposals affect good chemical and quantitative status for groundwater?.'

Water (Water, climatic factors)

Questions 22 and 23 are not only about climate change adaptation so it is potentially confusing / limiting to have them under this title.

The 'key issue' '*an increase flood risk and reduced risk of reduced reliance to climate change*' is not clear and we suggest should be reworded to clarify and include the water environment more broadly, not just flood risk.

We suggest the assessment should consider impacts over the development lifetime including the impacts of climate change.

Climate Change Resilience and Adaptation

We are pleased to see that climate change adaptation has been recognised as part of the water topic. However, we suggest that climate change adaptation should be a cross cutting topic as it will affect other topic areas e.g. biodiversity and air quality. The vulnerability and adaptability of airport infrastructure to impacts of future climate change should be considered too. For example, we recommend that airport infrastructure should be assessed in terms of resilience to climate change risks such as extreme temperatures, water shortages, strong winds; and how these will change over the lifetime of the development. We recommend that reference should be made to the UK Climate Change Risk Assessment (CCRA) 2012.

Air Quality

Appraisal Question 26

We suggest rewording from 'issues' to 'harm'.

Resources and waste

Appraisal question 29.

'Will it be possible to minimise waste generated during construction and operation?'

It is not always possible to completely conserve resource, however the aspiration to minimise the use of or need for new material is a good one. There is an opportunity to apply exemplar performance to the project in application of circular economy principles.

Appraisal question 30.

Will it be possible to minimise waste generated during construction and operation?

Obligations under the waste hierarchy require that everything possible is done to minimise the generation of waste, from design through to operation and end of life. We suggest this project demonstrates a high regard to the principles of waste hierarchy, in particular for minimisation and reuse.

5) Do you have any views on the methodology (5.2) proposed for undertaking the AoS?

It is not clearly described how the AoS will inform the NPS. We suggest including more detail about how recommendations from the AoS will be included as part of the policy, for example the critical importance of mitigation measures to environmental impact, and compliance with legislation, standards and policy. We suggest that the AoS and NPS should set out how mitigation will be considered, in line with the mitigation hierarchy, and to secure a clear framework for project delivery.

6) Are there any other PPPs that should be considered for cumulative effects (5.3)?

[basin-management-plans-2015](#)

7) Is there anything else that needs to be taken into account in the AoS or are there any other comments on the Scoping Report?

We would like to see that in addition to mitigation of potential impacts, opportunities for environmental enhancement should be sought. We would like the promoters to seek to implement exemplar approaches to protect and enhance the environment to benefit people and wildlife. This would be in line with planning policy in the NPPF and legislation such as the WFD.

- We would like to see an overarching commitment to exemplar standards and nett environmental gain e.g. in line with improved ecological status as set out in the WFD.
- All the proposed options involve making extensive changes to watercourses. Considerable further work on mitigation will be required as proposals are developed to ensure that standards are met, in particular those required for flood risk management and by the WFD.
- WFD assessments including Article 4.7 assessments are likely to be required.
- The importance of the WFD for biodiversity should be recognised as well as its importance for water.
- Detailed hydraulic modelling will be required to understand the interaction between surface and groundwater, needed to develop appropriate mitigation for the Heathrow options.
- Bird strike mitigation measures could have significant impacts on water bodies. Further work is required to ensure that WFD and other standards and targets are not compromised.
- Further work is required to understand impacts on water infrastructure (sewage treatment works and sewerage), for example on what additional wastewater flows will need to be treated at sewage treatment works, the permits that will be required to prevent deterioration of the environment, and whether current technology can deliver these levels of treatment.
- Further planning and design work is needed to ensure that environmental standards are achieved with regard to the risks of surface water containing contaminants from the extended hard standing areas entering watercourses. De-icing is a particular potential issue and there is also the potential for pollution arising from the large quantities of chemicals including fuels stored and used on site during both construction and operation.
- The removal and replacement of the Lakeside energy from waste plant would be required as part of the Heathrow North West runway option. Putting in place a replacement facility would be a major undertaking, requiring a very early start if disruption to strategic contracts is to be avoided. It should also be borne in mind

that this is a merchant facility, with numerous contracts, some as far away as Dorset. It is important that impacts on waste disposal in other areas, is investigated as a part of the process, to establish overall impacts and potential to reallocate contracts in the interim. Were the plant to be moved, it would provide an opportunity to improve the facility, to provide heat energy, either to the airport, or another local user.