

**Principal Areas of Disagreement Summary Statement (PADSS) from Central Bedfordshire Council**

**London Luton Airport DCO**

Ref.	Principal Issue in Question	Concern held	What needs to change/be amended/included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
Highways				
1.	Sustainable Transport Mode	<p>The base mode share assumptions appear to be based upon public transport usage recovering to levels above the 2018 CAA mode share, in which 24% of staff used public transport, but with 2020 levels recorded at 5%. Likewise, the 2018 passenger mode share was recorded as being 33%, with the 2020 survey recording combined public transport mode share of 9%. As such the baseline 2027 level of 40% passenger public transport mode share appears to be similarly optimistic.</p> <p>It is not considered that reliance upon commercial operators to meet demand is an appropriate strategic approach to public transport access or achieving the public transport targets relied upon within the modelling work. In the absence of evidence to substantiate demands for individual route enhancements, it is unclear how or if improvements would be brought forward.</p>	<p>Taking the example of Stanstead – public transport improvements are partially funded by a passenger transport levy, which contributes circa £600k-£800k per annum to public transport measures. There appear to be no comparable proposals associated with the DCO.</p> <p>Without an identified framework for funding and delivering sustainable transport connections to and from the airport, then the Council would continue to question how achievable the mode share targets are, and how much reliance can be placed upon them when considering the DCO.</p>	TBC

		<p>Whilst reference is made to a 'toolbox' approach, this is not currently a funded or defined process, nor is there a mechanism for the prioritisation of investment. Taking the example of Stanstead – public transport improvements are partially funded by a passenger transport levy, which contributes circa £600k-£800k per annum to public transport measures. There appear to be no comparable proposals associated with the DCO.</p>		
2	Core modelling scenario	<p>The Council have a number of significant concerns with regards to the 'Core' modelled scenario, which have been laid out in our representations to date:</p> <ol style="list-style-type: none"> <li>1. The assumed inclusion of a Smart Motorways improvement on the M1, which is not programmed or funded, and following the Government's announcement on Smart Motorways, now certain not to happen.</li> <li>2. The assumed inclusion of East of Luton highways schemes, including major junction works and dualling of Vauxhall Way, without confirmation of the funding or delivery programme for the schemes in question. By including these in the base scenario it is also not possible to determine the degree to which the airport expansion is reliant upon their delivery, or</li> </ol>	<p>The agreement of an updated and more representative 'Core' scenario, most likely formed as a combination of the 'no Smart Motorways' sensitivity test and the 'Local Plan sensitivity test' and then applied as an uplift to the VISSIM modelling. Also feeding through to the detailed junction modelling (including those junctions outside of the VISSIM modelled area).</p> <p>This would need to include clarity on the infrastructure assumptions within each forecast year, and a realistic phasing of assumed infrastructure in the base and</p>	TBC

		<p>the point in time when they would be required.</p> <p>3. The separate reporting of the 'Local Plan' scenario, which is considered to be the more robust forecast, with limited outputs and metrics.</p> <p>4. The separate reporting of the scenario in which the VISSIM model cordon is uplifted to match the strategic model flows, with limited outputs and metrics.</p> <p>5. The inclusion of Century Park within the 'with development' scenario, despite not forming part of the DCO application.</p>	with development scenarios.	
3	Assumed Infrastructure	<p>As with the concerns raised with regards to the content of the 'Core' scenario – The Council have specific concerns over the inclusion of infrastructure within the forecast scenarios without certainty over funding, phasing, or delivery.</p> <p>This includes:</p> <ol style="list-style-type: none"> <li>1. M1 Smart Motorways</li> <li>2. East of Luton Highways schemes, including the dualling of Vauxhall Way</li> </ol> <p>These infrastructure assumptions are sufficiently closely related to the traffic study area as to directly influence traffic routing, and as such should be limited to</p>	There would need to be either certainty over the programming, funding, and delivery of the schemes in question from third parties, or a commitment through the DCO process to deliver the schemes in question. This would need to be associated with additional supporting transport work to determine the point within the phased delivery of the DCO project when these works are required, allowing appropriate controls to be imposed	TBC

		those where delivery within specified timescales, by either the DCO promoter or others to be ensured.	through the DCO process.	
4	Lack of detail on proposed mitigation – and associated redline boundary concerns	<p>The Council have consistently raised concerns that the highways works within Central Bedfordshire have not been discussed in sufficient detail with the authority, with regards to either the details of the junction modelling informing the designs or the checking of the proposed mitigation schemes, which to date have not been subject to any Technical checks or Safety Audits. Whilst the applicant team have referred to Safety Audits being undertaken after the conclusion of the DCO process, this is not considered to be appropriate, with GG119 stating that ‘Stage 1 RSA should include road safety matters which have a bearing upon land take, licence or easement before the draft orders are published or planning consent is applied for.’ As such it is considered that the appropriate point in the process for a Stage 1 RSA to be required is prior to the full consideration of the DCO and related hearings. The proposed DCO wording provides significant powers to the applicant to deliver the highways works proposed, and therefore there is an associated requirement for the local highway authorities to be satisfied, as far as possible, that the highways works are appropriate, safe and deliverable. At present the level of detail is not considered</p>		

		<p>to be sufficient to allow for this, including potential variations required due to vertical alignment constraints.</p> <p>As outlined above, due to concerns over some of the base modelling, and the lack of technical or safety audits or reviews of the proposed schemes, there remains the potential that the schemes in question could change, with the redline boundary drawn relatively closely to the schemes in question, raising further concerns that there is insufficient flexibility within the redline to accommodate changes.</p>		
5	<p>Lack of mitigation at local junctions outside of the VISSIM modelled area/s</p>	<p>We are concerned that the detailed modelling requested by the Council identified several of the junctions in question as forecast to be significantly over capacity; but note that these locations were not identified within the initially provide wider modelling work as being areas of concern or predicted congestion. This may be due to the use of Link V/C rather than junction V/C metrics within the TA.</p> <p>In addition, where impacts have been identified, no mitigation had been proposed, despite the level of impact being significant.</p>	<p>The Council would therefore request that junction approach V/C metrics are provided alongside the link metrics, to ensure that areas of impact at specific junctions within the Central Bedfordshire network are not missed. This may result in the requirement for further detailed junction assessments.</p> <p>Where DCO traffic related impacts at junctions within Central Bedfordshire are identified, appropriate mitigation schemes should be proposed and secured via the</p>	TBC

			DCO process. The applicant has made further contact with CBC to consider these matters further, but the matter is not currently considered to be resolved.	
6	Off-site parking	<p>Concern is raised that the parking demands above those predicted could be realised if the mode share targets are not achieved, and that the additional parking demand would be generated at off-site locations. There may be increased pressure for long term parking provisions in the surrounding areas, and the implications of this need to be considered as part of the Application for development consent.</p> <p>This concern relates to both formal 'off-site' car parking, which already provides for a large proportion of the existing Airports parking, but which has not been modelled as expanding in line with the increases in all other modes of access, and also informal 'fly-parking' in existing communities, which would be outside of the host authorities ability to control through the planning system. Whilst it is within the gift of local authorities to implement policies that control parking, this has cost and timescale implications, which the Host Authorities would not face in the absence of the proposed DCO. This adds a further burden in terms of the Authorities' network management duties.</p>	The only way this could feasibly be dealt with through the DCO is planning for parking control areas to be extended to Caddington and Slip End and plans provided accordingly. Including a related financial commitment to support ongoing monitoring and management.	TBC

Public Health				
7	Methodology and Evidence Base	<p>Assessment has disregarded locally produced health assessments (except for Luton). Localised knowledge is absent.</p> <p>Central Bedfordshire assessment is authority wide level, masking localised health and population inequalities. By reporting on the wider area at a county level, there is a risk that vulnerable groups situated within close proximity to the airport have not been identified and potential impacts missed.</p>	Assessment of local data reports, ensuring a consistent approach for all host authorities.	TBC
8	Securing mitigation measures to address effects on mental wellbeing	Mitigation to address the significant effect on mental wellbeing that has been identified once the scheme is operational should be secured to minimise harm to affected populations.	Applicant needs to demonstrate how mitigation would be secured.	TBC
Noise				
9	Baseline	It is inappropriate to use the 2019 baseline as this year was not compliant with the planning conditions (giving elevated noise levels).	2019 compliant data or 2022 baseline should be used.	TBC
10	Policy	Whether the proposal accords with Government policy in terms of limiting the number of people significantly affected by aircraft noise.	Revise assessment to comply with aviation noise policy.	TBC

		Whether the policy requirement for a balance between growth and noise reduction is appropriately weighted.		
11	Assessment	Whether the noise levels do decrease over time.	Revise assessment	TBC
12	Green Controlled Growth	Whether the Green Controlled Growth Framework will be effective (a matter that must be proven)		TBC
<b>Air Quality</b>				
13	Legislation and Policy	Whether the proposal accords with Government policy (and emerging policy).	Review of legislation and policy.	TBC
14	Assessment	Whether consultation took place with Natural England to agree the method to determine ammonia emissions and nitrogen deposition impacts was agreed.	The Applicant should confirm if Natural England have agreed to the methodology used for assessing ammonia emissions on ecological sites.	TBC
15	Assessment	No mention of acid erosion impacts at cultural heritage receptors (Luton Hoo and Someries Castle)	Updated assessment or justification within the report.	TBC
<b>Heritage</b>				
16	Assessment against NPPF	No assessment in NPPF terms has been undertaken (e.g. no harm, less than substantial harm, substantial harm, etc).	Assessment against NPPF to be undertaken.	TBC
17	Luton Hoo Conservation Area	There is no consideration of the impact of the proposal on Luton Hoo Conservation Area, which contributes to the significance of the	Assessment to be updated.	TBC



		Registered Park and Garden and setting of the mansion. The Conservation Area is noted but there is no specific assessment in Table 10.11.		
18	Somerles Castle	Potential impact and harm arising from the proposed development on Somerles Castle have not been adequately addressed particularly regarding impact on brick erosion. It is unclear how harm will be mitigated.		TBC
19	Viewpoints/Visualisations	Appendix 14.7 uses wirelines for some views and block forms for others. A consistent approach should be used.  Lack of clarification on representative viewpoint 18 – clarification is required on what elements of the proposed development would be visible.	Applicant should use block forms where wirelines have been provided.  Annotations should be provided.	TBC
20	Fire Training Ground	Lack of information to understand the visual and environmental impact of the Fire Training Ground on Somerles Castle and Luton Hoo Registered Park and Garden. This is in terms of built form and usage.	The location of the Fire Training Ground needs to be considered.	TBC
21	Setting impacts to non-designated heritage assets	As per the NPPF the setting of a non-designated heritage asset should be taken into account. This has been scoped out of the assessment.	The applicant should assess the setting of non-designated assets.	TBC
22	Historic Hedgerow Assessment	It is unclear if an assessment has been made of historic hedgerows.	Confirmation that no assessment or historic hedgerows is required or an	TBC

			assessment of historic hedgerows if required.	
Community First Fund				
23	Lack of detail	<p>There is insufficient detail contained within <i>Draft Compensation Policies, Measures and Community First</i> to understand how the split between Luton and other authorities has been determined. The split is based on 60% to Luton and 40% to other authorities has been demonstrated.</p> <p>There is lack of information regarding the operation, distribution and overall effectiveness of the Community First Fund.</p>	Additional information to be provided.	TBC
Economics and Employment				
24	Effects related to outbound tourism.	Effects related to outbound tourism have not been assessed. A justification for the lack of quantification is provided but some elements of the increase in passenger numbers from 18mppa to 32 mppa would seem to lead to quantifiable economic effects, such as additional use of local services and retail.	Outbound tourism elements should be quantified eg. Hotel and public services.	TBC
25	Forecast level of passenger demand	No justification in the chapter for the level of passenger demand.	Justification should be provided.	TBC
26	Supply chain	No assessment of economic effects in relation to the supply chain have been carried out.	Supply chain assessment to be undertaken	TBC
Landscape				

27	Assessment	Numerous clarifications are required and various inconsistencies are noted. Lack of consideration of aesthetic and perceptual qualities contributing to landscape character. Impacts on the AONB are not fully considered.	Clarifications needed	TBC
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