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By email only
Date 13th March 2023

Dear Sir/Madam

Application by London Luton Airport Limited for an Order Granting Development Consent for the Expansion of London Luton Airport

Adequacy of Consultation Response

Thank you for your letter dated 28th February 2023 requesting views on the adequacy of the pre- application consultation in respect to the Application by London Luton Airport Limited (hereafter “the Applicant”) for an Order Granting Development Consent for the Expansion of London Luton Airport.

The Planning Inspectorate (PINS) has invited South Cambridgeshire District Council (hereafter “the Council”) to advise whether the Applicant has complied, in relation to the application, with the following duties under the Planning Act 2008 (as amended) (PA2008):

Duty to consult - PA2008 – section 42

Section 42 requires consultation with certain persons specified in the Act and prescribed in regulations.

Duty to consult the local community - PA2008 – section 47

Section 47 requires applicants to prepare a “Statement of Community Consultation” (SoCC) in consultation with relevant Local Authorities which sets out how the Applicant intends to consult the local community on its proposals. The Applicant must then publish the SoCC and undertake statutory consultation in accordance with it.

Duty to publicise - PA2008 – section 48

Section 48 requires that details of the statutory consultation be publicised via a series of notices in the local and national press.

The Council in providing this response confirms it has read and applied the Secretary of State’s “Guidance on the Pre-application Process” which at para 19 confirms that *“[w]ithout adequate consultation, the subsequent [DCO] application will not be accepted when it is submitted”*.

(Contd....)

The Council was consulted by the Applicant as a neighbouring local authority in 2019 as part of a Statutory Consultation Process. In response, the Council advised that any significant impacts on the planned growth at Luton are likely to be diffused given the relative distance from Greater Cambridge.

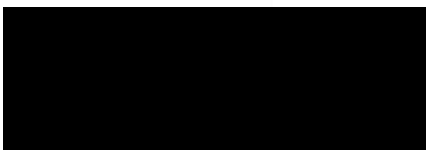
Since that time, the Council has separately raised concerns to the Civil Aviation Authority (CAA) about the potential impacts of the revised flight path and stacking arrangements for Luton Airport over the western part of South Cambridgeshire, in response to the National Air Traffic Services (NATS) Public Consultation on Proposed Changes to Airspace held in February 2021.

In its response the Council concluded that it was “not sufficiently reassured” at that point that the proposal “will not be harmful to the amenity of residents of the district and urges NATS to do more to engage with the Council and concerned local communities”. The Council also raised concern at the separate parallel process for a Development Consent Order for the expansion of Luton Airport which meant these issues would not be looked at in a more rounded way. Unfortunately, no such further engagement took place.

Since the changes to the flightpath and stacking arrangements for Luton Airport were implemented, the Council has been concerned to hear the experience of some of our communities. In the western part of the district around Gamlingay, we understood this would be under the new stacking area for Luton Airport, but that flights were expected to be at heights that would not cause any discernible impacts on amenity for communities below. We are also hearing that our communities north of Cambridge on the approach routes to the stacking area are experiencing disturbance from new overhead flights.

Notwithstanding concerns about the engagement with the Council on the proposals and their relationship with the NATS consultation, the Council is nevertheless able to confirm that in notifying the Council of the DCO application, the applicant has satisfied the requirement for pre-application consultation in accordance with the provisions as set out in Sections 42, 47 and 48 of the Planning Act 2008.

Yours faithfully,



Stephen Kelly
Joint Director of Planning and Economic Development
On behalf of
South Cambridgeshire District Council