

Siân Evans  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

Your Ref: TR020001  
Our Ref: LLA DCO 20230314  
Date: 14<sup>th</sup> March 2023

Dear Ms Evans

**PLANNING ACT 2008 (AS AMENDED) SECTION 55 – APPLICATION BY HIGHWAYS  
AGENCY FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE EXPANSION  
OF LONDON LUTON AIRPORT**

Thank you for your letter dated 28<sup>th</sup> February 2023 requesting a representation from this Council on the adequacy of consultation and whether this Authority considers that the developer has complied, in relation to this application, with the required duties.

The Planning Inspectorate (PINS) has invited the Authorities to advise whether the Applicant (London Luton Airport Limited (trading as Luton Rising) 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.

Other sections of the Planning Act are relevant along with the Ministry of Housing, Communities and Local Government's (MHCLG) 'Planning Act 2008: Guidance on the pre- application process' (2015), the Environmental Impact Assessment Regulations (2017), and PINS advice notes 2 and 14.


The Council was first consulted in 2022 as part of the first statutory consultation. There is reference in the consultation document to a Wider Local Authority Group which met periodically. The Council has no record of any invitations being received to participate in this group or notification of the specific meeting dates. This has resulted in the Council not being able to outline any concerns and provide input into the proposals at that stage.

The Council also has concerns with regards the National Air Traffic Service (NATS) consultation on changes to Luton Airport's approach flight paths and associated holding zone which have a clear impact and relationship with the Expansion of London Luton Airport DCO. The creation of a holding zone for air traffic over Huntingdonshire is already having an impact for residents which needs review prior to additional traffic potentially being added.

The Council does not have any concerns regarding the *legal* process adopted being complied with but as noted above, there are clear frustrations regarding the lack of engagement to discuss both the NATS consultation and this DCO collectively at an earlier stage. The comments previously in response to the stage one statutory consultation, as shown below, remain:

- Noise contour area limits have been set around the airport to protect the local residents where aircrafts are low flying. It is understood that HDC already has a flight height agreement over Huntingdonshire resulting from the stacking consultation by the airport.
- Although no predicted noise levels for Huntingdonshire area have been provided, the flight height agreement is the best practical way of reducing the impact of noise. Furthermore, it is noted that the aircraft fleet is becoming quieter. Noise modelling has been carried out close to Luton which shows that the noise levels would be negligible at any other location outside of the Luton/Stevenage area.

Based on these observations, the Council does not intent to comment further on the current DCO proposals.

If you require any clarification on any of the above matters, please do not hesitate to contact my Implementation Team Leader, Claire Burton on (01480) 388274 or @[huntingdonshire.gov.uk](mailto:huntingdonshire.gov.uk) .

Yours sincerely

  
**Clara Kerr**  
**Chief Planning Officer**  
**Huntingdonshire District Council**