

The mapping, and noise contour estimation, used by Luton Rising is purposefully vague and, in all probability, misleading. At no stage have they produced mapping down to street/property level, to show residents where their property may lie on a proposed flight path.

In addition, they are using the LAeq,T noise measurement, stating it "is the most common international measure of aircraft noise" and "that LAeq,T noise contours are the best correlated indicators with health impacts and community annoyance due to aircraft noise."

Clearly, using a 16-hour average background noise metric to assess disturbance to residence under a flight path is absolute nonsense.

These average metrics were designed to assess nuisance from airports and aircraft noise to the environment around an airport, in the same way that one may hear a motorway 'hum' in the distance.

For residential properties on flight paths, LAeq,T is not a suitable measure, and its use to convey a measure of nuisance is misleading.

For example, page 23, 'APPENDIX A - INDICATIVE NOISE CONTOUR PLAN' of 'TR020001/APP/7.10 | Issue 1 | 27 February 2023' gives figures of 54dB for Caddington.

However, Caddington residential areas regularly see 15 flights in a 60-minute period with noise levels between 75dB and 85dB.

February 2023

# London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 7 Other Documents

**7.10 Draft Compensation Policies, Measures and  
Community First**

Application Document Ref: TR020001/APP/7.10

APFP Regulation: 5(2)(c)

**The Planning Act 2008**

**The Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009**

**London Luton Airport Expansion Development Consent  
Order 202x**

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**7.10 DRAFT COMPENSATION POLICIES, MEASURES AND  
COMMUNITY FIRST**

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## EXECUTIVE SUMMARY

Luton Rising is a business and social enterprise that is owned by a sole shareholder, Luton Borough Council, for community benefit, and who are at the heart of a movement for positive change in Luton and the Luton community. Luton Rising is a trading name of London Luton Airport Limited (the Applicant) and owner of London Luton Airport

Expansion of Luton airport will create many positive benefits for surrounding communities – including thousands of job opportunities and better connections to friends and family abroad.

However, it is recognised that even after applying best practice in design and mitigation measures, some neighbours may still be negatively affected, for example by noise impacts. Where this happens, there is a commitment to making sure that residents and businesses are fairly compensated and to achieving this where possible by compensatory mitigation such as for noise insulation to avoid the negative environmental effects. In many cases the proposal is to go above and beyond the legal compensation requirements and current best practice to provide an offer that Luton Rising (the Applicant) believes is fair.

This document provides detail about the compensation measures the Applicant will introduce, including who qualifies. The measures in this document are to be secured via a section 106 agreement which ensures that the proposals remain enforceable. This is in line with how the existing community fund is secured. Also provided are details of the proposal for the creation of Community First which is designed to enhance the benefits to neighbouring communities of airport growth.

### **If your property is negatively impacted by noise from expansion**

For residents adversely effected by noise from airport expansion, LR is offering an enhanced Noise Insulation Scheme that is more generous and will cover significantly more properties than the current scheme. Depending on the level of noise impact at your property, these schemes range from contributions of up to £20,000 towards noise insulation works on your property, to a full package of noise insulation for habitable rooms for residential properties exposed to significant levels of noise.

The Applicant is also offering noise insulation for community buildings exposed to higher levels of noise, which will include nursing homes, schools, libraries, and places of worship.

Under all the noise assessment scenarios (see Section 16.9 of **Chapter 16 Noise and Vibration of the Environmental Statement [TR020001/APP/5.01]**) no properties are expected to be at risk of being unacceptably affected. If any property falls into this category in the future the policy (Clause 4, p.9) provides an offer of voluntary acquisition. However, the Applicant does not expect this to be required and the policy is there as a precaution for unanticipated changes over the life of the project.

The Applicant will also open a residential hardship policy for eligible residents, where the Applicant will offer to acquire your property if you cannot sell it on the open market (because of the expansion) and this would lead to exceptional hardship.

## **What are the compensation proposals if the Applicant needs to acquire property**

The Applicant owns or controls much of the land required for the proposals and so the land or rights required to deliver the Proposed Development are more limited. The Applicant would only seek to acquire land or rights that are absolutely necessary to deliver the project.

For the small number of cases where existing businesses will need to be relocated, the Applicant will compensate based on market value of the property interest (e.g. Freehold) along with relocation costs. The Applicant will also strive to be as flexible as possible around relocation timing and will support local relocation wherever that is feasible.

## **Community First – sharing the benefits with our neighbours**

Luton Rising makes a direct social contribution through the revenues received from the operation of the airport. As these revenues grow with the Proposed Development, it is intended that these local and community investments will increase pro-rata to growth. In particular, Luton Rising proposes to establish the Community First Fund providing £1/passenger from growth above 18m passengers per annum (ppa). Overall, these direct social contributions will be substantial and in excess of similar schemes in place at other UK airports. This adds further to the potential beneficial impacts of the Proposed Development. Community First will be independently administered and be subject to regular reviews to ensure that its objectives remain relevant and in line with local priorities through time.

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# 1 INTRODUCTION

- 1.1.1 This document has been prepared to support the proposed expansion of London Luton Airport (the Proposed Development). This application is made by Luton Rising (a trading name of London Luton Airport Limited (the Applicant), and owner of London Luton Airport, to the Planning Inspectorate for a Development Consent Order (DCO) to seek the necessary consent to construct, operate and maintain the Proposed Development. Luton Rising is a business and social enterprise that is owned by a sole shareholder, Luton Council, for community benefit, and who are at the heart of a movement for positive change in Luton and the Luton community.
- 1.1.2 Luton Rising (the Applicant), is seeking to make best use of the existing runway at London Luton Airport by constructing a new terminal and associated infrastructure to increase the number of flights and passengers the airport can handle. The current permitted capacity of the airport is 18 million passengers per annum (mppa)<sup>1</sup>, and the proposal seeks to increase this to 32 mppa by the mid-2040s.
- 1.1.3 In addition to the above and to support the initial increase in demand, the existing infrastructure and supporting facilities will be improved in line with the short-term requirements for additional capacity.
- 1.1.4 Key elements of the Proposed Development include:
- a. Extension and remodelling of the existing passenger terminal (Terminal 1) to increase the capacity;
  - b. New passenger terminal building and boarding piers (Terminal 2);
  - c. Earthworks to create an extension to the current airfield platform; the vast majority of material for these earthworks would be generated on site;
  - d. Airside facilities including new taxiways and aprons, together with relocated engine run-up bay and fire training facility;
  - e. Landside facilities, including buildings which support the operational, energy and servicing needs of the airport;
  - f. Enhancement of the existing surface access network, including a new dual carriageway road accessed via a new junction on the existing New Airport

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<sup>1</sup> On 1 December 2021, the local planning authority (Luton Borough Council) resolved to grant permission for the current airport operator (LLAOL) to grow the airport up to 19 mppa, from its previous permitted cap of 18 mppa. Since then, the application was called-in and referred to the Secretary of State for determination instead of being dealt with by the local planning authority. The inquiry to consider the called-in application opened on Tuesday 27 September 2022, and ran until Friday 18 November 2022. At the time of submission of the application for development consent the outcome of the inquiry is still unknown. All of the assessment work to date has been undertaken using a “baseline” of 18 mppa. Nonetheless, in anticipation of LLAOL’s 19 mppa planning application, our environmental assessments included sensitivity analysis of the implications of the permitted cap increasing. As a result, we believe that the environmental assessments are sufficiently representative of the likely significant effects of expansion, whether the baseline is 18 mppa or 19 mppa. Where the change of the baseline does affect an assessment topic, in most cases it means that the “core” assessments (using an 18 mppa baseline) report a marginally greater change than would be the case with a 19 mppa baseline.

Nevertheless, as part of the EIA process, we have continued to assess the likely significant environmental effects resulting from the future construction and operation of the airport. This included keeping a watching brief on the inquiry regarding the called-in application as well as consideration of feedback received at Statutory Consultation 2022 to see if this required us to make a change to our assessments and proposals. The findings of the assessment are presented in the **Environmental Statement [TR020001/APP/5.01]** submitted with the application for development consent.

Way (A1081) to the new passenger terminal along with the provision of forecourt and car parking facilities;

- g. Extension of the Luton Direct Air to Rail Transit (Luton DART) with a station serving the new passenger terminal;
- h. Landscape and ecological improvements, including the replacement of existing open space; and
- i. Further infrastructure enhancements and initiatives to support the target of achieving zero emission ground operations by 20402, with interventions to support carbon neutrality being delivered sooner including facilities for greater public transport usage, improved thermal efficiency, electric vehicle charging, on-site energy generation and storage, new aircraft fuel pipeline connection and storage facilities and sustainable surface and foul water management installations.

- 1.1.5 The majority of the land needed for the proposed expansion, including land needed to replace affected areas of Wigmore Valley Park, is owned or under the control of the Applicant or Luton Borough Council (LBC).
- 1.1.6 The proposed DCO would provide a mechanism for land and rights in land to be acquired by compulsion, with statutory compensation available to those affected. Entitlement and eligibility for statutory compensation is not covered in this Policy and readers are directed to the **Guidance Booklets** published by the Government (Ref 1.1).
- 1.1.7 This document sets out discretionary Compensation Policies and Measures that will be an enhancement upon the statutory position and would be secured in a s106 agreement entered into by the Applicant similarly to how the existing noise insulation scheme is secured. In accordance with section 106 of the Town and Country Planning Act 1990, planning obligations secured in such an agreement are enforceable against the Applicant as the entity entering into such an agreement. A number of these proposals were refined following feedback during the 2019 statutory consultation and have been further refined following the 2022 statutory consultation.
- 1.1.8 In addition to Compensation Policies and Measures, this document also includes details of Community First, which is similarly secured in a s106 agreement. This is to enhance the distribution of the benefits of the proposals to local communities around the airport whilst tackling deprivation and decarbonisation.
- 1.1.9 The Compensation Policies and Measures will be available at different stages of the project, with some being available once the application for development consent has been accepted whilst others would be available once the airport grows as a result of the application for development consent.
- 1.1.10 Table 1.1 summarises the discretionary compensation that could be available for properties in different situations.

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<sup>2</sup>This is a Government target, for which the precise definition will be subject to further consultation following the *Jet Zero Strategy*, and which will require further mitigations beyond those secured under the DCO.



- 1.1.11 Information on the noise assessment undertaken as part of the Environmental Statement (ES) and terminology relating to noise levels and noise contours is provided in **Appendix B**.

Table 1.1: Indicative Guide to Discretionary Compensation

Note: Table provided is an indicative guide only and has been simplified for convenience. The table only sets out indicative claims for statutory compensation, it does not mean that there is an automatic right to compensation. A claim must be made and the outcome of any claim would depend on its own facts and whether it meets the necessary criteria for a claim as provided for in the relevant Act and compensation code. Professional advice should be sought.

Property Type and Situation	Public Buildings inside the daytime 63dBL <sub>Aeq,16h</sub> Contour or night-time 55dBL <sub>Aeq,8h</sub> contours	Residential property inside the daytime 69dBL <sub>Aeq,16h</sub> OR night-time 63dBL <sub>Aeq,8h</sub> contour	Residential property inside the daytime 66dBL <sub>Aeq,16h</sub> contour and outside the daytime 69dBL <sub>Aeq,16h</sub> and night-time 63dBL <sub>Aeq,8h</sub> contours	Residential property inside the daytime 63dBL <sub>Aeq,16h</sub> Contour	Residential property inside the daytime 60dBL <sub>Aeq,16h</sub> contour and outside the 63dBL <sub>Aeq,16h</sub> contour	Residential property inside the night-time 55dBL <sub>Aeq,8h</sub> contours and outside the daytime 60dBL <sub>Aeq,16h</sub> contour	Residential property inside the daytime 57dBL <sub>Aeq,16h</sub> contour and outside the 60dBL <sub>Aeq,16h</sub> contour	Residential property inside the daytime 54dBL <sub>Aeq,16h</sub> contour and outside the 57dBL <sub>Aeq,16h</sub> contour
Discretionary Compensation	Public Buildings Noise Insulation Scheme	Voluntary Acquisition	Hardship Scheme	Noise Insulation Scheme 1	Noise Insulation Scheme 2	Noise Insulation Scheme 3	Noise Insulation Scheme 4	Noise Insulation Scheme 5
Details	Individual assessments will be made to provide up to a full package of noise insulation to habitable rooms, including bedrooms where primary activity of building has a residential function, with an expenditure cap of £250k per property	Owner can have their property acquired if they wish. Payment assessed in accordance with compulsory purchase code - unaffected market value plus other items such as disturbance and loss payment	Owner can have their property acquired if there is a compelling reason to sell but they have been unable to do so. In the absence of a sale, it would cause hardship. Offer will be made on an 'unaffected market value'. No additional payments made as property owner was looking to sell	A full package of noise insulation to habitable rooms, including bedrooms, living rooms, and dining rooms will be provided	A contribution of up to £20,000 for agreed noise insulation works to be undertaken to the property	A full package of noise insulation to bedrooms only will be provided	A contribution of up to £6,000 for agreed noise insulation works to be undertaken to the property	A contribution of up to £4,000 for agreed noise insulation works to be undertaken to the property
When does entitlement arise?	In accordance with the property eligibility criteria and roll out plan set out in this policy	From the DCO application being accepted by the Planning Inspectorate	From the DCO application being accepted by the Planning Inspectorate	In accordance with the property eligibility criteria and roll out plan set out in this policy	In accordance with the property eligibility criteria and roll out plan set out in this policy	In accordance with the property eligibility criteria and roll out plan set out in this policy	In accordance with the property eligibility criteria and roll out plan set out in this policy	In accordance with the property eligibility criteria and roll out plan set out in this policy
		Note: If owner does not utilise Voluntary Acquisition scheme, they will be eligible under Noise Insulation Scheme 1 when that opens	Note: If owner does not utilise Hardship Scheme, they will be eligible under Noise Insulation Scheme 1 when that opens					

## 2 STATUTORY COMPENSATION CLAIMS

- 2.1.1 Those affected by the Proposed Development may be eligible to make claims for compensation in accordance with the Compensation Code. These may include:
- a. Statutory Blight;
  - b. Reduction in property value under Part 1 of the Land Compensation Act 1973; and
  - c. Injurious affection caused by construction works under section 10 of the Compulsory Purchase Act 1965.
- 2.1.2 It is recommended that specialist advice is taken in respect of any compensation claim under the Compensation Code.
- 2.1.3 For further information on compensation please see Government guidance documents on compulsory purchase available online (Ref 2.1).
- 2.1.4 Additionally, the Royal Institution of Chartered Surveyors operates a customer helpline that can put people in touch with a firm in their area who offer up to 30 minutes free consultancy on compulsory purchase.

### 3 DISCRETIONARY MEASURES

- 3.1.1 The Applicant will introduce a range of discretionary compensation measures to support those most impacted by the Proposed Development. In most cases part of the eligibility criteria will require the property to fall within a specific noise contour area. The extent of a noise contour will depend on a number of factors including weather, the aircraft fleet mix (less noisy new generation aircraft cause noise contours to reduce in size) and the number of aircraft movements over the 92-day summer period<sup>3</sup>, which is the busiest time of year for the airport. Noise contours will be updated regularly during the lifetime of the project and as a result properties may move between Noise Insulation Schemes in the future.
- 3.1.2 The Applicant has used feedback received from consultation in shaping this policy. This is set out in detail in the **Consultation Report [TR020001/APP/6.01]** submitted with the application.
- 3.1.3 The Applicant's proposed discretionary measures are:
- a. Voluntary Acquisition Policy
  - a. Residential Hardship Policy
  - b. Noise Insulation Policy
  - c. Business Assistance Policy

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<sup>3</sup>16 June to 15 September inclusive

## 4 VOLUNTARY ACQUISITION POLICY

- 4.1.1 As part of the Proposed Development, the Applicant is introducing a discretionary voluntary acquisition policy to support eligible impacted local residents. When the policy was written, the assessment of noise effects from the Proposed Development was at an early stage, and mitigation measures such as the Noise Envelope were still under development. As a precautionary approach, the Applicant therefore introduced a discretionary voluntary acquisition policy for any residential properties exposed above the aircraft noise unacceptable adverse effect level (UAEL) of 69dBL<sub>Aeq,16h</sub> during the daytime and 63dBL<sub>Aeq,8h</sub> during the night-time.
- 4.1.2 An updated noise assessment has now been undertaken as part of the ES for the Proposed Development (see **Chapter 16 Noise and Vibration of the ES [TR020001/APP/5.01]**) and there are clear noise control measures in place (see the Noise Envelope in the **Green Controlled Growth Explanatory Note [TR020001/APP/7.07]**) which will control noise effects to be no worse than those predicted in the ES. The outcome of this work indicates that no residential properties are exposed above the UAEL as a result of the Proposed Development.
- 4.1.3 However, rather than remove the scheme from the policy the Applicant has decided to leave it in place so that if circumstances were to change in a way not envisaged, then the policy would still be available to those who demonstrate the criteria is met. In principle, applications for voluntary acquisition could be submitted to the Applicant for consideration from any time after the proposed application for development consent is accepted by the Planning Inspectorate.
- 4.1.4 Under this policy if residential properties fall within the unacceptable adverse effect level (UAEL)<sup>4</sup> noise contours, owners may prefer for the Applicant to acquire their property so that they can move elsewhere. The Applicant has maintained its originally proposed voluntary acquisition scheme for eligible properties in the 69dBL<sub>Aeq,16h</sub> and 63dBL<sub>Aeq,8h</sub> UAEL noise contours area.
- 4.1.5 The Applicant does not currently envisage that any residential properties will be or would become impacted to this level.
- 4.1.6 Revised noise contour plans will be published every 5 years and applications can be made to the Applicant if properties are identified as being within the relevant contour at any time in the future.
- 4.1.7 Should eligible owners want the Applicant to buy their property under this policy an independent valuer would be appointed at the Applicant's cost to assess its open market value. The independent valuer would be selected by the owner from a panel of three Chartered Surveyors recommended by the Applicant.
- 4.1.8 All valuers recommended for the panel would be Chartered Surveyors registered with the Royal Institution of Chartered Surveyors (RICS) carefully

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<sup>4</sup>See Appendix B for further information on noise terminology

selected to ensure they can demonstrate the competence and professional knowledge to undertake valuations.

- 4.1.9 The valuation would be based on the unaffected open market value (what would have been the value of the property without the Proposed Development).
- 4.1.10 An offer to acquire the property would be made on the basis of the independent valuer's valuation.
- 4.1.11 In addition, the Applicant would reimburse reasonable costs associated with acquiring and moving to a new property, which could include payment of the stamp duty land tax for a replacement property of equivalent value, statutory home loss payment of 10% of the open market value (currently with a cap of £78,000, reflecting the statutory provision that is periodically updated as will the payment under this policy), reasonable conveyancing and agent's fees, and other disturbance elements such as removal costs. Such costs would be assessed in accordance with the Compensation Code, meaning participants in the scheme would receive payment as if their property had been compulsorily acquired.
- 4.1.12 Once an offer has been made, the Applicant will make the commitment to purchase the property under the policy although at the same time there would be no obligation for the homeowner to sell the property until exchange of contracts. The offer to acquire would remain open for acceptance for a period of six months from the date of the offer.

## 5 RESIDENTIAL HARDSHIP POLICY

- 5.1.1 As part of the Proposed Development, the Applicant will introduce a discretionary residential hardship scheme to protect the most impacted local residents. This discretionary property scheme would be available from the time the proposed application for development consent is accepted by the Planning Inspectorate.
- 5.1.2 The scheme is for qualifying residential properties in the 66dBL<sub>Aeq,16h</sub> daytime noise contour area and 60dBL<sub>Aeq,8h</sub> night-time contour area. Owners of residential properties in these areas may ask the Applicant to acquire their property in circumstances whereby, should they be unable to sell on the open market, this would lead to exceptional hardship.
- 5.1.3 Indicative plans delineating the 66dBL<sub>Aeq,16h</sub> and 60dBL<sub>Aeq,8h</sub> noise contour areas can be found in the ES for the Proposed Development (see **Chapter 16 Noise and Vibration** of the **ES [TR020001/APP/5.01]**).
- 5.1.4 Updated noise contour plans will be published every 5 years and applications can be made as soon as properties are identified as being within the relevant contour.
- 5.1.5 In order to qualify under the scheme, all the following criteria must be satisfied and evidenced:
- a. the property must be located within the 66dBL<sub>Aeq,16h</sub> and/or 60dBL<sub>Aeq,8h</sub> noise contours;
  - b. the owner must have made reasonable efforts to sell the property, such as by marketing the property for a reasonable period, and not having received an offer within 15% of a reasonable asking price. The reason a sale is not achieved must be attributable to the Proposed Development;
  - c. the owner must have had no prior knowledge of the Proposed Development (having acquired the property before October 2019); and
  - d. the owner must demonstrate a compelling need to sell the property and that they are currently, or soon will be, in a position of exceptional hardship and that the sale of the property would alleviate that hardship. Such hardship may, for example, originate from financial, health and disability, employment, family or domestic issues, a court settlement, or winding up a deceased estate. It is up to the owner to demonstrate and evidence a compelling need to sell the property and that exceptional hardship would be the result of a failure to sell the property, other than at a significantly reduced price.
- 5.1.6 Where there is a need to sell a property in the above circumstances, but the owner has not succeeded in doing so, the owner may apply to the Applicant to acquire the property under this policy. The Applicant will consider each individual application on its own merits. Each application will be referred to the Applicant's Board of Directors for consideration.

- 5.1.7 If the Board of Directors determine that the criteria have been met then they will make an offer to acquire the property. An independent valuer will be appointed to assess its value, based on unaffected open market value (what would have been the value of the property without the Proposed Development). An offer to acquire the property will be made on the basis of this independent valuation.
- 5.1.8 The independent valuer will be selected by the owner from a panel of three Chartered Surveyors recommended and pre-procured by the Applicant. All valuers recommended for the panel will be Chartered Surveyors registered with the Royal Institution of Chartered Surveyors (RICS) and will be carefully selected to ensure they can demonstrate the competence and professional knowledge to undertake valuations.
- 5.1.9 Under this scheme, the offer will not include additional costs, such as agent's and legal fees or removal costs, on the grounds that if the owner was already looking to sell the property they would normally expect to have to meet these costs anyway.
- 5.1.10 The Applicant will seek to determine applications within two months of receiving a claim.
- 5.1.11 Once an offer has been made the Applicant will make the commitment to purchase the property under the policy although at the same time there would be no obligation for the homeowner to sell the property until exchange of contracts. The offer to acquire would remain open for acceptance for a period of six months from the date of the offer.



## 6 NOISE INSULATION POLICY

- 6.1.1 The airport operator currently operates a Noise Insulation Scheme. The scheme seeks to provide funding for a range of measures to compensate for the impact of noise on properties within a defined noise contour.
- 6.1.2 The Applicant recognises that even after applying best practice in the design of the Proposed Development and introducing necessary mitigation measures, some local people are still likely to be negatively affected by noise. Therefore, as part of the Proposed Development, the Applicant would improve the current Noise Insulation Scheme to eligible local homes, in order to mitigate for the effects of noise for those most affected.
- 6.1.3 The new Noise Insulation Schemes have been designed to significantly improve on the current Noise Insulation Scheme not only by increasing the number of properties which may be eligible under the new schemes but also by improving the level of contribution offered.
- 6.1.4 This work would be offered through five Noise Insulation Schemes, with each scheme addressing slightly different circumstances:
- a. Scheme 1 – Properties inside the daytime 63dBL<sub>Aeq,16h</sub> contour;
  - b. Scheme 2 – Properties inside the daytime 60dBL<sub>Aeq,16h</sub> contour and outside the daytime 63dBL<sub>Aeq,16h</sub> contour;
  - c. Scheme 3 – Properties inside the night-time 55dBL<sub>Aeq,8h</sub> contour and outside the daytime 60dBL<sub>Aeq,16h</sub> contour;
  - d. Scheme 4 – Properties inside the daytime 57dBL<sub>Aeq,16h</sub> contour and outside the daytime 60dBL<sub>Aeq,16h</sub> contour; and
  - e. Scheme 5 – Properties inside the daytime 54dBL<sub>Aeq,16h</sub> contour and outside the daytime 57dBL<sub>Aeq,16h</sub> contour.
- 6.1.5 In their December 2018 consultation ‘Aviation 2050: The future of UK Aviation’<sup>5</sup> the government consulted on extending the noise insulation policy threshold beyond the current 63dBL<sub>Aeq,16h</sub> contour to 60dBL<sub>Aeq,16h</sub>. In line with this proposed policy change the Applicant has extended the noise insulation policy threshold beyond the current 63dBL<sub>Aeq,16h</sub> contour. The proposals provide eligibility from 54dBL<sub>Aeq,16h</sub> and include the night-time 55dBL<sub>Aeq,8h</sub> to determine properties exposed to significant observable adverse effects.
- 6.1.6 The proposals when implemented would replace the existing scheme.
- 6.1.7 As part of the Proposed Development’s **Green Controlled Growth Framework [TR020001/APP/7.08]**, the contour updates will be extended to include five year

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<sup>5</sup> Aviation 2050: The Future of UK Aviation - A consultation by the Department for Transport seeking feedback on its green paper which outlines proposals for a new aviation strategy. The strategy will set out the challenges and opportunities for aviation to 2050 and beyond and will emphasise the significance of aviation to the UK economy and regional growth. Details can be found on the Gov.uk website including the Government’s response to the consultation.

forecasts to aid in driving an increase in the quietest aircraft using the airport as it grows but also to plan for the roll out of the new Noise Insulation Scheme.

### **Scheme 1 - Properties inside the daytime 63dBL<sub>Aeq,16h</sub> contour band**

- 6.1.8 A full package of noise insulation to habitable rooms, including bedrooms, living rooms, and dining rooms would be provided. Typical measures are set out below but needs are likely to vary at different properties.
- a. This may also include kitchen/diners but does not include toilets, bathrooms, porches, conservatories, outbuildings and rooms used solely for leisure activities.
  - b. Windows may be upgraded to acoustic double glazing or by the addition of secondary glazing.
  - c. External doors to habitable rooms may be upgraded.
  - d. Ceilings or lofts may be over-boarded with additional lining.
  - e. Acoustic thermal insulation may be installed above ceilings in lofts.
  - f. Suitable ventilation may be provided so that windows can be kept closed in warm weather.

### **Scheme 2 - Properties within the 60dBL<sub>Aeq,16h</sub> contour band and outside the 63dBL<sub>Aeq,16h</sub> contour band**

- 6.1.9 Scheme 2 would provide homes with a contribution of up to £20,000 for agreed noise insulation works to be undertaken to the property.

### **Scheme 3 - Properties within the night-time 55dBL<sub>Aeq,8h</sub> contour band but outside the 60dBL<sub>Aeq,16h</sub> contour band**

- 6.1.10 Scheme 3 provides the following:
- a. A full package of noise insulation to bedrooms only would be provided. Typical measures are set out below but needs are likely to vary at different properties.
  - b. Windows may be upgraded to acoustic double glazing or by the addition of secondary glazing.
  - c. Ceilings or lofts may be over-boarded with additional lining. Acoustic thermal insulation may be installed above ceilings in lofts. Suitable ventilation may be provided so that windows can be kept closed in warm weather.

### **Scheme 4 - Properties within the 57dBL<sub>Aeq,16h</sub> contour band and outside the 60dBL<sub>Aeq,16h</sub> contour band**

- 6.1.11 Scheme 4 would provide:
- a. A contribution of up to £6,000 for agreed noise insulation works to be undertaken to the property.

## **Scheme 5 - Properties within the 54dB<sub>L<sub>Aeq,16h</sub></sub> contour band and outside the 57dB<sub>L<sub>Aeq,16h</sub></sub> contour band**

6.1.12 Scheme 5 would provide:

- a. A contribution of up to £4,000 for agreed noise insulation works to be undertaken to the property.

### **Eligibility**

6.1.13 Should consent for the Proposed Development be approved the existing scheme will continue to apply until the Applicant serves notice on the relevant planning authority under article 44(3) of the DCO.

6.1.14 Following such notice, the new Noise Insulation Scheme would be progressively rolled out to homes forecast to be within the relevant noise contours as a result of growth in air traffic movements from the Proposed Development. The roll out plan will prioritise the most affected properties within the latest 63dB<sub>L<sub>Aeq,16h</sub></sub> and 55dB<sub>L<sub>Aeq,8h</sub></sub> contours and introduce each scheme as efforts to insulate those in worst affected contours are complete.

### **Process**

6.1.15 Updated noise contour forecasts would be published as part of the Green Controlled Growth 5 year forecasts based on the most accurate information available at the time (see **Green Controlled Growth Explanatory Note [TR020001/APP/7.08]**). It is these contours which will determine eligibility for the Noise Insulation Schemes outlined above. For example, if at any time in the future a noise contour forecast is published that shows a property is expected to fall within either the daytime 63dB, 60dB, 57dB, or 54dB contour bands, or the night-time 55dB contour band, that property would be eligible for the relevant scheme.

6.1.16 In order to ensure successful delivery of the scheme London Luton Airport Consultative Committee (LLACC) will be provided with the data on eligible properties and will determine the priority areas for noise insulation based on those most significantly impacted and other guidance from the Applicant covering eligibility criteria, commitments it has made to deliver the mitigation and the efforts it expects to be made to put works in place quickly.

6.1.17 The airport operator will write to all eligible property owners and occupiers in the areas identified by LLACC and otherwise in accordance with the roll out plan to invite property owners to apply for the relevant scheme. On receipt of this invitation the homeowner may confirm whether they would in principle like noise insulation. The airport operator will then arrange for a pre-procured contractor to visit the property with a view to preparing a schedule of noise mitigation measures according to the scheme for which the property qualifies.

6.1.18 Where the owner qualifies for more than one scheme the owner will be given the option as to which scheme they want to apply.

6.1.19 The homeowner will receive a copy of the contractor's scope and specification of work and will have the opportunity to review it and request changes which

may be made but where such changes increase the cost of works above the contribution level of the Noise Insulation Scheme, this additional cost must be borne by the homeowner. For Schemes 1 and 3 which provide for a full package of noise insulation works, homeowners will have the option of an appeal to LLACC where dissatisfied with the specification of work.

- 6.1.20 When the specification for works has been approved, a date for installation will be agreed with the homeowner and the work scheduled for completion.
- 6.1.21 On completion the airport operator will make a direct payment to the contractor for the authorised works necessary to fulfil the policy leaving any additional sum to be paid by the homeowner.
- 6.1.22 LLACC has no executive role in the decision making process of the airport. The aim of the Committee is to ensure that as wide a range of views as possible is made available to the London Luton Airport management team so that they can take account of the issues which are of concern to those using the airport, working at it or living around it. The chairman of the Committee is appointed by London Luton Airport Operations Limited (LLAOL) but is independent of the airport and the other bodies on the Committee. Until this new policy is live the existing Noise Insulation Scheme will continue to apply.
- 6.1.23 Over time there are anticipated to be circumstances where properties become eligible for different schemes. Should this arise, the Applicant will recognise eligibility for the scheme most relevant at the time of the survey and in any subsequent offer for noise insulation reserve the right to reflect any previous noise insulation compensation payment already made.

### **Community Buildings**

- 6.1.24 The Applicant is also proposing to offer acoustic insulation to other noise-sensitive community buildings lying within the  $63\text{dBL}_{\text{Aeq},16\text{h}}$  and should those buildings be regularly occupied at night also for those within the  $55\text{dBL}_{\text{Aeq},8\text{h}}$  contours. These buildings may include:
- a. Schools and colleges;
  - b. Doctors surgeries, health centres, hospitals, nursing homes and care homes;
  - c. Libraries, community centres (unless only used as social clubs), meeting halls and village halls;
  - d. Churches and other places of religious worship; and
  - e. Children's and other day centres, crèches and nurseries.
- 6.1.25 LLACC will be provided the data on eligible public buildings and will determine those that are to be prioritised for insulation in accordance with the roll out plan.
- 6.1.26 The airport operator will then write to eligible property owners to invite them to apply for the scheme. On acceptance of the invitation to participate, a survey will be carried out to determine the scope of works required.

- 6.1.27 This scheme will be subject to a capped contribution of £250,000 per applicant per building or group of buildings in the same occupation and location. As per the residential schemes, owners may seek to agree with the contractor to include additional works beyond the scope and contribution level of this scheme, but the costs and any other responsibilities arising from such works must be borne by the owner.

## Highways

- 6.1.28 The assessment of noise from the Proposed Development presented in **Chapter 16 Noise and Vibration** of the **ES [TR020001/APP/5.01]** has identified the potential for indirect significant adverse effects for specific properties on Crawley Green Road due to intensification of road traffic using existing public highways at existing high noise levels. As works are completed, the Applicant will monitor traffic volumes near these specific properties and use this information to update the road traffic noise modelling and assessment of significant effects for these properties. Should this updated assessment confirm the identification of significant effects, then noise insulation will be provided. For the purpose of this assessment, significant effects would be identified at these properties if they exceed a road traffic noise level of  $63\text{dB}_{\text{LAeq},16\text{h}}$  or  $55\text{dB}_{\text{LAeq},8\text{h}}$  and experience a noise increase between the without development scenario (the Do-Minimum) and the with development scenario (Do-Something) of 1dB or more.
- 6.1.29 A programme of traffic monitoring has been developed as part of the **Transport Assessment (TA) [TR020001/APP/7.02]** to inform the need and delivery programme for highway interventions. The approach to monitoring of traffic volumes is set out in the Outline **Transport Related Impacts Monitoring and Mitigation Approach** (Outline TRIMMA), which forms **Appendix I** to the **Transport Assessment [TR020001/APP/7.02]**. Under the Outline TRIMMA, traffic surveys and monitoring will be undertaken on an annual basis to provide the information required to undertake forecast surface access noise modelling up to 5 years into the future at properties where an indirect significant adverse effect above SOAEL has been identified in the ES (Crawley Green Road). This monitoring and remodelling will be used to identify eligibility for noise insulation if required. Further information on this process of reassessment is provided in Section 4.2 of **Appendix 16.2 Operational Noise Management Explanatory Note** of the **ES [TR020001/APP/5.02]**.
- 6.1.30 For properties in which a significant effect is confirmed through updated modelling described above, a package of noise insulation to habitable rooms, including bedrooms, living rooms, and dining rooms with windows in the elevation(s) of the property exposed to the noise source would be provided.
- 6.1.31 LLACC will provide the data on eligible properties. The airport operator will write to all eligible property owners in the areas identified by LLACC and otherwise in accordance with the roll out plan to invite property owners to apply for the scheme.

## 7 SUPPORTING BUSINESS RELOCATION

- 7.1.1 The purpose of this section is to set out what the Applicant will do to support businesses in the small number of cases where the relocation of existing businesses will be required to enable delivery of the Proposed Development.
- 7.1.2 The statutory position is, once the Applicant has consent, it may serve a notice of either 14 days for temporary possession or three months for permanent acquisition to require the owner or occupier to vacate with compensation being assessed afterwards based on the submission of a claim.
- 7.1.3 The compulsory acquisition process places a duty on affected parties to mitigate losses and steps should be taken by businesses to achieve this. This would include relocating existing businesses where it is reasonably possible. The Applicant anticipates that in the majority of cases businesses will be able to obtain statutory compensation to relocate their operations.
- 7.1.4 Depending on the specific circumstances of the individual business in question, the Applicant will consider a range of potential support measures. The Applicant's proposals are designed to provide flexibility and greater certainty for future business planning and go beyond statutory requirements. It should be noted that these options are not mutually exclusive and do not represent all possible assistance that could be available:
- a. agreeing terms for an acquisition in advance of our requirements so that the business is able to relocate at a suitable time. This could either be on the basis that a price is agreed at the time the agreement is signed, or that a mechanism is agreed for reaching that price;
  - b. agreeing to allow a lease to be surrendered (either when the agreement is signed or at a defined point in the future) to facilitate relocation; and/or
  - c. agreeing an arrangement for an extended notice period to be given before the property is acquired.

## 8 COMMUNITY FIRST

- 8.1.1 The Applicant seeks to contribute to the stated goals of its shareholder Luton Council, in its Luton 2040 Vision<sup>6</sup> to be carbon neutral and to eliminate poverty in the town by 2040.
- 8.1.2 The Applicant considers that the most appropriate way to achieve this is by optimising the social and economic power of the town's largest asset, the airport, whilst growing in a way which supports the Luton 2040 Vision target of being a carbon neutral town by 2040.
- 8.1.3 The **Need Case [TR020001/APP/7.04], Green Controlled Growth Explanatory Note [TR020001/APP/7.07], Employment and Training Strategy [TR020001/APP/7.05]** and other measures included within this application for development consent, set out how growth of the airport can directly contribute to these goals.
- 8.1.4 As the custodian of a community airport, the Applicant is committed to ensuring that the benefits arising from its ownership of the airport are shared with nearby communities. Over the last 20 years, the Applicant has contributed more than £175m to local community groups and charities providing vital services across neighbouring communities. Through Community First, the Applicant aims to tie together its commitment to sharing the benefits of airport growth with its neighbours and its commitment to contributing to the Luton 2040 Vision.
- 8.1.5 Away from the direct contribution made by the growth of the airport, the Applicant will further support indirect contributions, beyond those provided directly through airport growth, to meeting these goals. It will do so through the introduction of a new funding stream, Community First, which is aimed at providing grant funding to local organisations to assist with delivery of interventions which address the objectives of tackling deprivation and achieving carbon neutrality by 2040.
- 8.1.6 The Applicant has a long history of providing significant contributions directly to local community causes and continues to invest in this important aspect of its operation, even maintaining significant levels of community funding throughout the Covid-19 pandemic when incomes were devastated across the aviation industry. In 2019, the last comparable pre Covid-19 year, this was at a rate equivalent to more than £0.50p per passenger. The Applicant's community funding programme outside of Community First will continue and remain unaffected by Community First.

### Funding Community First

- 8.1.7 Community First will be provided at a fixed rate of £1 of funding for every additional passenger above the planning cap current at the time that the Development Consent Order is made, per year, resulting in up to £14m per year by the time the airport reaches a throughput of 32 mppa. This will take effect from the year in which passengers first exceed the planning cap current at the time the DCO is made.

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<sup>6</sup> A town-wide vision for **Luton 2020-2040, A place to thrive** sets out Luton Borough Council's priorities for the 20-year period to 2040

- 8.1.8 Community First will be funded through additional revenues to the Applicant resulting directly from expansion. There will be no direct impact on charges at the airport to fund Community First.
- 8.1.9 Community First contributions will be based on passenger numbers each calendar year. The passenger numbers in each year influence the Community First budget in the following grant year. Grant years will run from April to March. For example, assuming passenger numbers for January to December 2027 are 21.5 mppa then £3.5m would be made available for Community First in the following grant year (April 2028 to March 2029). This would begin from the first year in which passenger throughput exceeds the current planning cap.



## 9 ELIGIBILITY

### Geographical area - the Community First zone

- 9.1.1 The Applicant wishes to share the benefits of airport growth with neighbouring communities. A number of factors have been considered in determining the extent of the geographical area to be covered by Community First, including historical data on the location of complaints received about airport operations, flight paths, areas containing higher levels of social deprivation and consideration of optimising a balance between an area large enough to be confident that all Community First funds should be capable of being used but not so wide that it dilutes the effectiveness of the fund in meeting its objectives.
- 9.1.2 Consequently, the Community First zone includes the entirety of the county of Bedfordshire, including Luton, the entirety of the Hertfordshire districts of Stevenage, Welwyn and Hatfield, the City and District of St Albans, and Dacorum; those parts of the districts of North Hertfordshire and East Hertfordshire west of the A10; and eastern parts of the Buckinghamshire district of Aylesbury Vale.
- 9.1.3 Where the boundary of the Community First zone runs along a road, the entirety of any settlement severed by that boundary will be deemed to be eligible. The Community First zone is shown in **Figure 9.1**.

### Fund availability

- 9.1.4 To ensure that benefits of airport growth are shared across the local area, 40% of the proceeds of Community First will be allocated to areas outside of the boundary of the Borough of Luton and 60% allocated for use within the boundary of the Borough of Luton. This is in recognition of the relatively higher incidence of social deprivation in the town.
- 9.1.5 Registered charities, community groups with their own bank account, parish councils and town councils within the Community First zone will be eligible to apply for grants.

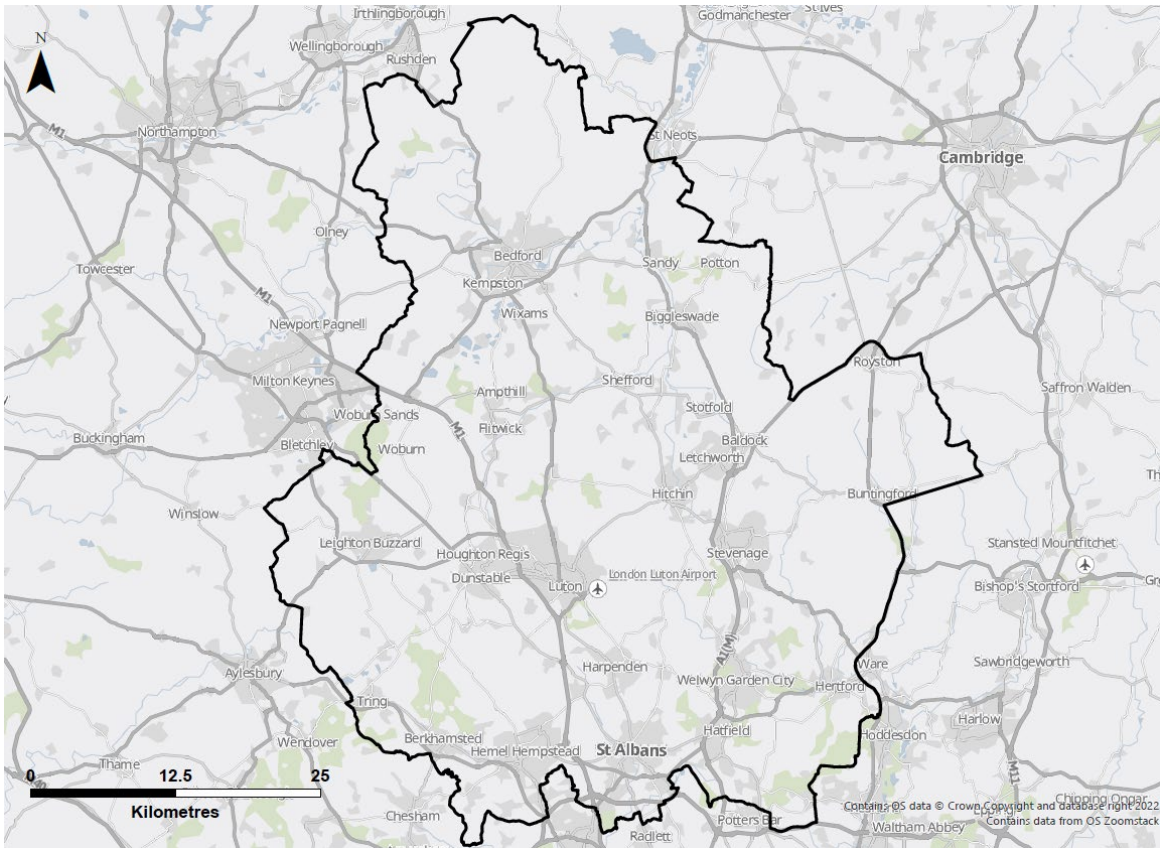


Figure 9.1: Community First zone

## 10 ADMINISTRATION

- 10.1.1 The Applicant will appoint a charitable body independent of the Applicant to administer Community First.
- 10.1.2 The independent administrator will establish an awards panel to determine applications for grant funding and make awards. The independent administrator will be required to demonstrate that membership of award panels includes knowledge and understanding of matters of local interest and priority in the areas in which applications are being considered.
- 10.1.3 Grant applications must demonstrate a clear link to projects within the Community First zone which make a positive contribution to one of the core themes of Community First: either supporting decarbonisation or tackling deprivation.
- 10.1.4 In order to provide maximum flexibility for the independent administrator to exercise discretion in the award of grants, no additional criteria are set as to what constitutes a project tackling deprivation or decarbonisation. Provided that grant awards demonstrably meet one of the core themes of Community First, the independent administrator will have discretion to award grants wholly on merit.
- 10.1.5 The maximum level of any single grant award will be limited to £25,000 in any one grant year.

## 11 REVIEW

- 11.1.1 Community First is an ongoing commitment but will be subject to periodic review to ensure that it remains relevant and up to date as time progresses.
- 11.1.2 Reviews should take place at intervals not exceeding five years, to ensure that the fund remains relevant and effective.
- 11.1.3 Reviews of Community First may consider:
- a. the purposes for which funding is made available;
  - b. changes to the list of eligible beneficiaries (but not the removal of any of the eligible beneficiaries included in this document);
  - c. prioritisation of specific themes, beneficiary type, or geographical location within the current criteria;
  - d. geographical area of the Community First zone, beyond the boundary of the Borough of Luton;
  - e. maximum level of a single grant; and
  - f. upwards indexation of the value of the amount per passenger allocated to Community First.
- 11.1.4 The independent administrator of Community First will conduct reviews and make recommendations to the Board of Directors of London Luton Airport Limited for approval.
- 11.1.5 Any changes resulting from a review will be implemented from the beginning of the first financial year commencing after the changes are approved.

# APPENDIX A INDICATIVE NOISE CONTOUR PLAN

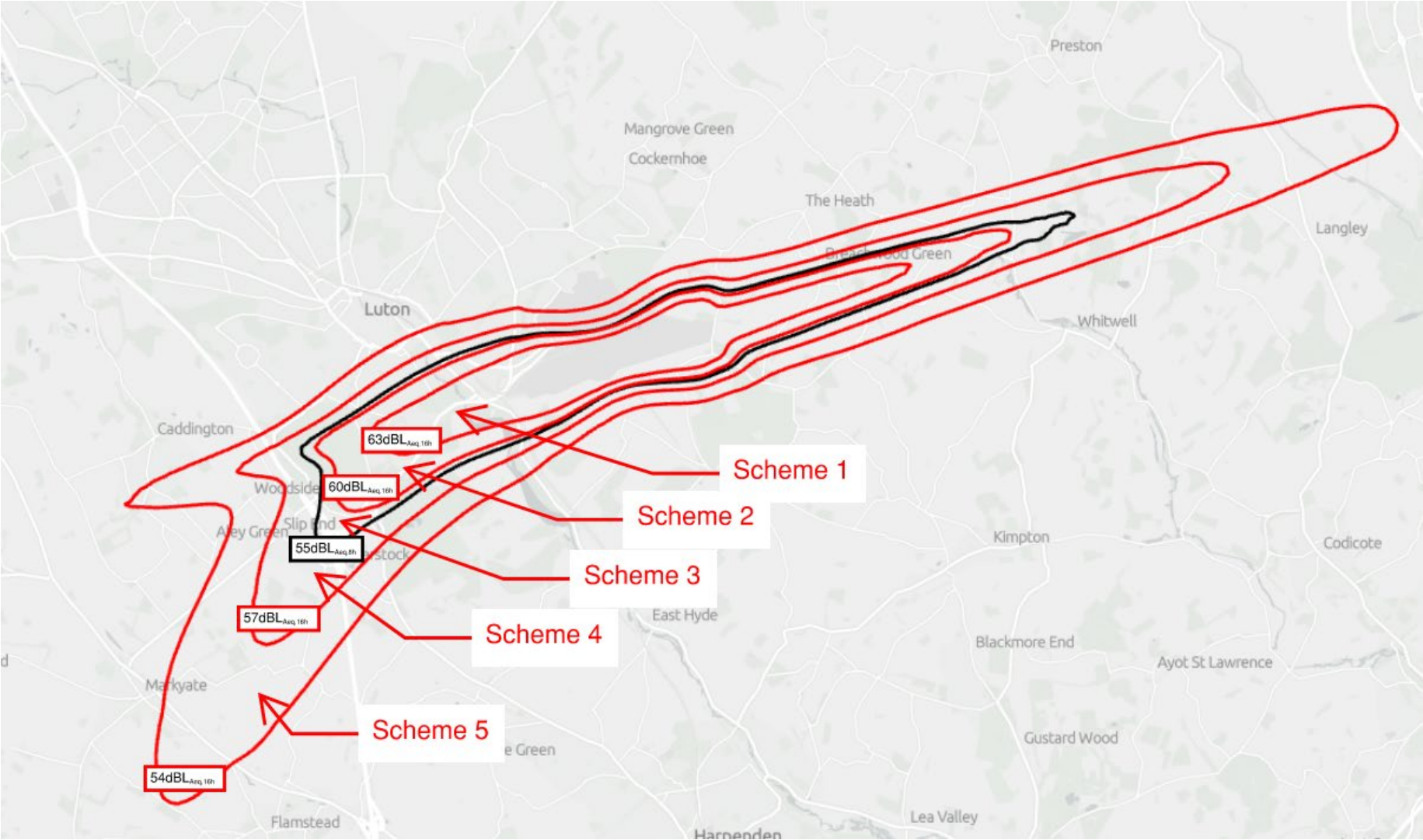


Figure A1.1: Indicative noise contour plan

## APPENDIX B NOISE TERMINOLOGY

### A1.1 Noise assessment

A1.1.1 An assessment of noise has been undertaken as part of the Environmental Impact Assessment (EIA) for the Proposed Development. Full details of this assessment are provided in **Chapter 16 Noise and Vibration** of the **ES [TR020001/APP/5.01]**. The noise assessment has been used to develop the noise insulation policies in this document to ensure that significant effects on health and quality of life from noise are avoided.

### A1.2 Noise metrics

A1.2.1 The primary noise metric used in the noise assessment, and to define eligibility for the Noise Insulation Schemes, is the  $L_{Aeq,T}$  metric, where 'T' represents the relevant time period for the daytime (16 hours or '16h') and night-time (8 hours or '8h'). The  $L_{Aeq,T}$  noise measurement is the most common international measure of aircraft noise. It represents the 'equivalent continuous noise level'.  $L_{Aeq,T}$  noise levels over a geographical area, as represented by noise contours, are affected by both the number of aircraft movements, and the noise level from individual aircraft movements. Research by the Civil Aviation Authority (Ref B.1) has shown that  $L_{Aeq,T}$  noise contours are the best correlated indicators with health impacts and community annoyance due to aircraft noise.

A1.2.2 Key thresholds for the assessment of noise impacts, in line with Government noise policy, are the Lowest Observed Adverse Effects Level (LOAEL), the Significant Observed Adverse Effects Level (SOAEL) and the Unacceptable Adverse Effects Level (UAEL). Further information on these thresholds including how they have been defined and used in the noise assessment is presented in Section 16.5 of **Chapter 16 Noise and Vibration** of the **ES [TR020001/APP/5.01]**.

### A1.3 Noise contour maps

A1.3.1 Noise contour maps are maps which represent how noise exposure varies across an area. In the same way that contour lines on orienteering maps may be used to show areas of equal height, noise contour maps show equal areas of noise exposure for a given noise metric. These maps can therefore be used to determine eligibility for different Noise Insulation Schemes which have different noise exposure eligibility requirements.

A1.3.2 Noise contour maps have been created to accompany the noise assessment presented in **Chapter 16 Noise and Vibration** of the **ES [TR020001/APP/5.01]**. For example, Figure 16.15 and Figure 16.16 of the **ES Figures [TR020001/APP/5.03]** show the predicted daytime and night-time noise exposure for the year 2027 with the Proposed Development and can be used to give an indication of the potential extent of the Noise Insulation Schemes in that year. Indicative noise contours (for illustration purposes only) are also provided in **Appendix A**. However, it should be noted that eligibility for the schemes will be confirmed as described in Section 6 of this document.

## REFERENCES

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Ref 1.1 Planning Portal. 2023. Compulsory Purchase and Compensation Booklets.

Ref 2.1 UK Government. 2023. Compulsory purchase system guidance.

Ref B.1 Civil Aviation Authority (2021), CAP1506: Survey of Noise Attitudes 2014: Aircraft Noise and Annoyance, Second Edition and Civil Aviation Authority (2021), CAP2161: Survey of Noise Attitudes 2014: Aircraft Noise and Sleep Disturbance