

Appendix 1-3 Key Legislation and Policy Compliance

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Legislation and policy compliance**

Legislation/Policy	How and where addressed
Infrastructure Planning (EIA) Regulations 2017 Schedule 4	
<p>1. A description of the development, including in particular –</p> <ul style="list-style-type: none"> (a) a description of the location of the development; (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases. 	<p>Chapter 2 The Proposed Development Volume 1 of this PEIR provides a description of the location and physical characteristics of the Proposed Development.</p> <p>Information regarding the main characteristics of the operational phase of the Proposed Development, and estimates of expected residues and emissions, as far as reasonably know at this design stage, have been described in topic chapters (Chapter 5 to Chapter 19) of Volume 1 of the PEIR.</p>
<p>2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.</p>	<p>A description of reasonable alternatives considered to date has been provided in Chapter 3 Assessment of Alternatives of Volume 1 of the PEIR. Any further design evolution will be described in the ES.</p>
<p>3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.</p>	<p>Chapters 5 to 20 Volume 1 of this PEIR describe the baseline (current state of the environment) and future baseline upon which each topic assessment for the EIA is based.</p>

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<p>4. A description of the factors specified in regulation 5(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.</p>	<p>Volume 1 of this PEIR addressed the factors specified in regulation 5(2) likely to be significantly affected by the Proposed Development in:</p> <p>Chapter 5 Air Quality; Chapter 6 Traffic and Transportation; Chapter 7 Climate Change Resilience; Chapter 8 Greenhouse Gases; Chapter 9 Noise and Vibration; Chapter 10 Soils and Geology; Chapter 11 Water Resources; Chapter 12 Waste and Resources; Chapter 13 Economics and Employment; Chapter 14 Health and Community; Chapter 15 Agricultural Land Quality and Farm Holdings; Chapter 16 Biodiversity; Chapter 17 Landscape and Visual; Chapter 18 Cultural Heritage; Chapter 19 Major Accidents and Disasters; Chapter In-combination and cumulative effects.</p> <p>Final significant effects will be recorded in the ES.</p>

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<p>5. A description of the likely significant effects of the development on the environment resulting from, inter alia—</p> <p>(a) the construction and existence of the development, including, where relevant, demolition works;</p> <p>(b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;</p> <p>(c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;</p> <p>(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);</p> <p>(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;</p> <p>(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;</p> <p>(g) the technologies and the substances used.</p>	<p>Volume 1 of this PEIR described likely significant effects of the Proposed Development on the environment in:</p> <p>Chapter 5 Air Quality; Chapter 6 Traffic and Transportation; Chapter 7 Climate Change Resilience; Chapter 8 Greenhouse Gases; Chapter 9 Noise and Vibration; Chapter 10 Soils and Geology; Chapter 11 Water Resources; Chapter 12 Waste and Resources; Chapter 13 Economics and Employment; Chapter 14 Health and Community; Chapter 15 Agricultural Land Quality and Farm Holdings; Chapter 16 Biodiversity; Chapter 17 Landscape and Visual; Chapter 18 Cultural Heritage; Chapter 19 Major Accidents and Disasters; Chapter In-combination and cumulative effects; and Appendix 4-2 Lighting Assessment.</p> <p>Final significant effects will be recorded in the ES.</p>
<p>The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(a) and Directive 2009/147/EC(b).</p>	<p>Each topic specialist has applied the methodology specified within Chapters 5 to 20 to their EIA assessment, considering, where appropriate, direct and indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the Proposed Development.</p>
<p>6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.</p>	<p>The methodology applied to each topic assessment of the EIA, including assumptions and limitations to date, have been defined in topic chapters (Chapter 5 to 20) of Volume 1 of the PEIR and summarised in Chapter 21 Summary of Effects. These will be defined within the ES.</p>

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<p>7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases</p>	<p>Mitigation measures identified to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements have been defined in topic chapters (Chapter 5 to 20) of Volume 1 of the PEIR and summarised in Chapter 21 Summary of Effects.</p>
<p>8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council(c) or Council Directive 2009/71/Euratom(d) or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.</p>	<p>Chapter 19 Major Accidents and Disasters of Volume 1 of this PEIR describes the expected significant adverse effects of the Proposed Development on the environment deriving from the vulnerability of the Proposed Development to risks of major accidents and/or disasters which are relevant to the project concerned.</p>
<p>9. A non-technical summary of the information provided under paragraphs 1 to 8.</p>	<p>A Non-Technical Summary of the PEIR has been provided alongside other statutory consultation documents</p>
<p>10. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.</p>	<p>A reference list has been provided at the end of Volume 1 of the PEIR.</p>
<p>Airport National Policy Statement (June 2018)</p>	
<p>Paragraph 1.12 "The Airports NPS provides the primary basis for decision making on development consent applications for a Northwest Runway at Heathrow Airport, and will be an important and relevant consideration in respect of applications for new runway capacity and other airport infrastructure in London and the South East of England. [...]"</p>	<p>The ANPS is recognised as one of the key policy documents relevant to the Proposed Development, and therefore has been considered by each topic assessment in the preparation of the EIA. Relevant clauses of the ANPs are addressed within the topic chapters (Chapters 5 to 20).</p>

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<p>Paragraph 1.39 "[...] the Government has confirmed that it is supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have positive and negative impacts, including on noise levels. We consider that any proposals should be judged on their individual merits by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts."</p>	<p>An ES is being prepared to be submitted as part of the DCO application for the Proposed Development. This will identify the positive and negative social, economic and environmental impacts of the Proposed Development for the consideration of the Secretary of State. This PEIR presents the preliminary findings of the EIA.</p>
<p>Paragraph 1.41 "The Airports NPS does not have effect in relation to an application for development consent for an airport development not comprised in an application relating to the Heathrow Northwest Runway, and proposals for new terminal capacity located between the Northwest Runway at Heathrow Airport and the existing Northern Runway and reconfiguration of terminal facilities between the two existing runways at Heathrow Airport. Nevertheless, the Secretary of State considers that the contents of the Airports NPS will be both important and relevant considerations in the determination of such an application, particularly where it relates to London or the South East of England. Among the considerations that will be important and relevant are the findings in the Airports NPS as to the need for new airport capacity and that the preferred scheme is the most appropriate means of meeting that need."</p>	<p>Although the ANPS will not "have effect" in relation to the Proposed Development at LTN, it will be an important and relevant consideration in the determination of a DCO application for LTN. Therefore, it has been considered in the methodology of the EIA and the preparation of the ES, and has been described where relevant in Volume 1 of this PEIR.</p>
<p>Paragraph 1.42 "[...] airports wishing to make more intensive use of existing runways will still need to submit an application for planning permission or development consent to the relevant authority, which should be judged on the application's individual merits. [...]"</p>	<p>LLAL are preparing a DCO application for the expansion of the existing airport to include new airside and landside infrastructure. This is to allow the maximisation of the capacity of the existing LTN runway, in alignment with the ANPS.</p>
<p>Paragraph 4.4 "in considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will take into account: • Its potential benefits, including the facilitation of economic development (including job creation) and environmental improvement, and any long term or wider benefits; and • Its potential adverse impacts (including any longer term and cumulative adverse impacts) as well as any measures to avoid, reduce or compensate for any adverse impacts."</p>	<p>Likely significant effects (whether beneficial or adverse) have been identified during the EIA and are summarised in Chapter 21 Summary of Effects of Volume 1 of this PEIR.</p>

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<p>Paragraph 4.19 “Prior to granting development consent, the Secretary of State as competent authority must comply with the duties under the Conservation of Habitats and Species Regulations 2017. Under these regulations, if the competent authority considers that the proposed development is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and is not connected with or necessary to the management of that site, it must make an Appropriate Assessment of the implications for the site in view of the site’s conservation objectives.”</p>	<p>A HRA screening assessment has been undertaken as part of the scoping exercise and determined that there are no likely significant effects on Natura 2000 sites as a result of the Proposed Development and therefore, an appropriate assessment is not required under the Habitats Regulations. The results of this screening were presented in the Scoping Report (Appendix 1-1 Volume 3 of this PEIR). An updated screening assessment will be presented in the ES.</p>
<p>Paragraph 4.27 “For any application to be considered compliant with the Airports NPS, it must be accompanied by a project level Equality Impact Assessment examining the potential impact of that project on groups of people with protected characteristics. In order to benefit from the support of the Airports NPS, the results of that project level Equality Impact Assessment must be within the legal limits and parameters of acceptability outlined in the Appraisal of Sustainability that informs the Airports NPS”</p>	<p>The DCO application for the Proposed Development will be accompanied by an Equality Impact Assessment (EqIA) in accordance with the Equality Act 2010.</p>
<p>Paragraph 4.35 “The applicant should be able to demonstrate in its application how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, the applicant should set out the reasons why the favoured choice has been selected”</p>	<p>A description of reasonable alternatives considered to date has been provided in Chapter 3 Assessment of Alternatives of Volume 1 of the PEIR. Any further design evolution will be described in the ES.</p>