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London Luton Airport Expansion

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8.39 Applicant's response to Written Representations made by Non-statutory Organisations at Deadline 1 (Part 4)

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.39

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.39 APPLICANT'S RESPONSE TO WRITTEN REPRESENTATIONS
MADE BY NON-STATUTORY ORGANISATIONS AT DEADLINE 1
(PART 4)**

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Table 6.1: Response to Written Representations made by Non-statutory Organisations

6 RESPONSE TO WRITTEN REPRESENTATIONS MADE BY NON-STATUTORY ORGANISATIONS

6.1 Introduction

6.1.1 This section provides the Applicant's response to Written Representations made by Non-statutory Organisations. Responses to issues are presented as verbatim text taken from the Relevant Representations on a topic-by-topic basis.

6.1.2 Written Representations were submitted by the following organisations:

- a. Wheathampstead & District Preservation Society (WDPS)
- b. Friends of Wigmore Park
- c. Chartered Institute of Logistics and Transport
- d. England's Economic Heartland
- e. HarpendenSky.com
- f. Hitchin Forum
- g. LADACAN (Luton and District Association for the Control of Aircraft Noise)
- h. Luton Friends of the Earth
- i. National Trust
- j. New Economics Foundation
- k. North Herts & Stevenage Friends of the Earth
- l. St Paul's Walden Bury Estate Company
- m. St Albans Quieter Skies (STAQS)

Table 6.1: Response to Written Representations made by Non-statutory Organisations

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
The Harpenden Society REP1-165	General	<p>Background</p> <p>1. The Society has reviewed a number of LR's DCO documents and offers the Examining Authority ("ExA") the following comments on the evidence.</p> <p>2. To a large extent, the Society has, at this stage, limited its detailed comments to the draft DCO, the Funding Statement, the Needs Case, Noise and Vibration and Green Controlled Growth. We are concerned about other issues, including the substantial transport implications of the proposal, in particular those related to the capacity of the road and rail networks to cope with additional traffic at peak periods and those relating to air quality.</p> <p>However, we note that similar concerns to ours in these areas have been raised already by Statutory Authorities and other Interested Parties in their Relevant Representations and we will make specific representations on these issues when they examined in detail by the ExA</p>	Noted.

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<p>The Harpenden Society REP1-165</p>	<p>Climate Change</p>	<p>Climate Change 3. An overriding concern of the Society is that the DCO fails to address the “elephant in the room” i.e. the increase in aircraft CO2 emissions claiming that these are a central government responsibility. We do not agree. The Climate Change Committee in its report to Parliament 28 June 2023 (“CCC report”) recommended that “No airport expansions should proceed until a UK-wide capacity management framework is in place to annually assess and, if required, control sector GHG emissions and non-CO2 effects. A framework should be developed by DfT in cooperation with the Welsh, Scottish and Northern Irish Governments over the next 12 months and should be operational by the end of 2024. After a framework is developed, there should be no net airport expansion unless the carbon-intensity of aviation is outperforming the Government's emissions reduction pathway and can accommodate the additional demand.” The ExA should include this condition in the DCO i.e. that “there should be no net airport expansion unless the carbon-intensity of aviation is outperforming the Government's emissions reduction pathway”, before each</p>	<p>The Government considered a similar request from the Committee on Climate Change in its 2022 progress report (Ref 1). The Government responded to this in March 2023 (Ref 2) stating clearly that at #197 “<i>We remain committed to growth in the aviation sector where it is justified. Our analysis in the Jet Zero Strategy shows that the sector can achieve net zero carbon emissions from aviation without the government needing to intervene directly to limit aviation growth. Our scenarios show that we can achieve our targets by focusing on new fuels, technology, and carbon markets and removals with knock-on economic and social benefits. Our 'high ambition' scenario has residual emissions of 19 MtCO2e in 2050, compared to 23 MtCO2e residual emissions in the CCC's Balanced Pathway.</i></p> <p><i>Airport growth has a key role to play in boosting our global connectivity and levelling up in the UK. Our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. We do not, therefore, consider restrictions on airport growth to be a necessary measure.”</i></p>

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		Phase is allowed to start, otherwise, growth at Luton airport will compromise the UK's ability to meet its Net Zero obligations.	In the light of the <i>Jet Zero – One Year On</i> report published by the Department for Transport in July 2023 (Ref 3), there is no reason to expect the Government's response to the latest report from the Committee for Climate Change to be any different from that given in March 2023.
The Harpenden Society REP1-165	Draft DCO	<p>The Draft DCO Clause 8</p> <p>4. The application proposes that Phase 1 occurs during the existing concession which ends in 2032.</p> <p>5. The Funding Statement in paragraph 4.3.1 refers to LR operating the airport post the existing concession “with the TUPE transfer of current operational staff” together with the “benefit from the provision of a Technical Services Agreement (TSA) with an aviation expert with global expertise to provide ongoing comprehensive technical and management support for a period of time” or a (new) concessionaire being appointed (which could be the existing concessionaire).</p> <p>6. LR are proposing to exclude the need for the Secretary of State's consent to the transfer of</p>	<p>Article 8 of the Draft DCO [AS-067] would allow the benefit of the order to be transferred or granted to others by the Applicant.</p> <p>The consent of the Secretary of State is required for a transfer or grant, except in specified circumstances where such consent is not required. This includes a transfer made to London Luton Airport Operations Limited (LLAOL) being the current airport operator, or the airport operator, where it is different from LLAOL.</p> <p>The Applicant agrees that the Airports Act 1986¹ (the Act) essentially removes the ability of local authorities directly to manage and operate airports.</p> <p>Section 17(1) of the Act concerns the qualification / experience of directors of public</p>

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		<p>the benefit of the order post concession under 8(4)(b) of the DCO where the transfer is to an "airport operator" defined in the DCO as "the managing body of London Luton Airport as defined in the Airports Slot Allocation Regulations 2006(j)" (we do not recognise this provision in those regulations and believe it is meant to refer, ultimately, to Council Regulation (EEC) No95/93 Article 2(j)).</p> <p>7. The exclusion of the Secretary of State's consent will leave it up to LR to decide if it is capable of undertaking the development of the airport or to appoint a new airport operator.</p> <p>8. LR is, under existing UK law, incapable of being an airport operator after the current concession ends as it does not meet the requirements of The Airports Act 1986 ("AA 1986"), specifically section 17(1) or Council Regulation (EEC) No 95/93 Article 2(j) to be, respectively, a "controlling authority of a public airport company" or a "managing body of an airport". The throwaway statements in the Funding Statement that LR will undertake the development with the TUPE transfer of existing staff and an as yet undefined relationship with</p>	<p>airport companies to operate an airport. However, where the public airport company has made other arrangements to operate the airport, the Secretary of State can direct that section 17(1) does not apply.</p> <p>The responsibility for operating and managing the airport sits entirely LLAOL under a concession agreement.</p> <p>The Secretary of State has duly directed section 17(1) does not apply to the Applicant, by extension confirming satisfaction with the current arrangements that LLAOL can operate the airport and that the Applicant is able to appoint a new airport operator if required.</p> <p>Further, the removal of the need for later consent by the Secretary of State under paragraph (4) to transfer the benefit of the order is justified by the fact that such consent is sought for development consent; thus, interested parties, the Examining Authority and ultimately the Secretary of State will have an opportunity to examine whether this power is appropriate.</p>

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		<p>an unknown aviation expert are, firstly, so vague as to be meaningless, and, secondly, no guarantee that either of these proposals will come to fruition or will be sufficient to ensure the controlling authority or managing body contains individuals with sufficient experience to manage such an undertaking. We do not believe that the Board of LR, as presented constituted, has the experience to appoint a new airport operator either or that, without overriding scrutiny of the relationship between LR and a new airport operator, that such a relationship will be free from LR's interference.</p> <p>9. If LR, or any other airport operator, appointed by LR, is to undertake the future development of the airport it is essential that the Secretary of State is satisfied that either route has in place people with the relevant experience to undertake airport development and management. Clause 8 of the DCO should be amended accordingly.</p>	
The Harpenden Society REP1-165	Draft DCO	<p>Clause 26</p> <p>10. LR is proposing in section 26(1) of the DCO that the time limit for the exercise of authority to acquire land compulsorily extend to</p>	<p>The Applicant's reasons for seeking a 10 year compulsory acquisition period are set out at paragraphs 9.8.5 to 9.8.16 of the Statement of Reasons [AS-071].</p>

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		<p>10 years, a very significant extension to the statutory time limit of 5 years.</p> <p>11. LR has provided no credible reason why it needs 10 years to exercise this authority. Any legal challenges won't run for 5 years. The existence of precedents (paragraph 3.94 of the Explanatory Memorandum) is only relevant if the reason for the extension of time is relevant to LR's situation. The reasons given in paragraphs 3.95 and 3.96 don't make sense – it's still the same land that needs acquiring. Planning permissions are meant to give all constituencies certainty to plan their futures. A 10 year exercise period will leave everyone in a state of limbo for too long and, decisions about other development in those constituencies are likely to be deferred or, if they can't be delayed, be suboptimal.</p> <p>12. In the absence of credible reasons why LR requires a 10 year period to exercise its authority to acquire land compulsorily, the period of exercise should be limited to the statutory period of 5 years.</p>	

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<p>The Harpenden Society REP1-165</p>	<p>Funding</p>	<p>The Funding Statement Planning requirements 13. DCO's that propose the compulsory acquisition of land must comply with paragraph 5(2)(h) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 which states: "if the proposed order would authorise the compulsory acquisition of land or an interest in land or right over land, a statement of reasons and a statement to indicate how an order that contains the authorisation of compulsory acquisition is proposed to be funded;"</p> <p>14. Furthermore, the Planning Act 2008 Guidance on the compulsory acquisition of land (published in September 2013 by the Department for Communities and Local Government) states:</p> <p>15. in paragraph 9: "The applicant must have a clear idea of how they intend to use the land which it is proposed to acquire. They should also be able to demonstrate that there is a reasonable prospect of the requisite funds for acquisition becoming available. Otherwise, it</p>	<p>The Funding Statement [APP-012] submitted with the application was prepared pursuant to regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref 4) and the Department of Communities and Local Government guidance, "Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land" (September 2013) (Ref 5).</p> <p>The Planning Act 2008: application form guidance (June 2013) (Ref 6) states;</p> <p><i>"25. Where an applicant intends to compulsorily acquire land, an interest in land or rights over land, information relating to this must be set out within a statement of reasons, a funding statement and a book of reference. These documents must be submitted with the application for an order granting development consent."</i></p> <p>All of these documents were submitted with the application for development consent</p>

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		<p>will be difficult to show conclusively that the compulsory acquisition of land meets the two conditions in section 122.”</p> <p>16. in paragraph 17: “Any application for a consent order authorising compulsory acquisition must be accompanied by a statement explaining how it will be funded. This statement should provide as much information as possible about the resource implications of both acquiring the land and implementing the project for which the land is required. It may be that the project is not intended to be independently financially viable, or that the details cannot be finalised until there is certainty about the assembly of the necessary land. In such instances, the applicant should provide an indication of how any potential shortfalls are intended to be met. This should include the degree to which other bodies (public or private sector) have agreed to make financial contributions or to underwrite the scheme, and on what basis such contributions or underwriting is to be made.”</p> <p>17. and in paragraph 18: “The timing of the availability of the funding is also likely to be a</p>	<p>The Guidance further states that the funding statement:</p> <p><i>“26.... must contain sufficient information to enable the Secretary of State to be satisfied that, if it were to grant the compulsory acquisition request, the proposed development is likely to be undertaken and not be prevented due to difficulties in sourcing and securing the necessary funding.”</i></p> <p>In addition, published guidance on the compulsory acquisition of land (referred to above) explains:</p> <p><i>“9. The applicant must have a clear idea of how they intend to use the land which it is proposed to acquire. They should also be able to demonstrate that there is a reasonable prospect of the requisite funds for acquisition becoming available.”</i>. Emphasis added.</p> <p>Paragraphs 17 and 18 of the guidance on the compulsory acquisition of land recognise potential resource implications of a proposed scheme.</p>

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		<p>relevant factor. Regulation 3(2) of the Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010 allows for five years within which any notice to treat must be served, beginning on the date on which the order granting development consent is made, though the Secretary of State does have the discretion to make a different provision in an order granting development consent. Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from a blight notice have been taken account of.”</p> <p>Interpretation of Planning Requirements 18. The clear conclusions that can be drawn from these provisions are that the applicant is required to: “indicate how an order...is proposed to be funded” (paragraph 5(2)(h) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009) i.e. how the project as a whole will be funded. This requirement is reinforced by</p>	<p>The guidance acknowledges that:</p> <p><i>“17: This statement should provide as much information as possible about the resource implications of both acquiring the land and implementing the project for which the land is required. It may be that the project is not intended to be independently financially viable, or that the details cannot be finalised until there is certainty about the assembly of the necessary land. In such instances, the applicant should provide an indication of how any potential shortfalls are intended to be met.”</i></p> <p>The Funding Statement [APP-012] explains and confirms how that, based on cost and revenue projections, the scheme is capable of being funded from the net income derived from operating the airport.</p> <p>With regards the timing of the availability of funding, the Funding Statement [APP-012] confirms at section 4.4 that the Applicant is confident that funding for land acquisition is available.</p>

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		<p>paragraph 17 of the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land: "Any application for a consent order authorising compulsory acquisition must be accompanied by a statement explaining how it will be funded. This statement should provide as much information as possible about the resource implications of both acquiring the land and implementing the project for which the land is required."</p> <p>LR's response to these requirements</p> <p>19. The minutes of the 30 June 2021 s51 advice meeting state that: "a targeted review had taken place, focusing on ensuring that the scheme had a robust funding position".</p> <p>20. The Funding Statement accompanying this application states, in the Executive Summary, that "based on the cost and revenue projections, the scheme as currently proposed (including all land acquisition costs) is capable of being funded from the net income derived from operating the airport." At paragraph 3.1.3 the Estimated Total Project Cost is assessed to be £350m for Phase 1 and £2,350m for Phases 2a and 2b. Paragraph 3.1.4 states that</p>	

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		<p>“land purchase, compensation and blight” costs would be £110m in total, £10m of which related to Phase 1. Paragraph 3.1.1 refers to a number of firms that have provided advice in relation to the costings. However, no details of the costings are provided. No information is provided about revenues.</p> <p>Adequacy of LR's response to the planning requirements</p> <p>21. The Funding Statement provides no evidence to support the assertion that the scheme “is capable of being funded” or that the scheme has “a robust funding position” NB the cashflows referred to, which have not been independently assessed as realistic, will arise AFTER the capital costs have been funded, and it remains necessary for LR to demonstrate how the capital costs will be financed.</p> <p>22. The Funding Statement merely sets out, in section 4, a number of aspirational options for funding each Phase. Pointedly each option does not provide anything more than a short “story” or background to each option.</p>	

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		<p>23. Consequently, LR's response to the planning requirements set out above is inadequate and we have no confidence that the Proposed Scheme has any realistic chance of securing the funding required to make it happen.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Funding</p>	<p>Further concerns with LR's Funding Statement</p> <p>24. There is no evidence that adequate funds will be available to enable the Compulsory Acquisition of land and rights within the relevant time period (which Luton Rising are requesting is much longer than the normal period allowed for this).</p> <p>25. There is no evidence that either LR, Luton Borough Council ("LBC") or London Luton Airport Operations Limited ("LLAOL") are able, or in the case of LLAOL, willing to raise the funds. LLAOL in their letter of "support" pointedly state that their support is subject to the "commercial agreement".</p> <p>26. No financial information is provided about any of the parties mentioned that might provide</p>	<p>As set out in the Funding Statement [APP-012] the compulsory acquisition of land and rights is anticipated to be just £10m for Phase 1 and £100m for Phase 2. This represents less than 5% of the total scheme cost and the Applicant is confident of its ability to secure funds for these costs utilising the options set out in the Funding Statement [APP-012].</p> <p>The Funding Statement [APP-012] sets out options for the raising of funds which the Applicant is confident are deliverable.</p> <p>Financial statements of the referenced entities are available in the public domain.</p> <p>At this stage market testing of potential funders is considered premature, however there is a</p>

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		<p>some comfort that financing is within any of the parties gift.</p> <p>27. No potential funders in the commercial markets, who have expressed a willingness to lend the funds required to undertake the project, have been identified, nor any reputable advisors to such funding</p> <p>28. There is no information to show how the cost figures have been calculated and what the key sensitivities are. Another smaller project initiated by LR, the DART, was forecast to cost £225m but has already racked up costs of £300m.</p> <p>29. No revenue information whatsoever has been provided. This is particularly concerning, as future demand forecasts are inherently uncertain. The latest Jet Zero demand forecasts whilst largely unaltered compared to the Department for Transport's 2017 aviation forecasts contain significant caveats about future demand growth expectations. Eurocontrol, comparing its forecasts for 2017-2040 and then 2022-2050 shows UK annual growth rates virtually halving from 1.7% to 0.8%. Furthermore, the CCC report has</p>	<p>significant and active financing market in the UK for infrastructure development.</p> <p>Capital, operating and capital maintenance/ asset replacement costs have been calculated by the expert technical advisers who have extensive experience in similar projects. Allowances for risk, optimism bias and inflation have been included for the purposes of financial analysis.</p> <p>Detailed demand and revenue forecasts have been prepared by specialist advisers considering latest market trends and data. These detailed forecasts are used in the financial model to confirm overall financial viability of the scheme. These forecasts are commercially sensitive and have not been disclosed in full as this could prejudice future commercial negotiations.</p>

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		recently recommended that there is no growth in air travel in the UK until it is evidenced that the UK is on target to meet its climate change obligations.	
The Harpenden Society REP1-165	Funding	<p>Additional analysis on the availability of funding for the compulsory purchase of land</p> <p>30. LR provide no evidence to demonstrate that funding is available for the compulsory purchase of land.</p> <p>31. It is highly unlikely that LR are unaware of the requirements of the ExA in the Manston DCO re: funding of the compulsory purchase of land, specifically their conclusion in paragraph 9.8.69 of their report to the Secretary of State that “there is insufficient evidence that the Applicant itself holds adequate funds to indicate how an order that contains the authorisation of CA [compulsory acquisition] is proposed to be funded” and their subsequent conclusion in paragraph 9.8.76, following the receipt of some reliable information about funds, that “the ExA concludes and recommends that [the reliable information] do provide a degree of reassurance that a mechanism exists to provide the Applicant funding up to £15m [the expected CA costs]”.</p>	See the earlier response which confirms the Applicant's view that funding is available for the compulsory purchase of land.

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		<p>32. We are concerned, but not surprised, that LR hasn't seen fit to provide similar evidence. Without an assurance that up front funding of the compulsory purchase of land is available this DCO would be challenging to implement. Our lack of surprise, though, is recognition on the part of LR that neither LR nor LBC can provide any such assurances and, we know, in the case of LLAOL any such funding is subject to the "commercial agreement" and therefore uncertain until such time as a commercial agreement has been reached (but no agreement will be reached unless the DCO is granted and the terms of the grant are known so LLAOL knows where the risks to its commercial outcome are known and are capable of being monetised).</p> <p>33. We believe the ExA for the LR DCO should rigorously investigate LR's ability to provide assurances that funding is available for the compulsory purchase of land.</p>	
The Harpenden Society	Funding	Additional analysis of LR, LBC, LLAOL's or an alternative private investor's ability (or willingness) to finance the DCO	The Applicant contends that this analysis draws incorrect conclusions. Examination of the company's financial history will show that it has been highly profitable in the past. As with the

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REP1-165		<p>LR</p> <p>34. LR is the trading name of London Luton Airport Limited ("LLAL"), a company with registered number 02020381. It's latest filed accounts relate to the period 1 April 2021 to 31 March 2022. The company's main source of income is the concession fee it receives from LLAOL. Its principal expenses are property costs, staff costs and charitable donations. It also incurs significant interest costs on assets built with airport expansion in mind (principally the DART). It's only assets are the airport and the DART. It has minimal cash, only £575,000 at 31 March 2022, compared to loans of £409 million and unpaid creditors, including LBC of £38 million. We know from the Directors' report that the sum of loans increased substantially and now stands at £491 million as at 31 March 2023.</p> <p>35. In colloquial terms LLAL is what commentators call a "zombie company", which Wikipedia defines as "a company that needs bailouts in order to operate, or an indebted company that is able to repay the interest on its debts but not repay the principal".</p>	<p>whole of the aviation industry, the Applicant was badly affected by Covid-19 but is now strongly recovering and returning to profitably.</p> <p>The estimate for income is substantially understated and therefore the conclusions drawn from this analysis are fallacious.</p> <p>It is also incorrect to state that concession fee, or more accurately income from dividends from the Applicant, is fundamental to Luton Borough Council's ability to produce a balanced budget. The Council does not use dividend from the Applicant to balance its revenue budget.</p>

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		<p>36. This is clearly demonstrated by its prospective financial position as passenger numbers recover to 18 million passengers per annum ("mppa"). In a "normal" year, LLAL receives a concession fee of over £3 per passenger (at least £54 million a year but probably more as the concession fee is adjusted for changes in RPI). Administration expenses are in the region of £16 million and include property costs of £3 million, staff costs of £2 million and charitable donations of £7 million as well as other recurring operational costs. Gross interest charges from LBC are over £40 million (LBC's 2023/24 budget papers) and won't be capitalised any longer as the asset to which they relate (the DART) has been brought into use. Thus, income in the region of £54-60 million will support expenses of at least £56 million. There will be little profit left over for investment over the remaining years of the existing concession, especially as £16 million of debenture loans are due for repayment in 2028.</p> <p>37. LR only borrows from LBC. Borrowing from a third party is likely to require LLAL to put the airport up as security for the borrowing. This</p>	

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		<p>would put at risk LBC's future ownership of the airport in the event that the company is unsuccessful (this is a real possibility as Covid has demonstrated). LBC cannot afford to lose the concession fee as it is fundamental to LBC's ability to produce a balanced budget.</p> <p>38. Thus, LR is in no position to give any assurances that it is able to undertake the DCO, either Phase 1 or Phase 2.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Funding</p>	<p>LBC 39. LBC owns the airport and is the sole source of borrowing for projects that LLAL undertakes. In recent years it has financed the DART and the DCO application via Public Works Loans Board ("PWLB") borrowing. In 2020 and 2021 LBC provided emergency funding of up to £199 million to enable LLAL to finance its interest obligation to LBC on its existing borrowing. Total debt attributable to LR in LBC's accounts is close to £500m. According to the annual Treasury Management Report prepared by the s151 Officer, LBC is close to its borrowing limits already.</p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>Luton Borough Council's Treasury Management Strategy is updated every year as part of the Council's budget setting process and each year the Council approves the level of borrowing. The comment attributed to the s151 Officer about the Council being close to its borrowing limits was made in the context of the limit as set at the time of budget approval, this is not the same as overall borrowing limits which, as mentioned above, are determined on a yearly basis and based on the requirements of the Council's capital programme and in compliance with the Prudential Code.</p>

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		<p>40. LBC is required to have regard to the CPIFA Prudential Code 2021, under Part 1 Local Government Act 2003.</p> <p>41. Relevant aspects of the 2021 Prudential Code for the purposes of this DCO application are set out in section six of the code and include the following paragraphs: <i>"51 The Prudential Code determines that certain acts or practices are not prudent activity for a Local Authority and incur risk to the affordability of Local Authority investment: An authority must not borrow to invest primarily for financial return; It is not prudent for Local Authorities to make any investment or spending decision that will increase the CFR [Capital Funding Requirement], and so may lead to new borrowing, unless directly and primarily related to the functions of the authority and where any financial returns are either related to the financial viability of the project in question or otherwise incidental to the primary purpose.</i> <i>52 The UK government's rules for access to PWLB lending at the date of this publication require statutory Chief Finance Officers to certify that their Local Authority's capital</i></p>	<p>The Council has due regard to CIPFA Prudential Code 2021 and the Council's external auditors have not raised any concerns with regard to the Council's borrowing limits.</p> <p>Following a review by the Department for Housing, Levelling Up and Communities (DHLUC), their report highlighted that <i>"Despite the significant impact that COVID-19 has had on the airport, the Council is clear that the airport needs to remain an integral part of the Council's fabric. The Council's 2040 Vision includes the airport as a key contributor to the delivery of a range of economic, environmental and place-based outcomes over the next twenty years."</i> The report concluded by saying <i>"For decades London Luton Airport has been a significant part of the Council's DNA. The airport has seen steady growth since the 1980s, being a reliable and significant income stream for the Council. The airport is a major employer and the airport's economic and commercial influence reaches further beyond the Borough's boundaries."</i> It is clear from the above that DHLUC is not of the view that the primary objective of the investment is for financial return (yield).</p>

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		<p><i>spending plans do not include the acquisition of assets primarily for yield, reflecting a view that Local Authority borrowing powers are granted to finance direct investment in local service delivery (including housing, regeneration and local infrastructure) and for cash flow management, rather than to add debt leverage to return-seeking investment”.</i></p> <p>42. Investing in the airport is primarily an investment for financial return (or yield). LBC is unlikely to be able to borrow the money to fund the DCO under the terms of the Prudential Code.</p> <p>43. Furthermore, the only potential lender PWLB, owing to the catastrophic effects of several Councils borrowing to finance investment in commercial property, has tightened its lending criteria. Its “Guidance for Applicants – May 2022” includes the following statements: “46. Under the Prudential Framework local authorities cannot borrow or invest for speculative purposes. Financial investments should be made for security, liquidity, and yield in that order, meaning local authorities should always pick safe</p>	<p>The Council has already invested in the airport and has already borrowed from PWLB. DHLUC’s review of the Council’s arrangements with the airport did not raise any concerns with regard to the Council’s investment in the airport or borrowing to finance those investments. Similarly, the Council’s external auditors have not raised any concerns with regard to the borrowing to finance investment in the airport.</p>

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		<p>investments over riskier investments with higher returns. Therefore, while it is accepted that authorities might borrow in advance of capital expenditure, this must be for prudent financial management and not for the purpose of securing yield. 47. The government and CIPFA are clear that borrowing to invest for yield is not permitted under the Prudential Framework. 48. Investments in commercial property or speculative financial instruments are not considered treasury management.”</p> <p>44. Clearly, investment in the airport would be speculative and primarily for yield (i.e. an income that would subsidise service delivery) as it does not serve any direct policy objective. Against this background, the PWLB is unlikely to lend LBC £2.7 billion to further its airport growth ambitions.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Funding</p>	<p>Private investors 45. Ernst & Young (“EY”), LBC’s external auditor, have produced a draft audit report for 2018/19 which refers to the DCO. It states that Phase 1 will generate “an increased net present value of the Airport”. However, it notes that “The Council will need to renegotiate the concession agreement to seek the</p>	<p>The Funding Statement [APP-012] sets out three available options for the funding and delivery of Phase 1, of which negotiating an extension to the existing concession is just one. Negotiations are ongoing positively to determine if mutually acceptable commercial terms can be agreed. Should this not be possible then the</p>

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		<p>concessionaire to carry out the expansion. There is no assurance that such an arrangement could be reached on mutually acceptable commercial terms” and, of course, LLAOL’s support for expansion, in their letter to Graham Olver (then CEO of LR), included in application document APP-004, is subject to the “commercial agreement”. Thus, there is no certainty that the existing concession will be extended as set out in paragraph 4.2.1 a) of the Funding Statement.</p> <p>46. EY’s draft audit report for 2018/19 refers to Phase 2 as being “highly speculative, uncertain and likely to have a reduced net present value”. In support of this conclusion it undertook the following work: “An overview of the planning environment for airports through independent research of airport expansions in the UK. Obtaining and reading documentation which supports the feasibility of the DCO. Review of financial modelling supporting the DCO. An expert view on the incentives in the existing concessionaire agreement for the operator to finance each phase of the Airport expansion schemes proposed in the DCO.”</p>	<p>Applicant will utilise one of the alternative options presented.</p> <p>Phase 2 is anticipated to be complete by 2043 as part of a long-term phased expansion programme. It is described as speculative because of the timing into the future and the understanding that it will depend on market conditions at that time.</p> <p>Any proposed long-term expansion programme such as this is always subject to uncertainties and market conditions/development.</p> <p>Funding for Phase 2 is not anticipated until the mid-2030’s. The Applicant is confident that where market conditions support the continued expansion then funding will be deliverable.</p>

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		<p>47. In the light of EY's professional view, there must be considerable uncertainty as to whether any investor (including LLAOL) is committed to the expansion of Luton airport to 32 million passengers per annum.</p> <p>48. This is not altogether surprising given a number of material uncertainties in relation to growth in the demand for air travel at Luton Airport.</p> <p>49. Thus, there is no evidence to suggest that there is a reasonable prospect of funding for Phase 2 of the DCO becoming available.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Funding</p>	<p>Cost and revenue information 50. No meaningful information has been provided about costs (only a summary of the forecast costs of each Phase) and no information has been provided about revenues. The only information that makes any reference to revenues is the statement at 4.1.1 of the Funding Statement that "The Estimated Total Project Cost is capable of being funded from the net revenues [i.e. after costs are deducted] achieved by the airport."</p>	<p>Detailed and tested capital and operational cost plans have been prepared for the Proposed Development by experienced expert technical advisers, including assessments of risk and optimism bias. These are commercially sensitive as they could prejudice future competitions for the works and as such are not released in detail. Detailed demand and revenue forecasts have been prepared by specialist advisers considering latest market trends and data. These forecasts are commercially sensitive hence have not been disclosed in full as this could prejudice future commercial negotiations.</p>

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		51. As a result, the provision of a single total for costs only, without any additional information setting out any assumptions and contingencies and no revenue information whatsoever is insufficient for the purposes of determining whether the project is either a) viable or b) likely to be attractive to any potential funder.	<p>The revenue forecasts and costs are captured in a detailed financial model assumptions book and are used in the financial model to confirm financial viability of the whole scheme.</p> <p>Notwithstanding the above, the Applicant's Funding Statement [APP-012] is wholly in accordance with the relevant guidance (Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land, DCLG, Sept 2013) (Ref 5) and clearly sets out details on how it will be funded. The Applicant considers detailed information on costs and revenues outside the scope of the Application. The Examining Authority will note that the Applicant's Funding Statement is broadly in line with those several made DCOs.</p>
The Harpenden Society REP1-165	Funding	Conclusions on the Funding Statement 52, LR should provide a statement to indicate how the DCO would be funded. As set out above, "They should also be able to demonstrate that there is a reasonable prospect of the requisite funds for acquisition [this is referring to the compulsory purchases] becoming available" and "Any application for a consent order authorising compulsory	See the response above on the adequacy of the Funding Statement [APP-012] .

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		<p>acquisition must be accompanied by a statement explaining how it will be funded.”</p> <p>53. Without funding there is no DCO and we would ask the ExA to require LR to provide a more meaningful Funding Statement, which provides some supporting figures to show that their modelling does indeed support their assertions about the financial viability of the Proposed Development. This is especially so given that LBC's external auditors have raised serious doubts.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>The Need Case</p> <p>54. The ExA has identified in the Rule 6 letter “that the need for, together with any socioeconomic and other benefits of, the Proposed Development should outweigh any adverse effects”.</p> <p>55. The Society believes the need for the Proposed Development has little evidential foundation and should be given little weight by the ExA.</p>	<p>The Applicant disagrees with this statement and considers that the Need Case [AS-125] should be given substantial positive weight in the decision making, in the light of the Government's clear emphasis on the role of aviation in boosting connectivity and supporting levelling up. See further responses below on the basis of the evidence.</p> <p>Section 9 of the Planning Statement [AS-122] considers the planning balance of the Proposed Development, following the planning assessment in Section 8. It concludes that the proposed expansion of the airport will deliver substantial socio-economic benefits in terms of</p>

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			<p>jobs and a boost to economic activity in the local area, thereby supporting the Government's Levelling Up agenda and other initiatives to grow the economy in Luton and beyond. It sets out that, whilst it has not been possible to avoid all adverse impacts, these have been minimised, where possible, through careful design and detailed and innovative mitigation strategies.</p>
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>The Strategic Economic Case for Aviation Growth and National Policy</p> <p>56. The Society accepts that national economic policy supports aviation growth. However, government's support is not unconditional, the key condition is the importance of balancing the economic benefits of aviation against its environmental harms.</p> <p>57. The environmental harms of aviation are real and well evidenced. To ensure the balance can be properly assessed, it is critical that the benefits are equally real and well evidenced.</p>	<p>Comments noted and individual points addressed below.</p>

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		<p>58. It is here that LR's Needs Case is inadequate. As a general observation, to a large extent, the 200+ pages of the Needs Case is full of assertions claiming benefits from expansion but providing no direct evidence to support those benefits.</p> <p>59. More specifically, we demonstrate in the following sections the lack of any evidential support for many of the assertions.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Economic Context Air intensive and air sensitive sectors 60. LR claim that Luton airport's growth is supported by the clustering of air intensive and air sensitive sectors in Luton, the Three Counties and the Six Counties. It relies on an analysis by York Aviation using a methodology dating back to 2003, i.e. when technology's influence on business travel was extremely limited. Furthermore, no information is provided about the scale (of transport budgets) either between sectors, as a proportion of total sector expenditure or how it has changed over the 20 year period analysed. However, LR claim that this analysis demonstrates that a</p>	<p>The Applicant does not accept that it is inappropriate to use the concept of air intensive and air sensitive sector or that the approach is out of date. Air intensive sectors are those with the highest spending on air transport and air sensitive sectors are those with the greatest proportion of total expenditure being on air transport (see paragraph 4.2.2 of the Need Case [AS-125]). Indeed, the Government recently published research into the assessment of the local impact of airports that included the concept of air intensive sectors as an indicator of the likely dependence of the economy in a local area on air transport connectivity (Ref 7). The list of clusters set out in Table 4.2 of the Need Case [AS-125] presents a combination of air intensive and air sensitive sectors and</p>

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		<p>large proportion of employees in the above areas are “heavily reliant on air accessibility”.</p> <p>61. Our analysis (below) of the same Office for National Statistics (“ONS”) Supply and Use Tables 1997 to 2019 and 2019 Employment data suggests a different story.</p> <p>Highest spending industries on air transport 2019 (£ millions)</p> <ul style="list-style-type: none"> • Travel Agency Tour Operator And Other Reservation Service And Related Activities (4,462) • Air Transport (4,390) • Financial Service Activities Except Insurance And Pension Funding (1,329) • Warehousing And Support Activities For Transportation (1,267) • Activities Of Membership Organisations (919) • Activities Of Head Offices Management Consultancy Activities (650) • Water Transport (574) • Advertising And Market Research (573) 	<p>excludes the air transport and travel agency sectors themselves. This analysis uses recent input output tables and so takes into account the effect of technological changes since 2003 and is reflective of the presence of sectors with a greater reliance on air transport within the Three and Six Counties in the immediate pre-pandemic period.</p> <p>The information set out at paragraph 64 merely serves to demonstrate that on the aggregate of the sectors chosen by the Harpenden Society, there is a location quotient of 1.2 for Luton, indicating a high dependency on these sectors. The combined analysis of air intensive and air sensitive sectors set out in the Need Case [AS-125] shows there are a number of relevant sectors in the local area that have location quotients of greater than 1, indicating that for these sectors there is likely to be a higher dependency on air transport connectivity than in other parts of the UK where there are not such concentrations.</p> <p>If London Luton Airport is not able to expand its air connectivity, the firms in these air intensive/air sensitive sectors will be placed at a competitive disadvantage compared to those located in other regions where there is not a</p>

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		<ul style="list-style-type: none"> • Accounting bookkeeping and auditing activities tax consultancy (259) • Public Administration And Defence Compulsory Social Security 244) • Total UK spend (16,700) • % of total (88%) <p>63. Only one of the industries LR refers to as air intensive/air sensitive (Activities of Head Offices Management Consultancy Activities) appears in this list which represents 88% of total expenditure on air transport.</p> <p>64. Furthermore, employment in these industries in the three areas is little different to the Great Britain ("GB") position as the following table illustrates [refer to page 10 of Written Representation for Table].</p> <p>65. There's no concentration of employment in these sectors in any of the three areas compared to GB as a whole and this remains the case if you add in "Wholesale And Retail Trade and Repair of Motor Vehicles and Motorcycles" and "Other Professional, Scientific and Technical Activities" (the next</p>	<p>constraint on continued growth in air connectivity. In these circumstances, firms with a high dependence on air connectivity may relocate or reduce their activities, which would cause economic harm in the local area. Furthermore, the area would lose out on opportunities to attract more such businesses in future.</p>

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		<p>two highest air transport spending industries accounting for £383 million referred to as air intensive/sensitive by LR) in Table 4.2.</p> <p>66. It is clear that there is no concentration of air intensive/sensitive industries in the three areas. Furthermore, LR has failed to look at causation, i.e. what factors influence businesses decision to locate.</p> <p>67. From this we can conclude, in the absence of more specific and detailed information from LR, that there is no concentration of air intensive (or air sensitive) industries in Luton, the Three Counties or the Six Counties (relative to GB as a whole) that will stimulate economic growth nationally or regionally if Luton airport expands.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>High value added employment centres 68. LR claims that there is evidence of clustering of key scientific, technology and high technology manufacturing around the airport. LR again uses location quotients to “prove” its case. Unfortunately, LR’s figures provide no information on the scale of such clustering nor</p>	<p>The Need Case [AS-125] sets out a range of contextual indicators as to the extent which there are companies present in the local area with a high dependency on air transport connectivity. The Need Case [AS-125] considers Science and Tech clusters (Table 4.3), High Tech Manufacturing (Figure 4.1) to illustrate the strong presence of such activities in the vicinity of the airports, with for example</p>

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		<p>does it or compare its evidence of clustering to GB as a whole.</p> <p>69. We have undertaken an analysis of clustering in the three regions LR refers to and compared this evidence to GB as a whole. We have used the ONS definitions of science and technology as set out in its release dated 13 February 2015¹ and employment data from ONS Business Register and Employment Survey (extracted from Nomis).</p> <p>70. In summary, our analysis shows that the evidence of clustering of key scientific, technology and high technology manufacturing employment around the airport is limited, as illustrated by in the table below [refer to page 11 of Written Representation for Table].</p> <p>71. The table is clear that whilst there is limited evidence to support the view that there is clustering in Life Sciences and Other scientific/technological services in Luton this does not extend to the Three Counties or Six Counties. However, the data for Luton is, in fact misleading, as the higher value for Life Sciences & Healthcare in Luton reflects the</p>	<p>strong clustering of High Tech Manufacturing in Stevenage, Welwyn Hatfield, East Hertfordshire and North Hertfordshire is even greater.</p> <p>In aggregate, across a number of indicators, the Need Case [AS-125] concludes on the economic context for the Proposed Development that <i>“The airport is situated at the heart of an internationally focussed region, as has clearly been recognised by the recognition of the Arc and its role in delivering growth. The area is home to concentrations of economic sectors that are demonstrably reliant on air travel and that offer significant opportunities for future growth. The international nature of the economy within the airport’s ‘home’ region is further reflected in the high levels of exports from the region and the high and growing proportion of regional GVA that is supported by foreign owned companies.”</i></p> <p>The economic role played by the airport is recognised in several other representations, including those from England’s Economic Heartland [REP1-057], Buckinghamshire [REP1-042] and the Hertfordshire Authorities</p>

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		<p>6,000 personnel employed in the category "86101 : Hospital activities" i.e. at Luton & Dunstable Hospital and other health sector activities and the higher value for Other scientific/technological services reflects the 3,000 personnel employed in the category "51101 : Scheduled passenger air transport airport", i.e. at the airport.</p> <p>72. The reality is that there is little evidence of clustering. "Other scientific/technological services", principally in Cambridgeshire and Oxfordshire, reflects high levels of employment in the following two sectors "72190 : Other research and experimental development on natural sciences and engineering" and "85421 : First-degree level higher education" recognising Cambridge and Oxford's position as centres of scientific and academic excellence.</p> <p>73. From this we can conclude, in the absence of more specific and detailed information from LR, that there is no clustering of clustering of key scientific, technology and high technology manufacturing in Luton, the Three Counties or the Six Counties (relative to GB as a whole)</p>	<p>[REP1-069], as well as Luton Borough Council [REP1-098].</p>

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		that will stimulate economic growth nationally or regionally if Luton airport expands.	
The Harpenden Society REP1-165	Need Case	<p>Trade</p> <p>74. LR's trade analysis sees a switch to a different geography for analysis purposes. This time LR shows the percentage of GVA (30%) that exports of goods and services comprise in the East of England. LR claim this demonstrates the "strong international focus which drives an evergrowing need for international connectivity". It doesn't. As the graph below illustrates the UK as a whole has exported, on average 33% of its annual GVA for decades. If anything, the East of England would appear to be lagging behind, despite the increasing connectivity available from both airport and ports growth during this period.</p> <p>[See page 13 of Written Representation for Figure]</p> <p>75. LR present no evidence that increasing connectivity further will increase exports. Furthermore, LR makes no attempt to assess the potential for increasing exports in its core regions.</p>	<p>Data on trade is presented at a regional level as this is the only data available. Paragraph 4.4.1 of the Need Case [AS-125], the dependence on trade is not unique to the East of England but is still a clear indicator of the extent to which the local economy, along with much of the UK, is highly dependent on trade, which in turn indicates a high demand for air connectivity.</p> <p>The graph presented by the Harpenden Society demonstrates, if anything, that pre-pandemic, the UK had an increasing dependence on exports, accepting that year on year values may vary. Increasing air connectivity will be necessary to sustain this trend across all areas of the UK. Areas where connectivity is not improved will lag further behind.</p>

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		<p>76. From this we can conclude that the East of England has a weaker international focus despite the growth in international connectivity over the last 10 years and does not demonstrate a need for increasing connectivity.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Foreign Direct Investment (“FDI”) 77. LR claims that there’s a close match to the connectivity the airport provides in Europe for FDI and that, despite Brexit, it will continue. LR also claim that future growth will provide connectivity to the Middle East hubs and the eastern seaboard of the USA (providing access to parts of Asia and the Americas).</p> <p>78. No-one can be certain of the effect that Brexit will have long term but the short term effects have been highly negative. It is therefore reasonable to believe that business growth in the East of England to EU countries will flatline (LR say “this position is not likely to change significantly in the future”) and little growth will occur in EU related business trips</p>	<p>Notwithstanding the strong growth in GVA generated by non-European companies over the period 2014-2021, as shown in the graph at paragraph 79, European owned companies still contribute a substantial proportion of total GVA and, in 2021, had almost caught up again to the rest of the world total. This does not suggest that air connectivity to Europe will not be vital to supporting the attraction of further European firms contributing to GVA growth overall.</p> <p>In relation to the potential for long haul travel, it is not correct to say that the future of air travel will be exclusively point to point. It is anticipated that services to the USA and Caribbean are likely to be point to point services to a large degree but it is clear that there will continue to be a role for hub airports such as Heathrow, Frankfurt, Dubai or Istanbul to provide connectivity in markets that are too small to</p>

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		<p>to/from Luton airport that directly impacts FDI in the East of England.</p> <p>79. The near flatlining of GVA from EU countries since 2015 compared to the growth in non-European countries and all non-EU countries is illustrated in the following graph:</p> <p>[See page 14 of Written Representation for Figure]</p> <p>80. LR's claim that it will "provide connectivity to a range of long haul destinations" in these regions doesn't stand up to scrutiny. Firstly, point to point travel is the future of aviation not flying to hubs in the Middle East or the eastern seaboard of the USA and, secondly, the number of flights to these destinations is extremely limited and, in the case of the USA destination airports, slots are very hard to acquire. Furthermore, the evidence of the above graph is that FDI into the East of England from the Rest of the World prospers despite the lack of connectivity from Luton airport.</p>	<p>support direct point to point services. There is no indication that the trend towards the use of hubs is diminishing.</p>

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		<p>81. LR then provides a map of key international businesses in the areas around the airport at Figure 4.5 and provides “case studies” on a number of them. These are long established mature businesses in the region and whilst there may be a modest level of growth in their use of Luton airport, their increased use does doesn't create a multiplier effect that justifies expansion. For example, Fujifilm estimates that 175 round trips are made to Dusseldorf – that is a single plane once a year (and Stansted already provides significant connectivity to Germany). It should also be borne in mind that there is evidence that larger companies are cutting back on international travel to meet climate obligations (e.g. the latest CCC report shows business travel has halved between 2010 and 2020).</p> <p>82. In the absence of credible evidence from LR that foreign owned companies in the East of England will increase their foreign travel from Luton airport, especially those with connections outside Europe where there are unlikely to be direct flights, little weight can be given to LR's claims that growth at the airport will be a lightning rod for growth in foreign</p>	

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		owned companies, especially as its core market (Europe) appears to be flatlining.	
The Harpenden Society REP1-165	Need Case	<p>Tourism</p> <p>83. LR takes into account inbound tourism but doesn't account for outbound tourism. Data available from ONS Travel Trends reports for travel spend where the mode of travel is air shows that the negative economic effects of outbound travel significantly outweigh the positive economic effects of inbound travel.</p> <p>[See page 15 of Written Representation for Figure]</p> <p>84. The data suggests outbound spend is 2x the value of inbound spend and the ratio has increased by 10% over the five years immediately prior to Covid. Furthermore, for all modes of travel, business expenditure is more or less the same inbound and outbound whereas outbound holiday spend is 3x the value of inbound holiday spend (the figures for 2022 illustrate this: outbound holiday spend £40.1 billion, inbound holiday spend £13.3 billion).</p>	<p>The Government is clear that there are benefits from outbound tourism. As set out in the Need Case [AS-125] at paragraph 3.3.58, Flightpath to the Future (published by the Department for Transport in May 2022) (Ref 8) highlighted <i>“the importance of air travel for connecting people around the world, and supporting families, friendships, and enabling global connections to thrive.”</i> Outbound tourism is addressed at paragraph 8.5.19 and 8.5.20 of the Need Case [AS-125] explaining why it is not appropriate to simply look at the difference in tourist expenditure in isolation.</p> <p>Information on foreign inbound passengers using the airport in 2019 is provided in Figure 5.19 of the Need Case [AS-125] and the key markets that these passengers came from identified in Figure 5.20.</p> <p>It is evident from Figure 4.8 of the Need Case [AS-125] that the airport already provides services to many of the largest tourism markets to the East of England and its growth will</p>

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		<p>85. LR calculate that inbound tourism in the UK would benefit GDP by £0.8 billion per annum, it therefore stands to reason that outbound tourism from Luton airport will cost the UK £1.6 billion of GDP, more than the proposed economic benefits of the scheme.</p> <p>86. LR claims that outbound tourism delivers mental health benefits and uses that as a reason to justify ignoring its economic cost. However, 50% of the UK population does not travel abroad and a further 15% take 70% of all flights (which means they travel multiple times) and this has been a consistent trend from the early 2010's according to the ONS which implies that the regular fliers are taking more flights rather than more people availing themselves to foreign travel. Not only this, spending in the UK by domestic tourists totalled £65 billion in 2019 (compared to £55 billion spend overseas) according to VisitBritain so it is clear that the relevance of the mental health benefits of tourism is "political spin" not an essential requirement.</p>	<p>enhance the connectivity that it can offer, supporting additional growth in tourism.</p>

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		<p>87. Arguments are also put forward that outbound tourism should be ignored as stopping expansion at Luton airport will merely displace such demand elsewhere and that there is no evidence to suggest people would spend the money they already spend on outbound tourism on UK tourism. As the VisitBritain figures show, people spend as much on UK tourism as they do on overseas visits so there's no evidence to support an assertion that people would not spend the money in the UK either on domestic tourism or on other goods and services (which benefits the UK economy of course).</p> <p>88. Furthermore, LR provide no evidence to support the view that tourists visiting the East of England actually fly into Luton airport, certainly those from the USA and China, the biggest spenders, per LR's figures will not.</p> <p>89. There is no doubt that tourism, both inbound and outbound, is influenced by airport growth but the net benefit or cost is extremely difficult to assess. What is clear to us is that claims that Luton airport's growth is beneficial for tourism by claiming inbound tourism</p>	

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		<p>benefits but discounting outbound tourism costs is a completely one-sided and wholly inaccurate position and we would advocate that tourism, in the absence of discrete evidence otherwise, neither contributes to or costs the UK economy for the purposes of assessing the balance so far as airport growth is concerned.</p> <p>90. Furthermore, so far as LR's evidence in support of its claims is concerned we note that inbound tourism looks to have levelled off (Figure 4.7) and a lot of the employment referred to serves the London market.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Deprivation and employment in Luton</p> <p>91. Luton as a whole is relatively deprived compared to many other parts of the East of England region. However, LR present no evidence to show how airport growth will reduce such deprivation.</p> <p>92. LBC's own analysis of the change in the extent of deprivation between 2015 and 2019 shows hardly any change² and the author notes "There hasn't been much change in the overall deprivation in Luton", this despite</p>	<p>Growth at the airport will lead to the creation of jobs at a wide variety of skill and wage levels. These will benefit those in deprived areas as well as creating opportunities more widely. The Employment and Training Strategy [APP-215] sets out the new initiatives that are proposed to ensure that employment generated supports the objectives to tackle deprivation. Income generated by the airport also goes to support a broader range of community activities as set out in the Draft Compensation Policies, Measures and Community First [AS-050].</p>

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		<p>passenger numbers growing significantly. It would suggest that airport growth has little impact on deprivation, contrary to LR's assertion in paragraph 4.8.5. This is not altogether surprising as the jobs on offer, as a result of expansion, in Luton are most likely to be seasonal, low pay, low job security and low skill jobs.</p> <p>93. Rather than help in alleviating deprivation, there is a risk airport expansion will merely reinforce deprivation in already deprived areas compared to alternative economic strategies to encourage more diversified and higher value employment businesses to take advantage of Luton Airport's Enterprise Zone (which is the land that will be occupied by the Proposed Development).</p> <p>94. Furthermore, as LR note, Covid had a greater impact on Luton than elsewhere BECAUSE of Luton's reliance on the airport (previously the financial crisis in 2008/09 resulted in a significant fall in air travel which had a similarly disproportionate impact on Luton's economy compared to others). On the</p>	<p>Enabling growth at the airport is an essential catalyst to delivering a broader range of economic strategies to diversify the economy.</p> <p>From Figure 5 (paragraph 95), it is evident that the unemployment rate in Luton has been falling and growth at the airport will have played a part. This will also have been true across the UK, where other major airports have seen growth over the period. The growth at the airport has enabled the local area to keep pace with national trends and it is significant that unemployment in Central Bedfordshire has fallen substantially, which is not surprising as Appendix 11.1 to the ES [APP-079] identifies that many people employed at the airport currently live in this area.</p>

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		<p>face of it, expansion will increase the volatility of Luton's economy.</p> <p>95. Separately, employment data for the period 2014-15 to 2018-19 show that whilst the unemployment rate in Luton and Central Bedfordshire fell between these two dates, it only fell at a rate consistent with the fall in UK unemployment as shown in the following graph:</p> <p>[See page 17 of Written Representation for Figure].</p> <p>96. The same is true for the rate of economic activity across all age groups which grew by less than 1% in Luton and Central Bedfordshire between 2014-15 and 2018-19 but by more than 1% across the UK.</p> <p>97. Thus, it is unlikely that growing the airport will alleviate Luton's relative deprivation or its higher than average unemployment rate, despite the significant growth at the airport over the years covered by this economic report, as there has been no improvement in</p>	

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		<p>the former and no relative improvement in the latter. The report does highlight Luton's lower level of higher value jobs and that is part of the answer to Luton's relative deprivation and higher than average unemployment – the workforce needs to be skilled up and higher value employers encouraged to locate in Luton. Unfortunately, this is not LR's strategy as it is foregoing the benefits attributable to the large Luton Airport Enterprise Zone to attract higher value businesses into Luton to expand the airport, notwithstanding the fact that significant airport growth is nearly two decades away and very uncertain.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Luton Airport's Current Market Performance 98. Most of LR's claims in this section are unevidenced and, in many cases, lack credibility or consistency. Furthermore, the evidence is not available to the public in general so it is merely LR's calculations which, we'd suggest, can't be relied upon as they are neither independently verifiable nor likely to be free from bias.</p> <p>99. For example, paragraph 5.2.25 makes various claims relating to the (alleged) importance of the airport's role in connecting</p>	<p>The data describing the current activity at the airport is based on analysis of Civil Aviation Authority (CAA) survey data. This survey is carried out independently across the main UK airports and its results verified by the CAA, which publishes summary reports. The data is the most reliable data source available for the characteristics of activity at UK airports.</p> <p>More information about the use of the airport by foreign inbound visitors is provided in Figures 5.19 and 5.20 of the Need Case [AS-125].</p>

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		<p>friends and family and concludes that without this connectivity families would be less likely to locate nearby – which will have labour market implications. No evidence is presented to support this claim, either through a comparison with other London airports or by reference to the origin/destination of such passengers – this is crucial evidence – if the vast majority of people who are visiting friends and family are based on London, firstly, they aren't living locally and, secondly, they can just as easily use other London airports for such travel.</p> <p>100. No weight should be given to the claims made in this section that lack robust and independently assessable evidence to support them (virtually every claim in this section is an assertion based on the flimsiest rationale).</p>	
<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Future Demand Forecasts 101. CAA airport data showed that in 2019 approximately 181 million passengers used London airports and total UK airport passengers totalled 296 million. London airports therefore comprise 61% of the total. Jet Zero forecasts 436 million passengers by 2042 (continuation of current trends – this is the highest number of passengers scenario).</p>	<p>The implications of different combinations of airport capacity coming forward are fully explored in Section 6 of the Need Case [AS-125], which demonstrates that there remains a need for growth to 32 mppa at London Luton Airport to meet projected demand under all reasonable permutations. There could be an impact on the time when 32 mppa is reached</p>

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		<p>61% of those passengers are assumed to use London airports which is 266 million. There is currently approximately 217 million of capacity in the London system (Heathrow 90 million, Gatwick 58 million, Stansted 43 million, Luton 18 million plus London City and Southend, say 8 million i.e. 213 million). Thus, additional terminal capacity is required if the Jet Zero targets are to be believed (see below re: Eurocontrol).</p> <p>102. DCO applications for additional capacity have been made by Manston (6 million) Gatwick (22 million – to 80 million by 2047) and Luton (14 million) i.e. 42 million of additional capacity. Heathrow is continuing to mull its own DCO application which would increase its capacity by approximately 45 million to 135 million. If Heathrow opts to expand, the London market will have more than enough capacity to meet demand. This will put LR's Proposed Development at a disadvantage to the other London airports as they will already have the runway and terminal infrastructures in place or be well down the road before Phase 2 breaks ground.</p>	<p>and, for this reason Faster and Slower Growth Cases have also been considered.</p> <p>Should expansion at Heathrow not proceed, it is more likely that the airlines there would focus on long haul flights that carry more passengers and generate more income, leading to displacement of short haul services. This would tend to increase demand for London Luton Airport.</p> <p>Overall, growth at the airport is aimed at meeting demand within its own catchment area. If expansion does not take place, these passengers will need to travel much longer distances to use alternative airports where capacity might be available.</p> <p>(Note: the demand forecasts for Manston were that it might achieve 1.4 mppa in its 20th year of operation (Manston Airport: A National and Regional Asset, Azimuth Associates January 2018))</p> <p>Eurocontrol data relates to aircraft movement growth not passenger growth and is broadly consistent with the Jet Zero projections for total</p>

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		<p>103. If Heathrow opts to stand still, the additional capacity requirement of 39 million can be met through the DCO applications already made or currently in progress. On the face of it Luton airport's additional capacity might be needed. However, the position is not a simple one of assessing the overall capacity as the origin/destination of passengers needs to be considered too.</p> <p>104. If Heathrow doesn't expand then the growth in its passengers from countries that Luton airport can't service (to any great extent) needs to be considered and a judgement made as to whether the London system can accommodate the demand elsewhere. Based on the CAA's airport data non-European passengers⁴ at Heathrow totalled about 41 million in 2019. Applying the 61% growth rate to these passengers results in additional non-European passengers of 25 million up to 2042. Thus, total passengers will be 241 million in 2042 (excluding the growth in Heathrow's non-European passengers). These passengers can more or less be accommodated at London's airports without any growth at Luton airport (Heathrow 90 million, Gatwick 80 million,</p>	<p>aircraft movement growth across the UK over the same time period.</p>

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		<p>Stansted, 43 million, Luton 18 million and London City/Southend 8 million i.e. 239 million).</p> <p>105. The additional capacity requirement at Luton airport is very small if Heathrow doesn't expand and unnecessary if Heathrow expands. Clearly, an argument could be made that Gatwick and Stansted, with longer runways, could absorb some of Heathrow's non-European demand but Luton airport has not made that argument and neither have Gatwick or Stansted airports (as it would have significant implications for their current expansion plans).</p> <p>106. We ask the ExA to review the authenticity of Luton's demand forecasts in the light of the runway limitations at the airport and the highly unlikely scenario that other airports will adapt their future growth strategies to facilitate Luton's growth.</p> <p>107. Separately, we note that Eurocontrol in its November 2022 report on aviation growth until 2050 only shows an annual growth rate for the UK of 0.8% about half the level of Jet Zero (as</p>	

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		<p>illustrated below) and half the annual growth rate of 1.7% forecast in 2017 for the period 2022-2040.</p> <p>[See page 19 of Written Representation for Figure]</p> <p>108. Growth of 0.8% would only increase demand in the London area to 211 million, a figure that can be met through existing capacity.</p> <p>109. Given the skewing of flights presently towards a relatively small number of people (the 15% who take 70% of all flights), we are not convinced that demand will grow linearly either as there is a point at which existing frequent flyers will reach the limit of their propensity to fly.</p> <p>110. In the absence of a credible case from LR that demand of the type Luton airport could reasonably service exists there is no case for expansion on the scale LR is proposing.</p>	

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<p>The Harpenden Society REP1-165</p>	<p>Need Case</p>	<p>Socio-economic benefits of the development 111. The socio-economic benefits are broadly broken down into three categories:</p> <ul style="list-style-type: none"> • Direct, indirect and imputed socio-economic benefits • Wider socio-economic benefits • Social benefits <p>112. Direct, indirect and imputed socio-economic benefits have been assessed by Oxford Economics ("OE"). It is worth putting the GDP growth figures for the local areas into perspective.</p> <p>113. The proportion of the whole area GDP that the airport comprised (per OE) in Luton, the Three Counties and Six Counties (compared to ONS data for regional GDP) was as follows:</p> <p>[see page 20 of Written Representation for Figure].</p> <p>114. It is important to recognise that the economic contribution of Luton airport is material to Luton only as it is only a very small proportion of the GDP figures for the Three</p>	<p>The GDP data set out at paragraph 113 reflects the position in 2019 and only includes the operational footprint of the airport activity. It does not take into account wider economic stimulus effects arising from improved air connectivity.</p> <p>For the reasons explained in Appendix 1 to Appendix 11.1 of the ES [APP-079], it is not possible to compare the current economic assessment to the figures previously derived by Halcrow due to methodological differences.</p> <p>It is incorrect of the respondent to state that <i>"recent growth in the airport has merely funded the interest payable to the PWLB on the borrowing to fund DART"</i>. The Applicant has a long and proud history of supporting the local voluntary and charitable sector and contributes significant funds in this respect every year without fail, including maintaining its very significant contributions from reserves during the height of the Covid-19 pandemic, when there was a catastrophic reduction in passenger numbers and consequently income.</p> <p>In regard to the comment about charitable donations peaking in 2015, such donations</p>

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		<p>and Six Counties. It is arguable that the GDP impact on the Three and Six Counties would arise in any event as they largely indirect or imputed impacts which would occur as a result of additional activity at other London airports.</p> <p>115. In Halcrow's report for the 2014 planning permission the total income projection (presumably GDP) was assessed at £789 million in 2011. On the face of it very little additional (local) GDP has been generated by the airport if that figure is only £831 million in 2019 (per OE). LR do say that these two economic analyses are not comparable but not why or by how much the figures differ. We find it somewhat surprising that the leakage in economic benefits between two methodologies is significant when the authors are both well-known economic consultancies, more surprising that OE don't explain the differences. On the face of it, this suggests the differences aren't significant which might help to explain why there's been little growth in Luton's GDP in recent years as illustrated in the following graph which shows growth in GDP in the three areas since 2011:</p>	<p>naturally vary from year to year for a variety of reasons, including changes in the law which meant it was no longer possible to make donations to organisations for certain activities.</p> <p>The respondent appears to have misunderstood the Applicant's proposed Community First fund, which would be provided by the Applicant, in addition to maintaining its existing community funding programme. Neither of these are funded by Luton Borough Council.</p> <p>Community First is the Applicant's commitment to providing, from its own revenue, £1 for every passenger above the 18 mppa existing planning cap (or 19mppa if the airport operator's application for such is ultimately successful). This clearly represents only a significant increase in committed charitable donations by the Applicant.</p>

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		<p>[see page 21 of Written Representation for Figure]</p> <p>116. The graph clearly demonstrates the airport's growth between 2014 and 2019 doesn't appear to have had much effect on Luton's GDP as GDP growth has lagged growth in the wider Three and Six Counties regions (12% compared to 19% and 18%). This suggests that airport growth isn't a panacea for Luton and may reflect the fact that other businesses view Luton negatively as a result of its over-reliance on the airport.</p> <p>117. As far as wider socio-economic benefits are concerned, our earlier analyses show that there is little evidence to support the claims that Luton airport is a key contributor to economic growth in the region.</p> <p>118. So far as social benefits are concerned, there is no doubt that the concession fee has in the past contributed significant amounts to LBC to fund local services and local charities. However, as mentioned earlier, any recent growth in the airport has merely funded the interest payable to the PWLB on the borrowing</p>	

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		<p>to fund DART (which LLAL's auditors required to be written down by £200 million) which will directly affect service provision in Luton through the interest and eventual repayment of the loans underpinning this investment. It is also noticeable that charitable donations have reduced from their peak of nearly £15 million (in 2016) to £7 million (2022) and LBC has proposed that a separate fund be established, which doesn't rely on LLAL funding, to support these charities, no doubt because the funding from LLAL may reduce to cover other expenses and loan repayments. Thus, whilst the airport has provided significant social benefits to Luton in the past, these are diminishing as a result of speculative investments related to the airport. We are concerned that any future concessionaire will drive a particularly hard bargain reflecting the airport's overdependence on the airport. In these circumstances, LR cannot be confident that its assertion that £1 from every passenger above 18 million will generate £1 for a new Community Fund and this proposal should be treated with the utmost caution.</p>	

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The Harpenden Society REP1-165	Need Case	<p>Conclusions on Need</p> <p>119. The ExA has identified that the need for the airport together with its socio-economic and other benefits should outweigh any adverse effects.</p> <p>120. The above analysis has demonstrated that the socio-economic benefits rest on shaky foundations and are subject to considerable headwinds in terms of their actually being achieved (but no sensitivity analysis has been undertaken to assess the likely scale of these). Many assertions don't stand up to even the most basic scrutiny.</p>	For the reasons set out above, the Applicant does not agree with the position set out by the Harpenden Society in relation to the socio-economic benefits of the Proposed Development.
The Harpenden Society REP1-165	Noise and Vibration	<p>Noise and vibration</p> <p>Aircraft noise contour limits</p> <p>121. Luton airport is unique amongst its principle competitor London airports in that its noise impacts a significantly higher number of people over a smaller area due to the airport's location next to a sizeable town and having its runway directly aligned with several rural villages. Further out, airspace constraints due to overflying Heathrow traffic result in aircraft staying low which causes further noise blight to more remote towns and villages.</p>	<p>121. Noted.</p> <p>122. Noted.</p> <p>123. Noted. As described in the written representation this is related to population density surrounding the airport, rather than the noise performance of the airport.</p> <p>124. The Applicant considers that the Proposed Development is fully compliant with UK aviation noise policy and emerging policy, as set out in</p>

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		<p>122. To give the ExA some idea of Luton's nearness to residents, if you overlaid the airport boundaries of Stansted and Gatwick over Luton airport (starting at the eastern end of the Luton site) the western boundaries would reach the residential areas of South Luton.</p> <p>123. The following table of the 57dB daytime Leq 16 hour and 48dB nighttime Leq 8 hour contours for 2019 illustrates the position very clearly and demonstrates that Luton airport's noise performance significantly lags that of its main competitors i.e. over a smaller area Luton airport blights the lives of more people than Gatwick and Stansted combined.</p> <p>[see page 22 of Written Representation for Table]</p> <p>124. We believe the DCO application should redress the imbalance and set noise limits that "reduce the number of people significantly affected by aircraft noise" as set out in paragraph 17 of the Aviation Policy Framework</p>	<p>the Planning Statement [AS-122] and in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012]. In line with policy, the Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities (see Green Controlled Growth Explanatory Note [APP-217]).</p> <p>125. The Applicant is committed to sharing the benefits of future technological improvements (in terms of aircraft noise reduction) between communities and industry. The benefit of the transition to 'new generation' aircraft (e.g. the Airbus 320Neo and 321Neo and the Boeing 737Max) in the early years of expansion (assessment Phase 1) will be shared with the community, with the Noise Envelope Limits to be set at commensurate levels to secure this. For the later years of expansion (assessment Phase 2a and onwards), the Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities. This would be controlled through a requirement to review the Limits and Thresholds</p>

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		<p>2013 Executive Summary by seeking much more ambitious noise reduction targets from LR than are proposed. It is insufficient for LR to claim that people will not be significantly affected by any change in their perception of aircraft noise, they need to make a material reduction in the number of people affected by significant noise levels to meet the Aviation Policy Framework's objective.</p> <p>125. Furthermore, LR's proposals show barely any improvement in noise levels over the course of the development compared to 2019's actual noise levels thus LR makes no effort to share the benefits of improved technology between communities and the aviation industry as required by aviation policy. This is illustrated in the table below which shows how the "do minimum" noise contours (which would represent a 100% community share of technology developments) are largely absorbed by the aviation industry as the Proposed Development progresses:</p> <p>[see page 23 of Written Representation for Table]</p>	<p>in 5-year cycles and reduce these, if reasonably practicable, as and when future technology becomes available, and its noise performance known. See the Green Controlled Growth Explanatory Note [APP-217] for further information.</p> <p>126. This is acknowledged. Calculations show the percentage benefit share that goes to the communities when measured against the '2019 Consented' baseline are presented in Section 3.3 of Appendix 16.2 of the Environmental Statement [APP-111]. 127. A sensitivity test using a '2019 Consented' baseline (derived for this purpose by adjusting the fleet mix that occurred in 2019 to reach a modelled noise impact that would sit within the existing 2019 short term Limits) is summarised in Chapter 16 Noise and Vibration of the ES [REP1-003]. An assessment against both the '2019 Actuals' and '2019 Consented' baseline has therefore been undertaken. The conclusions of residual significant effects remain the same for both assessments, as significant effects would be avoided through the provision of the full cost of noise insulation.</p>

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		<p>126. The position is particularly egregious if the consented baseline is substituted for the actual 2019 baseline. In the case of the 54dB Leq 16 hr contour this would be 33.5 and in the case of the 48dB Leq 8hr contour this would be 38.0. In the daytime case, communities would share only 10% of the benefits of technology but in the nighttime case there is no benefit whatsoever to communities, in fact there is a disbenefit.</p> <p>127. We find it extremely disappointing that LR appears able to rely on the imprecise wording of the EIA regulations to substitute the breached baseline for the consented baseline especially where the planning authority would have been well aware that this would benefit the DCO. It is not possible to provide accurate figures for the numbers of people who “lose out” from the failure. This is particularly so at night where LR claim that a lot of the expansion is required so that its airline customers can make sufficient profits i.e. “profits before people” which we find disappointing for an organisation that says it is “supporting and improving lives across the communities we serve”.</p>	<p>128-129. These long-term noise limits are relevant for an 18-19 mppa airport based on the benefits of ongoing noise reduction but no further growth benefit and are not relevant for the application for development consent for growth to 32 mppa. It should also be noted that the current contour area limits are calculated using the Integrated Noise Model (INM) and the Noise Envelope Limits are calculated using the Aviation Environmental Design Tool (AEDT) and so cannot be directly compared. A direct comparison of the current and proposed noise limits (with the current limits converted to AEDT) is presented in the Comparison of consented and proposed operational noise controls document [AS-121].</p> <p>130-131. The Applicant considers that the Proposed Development is fully compliant with UK aviation noise policy and emerging policy, as set out in the Planning Statement [AS-122] and in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012]. In line with policy, the Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and</p>

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		<p>128. We also note that LR's long term noise goals are incompatible with noise limits set in the 2014 planning permission (which were virtually unchanged in the 19 million planning application currently being determined by the Secretary's of State).</p> <p>129. Figures for the 57dB Leq 16 hr daytime contour are the only ones we can compare for the daytime (54dB Leq 16 hr daytime contour figures are not readily available). LR's 2042 faster growth target is 17.4km² whereas the 2014 consented limit for 2031 and beyond was 15.2km² . Figures are available for the 48dB Leq 8 hour night-time contour and this shows LR's 2042 faster growth target of 43.2km² compared to the 2014 consented limit of 37.2km² .</p> <p>130. The upshot of this is that, effectively, no noise improvements will have been made as a result of the 2014 planning consent, yet significant economic benefits have been delivered. This is incompatible with planning policy which requires a balance to be achieved, not nothing. Any claim that mitigation</p>	<p>local communities (see Green Controlled Growth Explanatory Note [APP-217]).</p>

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		<p>in the form of insulation is sufficient is flawed as it provides no reduction in noise when the evidence is that improving technology creates an opportunity to reduce noise. Allowing LR's targets as presented in the GCG strategy to be the permitted noise limits would be a completely one-sided outcome, contrary to aviation policy.</p> <p>131. We hope the ExA will recognise the unfairness of such an outcome and set noise limits which reflect a more even sharing of future technology benefits compatible using the 2014 planning permission noise limits as the baseline.</p>	
<p>The Harpenden Society REP1-165</p>	<p>Fleet mix</p>	<p>Aircraft Noise Modelling</p> <p>132. We do not believe that the fleet mix used in the noise modelling is representative of the likely fleet mix in 2027.</p> <p>133. Table 6.40 (the "do minimum" table) suggests that Airbus 321ceo's will operate at Luton airport. Presently, Wizz is the only operator of this aircraft at Luton but it has announced plans to replace all A321ceo's with A321neo's by 2025 yet LR says 29.7</p>	<p>The anticipated future fleet mix has been developed based on a detailed assessment of aircraft orders and airlines' fleet replacement plans. At the time of producing the fleet mixes these were based on the patterns of airlines seen in 2019 and it was assumed a similar profile of airlines may return post-COVID, this included airlines operating A321ceo aircraft which were expected to return to Luton and indeed may well return. As the forecasts are not airline specific and the aim is to present a reasonable worst case for environmental</p>

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		<p>A321ceo's will operate from Luton airport daily over the 92 day summer period in 2027.</p> <p>134. In a similar vein, LR says 49.3 A320ceo's and 116.7 A320neo's will operate from Luton airport each day over the same period. As Wizz won't base any A320's at Luton in 2027, it means that virtually all the A320's will be Easyjet aircraft. Our modelling for the 19 million public inquiry based on Easyjet's published fleet renewal plans (at that time) suggested that the ratio of ceo's to neo's in Easyjet's fleet would be 166/132 (it may have changed slightly since then) which suggests the ratio that LR attributes to A320's is wrong.</p> <p>135. With respect to Table 6.41 (the "do something" table) all the Wizz flights are by A321neo's in contrast to the "do minimum" scenario. This is correct. In the case of Easyjet, there is actually a higher proportion of older ceo's in the fleet compared to the "do minimum" scenario. This needs to be explained, otherwise it suggests that faster growth is being serviced by older noisier planes, which fails to meet national policy</p>	<p>assessment purposes then on this basis it is prudent to allow for the return of airlines which may continue to operate A321ceo aircraft. As the With Development and Do Minimum cases rely on a similar set of assumptions, then actually there are fewer A321ceos in the fleet mix, as seen in App-213 Need Case [AS-125] Table 6.12. Note that Table 6.40 of the ES Appendix 16.1 [APP-110] incorrectly contained information from the PEIR and was not updated to the latest assumptions.</p>

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		<p>objectives of reducing noise in exchange for growth.</p> <p>136. It is difficult to assess the projections for 2039 and 2043 as airlines haven't published their fleet renewal programmes that far in advance so an element of guesswork is required. However, it is noticeable that LR is showing 4 Max10s for Ryanair on an average summer's day and 52 Max8's despite the fact that Ryanair's fleet renewal programme for 2034 splits the fleet between 290 737-NG's (800's) 210 Max8 200's and 300 Max-10's and the number of Max-10's is likely to increase thereafter.</p> <p>137. The ExA should require LR to explain how it has arrived at its fleet mix and which aircraft are attributable to which airline and whether any sensitivity analysis has been conducted to reflect the fact that the mix is not fixed so that a proper assessment of the fleet forecast validity can be carried out.</p>	
The Harpenden Society	Green Controlled	<p>Green Controlled Growth</p> <p>138. For the reasons set out above under noise, we have no confidence that the noise</p>	138. As set out above, the Applicant considers that the Proposed Development is fully compliant with UK aviation noise policy and emerging policy, as set out in the Planning

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REP1-165	Growth / Noise	<p>limits set in the GCG proposals properly reflect national aviation policy and would ask the ExA to substitute more meaningful limits as set out above too.</p> <p>139. We have little confidence in any proposal that leaves LBC as the decision maker so far as enforcement action related to planning limits is concerned due to its conflict of interest as a potential beneficiary of growth. It has shown little appetite to enforce planning limits in the past and was also instrumental in promoting faster than planned growth between 2015 and 2019 through the growth incentive scheme which saw noise limits breached only three years after development started and insufficient action taken to reduce them to the planning limits (it is hard, given the DCO was already being worked upon in 2017, not to believe this was a cynical approach designed to give the DCO a higher baseline than would otherwise be the case).</p> <p>140. We are concerned that LBC, if it achieves consent for the DCO, will adopt a similar growth incentive policy to try to maximise short term growth along the lines of the Faster</p>	<p>Statement [AS-122] and in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012]. In line with policy, the Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities (see Green Controlled Growth Explanatory Note [APP-217])</p> <p>139. It is not proposed that LBC are the responsible for enforcement of planning limits as part of Green Controlled Growth.</p> <p>At present, the airport is operating under a planning consent granted under the Town and Country Planning Act 1990 (TCPA), with planning reference 12/01400/FUL, as amended by 15/00950/VARCON. Under the TCPA, only the local planning authority (in this case, LBC) can bring enforcement action against the airport operator for breach of a condition in planning permission and there are limited requirements for transparency around the enforcement process. Compliance with existing planning conditions is a matter between the current operator and the local planning authority.</p>

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		<p>Growth scenario. LR's business plan for 2022/23 targets this level of growth through terminal 1 and it states in the application that is already offering LLAOL incentives to undertake the DCO. We believe it would be unfair, in those circumstances, for the GCG limit to be set at a Faster Growth level when all the environmental testing has been done by comparison to Core Growth with only limited sensitivity testing against Faster Growth.</p>	<p>As set out in Section 2.4 of the GCG Explanatory Note [APP-217] it is proposed that governance of GCG will be through a new body established through the DCO, the Environmental Scrutiny Group (ESG). Section 2.4 sets out the proposed functions and membership of the ESG, enshrined through Terms of Reference included at Appendix A of the Green Controlled Growth Framework [APP-219]. The ESG will be chaired independently, include independent experts, and include representation from Central Bedfordshire Council, Hertfordshire County Council, Luton Borough Council and North Hertfordshire District Council.</p> <p>The GCG process is designed to be self-enforcing in respect of mitigating environmental effects above Limits, with the process designed to require action by the airport operator to address any exceedances of the Limits. However, it is acknowledged that circumstances where the processes set out in the GCG Framework are not followed also need to be considered, and this is set out in Section 2.7 of the GCG Explanatory Note.</p>

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			<p>In addition to the GCG process and as outlined in Section 2.7, the statutory enforcement regime for DCOs is set out in the Planning Act 2008. This defines the 'relevant planning authority' for the purposes of enforcement action as the planning authority for the area in which the development is situated. This means the 'relevant planning authority' for most of the Proposed Development must be Luton Borough Council. However, Section 2.7 also sets out ways in which other local authorities could bring action under the Planning Act 2008. In summary therefore, the Green Controlled Growth proposals are considered to include independent, transparent, oversight and scrutiny and represent a significant improvement over current enforcement processes.</p> <p>With respect to the baseline, the data used for the baseline reflects the actual traffic handled by the Airport in 2019 and has not been manipulated. The basis for this data is clearly set out in section 5 of the Need Case [AS125]. This forms a robust basis for the assessment of future forecast passenger demand. A baseline year of 2019 was selected for the noise assessment. This year represents the last year</p>

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			<p>of normal activity at the airport pre-Covid pandemic. Although it is acknowledged that, in 2019, existing noise contour limits were exceeded for both day and night periods, the use of 2019 as a baseline is to identify if there will be any changes to health and quality of life from the last year of typical operating conditions. However, a sensitivity test using a '2019 Consented' baseline (derived for this purpose by adjusting the fleet mix that occurred in 2019 to reach a modelled noise impact that would sit within the existing 2019 short term Limits) is summarised in Chapter 16 Noise and Vibration [REP1-003] of the Environmental Statement (ES). An assessment against both the 2019 Actuals and 2019 Consented baseline has therefore been undertaken. The conclusions of residual significant effects remain the same for both assessments, as significant effects would be avoided through the provision of the full cost of noise insulation.</p> <p>140. The GCG framework will apply, with its in built protections irrespective of any form of growth incentive proposed by the airport operator. As set out in ES Chapter 5 Approach to Assessment [AS-075], the environmental</p>

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			<p>impact assessment is required to assess a reasonable 'worst-case' scenario in order to identify the likely significant environment effects. It is on the basis of the identified environmental effects (including proposed mitigation) reported in the ES that the application for development consent will be assessed against, and the DCO made or refused. This chapter also sets out the proposed approach to sensitivity testing, including the Faster Growth case, which is then considered and reported in section x.9 of each technical assessment chapter of the Environmental Statement. The 'Faster Growth' case represents this reasonable worst case, and a full assessment of the impacts of Faster Growth on aircraft noise is included in Chapter 16 Noise and Vibration [REP1-003] of the ES and on air quality in Chapter 7 Air Quality [AS-076] of the ES. For greenhouse gases, Chapter 12 Greenhouse Gases [APP-038] of the ES reports that the impact of the Faster Growth case relative to the Core Planning Case is small, and for surface access there is no difference in mode shares between the Faster Growth case and Core Planning Case.</p>

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			<p>By aligning the GCG Limits at levels consistent with the reasonable worst case scenario, this ensures that the forecast likely significant environmental effects will not be exceeded (once mitigation has been implemented). If the assumptions that form part of this reasonable worst case scenario do not materialise in practice (for example, a slower rate of passenger growth, allowing a greater percentage of the aircraft fleet to transition to quieter aircraft), then environmental effects would be lower.</p> <p>Notwithstanding this, it is recognised that there needs to be mechanisms in GCG to ensure that the opportunity to reduce environmental effects below those associated with the reasonable worst-case scenario is available, where circumstances allow. Paragraphs 2.2.48 to 2.2.56 of the GCG Explanatory Note [APP-217] set out the mechanisms built into the GCG Framework [APP-218] that ensure GCG will remain relevant over time, including periodic reviews of noise performance and concentrations of pollutants that impact air quality. There will be no ability to change any of the Level 1, Level 2 Thresholds or Limits to</p>

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			<p>permit materially worse environmental effects than those identified in the Environmental Statement. This ensures that GCG can operate effectively over time and the reasonable worst case environmental effects forecast through the EIA process will not be exceeded.</p>
<p>New Economics Foundation REP1-115</p>	<p>N/A</p>	<p>About the New Economics Foundation</p> <p>1. This Written Representation was prepared by Dr Alex Chapman on behalf of the New Economics Foundation (NEF). NEF is a charitable think tank with a mission to create an economy that works for people and the planet. Further detail on our charitable objectives can be found on our website. This is an independent submission for which we received no external funding.</p> <p>2. Dr Chapman, on behalf of NEF, has previously been commissioned by community groups in the vicinity of Bristol, Leeds Bradford, Luton and Gatwick Airports to act as a consultant and/or expert witness on economics and climate change in relation to expansion planning applications.</p> <p>NEF's view</p>	<p>The Applicant has provided a response in Appendix A.</p>

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		<p>3. NEF does not support the expansion of Luton Airport. The economic benefits are overstated by the applicant, and the economic and environmental downsides are ignored and/or understated. When the relevant scheme costs, benefits, their balance of equity, and the long-term societal risks are taken into account, the scheme's overall balance is negative and entails unreasonable levels of risk to local, national and international wellbeing.</p> <p>Supporting evidence</p> <p>4. Alongside this representation NEF has submitted a copy of our July 2023 report titled <i>Losing Altitude: The economics of air transport in Great Britain</i>. The report reviews the national economic dynamics of air transport in 2023, analysing the latest available public data and academic research. The report was peer reviewed by leading UK transport economist John Siraut, Chair of the European Transport Conference Transport Economics Committee.</p>	
New Economics Foundation REP1-115		<p>Principle areas of disagreement</p> <p>5. NEF's principle areas of disagreement relate to the following documents submitted by the Applicant:</p>	Noted.

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		i. 7.04: The Need Case ii. 5.01: Environment Statement – Chapter 11 – Economics and Employment iii. 5.01: Environment Statement – Chapter 12 – Greenhouse Gases	
New Economics Foundation REP1-115	Need Case	<p>Core position on the merit of air transport growth</p> <p>6. The past two to three decades of the UK's economic development have seen a broad consensus surrounding the economic good of air transport capacity and connectivity growth. This consensus was supported by a body of academic research published through the 1990s and early 2000s and was subject to only limited challenge, most often in relation to local concerns about noise and air quality. In subsequent years both the context and research base have shifted. In 2023, following a global pandemic which has dramatically, and permanently, shifted our ways of working, and in the face of an escalating climate crisis, the established consensus is outdated and in urgent need of review.</p> <p>7. Government's position favouring the national economic benefits of air transport growth has</p>	<p>The Applicant has provided a response in Appendix A.</p>

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		<p>not been comprehensively reviewed in over a decade. The aviation sector continues to promote its interests through an array of commissioned, consultancy-led, studies which, at-best, display selection bias, and at worst promote flawed analysis. A more nuanced look at the contemporary, independent, academic evidence paints a very different picture of the merits of air transport growth in the UK in 2023.</p> <p>8. As evidenced in NEF's 2023 report,¹ recent research suggests that the economic benefits of air transport growth are subject to diminishing returns. In an already highly connected economy such as the UK, wider economic benefits arising from air transport growth are particularly dependent on the presence of (i) net inbound tourism and (ii) business travel growth,² both of which are absent in the UK today. As such, in the context of a major climate risk, and expensive unproven decarbonisation options, it is highly questionable whether air transport capacity growth offers a net economic benefit to UK society in 2023.</p>	

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<p>New Economics Foundation</p> <p>REP1-115</p>	<p>Need Case</p>	<p>Business impacts</p> <p>9. The impact of the scheme on business travel and hence the benefit to business productivity is grossly overstated by the applicant.</p> <p>10. At the national level, and in the London Airport system, business air passenger numbers peaked in 2006 (Figure 1). The modest rate of recovery seen since the 2007/08 financial crisis was not sufficient to return levels to their previous peak. Business passenger numbers at Luton Airport recovered slightly faster than the national average, managing to exceed their pre-2007/08 financial crisis peak in 2019 (Figure 1), before falling back as a result of the pandemic. Luton Airport's performance can be linked to a redistribution of passengers around the London system during the pre-pandemic period, with Heathrow Airport seeing a decline in business passenger numbers of over 3 million over the same period.</p> <p>11. The proportion of passengers travelling for business at Luton Airport fell from 22.0% in 2006 to 12.8% in 2019.3 National-level data</p>	<p>The Applicant has provided a response in Appendix A</p>

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		<p>suggests this will have fallen further since the pandemic. The ONS' Travepac dataset suggests the national market share of business passengers had fallen to 8% by 2022, down from 17% in 2006.4 Overall business passenger numbers have also collapsed since the pandemic, and have thus far seen a markedly slower recovery than the leisure travel market.</p> <p>[see page 5 of Written Representation for Figure 1]</p> <p>12. The forecasts set out by the applicant in the Need Case project underlying international business passenger demand growth of 1.4% per year between 2019 and 2030, and 0.9% between 2031 and 2050 (p.104). This trend is illustrated in Figure 2. These projections are not credible. While business passenger numbers were growing prior to the pandemic, fifteen years on from the 07/08 financial crisis total numbers have still not recovered.</p> <p>13. The global pandemic, along with growing environmental awareness, is likely to have placed significant downward pressure on</p>	

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		<p>underlying business demand which appears not to be adequately factored into the applicant's forecast model. If demand recovers at a rate similar to that seen after the financial crisis, business passenger numbers will not return to the pre-crisis (2019) level until around 2035 (Figure 2). If the pandemic, as well as perceptions of the escalating climate crisis, have shifted business practices more dramatically than the 2007/08 financial crisis, which seems highly likely, then business passenger numbers may never return to their peak in 2006.</p> <p>[see page 5 of Written Representation for Figure 2]</p> <p>14. New airport capacity is not required to serve current, or future, levels of business travel demand. This premise is further supported by the demand dynamics of the different air travel segments. Capacity constraints do not generally suppress business passenger demand. The reason for this is explained by the DfT in its 2017 aviation forecasts:</p>	

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		<p><i>“Table 31 repeats the analysis in Chapter 6 (in Table 29) for the case when demand is constrained by baseline capacity and it makes the comparison with the unconstrained case. Business passengers remain a low proportion of total travellers, but their numbers are little changed from the unconstrained case, continuing to travel mainly because of their willingness to pay higher fares.” (p.99)</i></p> <p>In other words, business passengers have a higher willingness to pay than leisure travellers and as such, in a capacity constrained scenario, any latent business demand will displace leisure travel and business passengers will continue to fly.</p> <p>15. There is no credible case that the overall growth in passenger numbers requested will create any net additional business passengers against the baseline, no intervention, case. Business productivity gains (primarily time savings) may still be achievable via optimisation of the routes available, and improvement of infrastructure, across the London Airport system, but these gains do not require additional passenger capacity, nor additional air traffic movements</p>	

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		<p>16. Having presented an overly optimistic forecast of business passenger growth (Figure 2), the applicant then proceeds to convert this growth into wider GDP impacts. This analysis is shown at page 54 of Chapter 11: Economics and Employment of the Environment Statement. A simple relationship, originally developed by Oxford Economics, is used to convert business passenger growth into productivity growth. "This has been combined with an econometric relationship developed by Oxford Economics (Ref 11.52) that relates the level of business air travel and air cargo in the UK economy to the level of productivity. This says that a 10% increase in business travel and cargo relative to GDP will raise productivity by around 0.5%." (5.01, p. 54).</p> <p>17. Taken at face value, the Oxford Economics relationship has an unexpected implication not discussed by the applicant. As there has been no net business passenger growth in the UK since 2006 the relationship implies that there has been no net additional contribution from business air travel to wider national economic productivity since 2006. In other words, the</p>	

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		<p>applicant's own economic relationship actually undermines the case for wider economic benefits arising from contemporary air transport growth.</p> <p>18. Furthermore, as Luton Airport's expansion is highly unlikely to be a driver of net additional business passenger movements, even if the Oxford Economics relationship is assumed true, no additional productivity benefits will result.</p> <p>19. In any case, the Oxford Economics relationship is not fit for purpose. The Oxford Economics paper was published in 2013, and the input data used to develop the relationship spans 1980-2010. Clearly, the relationship between air transport growth and economic productivity in the 80s and 90s, an era of booming business travel growth, is not an appropriate guide to that relationship in 2023, post-pandemic. The law of diminishing returns almost certainly applies to air capacity growth. Indeed, another 2013 paper, jointly authored by Oxford Economics and York Aviation states:</p>	

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		<p><i>“There is some evidence to suggest that connectivity is likely to suffer from diminishing returns. This is intuitively sensible. An initial single connection makes trade possible where it was not before with attendant economic benefits. A second connection makes trade easier and will bring benefits but in all likelihood not at the same level as the first connection. This could apply both to frequencies of service or to the balance between direct and indirect connections. Extending this analogy would seem reasonable.” (p. 34)</i></p> <p>20. The claim that air transport growth brings wider economic benefits to the economy in the UK in 2023 is in fact highly dubious. As set out in NEF’s recent report, it is difficult to find any academic studies, or studies otherwise independent of the aviation industry, which evidence a causal relationship running from air transport growth to economic productivity and employment. Government itself has not reviewed the economic dynamics of air transport for many years, and certainly not since the global pandemic restructured the business travel market.</p>	

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		<p>21. NEF's review identifies evidence supporting wider economics benefits to air transport growth in less developed and less connected economies, and in economies which see a net inflow of tourism. As neither of these features apply in the UK, such benefits appear highly dependent on the presence of business travel, and in the present moment, we can have no confidence that there is any potential for net additional business passenger growth beyond 2019 levels on the horizon</p>	
<p>New Economics Foundation REP1-115</p>	<p>Need Case</p>	<p>Tourism and travel spending impacts</p> <p>22. Luton Airport's primary service is the sending of UK residents overseas on leisure trips. International leisure trips by UK residents account for around 55% of all passengers at the airport, compared with just 28% who are foreign residents arriving to visit the UK for leisure. The absence of any quantification of the impact of outbound and overseas travel and tourism spending, and the net balance of tourism impacts, is skewing the scheme's presentation.</p> <p>23. Assessing this net impact was identified in a report commissioned by the DfT in 2018 as</p>	<p>The Applicant has provided a response in Appendix A.</p>

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		<p>one of three “key diagnostic tests” of an air transport intervention’s merit.⁹ Multiple academic studies cited in NEF’s 2023 report also highlight the importance of analysing this impact, and the potential negative effects of incentivising outbound tourism.¹⁰ Furthermore, the UK government’s Tourism Recovery Plan (2021) has an explicit objective to “embed domestic travel as a sustained consumer behaviour – ensuring not only that people enjoy the Great British Summer in 2021 but that people who take domestic trips across the UK this year do so again and again in years to come” (p.33).</p> <p>24. VisitBritain, the UK’s national tourism agency, has raised concerns related to the outbound travel spending deficit on multiple occasions, including writing to the Cabinet Office in 2020 calling for a reduction in the deficit and policy to encourage British tourists to holiday at home. VisitBritain stated: <i>“VisitBritain believes that in order to mitigate the environmental impact of outbound tourism, there should be more emphasis on encouraging British tourists to holiday at home and reduce the outbound tourism deficit.”</i></p>	

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		<p>25. There is a clear need to assess the proposed scheme's impact in this domain, yet no such assessment has been conducted. Excluding from detailed analysis the impact of this intervention on incentivising outbound international leisure travel over other forms of domestic expenditure flies against the fundamental principles of appraisal and skews the assessment of the scheme. Given the significant resource that has gone into the application it would have been possible to develop a far more sophisticated understanding of the implications of the Airport's net tourism balance and its wider ramifications.</p> <p>26. Table 8.7 of the Need Case (p.202) presents a set of outputs from a simple calculation of inbound tourism expenditure, claiming that inbound tourists would create £818m of additional GDP and 11,550 more jobs at the UK level in 2043. Why have losses resulting from the outbound flow not be calculated in the same way? It is highly irregular for a comprehensive appraisal to assess only one direction of a bi-directional</p>	

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		<p>flow. The justification provided by the applicant in paragraph 8.5.19 represents little more than conjecture and, with no secondary evidence provided, does not stand up to scrutiny.</p> <p>27. The applicant's first point (a) amounts to a claim that displacement would take place and, if the airport were not expanded, outbound travellers would travel via other means. If true, this undermines the Need Case for the scheme. Furthermore, this would also apply to inbound tourists, who might also travel to the UK via other means. We could identify no evidence that the applicant has adjusted for such displacement in their inbound tourism analysis in Table 8.7 - although insufficient detail on methodology is provided to be certain. Furthermore, the proposition that in the no-intervention case, travellers would take fewer, but longer, outbound trips again questions the need for the scheme, and describes a win for the environment, with less greenhouse gas emissions resulting.</p> <p>28. The applicant's remaining claims also face a range of issues and are not supported with evidence. It is true that outbound tourism</p>	

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		<p>involves some spending within the UK (point b), much of this spending takes place within the airport and airlines and therefore is already represented elsewhere in the analysis. However, most of this spending would be subject to 100% displacement, as it would be spent elsewhere in the UK economy were it not spent on outbound tourism. As shown in NEF's 2023, the scale of outbound spending which takes place within the UK (worth £34bn in 2019) is dwarfed by spending taking place overseas (worth £75bn in 2019).¹²</p> <p>29. Point c) of the same paragraph (8.5.19), suggesting that individuals might not otherwise spend within the UK economy, represents little more than conjecture and should be supported with evidence. The claim also ignores the fact that there are societal benefits if, as the applicant suggests, in the nointervention case money were saved instead of spent. Finally, point d) also describes a feature which is already captured within the applicant's analysis. The welfare benefits accruing to passengers from international travel are expressed through the air fare and journey time savings described in Table 8.8 of the</p>	

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		<p>Need Case. This once again highlights a pattern within the application of counting the benefits and ignoring the costs.</p> <p>30. There are a range of key issues which would need to be addressed for us to gain a systemic understanding of the net impact of this scheme on flows of inbound and outbound spending. Macro-economic impacts on the health of the UK's current account and international investment position, and equity impacts on the UK's domestic tourism destinations and their economies are particularly relevant given recent developments and policy priorities.</p> <p>31. These issues are addressed in greater detail in NEF's recent review.¹³ In particular this review highlights how the current dynamics of outbound spending unbalance the UK economy and direct flows of cash and investment out of the wider regions and into London and the South East. London operates a travel spending surplus, while the rest of the UK operates a significant deficit. In Luton's case, for example, there are outbound flows from the East of England and East Midlands,</p>	

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		<p>while the majority of inbound flows go to London.</p> <p>32. Cash spent overseas can return to the UK in the form of Foreign Direct Investment (FDI) but FDI is also disproportionately concentrated in London and the South East, further compounding the investment mismatch.</p> <p>33. Approving this scheme, despite the significant environmental risks inherent, would represent a decision to hand a further competitive advantage to outbound tourism over expenditure in the domestic economy, potentially diverting money away from UK holiday destinations and the highstreet. Coastal destinations, such as Great Yarmouth, the 22nd most deprived locality in England (out of 318), and easily reachable to most users of Luton Airport, have suffered the economic consequences of such decisions over recent decades.¹⁵ The UK will not make progress on high-level ambitions such as 'levelling-up' until such trade-offs are properly integrated into decision making.</p>	

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<p>New Economics Foundation REP1-115</p>		<p>Jobs and GDP</p> <p>34. The applicant's approach to job creation is messy and difficult to follow. The issues created feed through into the applicant's GDP forecasts as these are derived through the application of a multiplier to the jobs forecasts. Job creation related to the operation of the airport is discussed extensively in both the Need Case and Chapter 11 of the Environmental Statement (Economics and Employment), underpinned by projections from Oxford Economics. The Oxford Economics analysis however, relates only to the 'footprint' of the airport and not its net impact on the economy. This is clarified by Oxford Economics at page 7 of their report: <i>"The economic impact results in this report are presented on a gross basis. That is, we estimate and forecast the economic contribution of London Luton Airport, but we do not make any assessment of the extent to which the contribution identified will be additional to what would have occurred in the absence of its future development."</i></p> <p>35. The applicant tries to partially address this issue in Chapter 11 of the Environmental</p>	<p>The Applicant has provided a response in Appendix A.</p>

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		<p>Statement through the application of a displacement rate (para 11.9.28). This reduces Oxford Economics' employment forecasts by 5% at the Luton Unitary Authority level, and by 95% at the national level. The same adjustment is not made in the Need Case. This inconsistency, and the tendency of the applicant to refer to the unadjusted data, risks misleading readers. For example, the executive summary of the Need Case (PDF pg.8 points a. to d.) makes a claim regarding "additional GDP" which is created "across the UK" by the scheme. The applicant's own economic assessment in fact shows that the figures cited in the Need Case are gross, and not net, and as such are incorrectly identified as "additional".</p> <p>36. The 95% displacement assumption applied at the national level seems realistic, and is more or less in line with TAG guidance. There has been no net national growth in air transport sector jobs since 2006.¹⁶ This scheme is not likely to be a creator of jobs at the national level. This features needs to be considered against other scheme impacts, such as on the</p>	

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		<p>climate, which are likely to predominantly additional even at the national level.</p> <p>37. The 5% displacement assumption applied at the Luton Unitary Authority level seems optimistic. Air transport (and supporting services) jobs in Luton Unitary Authority peaked in 2005, and in the wider Bedfordshire and Hertfordshire area in 2007 (Figure 3). 17 Despite a doubling in the number of passengers seen over the intervening period, jobs in air transport (and supporting services) were around 1,000 below their peak in both geographies in 2021.</p> <p>[see page 14 of Written Representation for Figure 3].</p> <p>38. The Applicant has a history of being over-optimistic in its jobs projections. As evidenced at the 2022 planning inquiry, documentation submitted by Luton Airport associated with a previous expansion application in 2012 dramatically overestimated the scale of employment creation that would result.18 Halcrow made a central estimate of future employment when the scheme capacity was</p>	

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		<p>reached of 13,350 jobs, Oxford Economics, in their latest report for Luton Airport, now suggest that when that capacity was reached in 2019, there were 10,900 jobs at the airport, a shortfall of 2,450 jobs.</p> <p>39. The adjustment made for displacement in Chapter 11 of the Environment Statement still does not amount to an assessment of the net additional jobs impact of the scheme. The adjustment is made to the jobs impact of the airport operations (i.e. footprint). No aggregate figure for net jobs impact across the economy is provided. At various points throughout the Need Case, other job creation figures are mentioned, including jobs created by inbound tourism, and jobs created by business travel. Again, these figures appear not to be adjusted for displacement. These figures are not methodologically robust and will almost certainly not materialise, as discussed above. Moreover, jobs impacts have been chosen selectively, focusing only on potential positive impacts. System-wide impacts such as jobs lost on the high street or in domestic leisure and tourism destinations are ignored. This issue repeats a failure identified by the ExA in</p>	

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		<p>its 2019 Manston Airport Report of Findings and Conclusions: <i>"The ExA therefore concludes and recommends that displacement effects of the Proposed Development would inevitably mean the loss of some jobs elsewhere in the UK, both at a regional and national level. These have not been examined in the same way by the Applicant as the benefits from the Proposed Development have been considered (for indirect and induced, and catalytic jobs)."</i> (p.397)</p> <p>40. NEF's 2023 report highlights a collection of academic evidence which in fact brings into question whether or not air transport growth drives wider jobs and economic growth at all.¹⁹ The report provides evidence that in less connected, and/or less developed nations, air connectivity can drive employment and productivity growth. But in developed nations, positive impacts are dependent either on a net tourism surplus (not present in the UK today) or business travel growth (also not present in the UK today)</p>	

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New Economics Foundation REP1-115	Need Case	<p>Job Quality</p> <p>41. The quality of the jobs created is also questionable. Wages paid to lower and middle earners in air transport have been declining rapidly in real-terms in recent years. Indeed the Air Transport sub-sector has seen the fastest decline in real wages of any sector in the UK economy between 2008 and 2022.²⁰ An outstanding question is how wages have changed over time at London Luton Airport, and whether the rapid passenger growth seen over the pre-pandemic period translated into improved conditions for workers.</p> <p>42. The Oxford Economics report suggests that the average wage for London Luton Airport workers in 2019 was £41,100 (see page 17). While there are some methodological issues to consider, it is still informative to compare this with data presented by Halcrow for London Luton Airport in 2012.²¹ Table 7.1 of the Halcrow report can be analysed to reveal that the estimated average wage being paid in 2012 was £40,468. This figure can be adjusted for inflation over the period to show that it would be worth £45,423 in 2019. This would suggest</p>	The Applicant has provided a response in Appendix A.

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		<p>that the real wages of airport employees had fallen by 9.5% between 2012 and 2019. Oxford Economics (2019) utilise a different method to Halcrow to arrive at the total level of employment at the airport. This is detailed in Appendix 1 of the Oxford Economics report. It seems unlikely however, that this update to the method used to estimate total employment would result in such a significant change in the average wage of the worker cohort. It seems reasonable to conclude that wage trends at Luton Airport have followed the national picture, and the returns to growth have not accrued to workers. The Applicant might be invited to submit evidence on this matter.</p> <p>43. A final area of interest is the respective benefit of the wages paid to Bedfordshire workers in relation to so-called 'levelling-up'. Data in the Oxford Economics report shows that in 2019, while the average airport worker was paid £41,100, the average airport worker resident in Luton and Bedfordshire was only paid £30,800. Pay levels received by residents of Luton and Bedfordshire employed by the airport were similar to the average for the</p>	

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		county, providing minimal 'levelling-up' of wages in in the region.	
New Economics Foundation REP1-115	Local Environment	<p>Environmental impacts Environmental principles</p> <p>44. The proposed scheme would almost certainly result in significant, unmitigated, short-term damage to the environment and entails a high risk of very significant long-term damage to the environment. It is highly questionable whether the proposed intervention is aligned with the UK government's guiding approach to environmental protection, as set out in the Environmental Principles Policy Statement (EPPS), 2023.</p> <p>45. The first principle of the EPPS is that of prevention. All new greenhouse gas emissions have a negative impact on society and should be prevented if possible. Even if emissions are ultimately re-captured through a technology such as carbon capture (upon which the Jet Zero Strategy relies heavily) this still comes with an opportunity cost to the detriment of society, ie. such technology might otherwise be put to other, potentially more valuable, uses.</p>	<p>The Environment Act 2021 places a duty on Ministers to have "due regard" to the environmental principles policy statement. The purpose of the environmental principles policy statement (2023) is to set out how the principles should be interpreted and proportionately applied by Ministers so that they are used effectively to shape policy to protect and enhance the environment. The duty is not designed to capture individual regulatory, planning or licensing decisions made by ministers or authorities acting on their behalf. With reference to planning, the duty would apply to any policy which outlines the policy intent (for example a national policy statement or planning practice guidance). However, it would not apply where ministers are making an individual decision as a result of that national policy statement or deciding on individual planning applications.</p> <p>Applicable policy is described in the Planning Statement [AS-122] including the aviation policy referred to (Jet Zero, MBU), and since submission of the application the Government</p>

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		<p>46. The proposal from the applicant is to allow greenhouse gas emissions to proceed on the basis that future developments described in the Jet Zero Strategy's 'high ambition' scenario might come to fruition. The majority of these developments are not enforced by any form of binding legislation, and future technological development remains uncertain. No solution is identified for non-CO2 emissions. The Government describes the Jet Zero Strategy as a "vision" and its preferred scenario represents an "ambition".</p> <p>47. The Applicant seeks to dismiss aviation emissions as an issue to be dealt with at 'the national level'. In fact, nowhere in policy does the government advocate not considering emissions at the scheme level. Making Best Use of Existing Runways (MBU) policy clearly mandates planning authorities to take account of "all relevant considerations, particularly economic and environmental impacts". Nothing within the MBU policy, nor in Jet Zero, sanctions ignoring greenhouse gas emissions in the appraisal process.</p>	<p>has published Jet Zero-One Year on (2023) which suggests these policies remain unchanged.</p> <p>A full Environmental Impact Assessment (EIA) has been undertaken in accordance with the Infrastructure Planning (EIA) Regulations 2017 (Ref 2) and the findings reported in the Environmental Statement (ES) submitted with the application. This allows environmental effects, both adverse and beneficial, to be considered in the planning process and decisions.</p> <p>Chapter 12 Greenhouse Gases of the ES [APP-038] presents the assessment of greenhouse gas (GHG) emissions from the Proposed Development. Carbon emissions for aviation in the ES are modelled on the Jet Zero Strategy High Ambition scenario that does represent current UK Government policy on aviation. The GHGs from aviation at London Luton Airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSI A). The UK</p>

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		<p>48. The second principle of the EPPS is that of 'rectification at source'. The applicant does not have means to rectify the climate damage resulting from increased air traffic at the present time. Such technologies may or may not materialise over the next three decades but these are unlikely to address emissions at source (high altitude), rather involving carbon capture at ground level.</p> <p>49. The third principle of the EPPS is that the polluter pays. Under current policy arrangements the polluter will not pay for the large majority of the damage resulting from this application. As it stands, no price is paid by the aviation sector on emissions resulting from flights to non-EU destinations, and no price is paid on emissions of non-CO2 gases. The price currently being paid by airlines for emissions linked to flights to EU destinations under the UK ETS is currently either zero (where free allowances are provided) or around £60 per tonne (as of August 2023). By contrast, the social cost of carbon has been estimated at around £150 per tonne²⁴ and the BEIS net zeroaligned carbon value (central) is £252 in 2023, rising to £378 in 2050. ²⁵ Even</p>	<p>government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the Sixth Carbon Budget and later Carbon Budgets to net zero in 2050. As the Jet Zero Strategy therefore does represent current UK government policy, it was not deemed appropriate to model alternative pathways as part of this assessment.</p> <p>Non-CO₂ emissions are discussed within Section 12.12 of Chapter 12 of the ES [APP-038]. There remains significant scientific uncertainty around the overall warming effect of non-CO₂ impacts.</p> <p>Furthermore, there is no recognised benchmark against which to compare the emissions of non-CO₂ impacts. They are not within the Nationally Determined Contributions declared pursuant to the 2015 Paris Agreement or the carbon budgets set pursuant to the UK Climate Change Act 2008 (Ref 9), and are not included in the Aviation emissions trajectory for the Jet Zero Strategy High Ambition scenario that this assessment uses as a comparator for aviation emissions.</p>

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		<p>where a price is paid for carbon emitted, that price is significantly below the true societal cost of carbon.</p> <p>50. The fourth principle of the EPPS is the precautionary principle. This principle states: <i>“where there are threats of serious or irreversible environmental damage, a lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation”</i> 26 The Applicant’s approach to non-CO2 emissions runs contrary to the precautionary principle. Scientific uncertainty is used as an excuse not to act, rather than a reason to take preventative action. Neither the Applicant, nor the government’s Jet Zero strategy, propose any viable mechanism for mitigating the non-CO2 impacts of air travel and their impacts are grave, potentially causing more damage than the carbon emissions of the scheme.</p> <p>51. There is growing scientific consensus that the climate impact of air travel emissions is roughly two to three times the size of the carbon impact alone.²⁷ On this basis, (assuming the applicant’s emissions figures at</p>	<p>For these reasons, while it is important to acknowledge the presence and warming effect of these non-CO₂ impacts, this assessment has not sought to quantify non-CO₂ impacts, consistent with current Government and Committee on Climate Change advice. Ongoing GHG reporting by the airport will follow all government policy as it evolves on this issue.</p> <p>In the Jet Zero Strategy – one year on report of July 2023 (page 33) (Ref 10), the Department of Transport has made clear that further work is required to understand the impact of aviation’s non-CO₂ emissions on climate change. It indicates that consideration is being given to how such impacts could in future be captured within the UK ETS.</p>

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		Table 12.18 are accurate) the proposed scheme would lead to total carbon equivalent emissions (CO ₂ e) of between 800,000 and 1.2 million tonnes at its peak (2043), not including arriving flights. This is equivalent (conservatively) to putting between 650,000 and 920,000 new petrol cars on the road.	
New Economics Foundation REP1-115	Climate Change	<p>Assessing proportionality</p> <p>52. As shown in the simple comparison above, by any reasonable measure, the emissions impact of this scheme is extraordinary. NEF strongly disagrees with the benchmarking process undertaken to assess the scale of the scheme's emissions, which does not reflect the gravity of this impact. It is clearly illogical to compare the emissions of one airport expansion scheme with the carbon envelope of the entire sector. With such an approach, virtually any scheme emissions can be shown to be of small magnitude. The precedent the approach sets is dangerous and if applied more widely would almost certainly lead to the breach of the UK's climate obligations.</p>	The greenhouse gas (GHG) assessment of the Proposed Development and the approach to evaluating significance in Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038] has been undertaken in line with the latest IEMA guidance on assessing GHG emissions and evaluating their significance (Ref 11).
New Economics Foundation	Climate Change	<p>Understanding opportunity cost</p> <p>53. If the emissions associated with this scheme are allowed there will be a short to-medium term acceleration in planetary</p>	Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038] presents the assessment of greenhouse gas (GHG) emissions from the Proposed Development

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REP1-115		<p>warming, with unavoidable negative consequences for nature and society. In order to reach Net Zero, at some future point, larger amounts of, likely expensive, carbon capture will be required.</p> <p>54. Carbon capture is the fall back of the Jet Zero Strategy, which does not find direct means of reducing aviation emissions to zero by 2050. The Strategy assumes at least 15 million tonnes of carbon capture is deployed by 2050. As a result, additional emissions produced by this scheme come with an opportunity cost involving greater competition for limited carbon capture technology, potentially crowding out other important sectors, and other less wealthy nations.</p> <p>55. To embrace this opportunity cost, the economic benefit of the proposed scheme must be overwhelmingly beneficial. It is not. Use of nascent carbon capture capacity to re-capture air transport emissions made from further, nonessential air travel, predominantly taken by wealthy frequent flyers, represents an inefficient and unjust use of capacity and should count against the scheme.</p>	<p>which takes into consideration the Jet Zero Strategy High Ambition Scenario assumptions relating to carbon pricing via the UK Emissions Trading Scheme (ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSA), the increased efficiency of aircraft, the increased take up of sustainable aviation fuels (SAFs) and the introduction of zero emission aircraft.</p> <p>The Applicant's position on the planning balance is set out in the Planning Statement [AS-122].</p>

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<p>New Economics Foundation</p> <p>REP1-115</p>	<p>Climate Change Need Case</p>	<p>Monetising emissions in the application</p> <p>56. At various points in the application the Applicant seeks to claim that the climate cost of the scheme should not be analysed in the economic assessment because it is “already accounted for within the demand forecasts” (Need Case, footnote 251, p. 204). This is an oft-repeated claim that is not aligned with government appraisal guidance, as set out in TAG, the Green Book, and supplementary guidance from BEIS.28 BEIS advise: <i>“All changes in emissions should be valued by using the carbon values presented in table 3 of the accompanying spreadsheet. This includes emissions captured within trading schemes, such as the UK Emissions Trading Scheme.” (p.14)</i></p> <p>57. BEIS further clarify that emissions outside of the target framework should be valued, and specifically cite aviation’s non-CO2 emissions as an example. <i>“Where appropriate, proportionate and possible to identify the impact of the proposal on emissions overseas or that occur outside the target framework (e.g. radiative forcing from aviation), the change in</i></p>	<p>The economic aspects of this comment are addressed in Appendix A.</p> <p>Non-CO₂ emissions are discussed within Section 12.12 of Chapter 12 of the Environmental Statement [APP-038]. There remains significant scientific uncertainty around the overall warming effect of non-CO₂ impacts.</p> <p>Furthermore, there is no recognised benchmark against which to compare the emissions of non-CO₂ impacts. They are not within the Nationally Determined Contributions declared pursuant to the 2015 Paris Agreement or the carbon budgets set pursuant to the UK Climate Change Act 2008 (Ref 9), and are not included in the Aviation emissions trajectory for the Jet Zero Strategy High Ambition (Ref 3) scenario that this assessment uses as a comparator for aviation emissions.</p> <p>For these reasons, while it is important to acknowledge the presence and warming effect of these non-CO₂ impacts, this assessment has not sought to quantify non-CO₂ impacts, consistent with current Government and</p>

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		<p><i>emissions overseas should be valued at the Value of Carbon” (p.16)</i></p> <p>58. Forecast models do include assumptions about carbon prices. This is done in order to check that future demand will be robust to any future government policies which increase the carbon price and hence the ticket price. However, such policies are not currently in place, as discussed above.</p> <p>59. Climate costs should be calculated in the economic assessment in order to highlight to decision makers the total cost that will be levied on society as a result of the emissions. As well as helping to gauge the level of risk these emissions entail, and their potential for societal damage if not adequately mitigated, this also helps decision makers understand the opportunity cost of the scheme. As the applicant rightly states (para 8.6.1, point e) Need Case) the resource spent on the climate cost of the scheme might otherwise be spent elsewhere in the economy, likely in a more socially advantageous way.</p>	<p>Committee on Climate Change advice. Ongoing greenhouse gas (GHG) reporting by the Airport will follow all government policy as it evolves on this issue.</p> <p>In the Jet Zero Strategy – one year on report of July 2023 (page 33) (Ref 10), the Department of Transport has made clear that further work is required to understand the impact of aviation’s non-CO₂ emissions on climate change. It indicates that consideration is being given to how such impacts could in future be captured within the UK Emissions Trading Scheme.</p>

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		<p>60. As a second order step, analysts can then calculate the proportion of the climate cost that is internalised within the aviation sector. This is the component that, on the basis of current policy, will be paid for, ultimately, by air passengers. In 2022, NEF estimated this proportion at around 26% at Luton Airport.²⁹ Future policy developments may increase this proportion, and might be analysed as a sensitivity test.</p> <p>61. The majority of the climate cost of this scheme is not internalised within the aviation sector. This is because non-EU departures and non-CO2 emissions are not captured under the UK ETS and, in its current design, CORSIA is unlikely to have any material impact on UK aviation. Emissions that are priced under the UK ETS are very significantly under-valued, compared with the true societal cost or value of carbon (or equivalent) emissions.</p>	
New Economics Foundation REP1-115	Need Case	<p>Cost benefit analysis</p> <p>62. The applicant's cost-benefit analysis (CBA) -Table 8.8 of the Need Case- is confusing, selective and follows no standard methodology.</p>	The Applicant has provided a response in Appendix A.

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		<p>63. Key scheme costs are missing, including monetised noise and air quality impacts, as well as non-CO2 impacts. Noise estimates are particularly relevant given the potential welfare impact on communities of night time flights.</p> <p>64. The approach taken to ticket prices, and consumer and producer surpluses is non-standard and hence may be flawed. Airport profits are included, but airline losses resulting from the reported air-fare savings are not.</p> <p>65. The applicant has included air fare savings which accrue to foreign residents. The numbers look strange, with savings at the UK level made by foreign residents worth £3.9bn in net present value coming in at more than double the saving made by UK residents of £1.5bn, and making foreign residents the largest beneficiary of the scheme. These numbers require further explanation from the applicant. Interestingly, if the savings made by foreign residents are removed from the applicant's assessment the scheme has a negative net present value.</p>	

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		<p>66. An inconsistency is created by the inclusion of airfare benefits to foreign residents in the CBA. To our knowledge, the applicant has only included the cost of carbon associated with departing flights in the CBA, excluding costs associated with arriving flights (ie. costs experienced by foreign residents). This assumption is based on the description of matters scoped-in in Table 12.6 of Chapter 12 of the Environmental Statement. Including arriving flights would almost double the carbon costs of the scheme. Including arriving flights in the CBA may be justified, as BEIS guidance³⁰ specifically encourages the inclusion of emissions impacts overseas: <i>“the change in emissions overseas should be valued at the Value of Carbon”</i> (p.16).</p> <p>67. Valuation of greenhouse gas impacts appears not to have been accurately performed in the scheme’s economic assessment. NEF’s calculations suggest that the applicant has underestimated the scheme’s base carbon cost by around £500m (Table 1). However, as we do not have access to the</p>	

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		<p>detail of the applicant's method we cannot be certain where this discrepancy arises.</p> <p>68. Non-CO2 impacts have also not been quantified. These issues are skewing the results of the applicant's cost-benefit analysis. A multiplier of 1.7 is recommended by DESNZ in their latest guidance (June 2023) for the purpose of calculating an indicative figure of the full climate cost of emissions.³¹ This can be applied to the NEF and applicant estimates (Table 1). However, recent research has suggested that the non-carbon impacts of air travel could increase the climate impact by as much as three times.³² We have also illustrated this scenario as a sensitivity test.</p> <p>[see page 23 of Written Representation for Table 1].</p> <p>69. Other scheme benefits are overstated, including the assessment of tax impacts which ignores a variety of potential tax losses that are likely to arise, particularly in lost VAT linked to reduced spending in other sectors.</p>	

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		<p>70. The equity of impacts has not been considered and is particularly relevant as the passengers who enjoy the benefits of ticket savings are likely to be wealthier than average. The climate costs, on the other hand, are borne by society at large, and typically experienced disproportionately by poorer citizens with less capacity to adapt. If welfare weighting were applied to the CBA, as per the Green Book (discussed further below), it would further diminish the net balance of the scheme.</p> <p>71. Taken together, the above issues will serve to reduce the scheme benefits and significantly increase the scheme costs. Given that the scheme's current profile already relies on benefits accruing to non-UK residents to deliver a net positive outcome, it seems highly unlikely that this scheme has net positive social value.</p>	
New Economics Foundation REP1-115	Need Case	<p>Appraisal practice</p> <p>72. Robust appraisal practice has not been adhered to by the Applicant. Core sections of the application, such as the Cost-Benefit Analysis presented in the Need Case, diverge from best practice in ways which inflate the attractiveness of the scheme. Running</p>	The Applicant has provided a response in Appendix A.

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		<p>throughout the application is a reluctance to address potential negative impacts of the scheme in a fair and robust manner.</p> <p>73. The decisions to downplay non-CO2 impacts and the implications of increased outbound tourism, two of the primary impacts of the scheme, do not align with the high level principles of government impact assessment guidance. Guidance (TAG) clearly states that “as many of the impacts of a scheme or option as possible” should be presented in monetary terms in the cost-benefit analysis. Where this is not possible “supplementary techniques should be used to weigh up non-monetised impacts”.</p> <p>74. Insufficient sensitivity testing has been performed. A wide array of key model parameters, elasticities, and multipliers, have not been tested. The decision to focus only on faster and slower growth scenarios misses the point of sensitivity testing. The testing of core model input parameters will provide users with far more information regarding the robustness of the Applicant's assumptions. For example, only one scenario of business productivity impacts is shown in the Need Case, despite</p>	

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		the relationship relying overwhelmingly on a single, dated, elasticity estimate. Similarly, only one scenario of inbound tourism impacts is presented, despite the impacts of the pandemic on tourism spending patterns remaining uncertain.	
New Economics Foundation REP1-115	Need Case	<p>75. In 2023, appraisal of major transport schemes which result in serious environmental damages must be comprehensive and systemic. Government appraisal guidance has a renewed focus on the equity of impacts. The equity dimensions of the scheme have not been presented by the applicant. Key scheme impacts such as air fare savings, tourism impacts, and greenhouse gas impacts have not been considered through an equity lens. Comprehensive methods for assessing the equity of impacts, such as 'welfare weighting' are discussed in Annex A3 of the HM Treasury Green Book.</p> <p>76. The scheme will likely exacerbate inequity and run counter to the government's levelling-up agenda. Expanding the existing airport capacity is likely to hurt the UK's held-back regional economies that consistently face a</p>	The Applicant has provided a response in Appendix A.

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		<p>travel and tourism spending deficit while London sees a travel spending surplus</p> <p>77. Reducing ticket prices will incentivise air travel, which already enjoys a range of tax exemptions, and encourage household spending to shift overseas and away from the UK high street and domestic tourism destinations. This shift is documented in further detail in NEF's 2023 report, which shows how household expenditure patterns have shifted towards air travel and overseas expenditure over the past two decades.</p> <p>78. Furthermore, the question of ticket price savings (consumer surplus) should be considered not just in aggregate terms, but also with regard to which groups in society benefit. This can be set against the range of groups which lose out from the scheme's wider costs (environmental and economic). Climate costs are disproportionately experienced by poorer groups in society, in the UK and abroad, with less ability to adapt to new conditions. Frequent flyers, who dominate air travel demand, typically have above average incomes</p>	

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		<p>79. Much of the Applicant's narrative around its impact focuses on jobs and productivity at the airport and in the Luton Borough. This analysis largely ignores, however, that the airport's higher paid employees predominantly live outside of Luton and Bedfordshire.³⁵ While the airport undoubtedly employs many Luton residents, it employs fewer air transport workers now than it did in 2006 (see Figure 3). Evidence presented above also suggests these workers are paid less on average than they were ten years ago. This is supported by national data which shows that since 2006 there has been extraordinary suppression of lower and middle income air transport workers' wages. These trends have all played out despite rapid growth in passenger numbers. The extent to which further passenger growth will contribute to the prosperity of deprived communities in Luton and Bedfordshire is questionable. What benefit might be derived from local (likely low paid) job creation must be set against the noise, air quality and climate change impacts of the scheme, all of which are likely to penalise some of the most deprived areas of Luton the most.</p>	

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		[see page 27-66 of Written Representation for Appendix A].	
Friends of Wigmore Park REP1-060	General	<p>Written Representation</p> <p>Friends of Wigmore Park (FoWP) strongly oppose the DCO submitted by Luton Rising/Luton Borough Council (LBC).</p> <p>Background</p> <p>FoWP has 3121 members mainly from the local communities of Wigmore, Stopsley and the former Crawley Ward, which is now incorporated into a new ward called Vauxhall. All members of FoWP are committed to saving Wigmore Valley Park from airport expansion, or any form of development, by agreeing to the aims of the group, as laid out by our membership question and adopted constitution. This has to be agreed before membership can commence. FoWP, jointly with Stop Luton Airport Expansion (SLAE) is a member of the London Luton Airport Consultative Committee and the Passenger Services Sub Committee where we represent passengers' interests. While both FoWP and SLAE are sister organisations they both have</p>	Noted.

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		different chairs and different constitutions and should be regarded as separate organisations with a different membership base.	
Friends of Wigmore Park REP1-060	Planning	<p>Luton Rising/Luton Borough Council After the May 2023 local elections, Luton Borough Council's ruling party, which is promoting this application, does not have a single councillor from the affected wards of Wigmore, Stopsley or Vauxhall and as such we reject any notion that the ruling party has the interests of the three wards in this application. If the adjoining wards of Round Green and South Luton are included, who are also affected by these plans, then the ruling party has a single seat out of 11 contested in the elections. The Farley ward, which is partially inside the noise contour lines, did not hold elections.</p> <p>It should further be noted that the Chair of Luton Rising, who is a vocal supporter of airport expansion was moved from Luton South, which is under the flight path, to a safe seat at Farley that was not contested.</p>	Noted

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		<p>Only one councillor director of Luton Rising has declared an interest in a property within the noise contour lines of the airport. We have failed to establish whether the councillor lives there or rents out the property.</p> <p>Director board meetings are held in secret with no publicly available minutes. Even the dates of the meetings are withheld.</p> <p>The principal opposition group on the Council, who have publicly stated that they oppose Wigmore Park being used for airport expansion and the loss of any public parks, won all the seats bar one out of the five wards.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Community and Stakeholder Engagement</p>	<p>The application Due to the sheer number of pages and reports submitted by the applicant and the short timescales allowed to digest the information, we believe that opposition groups are at a distinct disadvantage making the whole process uneven, but we accept this is what the government has allowed.</p> <p>In the case of FoWP, we refer to a very limited amount of submitted documents for the above</p>	<p>Noted. The Applicant sought to make the application documentation as accessible as possible, by providing executive summaries for larger documents and through the provision of a Non-technical Summary [APP-165] as part of the Environmental Statement. It accepts however that there is a large amount of information to digest, as is the case with any application for development consent. The Applicant does not agree that it has embellished</p>

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		<p>reasons in our written submission, but we have read enough to see errors, blatant embellishments, a lack of clarity, false information and contradictions, as clearly different people have written different reports.</p>	<p>or provided false information within the application documents.</p>
<p>Friends of Wigmore Park REP1-060</p>	<p>Community and Stakeholder Engagement</p>	<p>Sift process and consultations 1.2 Overview of the sift process <i>1.2.4 We currently see this as a three stage process as follows:</i> <i>Sift 1 - the purpose of the first sift, carried out during the autumn/winter of 2017 was to undertake an initial appraisal of the long list of options to produce a short list of preferred options to recommend to the LLAL Board. Options were considered against a set of high level, qualitative criteria and either recommended for further consideration and design development, or discontinued to avoid abortive work. This stage has been completed and is the subject of this report.</i> <i>Sift 2 – a further round of appraisal was undertaken in the early spring of 2018 for full details of which please see the Sift 2 report.</i> <i>Sift 3 – following non-statutory consultation and consideration of stakeholder and community feedback, alongside additional</i></p>	<p>The Applicant is of the view that it has fully complied with the pre-application consultation requirements of the Planning Act 2008, and it notes that this was confirmed by the Planning Inspectorate in its decision to accept the application for examination, having regard to adequacy of consultation representations from host and neighbouring local authorities. It is standard practice in the DCO process not to record verbal feedback at consultation events as formal feedback for the purposes of the statutory requirements, and the Applicant believes it made the process for providing formal feedback clear to attendees at all consultation events.</p> <p>The Applicant notes that take-home copies of the Consultation Brochure were readily available at the consultation events and where requested, attendees were also permitted to take away hard copies of documents from the wider suite of consultation material. The Applicant notes in particular that Friends of Wigmore Park</p>

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		<p><i>technical work, it is proposed that a third round of the sift process will be undertaken to identify the preferred option to take forward in the DCO application.</i></p> <p>The consultations AS-048 [TR020001-000928-6.01]-Consultation Report Revision-1</p> <p><i>6.14 Analysis of feedback</i></p> <p><i>6.14.1 In accordance with Section 49 of the Act, the duty to take account of responses, after the consultation had closed all feedback received was analysed. The approach for analysing feedback received in the 2022 statutory consultation was the same as that for the 2019 statutory consultation as described in Section 4.14 with the following differences:</i></p> <p><i>In 4.14 with the following differences: a. no feedback was received via telephone in 2022 so this did not need to be transcribed into the master database; and b. responses from Prescribed Consultees and local authorities were all copied into the 'due regard' tables verbatim rather than firstly being coded by the external company.</i></p>	<p>requested a complete set of the consultation material in hard copy at the end of the consultation period, which the Applicant agreed to provide.</p> <p>Photos of the consultation material were permitted at the events. The Applicant only requested that no photos were taken of members of the project team, or other members of the public in `attendance.</p>

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		<p>The 6.14.1 statement is incorrect. Only written feedback was analysed and not all feedback. Despite there being 14 consultation events, of which FoWP visited many, we noted that no one was taking notes from Luton Rising or the project team. It was a case of justifying their proposals rather than listening and noting verbal feedback from those that did not wish or could not fill out forms.</p> <p>The document fails to mention that at public consultation events the public were banned from taking photographs of the presentation posters despite it being difficult for members of the public to retain what they had seen and read. This was important for those without internet access and who did not wish, or were not offered, documents to take away.</p>	
Friends of Wigmore Park REP1-060	Need Case Planning	<p>10 Scheme Changes In Response To 2018 Non-Statutory Consultation <i>10.2.5 In response to further technical work and these concerns, the Applicant reduced the proposed passenger numbers from 36 – 38 to 32 mppa.</i></p>	Any future growth beyond 32 mppa would need to be subject to a separate application and is not relevant to the consideration of this application for development consent.

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>We were informed in a tip off, that the real reason for the reduction was not public concerns but that the applicant had discovered that they would be liable for M1 upgrades that extended beyond Junction 10 if the application was above 32 mppa. By putting in an application for 32 mppa Luton Rising or the airport operator could then put in a separate application, at a future date, for an additional 4 to 6 mppa that would be decided by Luton Borough Council, who ultimately own the airport. This requires further investigation by the inspectors by questioning the applicant</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Community and Stakeholder Engagement</p>	<p>Wigmore Valley Park <i>10.2.12 Responses from the 2018 non-statutory consultation suggested that further consideration should be given to retaining more of Wigmore Valley Park.</i> <i>10.2.13 As a result, the Applicant explored an option that entirely avoided the park. However, it was concluded that this would not be viable due to this option requiring substantial development in the Green Belt and compulsory acquisition of third party land. Further information on the sifting process can be found in the Design and Access Statement [TR020001/APP/7.03].</i></p>	<p>As part of Sift 2 the short-listed options from Sift 1 were developed further and an emerging preferred option identified subject to the results of the consultation as described in Consultation Report, page 19 [APP-174]. The Sift 1 and Sift 2 reports were available at the consultation in 2018. At the consultation the Applicant was seeking feedback on the options reviewed within the sift documents and the emerging preferred option before developing this option further and this is why question 4b within Consultation Report [APP-174] was asked.</p>

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		<p>AS-049 [TR020001-000987-7.03] Design-and-Access-Statement-Volume-I-Revision-1 <i>4.3 Sift 2 (winter/spring 2018)</i> <i>4.3.2 Option 2, which represents a new terminal building and all associated infrastructure south of the existing runway, was discontinued due to the entirety of land required to deliver all buildings and infrastructure being within the Green Belt</i></p> <p>APP-174 [TR020001-000619-6.02] Consultation Report Appendix A <i>Non-Statutory Consultation Materials and Feedback Report Non-Statutory Consultation Feedback Report February 2019</i> <i>Question 4B pdf page 48</i> <i>We think that development to the north side of the runway is the most appropriate solution for making best use of the existing runway at London Luton Airport. Our proposal is therefore to focus on options to the north of the runway and discontinue the south option at this stage. Do you agree? Please tick one box.</i></p> <p>As stated in AS-048 10.2.13 and again in AS-049 4.3.2 this option had already been rejected</p>	<p>As explained within section 4.5 in Design and Access Statement [AS-049] changes to the options under consideration at Sift 3 were made to take account of views expressed during consultation in 2018. The Sift 3 options were assessed and the preferred option from the Sift 3 process was taken forward to consultation in 2019.</p> <p>The development of the Luton DART to serve the existing terminal was subject to its own planning application and considered at that time by the planning authority. The extension of the Luton DART to serve the proposed Terminal 2 was a consideration within the options and Sift process.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>in Sift 2 yet the public were being asked to express an opinion in Sift 3.</p> <p>Also, work had already started on the DART to serve the north of the airport.</p> <p>The DART is a key component in the application for airport expansion but was not required for an 18 million passenger capped airport. This cap was reached and in fact exceeded in 2019 when *Civil Aviation Authority (CAA) figures showed Luton reaching 18.2million passengers some four years before the DART opened. (*The Civil Aviation Authority are a public corporation, established by Parliament in 1972 as an independent specialist aviation regulator).</p>	
<p>Friends of Wigmores Park REP1-060</p>	<p>Surface Access</p>	<p>The then existing alternative Thameslink-funded shuttle bus provided a 24/7 zero cost solution for passengers to travel between the airport terminal and Luton Airport Parkway while the DART cost Luton Rising £309m after several revised cost increases and 18 months of delays. The DART was only required for access to a second terminal and inter-terminal transfer.</p>	<p>The Luton DART was subject to its own planning application and considered at that time by the planning authority.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>The DART was approved by Luton Borough Council in June 2017 with construction work starting in April 2018. The location and route and the DART Central Terminal Station were carefully planned so that the track could be easily extended to a second terminal on Wigmore Valley Park</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Community and Stakeholder Engagement</p>	<p>Achievements in Luton April – June 2018 A ground-breaking ceremony at the site of the Luton DART marked the official start of the works on the state-of-the-art £225m fast transit system. The DART will link London Luton Airport with Luton Airport Parkway station in just under 4 minutes.</p> <p>Work was started on the DART despite public consultations on the Sift process having not commenced, which contained an option for a terminal south of the runway.</p> <p>We also consider the consultation questions to be loaded in favour of the applicant as there was no option to reject airport expansion unless the public added a separate comment.</p>	<p>The Luton DART was subject to its own planning application and considered at that time by the planning authority. The extension of the Luton DART to serve the proposed Terminal 2 was a consideration within the options and Sift process for the Proposed Development, and was subject to public consultation during the pre-application stage of the DCO process.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>The following is an example of a question asked:</p> <p><i>To allow us to understand your priorities with regard to the potential benefits of the expansion proposal, how important are the following to you? Please rank the following in order from 1 to 7, where 1 is the least important and 7 is the most important to you. Please tick one box per row and one box per column.</i></p> <ul style="list-style-type: none"> • <i>Ability to attract new jobs and economic growth into the area.</i> • <i>Ability to support key local services through Luton Council.</i> • <i>Ability to support important charitable and voluntary organisation services through the LLAL Community Fund in areas impacted by airport operations.</i> • <i>Locally-convenient air travel to a greater range of destinations.</i> • <i>Ability to support growth of the UK economy.</i> • <i>Ability to contribute to meeting the increasing national demand for air travel</i> 	

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<i>Ability to maintain competitive charges for airlines and customers</i>	
Friends of Wigmore Park REP1-060	Community and Stakeholder Engagement	<p>Summary of objection and key points Only written feedback was analysed and not all feedback.</p> <p>In the 2019 non-statutory consultations people were consulted on an option that had already been rejected as part of Sift 2 in 2018 where it was identified that option 1a was the preferred option.</p> <p>The principle reasons for a reduction from 36-38 to 32mppa had nothing to do with public concerns but the cost of upgrading the M1 beyond junction 10 if a figure above 32m was submitted.</p> <p>Options 1a, 1b and 1c all involved building a terminal on Wigmore Park using the same proposed access roads, which would be served by the DART that was already under construction.</p>	Please refer to the responses set out above.

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		The Sift process leading to the consultations offered no genuine alternative locations or road access routes.	
Friends of Wigmore Park REP1-060	Surface Access	<p>Breach of the Local Plan adopted 2017 <i>APP-203 [TR020001-000816-7.02] Transport Assessment - Part 1 of 4 (Chapters 1-4)</i> <i>4.14 Luton Borough Council Local Plan 2011-2031 (adopted November 2017) (Ref 4.19)</i> <i>4.14.1 The current Local Plan includes two policies related to the airport. Policy LLP6 - London Luton Airport Strategic Allocation states in Clause D (in relation to access to Century Park): Details of the proposed access, which shall be via the extension of New Airport Way (which connects the airport to M1 J10A) and shall link Percival Way through to Century Park, such access shall be designed so as to ensure that no use is made of Eaton Green Road to provide access to Century Park or the Airport, except for public transport, cyclists, pedestrians and in case of emergency.</i></p> <p>The inclusion of this statement into the last two Luton Local Plans was made as it was recognised that an access road from Eaton Green Road on to a developed Wigmore Park</p>	The Applicant considers that the issue raised regarding the Breach of the Local Plan adopted 2017 was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>or for airport access would act as a magnet for any vehicular traffic heading to or from the East of England. It was recognised that this would result in unacceptable amounts of traffic using residential roads where there are no A or B classified roads.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Surface Access</p>	<p><i>AS-074 [TR020001/APP/5.01APFP] Regulation: 5(2)(a) Revision 1 Work No. 3b – Terminal 2</i></p> <p><i>4.7.14 A new passenger terminal building (T2) would be provided, comprising a main building and two piers which would interface with the aircraft parking stands, and aprons, to the south. T2 would be accessed from the north, either by rail (Luton DART) or public/private road vehicles via a Drop off Zone. A plaza would be provided immediately north to provide a pedestrian friendly point of entry to the terminal and meet security standards. It is anticipated that T2 would be delivered over assessment phases Phase 2a and 2b.</i></p> <p>4.7.14 states that access from the north for T2 would be through residential housing estates via Eaton Green Road, which breaches the Luton Local Plan.</p>	<p>The Applicant considers that the issue raised regarding access routes to the Airport and the Breach of the Local Plan adopted 2017 was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>In mitigation the applicant has identified locations in the small residential area of Wigmore where they propose to install seven sets of traffic lights, plus an additional three sets, for new junctions where at the moment the residential areas of Wigmore has no traffic lights.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Surface Access</p>	<p><i>APP-200 [TR020001-000820-7.02] Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) PDF page 11</i></p> <p>This page shows a plan of the highway mitigation locations in Luton but looking at Wigmore, only five locations are identified.</p> <p>Detailed plans show seven sets of mitigation traffic light installations in Wigmore at the junctions of:</p> <ul style="list-style-type: none"> • Lalleford Road/Eaton Green Road (page 27) • Crawley Green Road/Wigmore Lane (page 29) • Raynham Way/Wigmore Lane/Twyford Drive (page 29) • Wigmore Lane/ASDA (page 30) 	<p>It is noted that the Raynham Way/Wigmore Lane/Twyford Drive and Wigmore Lane/ASDA have not been shown on LLADCO-3C-ARP-SFA-SWI-DR-CE-0001 in the Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) [APP-200] however the details of the proposed mitigation measures are included at:</p> <ul style="list-style-type: none"> • Raynham Way/Wigmore Lane/Twyford Drive (LLADCO-3C-ARP-SFA-SWI-DR-CE-0012 in the Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) [APP-200]) • Wigmore Lane/ASDA (LLADCO-3C-ARP-SFA-SWI-DR-CE-0013 in the Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) [APP-200])

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<ul style="list-style-type: none"> • Wigmore Lane/Wigmore House/Eaton Green Road (page 30) • Eaton Green Road/Frank Lester Way (page 31) • Crawley Green Road/Lalleford Road (page 35) <p>Additional new junction traffic lights within Wigmore and close to residential areas are at:</p> <ul style="list-style-type: none"> • Eaton Green Road Link/Airport Access Road (page 39) • Keeble Close/Eaton Green Road/Eaton Green Link Road (page 30) • Frank Lester Way/Airport Access Road (page 51) <p>The proposed additional airport access route via an Eaton Green Road link directly passes Queen Elizabeth School (formerly known as Ashcroft School) and Wigmore Primary School. The section outside ASDA and Wigmore House is planned to be widened to four lanes.</p> <p>This application does not acknowledge or make reference to car satellite navigation systems.</p>	<p>The Applicant considers that the issue raised regarding access routes to the Airport and use of satellite navigation systems was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>Car navigation systems both integral and standalone that are licenced, owned or built by Garman, Tom Tom, Apple, Microsoft and Google Maps have been individually tested by inputting Keeble Close as a destination or the Luton Tidy Tip, if available and accurately located, with a starting or ending point of Hitchin via the A505. The A505 is the road that takes traffic to the A1M for north east bound traffic or East Anglia and is subject to upgrading in this application to increase capacity at various points.</p> <p>Keeble Close is opposite the proposed Eaton Green Link Road while the Tidy Tip will be parallel to the link road. All navigation systems used the shortest and quickest route via Ashcroft Road and Wigmore Lane while ignoring Vauxhall Way before joining with the official mitigated route at the junction of Wigmore Lane and Crawley Green Road.</p> <p>This alternative route, preferred by all navigation systems, routes traffic via a non-mitigated route that passes Someries Primary School.</p>	

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>[see pages 39-40 and 41-42 of Written Representation for Appendices A and B, respectively]</p> <p>Without this breach of the Local Plan, traffic would follow the A505 via Vauxhall Way, which is planned to become a dual carriageway so avoiding residential areas to get to the airport.</p> <p>The mitigation proposals have been made to allow a substantial increase in road traffic to the detriment of local communities through residential areas for airport access that would not be needed if the Local Plan was followed.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Surface Access Planning</p>	<p><i>AS-078 [TR020001-000668-5.01} Environmental Statement Chapter 13 Health and Community Revision 1</i></p> <p><i>13.8 Embedded and good practice mitigation measures</i></p> <p><i>13.8.1 This section describes the embedded and good practice mitigation for health and community that has been incorporated into the Proposed Development design or assumed to be in place before undertaking the assessment. A definition of these classifications of mitigation and how they are</i></p>	<p>The Applicant considers that the issue raised regarding the access routes to the Airport was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p><i>considered in the EIA is provided in Chapter 5 Approach to the Assessment of this ES [TR020001/APP/5.01].</i></p> <p><i>13.8.2 All embedded and good practice mitigation measures identified by other topics have been taken into account in this assessment. Embedded and good practice mitigation measures of particular relevance to the health and community assessment are contained in the following chapters of this ES: Chapter 7 Air Quality, Chapter 11 Economics and Employment, Chapter 14 Landscape and Visual, Chapter 16 Noise and Vibration, Chapter 18 Traffic and Transportation of this ES [TR020001/APP/5.01], and Appendix 5.2 Light Obtrusion Assessment, and Appendix 4.2 CoCP of this ES [TR020001/APP/5.02].</i></p> <p><i>13.8.3 Key measures particularly relevant to health and community effects are summarised below with the topic in which they are identified in brackets:</i></p> <p><i>a. use of the new Airport Access Road (AAR) to provide routes for operational road traffic and construction traffic, away from sensitive receptors (Chapter 7 Air Quality of this ES [TR020001/APP/5.01]);</i></p>	

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		<p>13.8 and particularly 13.8.3 mentions good practice mitigation while completely ignoring traffic using the proposed Eaton Green Link Road via residential areas, as airport access through residential areas is not even mentioned. In doing so, the report makes a highly misleading and false statement by also just focusing on construction and operational traffic.</p> <p>It is to be noted that despite the breach of the Local Plan, a planning application for Century Park was approved by the Planning Committee.</p> <p>A serving Barrister, who we consider to be a person of integrity, in a resignation letter, and who was a member of that planning committee at that time, made the following comments about the planning committee in general:</p> <p>[see page 9 of Written Representation for excerpt].</p>	
Friends of Wigmore Park	Surface Access Planning	<p>Summary of objection and key points Luton Rising/LBC intend to breach their own Local Plan that was put in place to protect the</p>	The issue of mitigation locations has been addressed above.

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REP1-060		<p>residential areas of Wigmore, the former Crawley Ward and the Ashcroft Road area of Stopsley from excessive traffic and the issues that this will cause.</p> <p>Incorrect plans of mitigation locations have been published.</p> <p>Luton Rising/LBC, rather than putting in place measures to further protect these areas has put in plans to substantially increase traffic flows through residential areas to the detriment of residents and school children, whose schools will be either on or close to routes taken by traffic including HGVs and coaches heading to and from the airport so undermining the Council's own Local Plan.</p> <p>The final mile from the A505 to the Eaton Green link road involves passing multiple traffic light controlled junctions rather than proposing a free flowing access route with no interruption to traffic flows.</p> <p>Wigmore Lane will be widened to 4 lanes between Eaton Green Road and the junction of</p>	<p>The Applicant considers that the issue raised regarding access routes to the airport and the breach of the Local Plan adopted 2017 was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>Raynham Way/Twyford Drive in a further detriment to local residents.</p> <p>The submission also does not take into account that Satellite Navigation systems will use Ashcroft Road/Wigmore Lane as a shorter and quicker non-mitigated alternative route.</p> <p>That the planning committee routinely conducted business that was allegedly illegal due to widespread implicated corrupt practices</p>	
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space)	<p>Wigmore Valley Park <i>AS-078 [TR020001-000668-5.01]</i> <i>Environmental Statement Chapter 13 Health and Community Revision 1</i> 13.7.4 <i>Wigmore Valley Park is located to the north east of the airport and within the boundary of the Main Application Site. Wigmore Valley Park is comprised of recreational facilities, large open spaces, and areas of mixed density woodland. Land further to the east of Wigmore Valley Park is currently in agricultural use and would be used for the replacement open space for Wigmore Valley Park.</i></p>	The Applicant considers that the issue raised regarding Wigmore Valley Park was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 80, in response to RR-0472.

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p><i>13.7.5 Wigmore Valley Park is partly designated as a District Urban Park in the Luton Green Space Strategy Review (2014) (Ref. 13.50). Wigmore Valley Park is recognised to form part of the Luton Green Infrastructure Network. It is popular for dog walking and recreation, and includes mown open grassland, scrub grassland, woodland, allotments, a playpark, skate park, car park and a pavilion building. Wigmore Allotments are located within the north of the park and will not be directly impacted by the Proposed Development. The total existing area of open space at Wigmore Valley Park covers an area of 41.6ha (District Urban Park and Garden' (of 35.5ha) and 'Natural and Semi-Natural Greenspace').</i></p> <p>Wigmore Valley Park is one of Luton's largest parks containing both parkland and a County Wildlife Site. The County Wildlife site has impressive views to the east overlooking rolling countryside due to the park's elevated position.</p> <p>The County Wildlife Site (CWS) has a key role in the conservation of Luton's biodiversity and</p>	

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>is an important link in the Bedfordshire Living Landscape.</p> <p>Outside of statutorily protected areas (e.g. Sites of Special Scientific Interest (SSSI), Local and National Nature Reserves), CWSs are the most important areas for wildlife in Bedfordshire. CWSs can support both locally and nationally threatened wildlife species and habitats. In Bedfordshire, CWSs account for less than 7% of the county's area.</p> <p>Fields in Trust conducted a national public poll of the most popular parks in the UK. Wigmore Valley Park was voted the best park in Bedfordshire both in 2019 and 2022 and was a regional finalist for the East of England in both years.</p> <p>Wigmore Valley Park also had two independent Asset of Community Value orders put in place by Offley Parish Council and Kings Warden Parish Council and registered by Luton Borough Council.</p>	

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		<p>This is in recognition of the park as a well-used and loved community asset that aids the wellbeing of all communities. The Park also has a large area registered as an official 2nd tier UK biodiversity County Wildlife Site.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Local Environment (Wigmore Valley Park, Green Belt and Open Space)</p>	<p>Luton Borough Council Development Control document [19/01233/FUL] dated 02 December 2020.</p> <p>This document is regarding a development of houses on Wandon Park situated one mile north of Wigmore Park with the Council proposing to use land in Hertfordshire as replacement open space. The points raised in this document are also relevant to Wigmore Valley Park and as such are submitted as evidence.</p> <p>The following is from the above linked Luton Borough Council committee report:</p> <p><i>64. It is important to note that the local plan policies were developed and examined with consideration given to green spaces that only exist within the town (other than cross boundary strategic green infrastructure</i></p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 80, in response to RR-0472.</p> <p>It has not been claimed that it is 'Luton Open Space' but is accessible to people from Luton as well as the surrounding area. Any attempt to replace the open space in Luton would mean it would be disconnected from the existing space. The entrance to Wigmore Valley Park will remain as existing and can continue to be accessed from the same location. The north part of the park will remain, with replacement open space to the east rather than the south. An Open Space Assessment has been undertaken by the Applicant, and can be viewed at Appendix C of the Planning Statement [APP-197].</p>

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p><i>networks). Consideration of lower-level cross boundary open spaces therefore deviates from the fundamental basis on which the development plan was created. The proposed replacement park will therefore count towards open space provision in North Hertfordshire, not Luton. The proposal represents a gross loss of open space in Luton and, in quantitative terms, no gain within the Borough of Luton. Indeed, as the replacement neighbourhood park will lie outside of the Borough of Luton it will not be possible through the jurisdiction of Luton Borough Council to allocate this replacement park a neighbourhood park as part of any revisions to the Local Plan.</i></p> <p>This document acknowledges that land outside the borough of Luton, despite being under the jurisdiction of Luton Borough Council, cannot be classed as Luton open space. There is no mention that the replacement Wigmore Park cannot be included as Luton Borough Council designated open space in the DCO submission.</p>	
Friends of Wigmore Park	Local Environment	<p>Local Plan adopted 2017 <i>10.28 County Wildlife Sites (CWS – see Glossary) represent the principal components</i></p>	The Applicant considers that the issue raised regarding Wigmore Valley Park was answered within the Applicant's Response to Relevant

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
REP1-060	(Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>of the ecological network in the borough, (formerly known as 'Prime Sites of Nature Conservation Interest') and they were reviewed in 2012 by the independent panel applying DEFRA criteria and guidelines. An additional CWS was recognised at the land tenanted by the Sunshine Riding Stables. Recognition as a CWS does not confer statutory protection of the site, nor any right of access. The 25 CWSs in Luton can be regarded as the 2nd tier of UK biodiversity site designations: Listed as: [21. Wigmore Valley Park]</i></p> <p><i>10.31 The following comprise District Parks (as identified in the Policies Map). 1. Legrave Park 2. Lewsey Park 3. Stopsley Common 4. Stockwood District Park 5. Wardown Park 6. Wigmore Valley</i></p> <p>The Local Plan designates Wigmore Valley Park as one of only six District Parks but one of only two District Parks that also contain a County Wildlife Site in Luton.</p>	Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] , page 80, in response to RR-0472.
Friends of Wigmore Park	Local Environment	<i>2.28 The town's green spaces and green infrastructure network including the River Lea and other open areas need to be protected and</i>	The Proposed Development will result in an increase in public open space as set out in the Open Space Assessment at Appendix C to the

Interested Party Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
REP1-060	(Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>enhanced for wildlife and accessibility for formal and informal recreation which bring important benefits in terms of health and wellbeing.</i></p> <p>This application does not meet the objectives of point 2.28</p>	<p>Planning Statement [APP-197]. The Applicant believes the Proposed Development is in accordance with all national aviation policy, national planning policy and the relevant development plan documents when taken as a whole as set out in the Planning Statement [AS-122].</p>
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>3.8 Luton will respect its classic Chilterns gap town setting in the steep-sided upper valley of the River Lea, characterised in parts by the Chilterns Area of Outstanding Natural Beauty, Luton Hoo and surrounded by the Green Belt. Luton will protect and enhance its networks of parks, heritage, waterways and natural features which will continue to provide integral multi-functional open space, leisure opportunities and benefits to health and wellbeing in a densely populated Borough</i></p> <p>This application does not meet the objectives of point 3.8</p>	<p>Impacts on Landscape and Heritage are assessed in Chapters 14 [AS-079] and 10 [AS-077] of the Environmental Statement respectively. The Applicant believes the Proposed Development is in accordance with all national aviation policy, national planning policy and the relevant development plan documents when taken as a whole as set out in the Planning Statement [AS-122].</p>
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley	<p><i>(Page 78) Strategic Objective 10: Improve, protect and enhance biodiversity of natural areas within the town, including the quality, accessibility, health and recreational value of green space, the River Lea Corridor, the</i></p>	<p>Impacts on Landscape are assessed in Chapter 14 [AS-079] of the Environmental Statement. The Applicant believes the Proposed Development is in accordance with all national aviation policy, national planning policy and the</p>

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	Park, Green Belt and Open Space) Planning	<p><i>Chilterns Area of Outstanding Natural Beauty (AONB), the Areas of Great Landscape Value (AGLV) and Areas of Local Landscape Value (ALLV) and their connectivity</i></p> <p>This application does not meet the objectives of the Strategic Objective 10</p>	relevant development plan documents when taken as a whole as set out in the Planning Statement [AS-122] .
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>4.13 A key component of the spatial strategy is the continued protection and enhancement of the borough's heritage and natural assets including open space of recreational value and the remaining Green Belt. The current provision of green spaces is below standard by typology and is unevenly distributed (particularly in the West and Central areas) as set out in the Green Space Strategy Review 2014. Green spaces are protected in Policy LLP27 which requires new or enhanced multi-functional green space to be provided in accordance with standards set out in Appendix 11.</i></p> <p>This application does not meet the objectives of point 4.13</p>	<p>The Proposed Development will result in an increase in public open space as set out in the Open Space Assessment at Appendix C to the Planning Statement [APP-197].</p> <p>Impacts on the Green Belt are considered in the Green Belt Assessment at Appendix B to the Planning Statement [APP-196].</p> <p>The likely significant environmental effects of the Proposed Development are considered in Chapter 10 of the Environmental Statement [AS-077] and a Heritage Assessment is provided as Appendix D to the Planning Statement [APP-198].</p> <p>The Applicant believes the Proposed Development is in accordance with all national aviation policy, national planning policy and the</p>

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			relevant development plan documents when taken as a whole as set out in the Planning Statement [AS-122] .
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>Policy LLP27 - Open Space and Natural Greenspace</i></p> <p><i>The Council will work with developers landowners and stakeholders and support proposals that safeguard and enhance existing networks of open space (including the District and Neighbourhood Parks identified in the Policies Map) and establish new green infrastructure within the borough in accordance with standards established in the Green Infrastructure, Nature Conservation and Greenspace Strategies(including for recreation and biodiversity).</i></p> <p>This application does not meet the objectives of LLP27, as the policy states that new green infrastructure is to be within the Borough of Luton while the additions to Wigmore Park are mainly outside the Borough. The policy also mentions safeguarding and enhancing existing open space.</p>	The Proposed Development will result in an increase in public open space as set out in the Open Space Assessment at Appendix C to the Planning Statement [APP-197] and this accords with the principles of Policy LLP27.
Friends of Wigmore Park	Local Environment	<i>Loss of Open Space</i>	The Applicant considers that the issue raised regarding Wigmore Valley Park was answered

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REP1-060	nt (Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>A. Development proposals which result in the loss of open space, parks, allotments, important green space and green infrastructure will only be permitted where the most up-to-date evidence demonstrates that the open space is not in an area of identified deficit in the locality, and is surplus to requirements. Exceptionally losses will also be permitted where: i. replacement open space provision can be made which is of an equivalent type, quality and quantity or better; and is accessible and within the vicinity; or ii. the proposal is for alternative or ancillary sports and recreational provision, the need for which clearly outweighs the loss.</i></p> <p>This application does not meet the objectives in Section A of LLP27, as there is no intention to replace Wigmore Park's major County Wildlife Site. Existing areas of Wigmore and the former Crawley Ward, now part of Vauxhall Ward, will not be in walking distance of the new area.</p>	<p>within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 80-82, in response to RR-0472.</p> <p>The entrance to Wigmore Valley Park will remain as existing and can continue to be accessed from the same location. The north part of the park will remain, with replacement open space to the east rather than the south.</p> <p>Point i. quoted is exactly what the proposed Replacement Open Space does achieve.</p>
Friends of Wigmore Park	Local Environment (Wigmore)	<p><i>Development on Open Space</i></p> <p><i>B. Development will only be permitted on parks, playing fields and other outdoor sports facilities, allotments or other important green</i></p>	<p>The Proposed Development will result in an increase in public open space as set out in the Open Space Assessment at Appendix C to the</p>

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REP1-060	Valley Park, Green Belt and Open Space) Planning	<p><i>spaces shown on the Policies Map, where development is ancillary, complementary and limited in scale securing the efficient and effective use of the existing green space.</i></p> <p>This application does not meet the objectives in section B of LLP27</p>	Planning Statement [APP-197] and this accords with the principles of Policy LLP27.
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space) Biodiversity	<p><i>AS-074 [TR020001-000814-5.01] Environmental Statement Chapter 4 The Proposed Development Revision 1</i></p> <p>Table 4.2 states that phase 1 will see the removal of 396,500m² of vegetation and 18,000m² of trees.</p> <p>Phase 2a will see the further removal of 810,000m² of vegetation and 52,000 m² of trees</p> <p>Phase 2b sees 336,000m² of vegetation and 12,000m² of trees. Totals for the 3 phases come to 1,152,500m² of vegetation clearance and 82,000m² of mature tree clearance. Most of this vegetation and tree loss occurs either in Wigmore Park or the open space adjoining Wigmore Park that the public already has</p>	Noted. The Applicant considers that the issue raised regarding orchids was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 86, in response to RR-0472.

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		access to and that is within the boundary of Luton Borough Council.	
Friends of Wigmore Park REP1-060	Local Environment (Wigmore Valley Park, Green Belt and Open Space) Planning	<p><i>APP-172 [TR020001/APP/5.10] Strategic Landscape Masterplan</i></p> <p>Page 7 marked B. Over half of this replacement Open Space is not in the Borough of Luton and is under the planning control of North Hertfordshire District Council. This land was used for food production until Luton Rising purchased the land.</p> <p>Page 7 marked C and is designated for additional mitigation planting after 2032, as part of phase 2a. This is prime farmland that will be taken out of food production. This land is fully inside Hertfordshire and owned by Luton Rising.</p> <p>Page 7 marked D. The area to the north of Wigmore Park is shown as land for hedge restoration. This land is not owned by Luton Rising with much of the land outlined already having planning permission for housing development while another large area is subject to a current planning application. This</p>	<p>It has not been claimed that it is 'Luton Open Space' but is accessible to people from Luton as well as the surrounding area. Any attempt to replace the open space in Luton would mean it would be disconnected from the existing space. The entrance to Wigmore Valley Park will remain as existing and can continue to be accessed from the same location. The north part of the park will remain, with replacement open space to the east rather than the south. An Open Space Assessment has been undertaken by the Applicant, and can be viewed at Appendix C of the Planning Statement [APP-197].</p> <p>The area mark C referred to will be habitats provided in assessment Phases 1 and 2a to compensate for habitat lost and ensure an overall biodiversity net gain for the Proposed Development. Areas of this habitat will be converted to grazing and the impact on Agriculture has been assessed and reported in Chapter 6 of the Environmental Statement [APP-033].</p>

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		<p>current planning application will join Tea Green, Breachwood Green and Darley Hall. As such, plans marked D to the north and east of B and C should be disregarded as the proposal is not owned or under the control of Luton Rising or the planning authority of Luton Borough Council.</p>	<p>The hedgerow restoration in the area referred to is for landscape and visual mitigation. Appropriate rights to undertake works in these areas will be secured by the DCO. Should other development in these areas result in this work not being required, they would not be delivered.</p> <p>These works are part of the Proposed Development for which consent is being sought and can not be disregarded.</p>
<p>Friends of Wigmore Park REP1-060</p>	<p>Local Environment (Wigmore Valley Park, Green Belt and Open Space) Biodiversity Planning</p>	<p>Summary of objection The application involves a major loss of public open space in the Borough of Luton when it is recognised that Luton is already short of public open space.</p> <p>The applicant has ignored the fact that Wigmore Valley Park including its CWS has been voted twice as the best park in Bedfordshire in a public vote and that Wigmore Valley Park has been independently registered also twice as an Asset of Community Value by surrounding Parishes.</p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023], page 80-82, in response to RR-0472.</p> <p>The application takes full account of the impacts resulting from the loss of habitats and open space and provides appropriate mitigation and replacement habitat and open space as part of the Proposed Development. Reference should be had to Chapter 14 of the Environmental Statement [AS-079] and Open Space Assessment at Appendix C of the Planning Statement [APP-197].</p>

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		<p>100% of Wigmore Park's large Tier 2 County Wildlife Site will be destroyed and will not be replaced in the replacement Wigmore Park.</p> <p>82,000m2 of mature trees will be cleared.</p> <p>1,152,000m2 of vegetation will be removed, much of which is in Wigmore Park.</p> <p>The proposed location of the "new" Wigmore Park is not in walking distance of the former Crawley Ward or much of Wigmore Ward and does not offer the diversity of landscapes and habitats or a County Wildlife Site that the existing park provides.</p> <p>Luton Borough Council Development Control document [19/01233/FUL] dated 02 December 2020 states that land outside Luton's boundary cannot count as Luton open space.</p> <p>The loss of much of the park breaches the objectives of the Luton Local Plan in sections: 2.28, 3.8, 4.13</p> <p>Strategic Objective 10 Policy LLP27</p>	<p>The entrance to Wigmore Valley Park will remain as existing and can continue to be accessed from the same location. The north part of the park will remain, with replacement open space to the east rather than the south.</p> <p>Should the DCO be granted the Proposed Development can be delivered as consented, including all mitigation in respect of open space and landscape.</p>

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		The Strategic landscape Masterplan cannot be adhered to.	
Friends of Wigmore Park REP1-060	Climate Change	<p>Pollution and net zero <i>Opening page from the House of Commons Library</i> <i>The aviation industry has been under long-term pressure to reduce its contribution to climate change. In 2019, domestic and international aviation accounted for around 8% of UK CO2 equivalent emissions.</i></p> <p><i>Under the Climate Change Act 2008 the UK is required to have net-zero greenhouse gas emissions by 2050.</i></p> <p><i>However, aviation is widely recognised as both one of the most carbon-intensive forms of transport and one of the most difficult to decarbonise. This means that aviation could well be the largest contributor to UK greenhouse gas emissions by 2050, particularly if demand continues to grow.</i></p>	<p>Noted. Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038] presents the assessment of greenhouse gas (GHG) emissions from Proposed Development. In March 2023 (Ref 12) the Government stated that at #197 "We remain committed to growth in the aviation sector where it is justified. Our analysis in the Jet Zero Strategy shows that the sector can achieve net zero carbon emissions from aviation without the government needing to intervene directly to limit aviation growth. Our scenarios show that we can achieve our targets by focusing on new fuels, technology, and carbon markets and removals with knock-on economic and social benefits. Our 'high ambition' scenario has residual emissions of 19 MtCO₂e in 2050, compared to 23 MtCO₂e residual emissions in the CCC's Balanced Pathway.</p> <p><i>Airport growth has a key role to play in boosting our global connectivity and levelling up in the UK. Our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within</i></p>

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		<p>The Climate Change Committee (CCC) spelled it out again (URL checked and working 22:02 19th August 2023).</p> <p>In June 2023 that flying accounted for 7% of UK carbon emissions last year, the trend is upwards, and more airport capacity is “incompatible” with national net zero targets.</p> <p>The committee noted in its 2023 progress report that airports have since been racing to expand. This time, hammering it home, the CCC says that no expansion at all should go ahead until the government sorts out a proper way to manage it.</p> <p>Until then, Luton is dashing for a share of the growth that the industry’s own roadmap deems “sustainable”, thanks to the promise of future technologies and offsetting. With this application the applicant is trying to convince this Inquiry that action is being taken, rather than real-world outcomes.</p> <p>Luton Rising is pledging to reach net zero, by focusing on renewable energy and electric</p>	<p><i>our strict environmental criteria. We do not, therefore, consider restrictions on airport growth to be a necessary measure.”</i></p> <p>In the light of the Jet Zero – One Year On report published by the Department for Transport in July 2023 (Ref 10), there is no reason to expect the Government’s response to the latest report from the Committee for Climate Change to be any different from that given in March 2023 (Ref 12).</p>

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		<p>vehicles with legally binding agreements that it will set and that will be achievable.</p> <p>This is undermined by the aircraft that fly into and out of Luton Airport. With more passengers squeezed into more fuel-efficient aircraft, there is progress – per capita. But the environmental benefit only comes, as it shouldn't need eminent scientists to point out, if the growing numbers of passengers don't outstrip the savings. With Luton Rising planning to nearly double the size of the airport, carbon emissions will substantially rise.</p>	
<p>Friends of Wigmore Park</p> <p>REP1-060</p>	<p>Air Quality</p>	<p><i>Luton Borough Council Air Quality Action Plan In fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management December 2017</i></p> <p><i>2. Summary of Current Air Quality in Luton Luton Borough Council is a unitary authority in Bedfordshire with an estimated population of 214,700 (2015) in an area that covers 4336 hectares.</i></p> <p><i>The borough is densely populated and traversed by the M1 motorway running north/south on its western side, and London</i></p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 Non-Statutory Organisations [REP1-023] page 83, in response to RR-0472 and others.</p> <p>The Applicant considers that the issue raised regarding the health impacts, was answered within the Applicant's Response to Relevant Representations Part 2A of 4 Local Authorities [REP1-021] page 24-25, in response to RR-0558 and others.</p>

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		<p><i>Luton Airport at the south east of the borough. A recent report by Public Health England estimated that in Luton, 86 deaths were attributable to particulate air pollution per annum with 1,004 associated life-years lost. Luton has a higher percentage of adult deaths (5.8%) related to long term exposure to air pollution than England (5.1%).</i></p> <p><i>The main source of air pollution in Luton is road traffic, particularly on the M1 motorway and congested Town Centre streets. Other sources include London Luton Airport and local industry, which is distributed in pockets around the borough.</i></p> <p>The above Council report dated December 2017 acknowledges that the airport and by inference aircraft flying into and out of the airport, together with cars heading to and from the airport, are contributing to 86 lives lost in Luton with 1,004 associated life years lost.</p> <p>In 2021 and after Luton Rising had announced plans to expand the airport, Luton Borough Council updated its climate change action plan. The report set no targets for its airport or airlines operating out of the airport referring</p>	<p>The Applicant considers that the issue raised regarding the odour impacts, was answered within the Applicant's Response to Relevant Representations Part 1 of 4 [REP1-020] page 9, in response to RR-06277 and others.</p> <p>The air quality assessment (Chapter 7 Air Quality [AS-076] of the ES) provides an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the relevant local authorities. The assessment concludes that the impact of the Proposed Development would be not significant.</p>

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		<p>instead to potential contributions from the airport and EasyJet to an offset fund (Ref 8.2 and 8.3) The word "aircraft" is not even mentioned in the report.</p> <p>It should be noted that departures from runway 25 and approaches to runway 07 fly over and close to densely inhabited areas of Luton with the aircraft track less than a mile from Luton's town centre leaving residents' cars with residue, as a visual indication of pollution in certain weather conditions.</p> <p>While this planning application sets targets to make the airport carbon neutral, it ignores the pollution created by the aircraft using the airport. It also fails to provide any evidence that pollution.</p> <p>will ever be stabilised, reduced or even controlled from aircraft operating into and out of Luton. Instead it mentions trials that are taking place with no guarantee of success or that there are enough resources to provide green aircraft fuels without having a major impact on, for example, food production.</p>	

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		<p>Associated with pollution is the smell of kerosene, which can linger for days, due to the prevailing winds. The wards of Wigmore and former Crawley Ward particularly suffer from drift from the airport aprons and taxiways due to stationary aircraft with engines running. The application has no meaningful solution apart from additional buildings that the wind will just pass over</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Climate Change Air Quality GCG</p>	<p><i>Section 63 Airport byelaws.</i></p> <p><i>(2) Any such byelaws may, in particular, include byelaws—</i></p> <p><i>(b) for controlling the operation of aircraft within, or directly above, the airport for the purpose of limiting or mitigating the effect of noise, vibration and atmospheric pollution caused by aircraft using the airport</i></p> <p>Summary of objection</p> <p>The application does not have a proposal to limit aircraft movements to net zero flights using sustainable fuels. In a report published by Luton Borough Council, they quote Public Health England estimating that in Luton, 86</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 Non-Statutory Organisations [REP1-023] page 83, in response to RR-0472 and others.</p> <p>The Applicant considers that the issue raised regarding the health impacts, was answered within the Applicant's Response to Relevant Representations Part 2A of 4 Local Authorities [REP1-021] page 24-25, in response to RR-0558 and others.</p> <p>The Applicant considers that the issue raised regarding the odour impacts, was answered within the Applicant's Response to Relevant</p>

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		<p>deaths were attributable to particulate air pollution per annum with 1,004 associated lifeyears lost. The application dismisses the smell of kerosene experienced by householders, together with the pollution and health risks associated with the fuel by breathing in this vapour over the course of many years. The application does not acknowledge how close some residential areas are to aprons and taxiways and offers no meaningful mitigation measures. The airport has no byelaws limiting pollution. That potential fuel-efficient aircraft will NOT offset emissions if those flights substantially increase. By ignoring the greatest source of pollution at Luton Airport the "Green Growth" commitment is very weak in its ambitions and commitments. Despite "Green Growth", pollution and emissions will still substantially increase if this application is approved.</p>	<p>Representations Part 1 of 4 [REP1-020] page 9, in response to RR-06277 and others.</p> <p>The air quality assessment (Chapter 7 Air Quality [AS-076] of the ES) provides an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the relevant local authorities. The assessment concludes that the impact of the Proposed Development would be not significant.</p> <p>The proposed approach to greenhouse gas emissions within Green Controlled Growth (GCG) is set out in the Section 3.4 of the GCG Explanatory Note [APP-217]. Careful consideration has been given to the approach to Scope 3 aviation emissions in the context of Government policy, including the Jet Zero Strategy and Aviation Strategy: Making Best Use policy (MBU) (Ref 13).</p> <p>MBU highlights that climate change issues are embedded in, and controlled by, national decision-making. This position on aviation emissions was previously tested and accepted</p>

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			<p>as part of planning appeals for both Bristol Airport and Stanstead Airport.</p> <p>National policy for the mitigation of aviation emissions is outlined in the Jet Zero Strategy. This strategy states that there is no need to restrict growth in air transport demand to enable the Government's climate change targets to be met.</p> <p>Given this position, it is not considered appropriate for these emissions to be controlled through the GCG Framework, and instead action to address carbon emissions from aviation should take place at a national level.</p> <p>However, actions to address aviation emissions through supporting these measures have been outlined in the Environmental Statement Appendix 12-1 Outline Greenhouse Gas Action Plan [APP-081], including operating policy/strategy to encourage uptake of more efficient aircraft and Sustainable Aviation Fuels (SAFs), as well as the provision of infrastructure to allow aircraft refuelling with SAFs by 2030.</p>

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Friends of Wigmore Park REP1-060	Surface Access	<p>Public Transport</p> <p>Throughout the application, the applicant has not offered any solutions regarding the lack of eastwest public transport options leaving passengers with no option but to drive or be driven by taxis, friends or relations. The DART serves principally the north-south route of the Thameslink/ East Midland Railways.</p> <p>The DART is the most expensive public transport link in the UK and costs £4.90 for a journey that typically takes just 2 minutes 38 seconds to cover 1.2 miles. At a cost of £9.80 per person for a return journey many families will be discouraged from using the train and will continue to use cars to get to and from the airport particularly when the former shuttle bus, which ended in March 2023, cost only £3.80 return.</p> <p>Advanced purchase tickets are available on some East Midland Railways trains. This can offer savings on the railway part of the journey, but due to the nature of air travel with possible delays and the unpredictable times it takes to clear the terminal building, due to terminal congestion, more expensive flexible tickets and</p>	<p>The Applicant considers that the issue raised regarding east-west public transport options and the approach to the provision of car parks was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 85, in response to RR-0472.</p> <p>The application seeks to increase the proportions trips which are made by sustainable modes. The application acknowledges that notwithstanding this, to meet the growth of the Airport additional car parking will be required albeit growth in car parking is less than the growth in passenger demand.</p> <p>The Luton DART was subject to its own planning application and considered at that time by the planning authority.</p> <p>The Applicant considers that the issue raised regarding the access routes to the Airport was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</p>

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		<p>not specific fixed train tickets that are only valid on a single train are normally purchased.</p> <p>To achieve 32m passengers per year the applicant is relying on car traffic to expand the airport rather than public transport. This is demonstrated in car park provision and the upgrading of roads from the M1 at junction 10 across to the A1M at junction 9. As already mentioned much of this traffic will be directed through housing estates of Wigmore and Stopsley due to a lack of a proposed bypass</p>	
<p>Friends of Wigmore Park</p> <p>REP1-060</p>	<p>Surface Access</p>	<p><i>Future Luton Making best use of our runway. Scheme development and construction report</i></p> <p><i>Published in 2019, the report states that the airport has the following car parking spaces: 3,700 short (on completion of MSCP2) 1,700 medium 4,500 long 3,800 staff 300 car hire 100 valet pick up / drop off. 14,100 spaces Total</i></p> <p><i>APP-203 [TR020001-000816-7.02] Transport Assessment - Part 1 of 4 (Chapters 1-4)</i></p> <p><i>Table ES.1: Proposed car parking</i></p>	<p>The application seeks to increase the proportions of trips which are made by sustainable modes. The application acknowledges that notwithstanding this, to meet the growth of the Airport additional car parking will be required albeit growth in car parking is less than the growth in passenger demand. The Applicant's approach to car parking provision is set out in sections 8.3.37-8.3.51 of the Transport Assessment (Part 2 of 4) [AS-123].</p> <p>The Applicant is not directly able to influence off-site car parking and the Applicant is of the view that local planning authorities have a key role to play in monitoring and managing the impact of</p>

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		<p><i>Phase 2b 5,800 short 3,650 mid 6,550 long 5,200 staff 700 car hire 123 Valet pick up / drop off 22,025 Total</i></p> <p><i>AS-030 [TR020001-000941-5.01] Environmental-Statement-Chapter-18-Traffic-andTransportation-Revision-1.</i></p> <p><i>18.8.16 As part of the strategy to reduce travel by car and encourage use of public transport, parking provision will not be increased on a pro rata basis. The current and proposed parking provision is presented in Table 8.2 of the TA [TR020001/APP/7.02]. Prior to the start of the construction of Luton DART which reduced the capacity of the medium stay car park there were a total of 9,900 car parking spaces available for use by air passengers; these include short, medium, and long stay parking. As part of the Proposed Development a further 6,100 spaces will be provided. Thus by 2043 while the air passenger throughput will have increased by 78% over 2019 levels the provision of parking spaces will have only increased by 62%</i></p>	<p>off-site car parks, especially in ensuring that a proportionate split between on-site and off-site parking remains and does not result in uncontrolled or unmitigated environmental effects which could undermine the ability of the Applicant to meet Green Controlled Growth Limits.</p>

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		<p>18.6.16 confirms that passenger parking spaces will need to increase by 62%, which does not take into account any new off-airport parking companies setting up business close to the airport. 62% is a significant increase and reflects the projected levels of extra traffic expected.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Surface Access</p>	<p>Summary of objection. The application lacks a public transport strategy that reflects east-west travel and sets low public transport targets compared with the increase in passengers it wants to reach.</p> <p>Despite the DART, passenger parking spaces will increase by 62% and overall all parking spaces will increase by 7,925.</p> <p>The DART pricing structure will discourage some people from using trains to get to and from the airport.</p> <p>While staff members can use the DART to get to the airport, much of the staff car parking is intended to be provided at Luton Airport</p>	<p>The approach to supporting sustainable transport is set out in the Framework Travel Plan (FTP) [AS-131].</p> <p>The application seeks to increase the proportions staff trips which are made by sustainable modes. The application acknowledges that notwithstanding this, to meet the growth of the Airport additional staff car parking will be required. The Applicant's approach to car parking provision is set out in sections 8.3.37-8.3.51 of the Transport Assessment (Part 2 of 4) [AS-123].</p>

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		Parkway, so while boosting DART travel, it will still involve driving to Luton Airport Parkway.	
Friends of Wigmore Park REP1-060	Surface Access	<p>Car Parks <i>AS-074 [TR020001-000814-5.01] Environmental Statement Chapter 4 The Proposed Development Revision 1 Building Demolition 4.5.8 A summary indicative total area of the key buildings demolished, in addition to the clearance and structures listed above, during each assessment phase is provided in Table 4.3. APP-203 [TR020001-000816-7.02] Transport Assessment - Part 1 of 4 (Chapters 1-4) Table ES.1: Proposed car parking</i></p> <p>4.5.8 Lists 23 buildings that will be demolished. Some of these buildings have large car parks. Much of this land is a wasteland with no buildings or car parks.</p> <p>It is noted that all of the additional long and midterm passenger car park spaces required will be located on Wigmore Valley Park and a green field site that borders the park. This is despite land to the north-west of Percival Way being semi-derelict with swathes of abandoned</p>	<p>The locations and types of the proposed car parks have been designed to make best use of available land. Many of the existing buildings highlighted by the respondent are spread across large areas and are often accessed from multiple locations, meaning it is not efficient- or indeed possible- from an operational or design perspective to provide passenger car parks in these areas.</p> <p>It is noted however that numerous smaller areas of parking are proposed along the alignment of Airport Access Road (AAR) which will serve as areas of replacement parking associated with premises which are to be retained, or to enable the phased build of AAR such that these areas form temporary car parks to accommodate displaced areas of parking.</p> <p>The Applicant's approach to car parking provision is set out in sections 8.3.37-8.3.51 of the Transport Assessment (Part 2 of 4) [AS-123] and reference should also be had to the Open Space Assessment included as Appendix C of the Planning Statement [APP-197], which</p>

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		<p>buildings with large empty parking areas that are already due to be cleared together with some occupied buildings that are already under notice of demolition. This land could accommodate the extra 1950 midterm car park spaces and 2050 long-term car parking spaces if two multi-story car parks were built on just part of this land if the Century Park Access Road (Green Horizons) was repositioned slightly on the proposed cleared land. This would allow more of Wigmore Valley Park to be saved and all of the adjoining green field site.</p> <p>Summary of objection</p> <p>To reduce the cost of providing car parks the applicant has limited the number of multi-story car parks it is proposing to build. With vision this would save more of Wigmore Park and all of the adjoining green field site if the former site of the Airport Business Park was used. The proposed long and midterm car parks are land hungry with no attempt made to save more of Wigmore Park and the adjoining field. The Century Park Access Road (New Horizons) has been routed without regard to</p>	<p>includes consideration of Wigmore Valley Park and other open space.</p>

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		making best use of the former Airport Business Park land, so wastes land resources.	
Friends of Wigmore Park REP1-060	Contaminated Land	<p>Unregulated Landfill removal <i>AS-072 [TR020001-000963-4.02]-Scheme-Layout-Plans-Revision-2 Pages 5 to 8 show the location of the former Eaton Green Landfill Boundary marked in pink and shows that the unregulated landfill site extended to the boundary of Eaton Green Road and within metres of homes on the opposite side of the road. AS-042 [TR020001/TR020001-000945-5.03] -Environmental-Statement-Chapter-4-TheProposed-Development-Figure-4.1-4.15 Revision 1 PDF page 12 of 17 Shows the areas including the landfill site that will be excavated.</i></p> <p>Limited soil samples were taken in 2019 from the former landfill site. For their safety, operatives had to wear masks, protective clothing, gloves, boots and glasses. Signs were put up banning mobile phones, naked flames and smoking. They were also required to use decontamination showers and scrub their boots, as seen in the background.</p>	<p>The ground investigation undertaken characterised the landfill, with typical waste types and percentages estimated. This forensic logging technique is detailed in Section 4.4 of Appendix 17.2 GQRA of Chapter 17 of the Environmental Statement [APP-121 and 122]. It is standard practice for personnel handling waste to wear personal protective equipment and take precautions not to spread any contamination to other areas of the site. Further ground investigation will be undertaken to inform detailed design.</p> <p>The Proposed Development will not require the excavation of all of the landfill. Any excavation and processing of the landfill materials will be subject to an environmental permit, with the Environment Agency as the regulating body. It should be noted that the Luton DART excavations were undertaken, and complied with, a different regulatory process which has since been updated to require an environmental permit.</p>

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		<p>The application claims that the landfill will be removed and processed safely and will be compliant with regulations; yet during Covid the anti-airport expansion site SLAE and sister group to Friends of Wigmore Park, published photographs on its website showing that safety protocols were not being followed or enforced regarding the construction of the DART. This resulted in the DART construction site being shut down twice. This was picked up and reported by the local media. The public time lapse cameras that were allowing the public to view the construction were permanently shut down to remove the possibility of other infringements being viewed and exposed.</p> <p>Summary of objection. FoWP have no faith that protocols will be followed despite the claims of compliance. The landfill borders housing, covers a large area and is up to 17m deep so its removal will have a major impact on communities. While the landfill is being processed or removed the remainder of Wigmore Park will remain open including a children's play area that borders the landfill. No one really knows what is in the landfill, as it was unregulated with no records</p>	<p>No excavation is required in the northern part of the Park where facilities such as the children's play area will be enhanced as part of the Green Horizons Park extant planning permission.</p> <p>In respect of the closure of the Luton DART construction, responsibility for the management of construction sites is regulated through the Construction Design and Management Regulations 2015 (CDM Regulations). Throughout the 5 year construction phases of DART the site was managed through the Principal Contractor with Luton Rising meeting its CDM Client obligations to ensure that all responsibilities were being met.</p> <p>The CDM Regulations set out clear responsibilities for the operation of construction sites and the establishing and following of procedures within them. These govern all constructions sites to protect the workforce. To reflect government guidance during the Covid 19 pandemic, the Construction Leadership Council introduced additional Site Operating Procedures (SOPs) to avoid and reduce additional COVID risks and introduce proportionate measures to manage them. Over</p>

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		<p>kept. Random samples and shallow test pits were dug that left whole areas untested with less than 0.001% of the landfill physically examined. The applicant considers this was enough to generate a landfill contents report. The report confirms that dangerous substances are contained within the landfill that are dormant until disturbed. Due to the nature of the random testing, the report could only comment on what was found and not what was dumped on the rest of the site. At the moment the landfill is protected by at least a 1 metre clay cap.</p>	<p>the pandemic 9 versions of the SOPs were issued.</p> <p>Luton Rising has a strong record of responding to ensure that construction sites are actively and safely managed. During the 5 year DART construction period there were a number of improvements that took place as a result of observations made by Luton Rising's independent CDM Client team. This included following two occasions during the pandemic when, through a variety of sources of information, it became clear that COVID 19 Site Operating Procedures issued by the Construction Leadership Council were not being universally followed.</p> <p>The first intervention resulted in the Principal Contractor closing the site early and spending two days focused on taking actions to make the site compliant. The second intervention resulted in Luton Rising taking steps to instruct the Principal Contractor to shut down the site and to require remedial action to be taken and verified to the ongoing satisfaction of Luton Rising's CDM Client team.</p>

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			<p>During periods of the DART construction, the contractor made available time lapse camera information from aspects of the site. Unfortunately, a technical fault prevented sustained coverage. This was not a contractual requirement, and it was not cost effective to rectify.</p>
<p>Friends of Wigmore Park REP1-060</p>	<p>Biodiversity</p>	<p>Orchids <i>AS-035 [TR020001-000949-5.02]</i> <i>Environmental Statement Appendix 8.10 Ecological Mitigation Strategy – Orchid And Invertebrate Revision 1 2.2 Conservation objective 2.2.1</i> <i>The conservation objectives that underpin this Mitigation Strategy are as Follows: a. To ensure that the Proposed Development retains the orchid and stated terrestrial invertebrate populations, by safeguarding, maintaining and/or translocation of: i. bee orchid, common twayblade orchid, and common spotted orchid, and maintaining suitable conditions for pyramidal orchid.</i></p> <p><i>4 Mitigation Strategy Section 4 deals with the translocation of orchids. As pages containing</i></p>	<p>The Applicant considers that the issue raised regarding orchids was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 86, in response to RR-0472.</p>

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		<p><i>redacted passages cannot be cut and pasted, we refer you to section 4.</i></p> <p>It should be noted that in 2019 soil samples were taken from Wigmore Park and its County Wildlife Site. Before commencement of work began it was identified that orchids would have to be moved to allow access.</p> <p>This work was conducted under the advice and guidance of Luton Borough Council's Senior Ecological Officer where two claimed suitable locations were identified for the orchids to be moved to. These areas then ceased to have the grass cut to protect the orchids but the translocation success rate was zero with every translocated orchid dying. No explanation was offered as to why they all died but the suspicion is that Luton Rising and the Council failed to replicate the growing conditions required including the correct soil types and drainage.</p> <p>Summary of objection The applicant has already demonstrated that they have a success rate of zero for</p>	

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		translocating orchids despite assurances made at the time and the involvement of the Council's Senior Ecological Officer.	
Friends of Wigmore Park REP1-060	Surface Access	<p><i>Residential parking scheme extension - Conflict of interest by acting against the public interest</i></p> <p><i>APP-200 [TR020001-000820-7.02] Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) Potential Area of Residential Parking Restrictions drawing number LLADCO-3C-ARPSFA-SWI-DR-CE-0003</i></p> <p><i>This plan shows a possible extension to the residential parking scheme but ignores the fact that Terminal 2 will have a direct access link road to the ward of Wigmore.</i></p> <p><i>The Vauxhall Park area of Luton, which is close to an airport access road has been blighted for many years by airport users using residential areas for short, mid and long term parking rather than paying to use airport car parks.</i></p> <p><i>A residents' funded parking scheme was imposed on Vauxhall Park despite the problem</i></p>	The Applicant considers that the issue raised regarding the residential parking schemes was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 86, in response to RR-0472.

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		<p><i>being caused by the Luton Rising-owned airport. In 2020 a motion was put before the full Council that the airport operator or the airport owner should pay for the scheme. In a clear conflict of interest and acting against the residents, all but one of Luton Rising's directors, who attended on the night voted against the motion.</i></p> <p><i>The one who didn't vote was a member of another political party and abstained.</i></p> <p><i>[see page 26 of Written Representation for excerpt of relevant meeting minutes].</i></p> <p>Summary of objection <i>The application does not state whether Luton Rising would fund the enlarged area shown on the plan or potential new unidentified areas around Wigmore that would be close to Terminal 2.</i></p> <p><i>In 2020 Luton Rising had the opportunity to put residents first by agreeing to fund the yet to be started residents' parking scheme, where residents would be expected to buy parking</i></p>	

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		<p><i>permits to park outside their own homes. To ensure this cost would not fall on Luton Rising or the airport operator (LLAOL), the directors of Luton Rising, who were Councillors from the Council's ruling party, voted against the motion. This is a key indication that for an expanded airport that residents would be expected to pay for a problem wholly caused by the airport, which is unacceptable.</i></p> <p><i>The application should make it clear that all existing and future residential parking schemes should be fully funded by Luton Rising or its airport operator partner.</i></p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Noise and Vibration</p>	<p>Noise <i>APP-154 [TR020001-000920] 5.03 Environmental Statement - Chapter 16 Noise and Vibration Superseded by AS-106 Figures 16.1 - 16.20</i> <i>Figures 16.5 Air Noise Contours in Decibels (dB) (2019 Actuals Daytime LAeq, 16h)</i> <i>Drawing number LLADCO-3C-AEC-00-00-DR-YE-0005</i> <i>Figure 16.6 Air Noise Contours in Decibels (dB) (2019 Actuals Night-time LAeq, 8h)</i></p>	<p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080].</p> <p>The Lowest Observable Adverse Effect (LOAEL) noise contours do extend into Wigmore, for example see Figures 16.103 and 16.104 of the Environmental Statement [AS-119] which</p>

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		<p><i>Drawing number LLADCO-3C-AEC-00-00-DR-YE-0006</i></p> <p><i>APP-154 shows relevant 2019 data</i></p> <p><i>AS-106 [TR020001-000920] 5.03</i></p> <p><i>Environmental Statement - Chapter 16 Noise and Vibration</i></p> <p><i>Figures 16.17a - 16.21 Rev1</i></p> <p><i>Figure 16.17b Air Noise Contours in Decibels (dB) (2027 Do-something Daytime LAeq,16h)</i></p> <p><i>Figure 16.18b Air Noise Contours in Decibels (dB) (2027 Do-something Night-time LAeq,8h)</i></p> <p>The vast majority of residential homes in Wigmore and the former Crawley Ward are outside the outer noise contour bands with a recorded observed adverse Effect Level (LOAEL) noise level below 51dB during the day and 45dB at night.</p> <p>Aircraft noise levels in these two areas are totally dependent on wind direction and wind speed so we would question the validity of this data, as the data does not specify wind direction information or gives the extremes of readings but only what is considered to be the average</p>	<p>show the ground noise contours for the 2019 baseline.</p> <p>For safety reasons, aircraft must fly into the wind and therefore the direction of operation of the airport is dependent on the wind direction. The assessment of aircraft air noise uses the standard industry practice of using a long-term (10-year) average of the modal split, which represents the long term average of the airport operational direction as a result of wind. Wind speed has also been taken into account in the aircraft air noise model validation process (see Section 6 of Appendix 16.1 of the Environmental Statement [AS-096]).</p> <p>Concerns regarding the day-to-day operation of the airport, including how complaints are handled, should be directed to the airport operator.</p> <p>In response to the comment that asserts the application offers no meaningful mitigation to aircraft noise apart from noise insulation, the Applicant notes that noise insulation is the last resort in the mitigation hierarchy, which starts with mitigation at source and mitigation by</p>

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		<p>For example on Sunday 25th June 2023 the author of this document, a resident living well outside the outer noise contour band but within Wigmore, was awoken at 6am by the first very loud departure and was kept awake by every subsequent departure and arrival. On enquiring to the noise monitoring team at the airport they confirmed there were 69 departures and arrivals from 6 am to 9am in that Sunday morning period. This was in hot weather with the windows open.</p> <p>The following morning despite a similar flight programme and with the windows still open, aircraft caused no disturbance, as the wind had changed direction.</p> <p>Being so close to the north of the airport, Wigmore and Crawley can be subjected simultaneously to noise from both departures and arrivals. This is regardless of what track an aircraft has taken to depart or arrive at the airport, so having twice the impact for a resident who would be subjected to either departures or arrivals but not both on any given day.</p>	<p>intervention before mitigation by compensation (noise insulation) is provided. Further information on the Applicant's approach to operational noise management is set out in Appendix 16.2 Operational Noise Management (Explanatory Note) [APP-111] of the Environmental Statement.</p>

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		<p>[see pages 28-30 of Written Representation for excerpt of LBC's website relating to noise].</p> <p>Luton Airport is Wigmore and Crawley's noisy neighbour. While the Council will take action against a neighbour's barking dog, it is the instigator of aircraft noise that affects thousands of residents and intends to create more with this planning application via Luton Rising. On being contacted they have refused to take any action and refuse to involve their Environmental Protection Team. This would continue if the application was approved.</p> <p>Complaints to London Luton Airport Operation Ltd (LLAOL) are logged but nothing else happens. A complaint made on 25th June regarding the 69 noise disturbances was logged as one complaint. If 69 individual complaints were made the complainant would be classed as a "vexatious" complainer.</p> <p>Dictionary definition of "vexatious" Denoting an action or the bringer of an action that is</p>	

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		<p>brought without sufficient grounds for winning, purely to cause annoyance to the defendant. For three consecutive years night time noise limits were broken despite Luton Rising being fully aware that is was their passenger growth incentive scheme that had caused those limits to be broken. If they had any consideration for the quality of life of local communities, they could have stopped that scheme but chose not to. LLAOL's solution was not to reduce noise levels to comply with its planning permission but to put in a planning application, together with an application for an extra million passengers, to increase noise to new levels. This was approved by Luton Borough Council, as the owner of the airport. This approval has been called in and a public enquiry has now taken place with the results pending as of 8st August 2023.</p> <p>Summary of objection. Aircraft noise has an effect on the wellbeing and mental health of residents.</p> <p>This application will see a substantial increase in aircraft movements that will be to the</p>	

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		<p>detriment of local residents and those living further afield.</p> <p>Residents are powerless to complain and have an effective solution offered. If they make too many complaints they are considered “vexatious” and ignored with the complaint just logged. If they make an acceptable numbers of complaints they are also ignored with the complaint just logged.</p> <p>Luton Borough Council refuses to follow its own noisy neighbour procedures, as aircraft noise is exempt, despite it having a far greater impact on more lives.</p> <p>The application offers no meaningful mitigation to aircraft noise apart from very selective noise insulation schemes and in fact wants to increase noise above already unacceptable levels for financial gain.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Funding</p>	<p>Finance <i>The proposed expansion of the Airport is split into three phases: Phase 1 which is for adaptations to the existing Terminal 1 to increase the capacity of the airport to 21.5</i></p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p>

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		<p><i>million passengers per annum (mppa) at a cost of approximately £274 million. Phases 2a) and b) which is for the addition of a new terminal and related infrastructure works to increase the capacity of the airport to 32 mppa at a cost of approximately £2.7 billion Based on the results of this work and other relevant factors we have concluded that expansion of the airport in line with phases 2a) and b) of the DCO is highly speculative, uncertain and is likely to have a reduced net present value. This conclusion is supported by the findings of the Council's own external expert, Arup. The modelling performed by Arup does show an increased net present value of the Airport for phase 1. However, at this point, planning permission has not been obtained beyond 18mppa, there is no approved business case for the scheme and the financing and viability of Phase 1 remains uncertain. Further, under the terms of the concession agreement, the Council does not have contractual rights to enforce the concessionaire to undertake and finance expansion of the Airport. The Council will need to renegotiate the concession agreement to seek the concessionaire to carry out the expansion. There is no assurance that such an</i></p>	<p>Since the date that the report from which much of the text in the respondent's comments was produced, much progress has been made and the figures quoted have been superseded.. Moreover, the Applicant is in discussion with the airport operator regarding delivery of the Phase 1 expansion which the Council's external auditors have acknowledged is viable and delivers value for money</p> <p>All projects of this nature carry risk and the airport operator and the Applicant have, over the years, managed these types of projects successfully and also dealt with the effects of the pandemic on the airport successfully.</p> <p>Luton Borough Council takes the view that the whole costs of the DCO should not be impaired, and officers have provided all the information requested by the Council's external auditors including, advice from experts in the field. The Applicant separately reports under the Financial Reporting Standard 102 (FRS 102) applicable in the UK and Republic of Ireland and has twice, in August 2017 and May 2018, received external accounting advice that it remains compliant with FRS 102 in its treatment of project costs. The</p>

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		<p><i>arrangement could be reached on mutually acceptable commercial terms. In addition, further risks to expansion to Phase 1 could be brought about by ongoing legal challenges, objections, and environmental considerations.</i></p> <p><i>In addition, further risks to expansion to Phase 1 could be brought about by ongoing legal challenges, objections, and environmental considerations. All the factors pose a significant risk to deliverability and timing of proposed phase 1 expansion. Considering all of this we have concluded that a material value of capitalised expenditure at the end of 2018/19 on Luton Airport expansion schemes in the Council's group financial statements does not meet capitalisation criteria under IAS 40 as an investment property asset under construction. We have not been able to obtain sufficient and appropriate evidence from the Council that the costs incurred to date on the DCO application are all, or in part, eligible to attributable to phase 1 of the proposed expansion. We are unable to conclude whether any of the £20.3million of capitalised costs have been reliably measured and accounted for as a capital asset in the group financial</i></p>	<p>Applicant's auditors (both past and current) are of the same opinion and have not impaired the DCO costs in the Applicant's accounts.</p>

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		<p><i>statements as at 31st March 2019. We therefore propose to qualify the 2018/19 financial statements opinion in the form of a limitation of scope.</i></p> <p>The auditors state that the proposed airport expansion is highly speculative and uncertain and that the Council's own external expert agrees with that conclusion. The report states that there is no approved business case for expansion. The auditors will be issuing a qualified statement due to concerns regarding the breach of IAS40 and DCO funding from the Council.</p>	
<p>Friends of Wigmore Park REP1-060</p>	<p>Funding</p>	<p>CPAR <i>The CPAR scheme is for the development of a 1.2-mile dual carriageway linking the A1081 with New Century Park on 235 acres of land at an estimated total cost of £124 million. In our audit progress report in March 2020, we considered the conditions in place on the CPAR scheme at that point in time. It became clear at the end of 19/20 that the scheme itself, when brought forward to Council for a decision as a business case, did not address all the tests required to achieve positive transport and economic benefits. Although planning</i></p>	<p>The Applicant notes that CPAR (Century Park Access Road) does not form part of this application for development consent. Rather, a modified version of that road is included in its entirety within the application – referred to as Airport Access Road. The costs of that road are included within the overall costs of the Proposed Development, to be funded as set out in the Funding Statement [APP-012].</p>

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		<p><i>permission for the scheme remains in place as yet there has not been another scheme signed-off that meets transport and economic benefits. The scheme was paused at the end of 2019/20 prior to the advent of Covid-19. The scheme remains subject to scoping changes, business case approval and secured funding. As a result, we have concluded the conditions giving rise to uncertainty around the viability of the business case existed at the 2018/19 balance sheet date. Considering this we have concluded that expenditure incurred and disclosed in the group accounts at the end of 2018/19 also does not meet the recognition criteria under IAS 16 and therefore that all costs capitalised should be fully impaired. The total value of capitalised expenditure on CPAR in the group accounts at the end of 2018/19 was £6.3 million. Management agreed to adjust the accounts and this is reflected in Section 4 as an adjusted difference to the accounts.</i></p> <p>The statement notes that the Council has failed to produce a business case for the Century Park (New Horizon) access road based on positive transport and economic benefit. Due to</p>	

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		this the Council has secured no funding to build the road.	
Friends of Wigmore Park REP1-060	Funding	<p><i>APP-012 [TR020001-000659-3.03] Funding Statement</i></p> <p><i>4.2.1 c) Approach 3 (LBC financing): The concession agreement also envisages that LBC may choose to raise finance through the routes it has available. It would in turn lend such finance on to Luton Rising on commercial terms to pay for the costs of construction of assessment Phase 1, such finance to be repaid through the net additional revenue generated by the airport. This would require an agreement being reached with the concessionaire to progress the works. The current concessionaire would continue to operate the airport and would oversee the delivery of the assessment Phase 1 construction works alongside Luton Rising.</i></p> <p><i>4.2.4 LBC as the sole shareholder of the Applicant has the reversionary interest in the airport and has already made significant investment in the DCO Application, the Luton DART and Bartlett Square. The existing asset is valued at £1.5bn. LBC considers it to be a key strategic asset in the delivery of Luton 2040 Vision and in the securing of a strong</i></p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>This statement made by the respondent is inaccurate. The Council applied for emergency funding to deal with the knock- on effects on the Council of the impact Covid-19 had on the airport and this is something which was faced by many businesses across UK.</p> <p>Due to prudent financial management and decisive action taken by the Council, as highlighted in the report following a review by the Department for Housing, Levelling Up and Communities, the Council drew down only £15m. The second tranche was not required and the Council did not request the release of the second £35m.</p>

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		<p><i>economic recovery in Luton and the region. LBC fully supports growing the airport and this is a key part of Luton's Inclusive Economic Strategy delivered through Luton's wider Inclusive Economy Board.</i></p> <p>Luton Rising has had to rely on stabilisation funding from the Council to stop it going bankrupt or being sold off. Luton Borough Council in turn had to turn to government for £35m of emergency funding due to its exposure to Luton Airport. The £35m fund was more than any other Council received in the country and was linked to its exposure to Luton Airport.</p>	
Friends of Wigmores Park REP1-060	Funding	<p>Department for Levelling Up, Housing and Communities Local Government Finance Review</p> <p><i>The extent to which the Authority will need to draw on the agreed £35m (2020/21) and applied for £15m (2021/22) capitalisation directions is still to be decided as the level of stabilisation funding the Authority requires to inject into its airport subsidiary and the extent of delivery of savings becomes clearer over the coming weeks/months and the parties have</i></p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>The statement referred to by the respondent does not reflect the latest position. The Council has provided all of the information requested by its external auditors and this was highlighted in the latest Audit Committee report.</p>

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		<p><i>agreed a settlement agreement around force majeure and special force majeure.</i></p> <p><i>LBC's auditors have not yet issued their opinion on the Authority's 2018/19 and 2019/20 accounts. They require additional assurances on 'going concern' and post-balance sheet events in regard to the level of exposure the Council expects to take on through its airport subsidiary stabilisation package, the recoverability of the debenture loans issued by the Council, whether aspects of spend on airport access and other improvements can be treated as adding capital value and the scale of borrowing relative to the overall value of ownership of the airport to the Council. The Authority is still in the process of providing information to their auditors. It will be important that Luton follow proper accounting practice and make appropriate provisions should any doubts emerge in these areas.</i></p> <p>The report states the importance of following accounting practice. The auditor's statement dated July 7th 2023 states that LBC has failed to do this.</p>	

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Friends of Wigmore Park REP1-060	Luton Rising governance	<p><i>The Council has accepted the need for stronger governance over its commercial operations through establishment of a shareholder interest board with appropriate expertise and independence and at the time of writing, proposals are being tabled at Council meetings in mid-August 2021.</i></p> <p>This appears to have failed to happen. Luton Rising relies primary on the directors of the airport, who are members of the public that have been elected as Councillors and who make up the majority of the directors. They bring no abilities to the table. There are three additional minority directors. A managing director, an executive director governance, who also works for the Council in another role so can't be classed as independent, and a commercial/ legal director</p>	<p>Contrary to the opinion of the respondent, the outcomes of this review have been implemented.</p> <p>The Luton Shareholder Group has been established to oversee all of the Council's commercial companies and is a cross party Executive advisory group supported by expert external advisers.</p> <p>Members of the Applicant's Board of Directors bring substantial expertise to bear to facilitate the sound governance of the company. A formal decision has already been made to further strengthen the Board with the appointment of three independent Non Executive Directors. The recruitment process for these roles is ongoing.</p>
Friends of Wigmore Park REP1-060	Luton Rising governance	<p><i>Long term financial sustainability depends on the local authority successfully realising more transformational change. Luton is developing its plans for more fundamental change and members will need to continue to support some of the hard decisions that will be involved in making further rationalisations and working in new ways.</i></p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>The Luton 2040 Strategy, the five core objectives and supporting plans are largely mature as is the Councils Corporate Plan. This</p>

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		<p>Twenty months on from the date of the report we cannot find any evidence that the Council has developed this plan sufficiently to achieve the aims required.</p>	<p>has no direct relevance to the Applicant's application for development consent.</p>
<p>Friends of Wigmore Park REP1-060</p>	<p>Need Case</p>	<p><i>Analysis by the Centre for Cities found this year that the Luton economy was particularly vulnerable as a result of the pandemic. Luton has the 7th highest number of furloughed workers, 32,000 jobs at risk and the 8th highest claimant counts for cities and large towns in the UK. The Centre for Cities concluded that Luton was the second most vulnerable town economy post-Covid, in part due to its reliance on the airport and on vehicle manufacturing.</i></p> <p>The Council has not learned any lessons regarding diversity in the jobs market due to potential future downturns in aviation activity at Luton. They have no plan B and remain focused on airport expansion with other options not explored. It is no coincidence that Luton has high levels of deprivation and that the airport is the town's largest employer. In-work poverty is a real concern where workers are offered zero-hour or part-time work</p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>Fasthosts in 2021 crowned Luton as the best-all round UK location to start a new business with an overall index score of 3.375 – proven to have one the best rates of production, office prices, and business survival rates out of any other UK town or city.</p> <p>This year the University of Bedfordshire was ranked as one of the top universities to start a Social Enterprise.</p>

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		contracts that are adjusted to the waves of departures and arrivals that ebb and flow throughout the day and night	
Friends of Wigmore Park REP1-060	Funding	<p><i>It is important that Luton follow proper accounting practice and make an appropriate provision should any doubt emerge about whether the loans to the airport subsidiary are properly secured.</i></p> <p>The auditors' report dated July 7th 2023 states that proper accounting practices were not followed. Loans are secured on the airport, which the council already owns via Luton Rising.</p>	<p>Note that advice has been sought from Luton Borough Council in providing the response below.</p> <p>Luton Borough Council has always, and continues to, comply with all relevant financial regulations and follow best practice.</p>
Friends of Wigmore Park REP1-060	Funding Surface Access	<p><i>London Luton Airport Limited Annual report and financial statements for the year ended 31st March 2021 Strategic Report for the year ended 31 March 2021</i></p> <p><i>DART Impairment The DART (Direct-Air-Rail-Transit) mass passenger transport system connects Luton Parkway station to Luton Airport terminal. This new transport system remains as an 'asset under construction' until September 2022 when it is expected to become operational and ready for use. During</i></p>	<p>Planning permission for growth to 18 mppa required improvements to be made in modal share, which the Luton DART is designed to address.</p> <p>'Adequate' is not a sufficient level of service for an airport that has to compete with others in the London aviation system.</p>

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		<p><i>the year, we carried out an impairment assessment to determine the recoverable value of the DART. This impairment assessment involved taking into consideration the capital cost incurred to date, the additional costs anticipated to be incurred to bring the service into operation and projected future revenues. This assessment was carried out in accordance with UK Accounting standard (FRS102). The assessment determined a £184.7m impairment of the DART during 2020/21.</i></p> <p>With the 18 million passenger cap in place, it was hard to argue the merits of building the DART at a then projected cost of £225m when it was not going to add a single passenger to the existing terminal due to that cap. The Thameslink-provided shuttlebus provided an adequate service at no cost to Luton Rising or the Council including in 2019 when the airport handled 18.2m passengers.</p>	
Friends of Wigmore Park REP1-060	Funding	<i>London Luton Airport Limited Annual report and financial statements for the year ended 31st March 2022 Strategic Report for the year ended 31 March 2022.</i>	Much of this “loss” relates to balance sheet adjustments for fair value which accounting standards require to be passed through the profit and loss account. These figures do not

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		<p>The above report is the latest set of accounts published on June 10th 2023. From PDF page 24 The accounts state that for the year ending March 31st 2021 Luton Rising lost £109.8m For the year ending March 31st 2022 the losses for that year increased to £232.1m with an operating loss of £137.4m giving a combined total of losses of £341.9m for the last two years. In July 2021 the accounts state that Luton Rising secured stabilisation funding from Luton Borough Council totalling £199m. (2021/21: £60m, 2021/22 £139m)</p>	<p>relate to operating losses, which for the combined period came to a total of £35m.</p>
<p>Friends of Wigmore Park REP1-060</p>	<p>Funding</p>	<p>Charity donations By looking back on London Luton Airport Ltd (Luton Rising) accounts from 2010/11, donations to charities peaked in 2012/13 with £15,995,000 donated with a passenger throughput of 9,654,044. There was a second peak in 2015/16 with £14,823,000 donated with a passenger throughput of 15,053,416. Since then and with increasing levels of borrowings, donations have been in a gradual decline with every year lower than the year before. In 2019/20 donations stood at £9,175,000 with a passenger throughput of 17,457,093. In 2021/22 donations were only £7,431,000. Charities support expansion yet</p>	<p>Charitable donations vary from year to year for a variety of reasons, including changes in the law which meant it was no longer possible to make donations to organisations for certain activities.</p> <p>Nevertheless, the Applicant has a longstanding and ongoing commitment to supporting the local voluntary and charitable sector, as evidenced by maintaining its very significant community funding programme from reserves during the height of the Covid-19 pandemic, when there was a catastrophic reduction in passenger numbers. In this respect the Applicant is confident that the respondent would agree that it is helpful that there is no current direct link</p>

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		expansion could mean no funding. What has been established is that higher passenger totals does not mean higher charitable donations.	<p>between passenger numbers and charitable donations.</p> <p>Notwithstanding the above, the proposed Community First fund would be wholly dependent on such a direct link, for passenger growth permitted by this application, in the future whilst the Applicant still fully intends to maintain its existing level of community support outside of Community First.</p>
Friends of Wigmore Park REP1-060	Need Case Planning Surface Access	<p>Summary</p> <p>Luton Rising is a loss-making company and has in fact lost money for the last 3 years including £3.3m for the year ending March 31st 2020. While some of these issues were caused by Covid, Luton Rising has borrowed in excess of £500m and has struggled to service its debts without further borrowings to pay the interest payments and fund community projects.</p> <p>The impairment for the DART has been calculated by its own auditors at £184.7m</p>	<p>The Applicant considers that it has provided responses to questions about funding, it's accounts, and the accounts of Luton Borough Council in its responses to Relevant Representations made previously and in responses set out above. The previous responses to Relevant Representations can be found in Applicant's Response to Relevant Representations - Part 2C of 4 (Non-Statutory Organisations) [REP1-023], in response to representations made by RR-0472 (at page 87), RR-1406 (at page 103), and RR-0817 (at pages 249-253).</p>

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		<p>Luton Rising has stabilisation funding from the Council that is valued at £199m. This is an indication to us that Luton Rising is not financially sound, had no money in the bank and makes ill thought out commitments.</p> <p>The Council's auditors, in a report dated July 7th 2023, have described the airport expansion as "highly speculative" and "uncertain".</p> <p>That there is "no approved business case for the scheme and the financing and viability of Phase 1 remains uncertain"</p> <p>That "under the terms of the concession agreement, the Council does not have contractual rights to enforce the concessionaire to undertake and finance expansion of the Airport"</p> <p>That the Council (LR) has failed to make a business case for the Century Park Access Road</p> <p>It has also not made clear how a £2.7bn project would be funded.</p>	<p>The Applicant's position on the Century Park Access Road is also set out earlier in this response.</p>

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		<p>That the Council auditors have drafted a qualified set of accounts for 2018/2019 due to issues regarding the airport.</p> <p>We also note that Luton Rising's auditors resigned and that qualified accounts have been issued for the last two years.</p> <p>Despite rising passenger numbers, charity donations have been falling since 2012/13 due to increasing borrowings and loan repayments.</p> <p>There is no link between rising passenger numbers and charitable donations.</p> <p>At the 2022 Public Inquiry, unresolved conflicts of interest, inherent in the ownership of the Airport were raised regarding deficiency in governance.</p> <p>[see pages 39-89 of Written Representation for appendices].</p>	

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<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p>Stop Luton airport Expansion have a number of challenges over the statements on the subject of Green Horizons Park. We suggested in our Relevant Representation the size of the amended footprint size now means that it can be built on previously-developed or 'brownfield' belt land to the West of the airport. Allowing Wigmore Valley park to be retained, and possibly a redesign of the expansion to save the County Wildlife Park. The public were never consulted on the re naming and re-sizing exercise.</p> <p><i>Application document 01114, Luton Rising Planning Statement:</i></p> <p><i>Green Horizons Park (GHP), formerly New Century Park (planning application LBC ref: 17/02300/EIA), is a proposed high quality mixed-use business park to the east of the airport, which includes the construction of a new access road (referred to in the planning application as Century Park Access Road (CPAR)) connected to Airport Way to the west of</i></p>	<p>Green Horizons Park benefits from an extant planning permission which will be implemented as set out in the Applicant's Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p><i>the airport. It comprises of office space (Class B1), warehouse and industrial space (Class B2 and B8), mixed employment space (Class B1/B2/B8), a hotel (Class C1), café space (Class A3); energy recovery centre (sui generis), internal access roads, car parking, landscaping and associated works including earthworks, utility diversions, sustainable drainage systems, tree removal and tree protection.</i></p> <p>Evidence RR paragraph SLAE believe that GHP can be accommodated elsewhere in the town, as it's footprint is now smaller than New Century Park. Document 000812 Table 2.1. States that the land use, Non-agricultural fields (set aside for GHP (formerly known as New Century Park), and other habitat has an approximate area of 47ha, which is larger than identified for Wigmore Valley Park (41.6ha (District Urban Park and Garden and Natural and Semi-Natural Green space).</p> <p>SLAE were unable to find the land sizing of GHP in the application documents and</p>	

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		<p>would appreciate if Luton Rising can identify where this information can be found or make this information available. Broken down by the business park (by each phase), excluding the airport access road (AAR), and the green / open space. In document 000678 the construction compound is identified at approximately 1,000sqm.</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p>Evidence GHP a & b. SLAE believe that the business park can be located to the west of the airport on previously-developed or 'brownfield' land. This previously-developed or 'brownfield' land was identified in the SIFTs, but not considered for New Century Park and can now be for the smaller GHP footprint. Evidence GHP c & d. GHP business park could also be built at Butterfield Green (05/01653/VARCON) which was originally (85-acre, 340,000 m2) a mixed use development including an innovation centre technology village, park and ride, university campus, hotel, relocated petrol filling station, cemetery extension and is now a Business & Technology Park and when completed offer up to one million square feet of office space in a parkland</p>	<p>Green Horizons Park benefits from an extant planning permission which will be implemented as set out in the Applicant's Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>setting. London Luton Airport is situated approximately 4 miles to the south of the park and less than a ten minute drive.</p> <p>[see Written Representation for referenced evidence]</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p>SLAE ask the inspectorate to visit the Butterfield Green industrial area (if not already visited) to determine this space. Evidence GHP e. Although SLAE prefer any development to be built on previously-developed or 'brownfield' land, we also believe that GHP could also be built on other park land in Luton, such as Legrave, Wardown, Lewsey Parks, Dallow Downs, Stockwood Park, and the land at Stopsley (old Luton Regional Rec Ground). Having read and listened to those supporting the expansion speak about jobs at the Open Floor Hearing 1/2, we think that Legrave, Wardown, Lewsey parks and Legrave Common would be better suited to deliver the estimated 3,200 GHP jobs and due to their locations provide better opportunities for those wards associated with deprivation and low skilled workers.</p>	<p>Green Horizons Park benefits from an extant planning permission which will be implemented as set out in the Applicant's Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p> <p>The Applicant has submitted the Draft Itinerary for the Accompanied Site Inspection (ASI) at Deadline 2 [TR020001/APP/8.35].</p> <p>GHP is subject to a separate consent, therefore the request for the Inspectorate to visit alternative locations for GHP is not relevant to the Proposed Development and does not form part of the draft itinerary for the ASI.</p>

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		<p>If not already done so, we ask the Inspectorate to visit Leagrave, Wardown and Lewsey parks to determine if GHP is better suited there.</p> <p>[see Written Representation for referenced evidence]</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Need Case Economics and Employment Surface Access</p>	<p>Document 000831</p> <p><i>2.1.3 Overall, Luton suffers from higher rates of deprivation than other parts of the ETS Study Area. According to the Index of Multiple Deprivation 2019, Luton was the 52nd most deprived local authority out of 317 in England. For measures of education deprivation and income deprivation, it ranked even lower at 45th and 49th respectively. Within Luton there are pockets of deprivation. 27% of Luton's neighbourhoods (defined by Lower Super Output Areas, a standard statistical area used by the Office of National Statistics) are within the 20% most deprived LSOAs in the country (Ref 2.vi), and 28% within the 20% most deprived for income. Some pockets of deprivation can be seen across the ETS Study Area. Specifically, there</i></p>	<p>Employment generated by the airport benefits the whole of Luton and the surrounding areas. Employees at the Airport do not solely live in wards adjacent to the Airport. The benefits of additional employment are spread across the whole Borough including the potential for additional employment supported through the supply chain and secondary rounds of spending by those employed at or associated with the airport. The Employment Training Strategy [APP-215] outlines how employment opportunities will be made available to all groups.</p> <p>Notably, it is proposed to provide a number of on-site staff parking facilities which would seek to minimise off-site parking which may occur in the vicinity of the airport. As set out in the Transport Assessment [APP-203, AS-</p>

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		<p><i>are higher levels of deprivation in urban areas such as Stevenage, Hemel Hempstead, Hatfield, Bletchley, Bedford and Letchworth, including employment deprivation as well as education, skills and training. Many of these areas have high transport costs for accessing areas with quality jobs, compounding the issue. Despite high quality FE colleges and universities in the area, there are still communities without access to the skills and training support they need to access good work. However, on the whole, the wider study area sees relatively lower levels of deprivation.</i></p> <p>Evidence GHP f, g, j In the 2019 indices of multiple deprivation in Luton the wards of Dallow, Northwell and Biscot are particularly mentioned. Section two of document 000831 also covers this topic and SLAE cannot understand why the council and Luton Rising are placing so much emphasis on the airport and expansion to create jobs and improve the standard of living for Luton residents, by one company (Luton Rising), one area (South, i.e. the airport,) the proposed</p>	<p>123, APP-205 to APP-206] and Surface Access Strategy [APP-228], the Applicant proposes to undertake monitoring to enable the impacts of the Proposed Development to be considered during implementation, such as parking in residential areas.</p> <p>The Applicant and operator are currently developing a suitable and effective funding mechanism that best responds to the vision and objectives of the Surface Access Strategy and realising Sustainable Transport Opportunities. Further details will be shared during the course of the examination, following further consultation with relevant stakeholders on the details of the Sustainable Transport Fund.</p>

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		<p>developments on the land by Junction 10 of the motorway, when other areas of Luton need economic benefits more. For example if I was out of work or low-skilled living in central, northern, eastern areas of Luton I'd want my ward areas to provide employment, so that I could work, shop and live locally in my ward. Getting to the airport involves private and public transport all of which comes with a cost. Taking and parking a car costs money or risks the wrath of residents surrounding the airport if parked on streets (Raynham Way). Able to park up in a street and then walk to the DART increases the distance a car can be parked away from the airport. Jobs in the workers ward area more often than not enables walking and cycling, saving on costs and also providing health benefits, reducing long term health costs and reliance on the NHS. Shops (lunch etc) at the airport tend to be more expensive than shops in the workers ward area, another saving. Is it just SLAE that can see a common sense approach to jobs and economic benefits nearer to a workers home? 3,200 jobs elsewhere in Luton is just a 'no brainer' and in these</p>	

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		<p>days of 'work from home' will suit more. SLAE touched upon the susceptibility of aviation in our Relevant Representation and support the 3,200 Green jobs, but not at Wigmore Valley Park.</p> <p>[see Written Representation for referenced evidence]</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p>Green Horizons Park 2 Document 000974, 001109 and others. <i>3.172 This article clarifies the application of planning permissions granted under Town and Country Act 1990 (1990 Act) and the powers and rights exercised under the Order and the authorised development approved under the Order. With the exception of paragraph (1), the drafting of this article is bespoke to the Order to address particular existing planning permissions which are relevant to the Proposed Development and to address any potential uncertainty that may result from the Supreme Court's recent decision in Hillside Parks Ltd v Snowdonia National Park Authority [2022] UKSC 30. That judgment relates to planning permissions granted under the Town and Country</i></p>	<p>The principles of the Hillside judgement could be relevant to any situation where there are potentially overlapping consents, irrespective of land use. The judgement does not just apply to residential developments.</p>

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		<p><i>Planning Act 1990. It holds that, unless there is a express provision otherwise, 195udgm development has taken place under one permission, whether another planning permission may lawfully be implemented depends upon whether it remains physically possible to carry out the development authorised by the second permission in light of what has already been done under the first permission. And 3.172. The draft Development Consent Order [TR020001/APP/2.01], submitted with the application, makes provision for managing the interface for the implementation of Green Horizons Park and the Proposed Development. Following the decision of the Supreme Court in the 195udgmentt of Hillside Parks Ltd v Snowdonia National Park Authority [2022] UKSC 30 specific drafting has been included in the draft DCO to deal with any inconsistency between the Green Horizons Park permission and the Proposed Development to ensure that the Green Horizons Park planning permission does not become unimplementable.</i></p>	

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		<p>SLAE understands that this judgement is for residential properties and the developer appears to have submitted planning permission for all changes, which appears to us that LR have applied a different application of the ruling comprising of office space (Class B1), warehouse and industrial space (Class B2 and B8), mixed employment space (Class B1/B2/B8), a hotel (Class C1), café space (Class A3); energy recovery centre (sui generis), internal access roads, car parking, landscaping and associated works including earthworks, utility diversions, sustainable drainage systems, tree removal and tree protection. There are no houses being built as part of GHP.</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Surface Access</p>	<p><i>Document 000941</i></p> <p><i>18.6.7 Because the Green Horizons Park development is dependent on the Airport Access Road (AAR) for access, it has not been appropriate to include the traffic associated with that development in the 'Do Minimum' scenario; however, this does distort the 'Do Something' scenario because the changes include the Green Horizons Park traffic as well as the additional airport related traffic, thereby</i></p>	<p>The forecast trip generation and distribution is described in the Transport Assessment [APP-206] section 9.5.</p> <p>Whilst Green Horizons Park is an existing committed development, the impact of traffic associated with the development has only been considered in the do-something (with Airport expansion) scenarios. This is because access to Green Horizons Park would be from the proposed Airport Access Road.</p>

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		<p><i>exaggerating the increase in traffic on the highway network. Furthermore, the Proposed Development will include some of the land that was assumed to form part of the Green Horizons Park development, therefore the scale of development that will be delivered in practice is likely to be less than the total consented.</i></p> <p>SLAE are unable to comment on the following paragraph in document 000941 as its meaning is not clear. Please can LR re-write in clear understandable English and we will comment?</p>	<p>As such, the traffic associated with Green Horizons Park has only been included in the with Airport expansion scenarios. This results in an over-estimate of the impact of the Airport expansion alone and therefore provides a robust assessment.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Energy Demand</p>	<p><i>Document 000680.</i></p> <p><i>1.1.2 The Energy Statement has two functions: a. To inform the size and scale of assets (such as the grid connection, on and off-site generation) included in the Proposed Development, and which will serve the wider airport development, (including Luton DART and Green Horizons Business Park) which whilst outside this application, may be supplied by assets within the application boundary. b. To inform the scenario assessment of 'with' and 'without' development within the</i></p>	<p>The Proposed Development will draw power from the grid to supplement onsite or near to site generation in meeting demand. UK Power Networks (UKPN) are the statutory undertaker for electricity supply in London, the South East and the East of England and are responsible for the provision of power in the Luton area. The Applicant has liaised extensively with UKPN and will be submitting a formal application in due course to support the proposed increase in demand as described in section 4.3 of the Energy Statement. UKPN will then advise on any grid</p>

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		<p><i>ES. The impact assessment explores only those loads and forms of generation that are within the Order Limits (the red line boundary of the application) and which are additional to current loads, and which are the subject of this application,</i></p> <p>Does any part of the a & b points in paragraph in 1.1.2. in document 000680 draw power from the grid? Will the application impact the surrounding ward residents? During construction and each the operation of each phase? Will ward residents experience power black outs?</p>	<p>reinforcement necessary to maintain a stable network and meet all the known demands (including the airport) and the timeline for these works.</p> <p>This is against the backdrop of a general increase in demand across the entirety of the Southeast. The Proposed Development therefore includes additional energy network infrastructure and assets within the airport boundary and on-site energy generation and battery storage to reduce reliance on the grid and better manage peaks in demand on the airport.</p> <p>The construction works associated with the energy demand included a substation north of the airport (Work No. 4w) and associated connections and further works within the airport boundary (Work No. 4x). These are described within the Construction Method Statement and Programme Report [AS-082] and shown on the Work Plans Part 4 of 6 [AS-015].</p>
Stop Luton Airport Expansion	Planning	<p><i>Document 000987</i></p> <p><i>4.7.2 Since the 2019 statutory consultation, several changes have been</i></p>	<p>The Applicant confirms that the paragraph is correct. Economic uncertainty as a result of the Covid-19 pandemic had a direct impact on</p>

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<p>(Green Horizons Park)</p> <p>REP1-160</p>		<p><i>made to the Proposed Development, due to a range of factors including Brexit, Covid-19 and responses to the consultation. The key changes to the fully built-out scheme are: a. inclusion of AAR – The AAR, is included as part of the application. Uncertainty as to if and when this road could be delivered through Luton Rising's New Century Park (now Green Horizons Park) planning permission, because of the changed economic situation caused by the Covid-19 pandemic, led to the decision to include a slightly modified version of the road within the application proposals. This provides the certainty required that the road can be delivered ahead of time. This is important as it will be relied upon for access to the expansion area east of the existing airport.</i></p> <p>We don't think that paragraph is correct and that Covid-19 was not the cause of not delivering the AAR, we understand it's because the Council did not have the money to fund the road.</p>	<p>the Applicant's ability to bring forward the Green Horizons Park development to its original timetable. A number of options were investigated for delivery of parts of the road to help unlock development, including options which would have seen the Council taking over delivery of that part of the wider Green Horizons Park development, but ultimately no fundable option for early delivery was identified. As a consequence, to provide the certainty required for the airport growth proposals, the road was included in its entirety in the application for development consent.</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>[see Written Representation for referenced evidence]</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Need Case</p>	<p><i>Document 001116</i></p> <p><i>5.12.2 As the volume of passengers and flights using the airport grows, there will be a need for additional hotel accommodation within the vicinity of the airport. An additional 125 bedroom hotel is planned as part of the Green Horizons Business Park and there are other new hotels planned in the vicinity of the airport, providing of the order of 570 additional bedrooms.</i></p> <p><i>Document 000827 5.12.2 An additional 125 bedroom hotel,</i></p> <p><i>Document 001117 7.5.39 An additional 145 bedroom hotel</i></p> <p>125 or 145 beds, please clarify?</p> <p>[see Written Representation for referenced evidence]</p>	<p>The Applicant is unable to identify the referenced documents. However the Applicant does not consider that, to the extent there is any discrepancy in bedroom numbers, this is a material point.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p>	<p>Planning Open Space</p>	<p><i>Document 001114</i></p> <p><i>5.8.7 The Green Horizons Park development would not be implemented in full as per that planning permission (see</i></p>	<p>Green Horizons Park benefits from an extant planning permission which will be implemented as set out in the Applicant's</p>

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REP1-160		<p><i>Section 6.7 below). Funding for other related projects in Luton will be provided. Replacement pitches were being delivered through the Green Horizons Park permission.</i></p> <p>Where will the replacement pitches be? Why is this statement in the DCO? Is this statement just application filler?</p>	<p>Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p> <p>The Green Horizons Park S106 Agreement secures a requirement for replacement pitches and indicates potentially suitable locations for these. It is anticipated that the DCO S106 Agreement will mirror this requirement to ensure that the contribution towards replacement pitches is protected.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	Planning	<p><i>Document 00111</i></p> <p><i>4 8.3.20 LLP3 on the Luton Town Centre Strategy Part A(iii) adds “hotels, and leisure uses to maintain and enhance the (retail) regional role of the town centre”. To complement this, the Luton Hotel Study (July 2015) provides evidence that “there is a need for an extra hotel room requirement of potentially 1,830 rooms by 2030 predominantly related to aviation and business travel in the vicinity of the airport”. LLP3ii refers to Century Park (now Green Horizons Park) development as a mixed aviation related B1b-c, B2 and B8, small scale ancillary service uses and hotel use.</i></p>	<p>Paragraph 8.3.20 of the Planning Statement [AS-122] references Luton Local Plan Policy LLP3 which forms part of the socio-economic policy context.</p>

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		<p>Why does the DCO application have many references to the facilities that GHP will offer under the local planning agreement? Is this just padding out the application?</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Land Contamination</p>	<p><i>Document 000748 Airport Access Road 6.9.2 The section of the Airport Access Road (AAR) from Airport Way to Percival Way was part of a planning application submitted for Green Horizons Park. This area was subject to two previous site investigations, (Ref. 49) and (Ref. 54) the soil analysis results from which have never been formally assessed. An indication of the likely significant impacts was included in the Chapter 17 of the Environmental Statement [TR020001/APP/5.01] for Green Horizons Park (Ref. 61) which indicated there were localised asbestos contamination within the Made Ground and substantial Made Ground deposits encountered in the vicinity of Airport Way. The ES concluded following suitable mitigation there would be no significant effects but indicated additional ground investigation was required.</i></p>	<p>Ground investigation data from the Airport Access Road area was assessed alongside other ground investigation data in Section 9 of the Appendix 17.2 to the Environmental Statement (Land Contamination Generic Quantitative Risk Assessment (GQRA) [APP-121 and 122]. Further ground investigation across the Proposed Development will be required for detailed design.</p>

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		<p>Why when the DCO application has cost £65 million has the soil analysis results never been formally assessed? An indication is cannot be good enough when there are so many facts and figures used in other parts of this application? Has the analysis been overlooked?</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Land Contamination</p>	<p><i>10.1.21 Leachate and groundwater monitoring results from the recent GI require further detailed assessment to confirm the initial findings from the Arup Green Horizons Park QRA.</i></p> <p>Was a further detailed assessment ever done? If not, why not?</p>	<p>All leachate and groundwater monitoring results from across the landfill were assessed within Appendix 17.4 of the ES (Detailed Quantitative Risk Assessment Report: Controlled Waters) [APP-124].</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Surface Access Construction Traffic</p>	<p>Green Horizons Park 3 <i>Document 000678 4.3.3.d. Construction Compound 4 (Green Horizons Warehouse): A self-contained site compound located within car parking area of the proposed NCP warehouse (Area 12). Compound area would be approximately 1,000sqm and would provide welfare facilities for site operatives, materials receiving and</i></p>	<p>The area highlighted as Construction Compound 4 is intended to be used as a construction compound, during the construction of the proposed car parks and AAR works.</p> <p>It is likely that construction traffic accessing this site would travel via President Way, however detailed construction impacts, including temporary access arrangements, are set out in the Outline Construction</p>

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		<p><i>equipment storage and operative car parking;</i></p> <p>Before the AAR is built, how will traffic get to this site?</p>	<p>Traffic Management Plan (OCTMP), which would be developed in detail by the appointed contractor during the detailed design stage.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p>Evidence GHP s. Luton Borough Council Local Plan 2011-2031, November 2017 (Ref. 11.20) The development of, and improved access to, the London Luton Airport Strategic Allocation, which includes Green Horizons Park (formerly New Century Park), are needed to serve aviation engineering, business and logistics related growth and some small scale B2 accommodation for local businesses.</p> <p>We are not sure if we have seen logistics related growth attributed to GHP elsewhere in the application documents?</p>	<p>Luton Local Plan (Ref 14) paragraph 5.7 sets out as a key issue that “the development of, and improved access to, the London Luton Airport Strategic Allocation, which includes Century Park, is needed to serve aviation engineering, business and logistics related growth and some small scale B2 accommodation for local businesses”.</p> <p>The Proposed Development will help to meet that need and address that key issue.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p><i>Document 000816 - Existing Site New Century Park (NCP), now known as Green Horizons Park (GHP), is located to the east of the airport. GHP is a mixed-use business park which includes the construction of a new access road</i></p>	<p>High-quality refers to the anticipated functionality and flexibility of these buildings to meet modern business requirements.</p>

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		<p><i>(referred to in the planning application as Century Park Access Road (CPAR)).</i></p> <p>In other documents GHP is classed as a high quality mixed-use business park, can you explain in more detail what a high quality warehouse is? The same for industrial space (Class B2 and B8)?</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning</p>	<p><i>Document 000812 2.4.36. c. Area C - The GHP Light industrial quarter (this area is safeguarded for Green Horizons Park development and not directly affected by the Proposed Development).</i></p> <p>What is a light industrial area, I thought it was a high quality industrial space?</p>	<p>The term light industrial refers to the nature of use as opposed to the quality of the space provided. These terms are mutually exclusive.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Economics and Employment</p>	<p>8.3.40 The following embedded mitigation measures have been incorporated into the design of the Proposed Development: d. The Green Horizons Park development (formerly New Century Park) for which planning permission was approved in June 2021 (LBC ref. 17/02300/EIA) included employment creation estimated at 3,200 jobs. The Proposed Development will affect the Green Horizons Park area and is reported under the displacement effects</p>	<p>Please note this text should not have featured in the embedded mitigation measures section. The text is related to a development that would be part of the future baseline. The assessment of the impact of the scheme on this development is covered in the assessment section of this chapter.</p> <p>The 3,200 jobs estimated to be created at Green Horizons Park is derived from Chapter 7 of the Environmental Statement for that</p>

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		<p>below. The design of the Proposed Development has sought to keep adverse effects to a minimum.</p> <p>3,200 jobs are estimated and we ask LR to document the mitigation if these jobs don't materialise? SLAE cannot find the evidence in this DCO as to how they got to these numbers? Again, is this just DCO application filler?</p>	<p>planning application (ref. 17/02300/EIA) (Ref 1).</p> <p>Section 11.9.10-11.9.15 of Chapter 11 of the ES [AS-078] describes the displacement of employment that will take place at Green Horizons Park as a result of the construction of the Proposed Development. This identifies that 593 of those jobs would not be realised. The employment displaced has been derived from the breakdown of jobs created against the land-take for the Proposed Development. Whilst these jobs are theoretically displaced, it is envisaged that the jobs would be relocated in the economy including some potentially within the Proposed Development.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Need Case Economics and Employment</p>	<p><i>8.3.42 The ETS [TR020001/APP/7.05] includes goals for the construction assessment phase in apprenticeships, local employment, and tendering contract opportunities to local companies, for example, small and medium sized enterprises. Tendered contracts can stipulate targets for appointed lead contractor firms. Liaison will be undertaken with existing education bodies in advance of the construction programme to advise on future skills requirements that can tailor with the construction skills</i></p>	<p>The easyjet Academy was an example of existing programmes that are currently in place. As outlined in the Employment and Training Strategy [APP-215] the Airport Employers Community Forum (AECF) will set a benchmark for training good practice in collaboration with human resources leaders from businesses across the airport.</p> <p>The airport operator, as part of the AECF, will encourage organisations working across the airport to advertise their jobs on the Working at Luton Airport website. The website</p>

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		<p><i>forecast. A number of existing operators have bespoke training programmes – such as easyJet Academy. It is anticipated that a Workplace Charter for employers, defined in the ETS [TR020001/APP/7.05], will be developed to work towards a set of agreed objectives that will include a focus on local employment and training initiatives</i></p> <p>Will the easyjet Academy advise on future skills requirements that can tailor with the construction skills forecast? Could LR please advise where on the easyjet web site the Academy relating to construction jobs can be found?</p>	<p>advertises jobs across the airport and can be leveraged to advertise jobs created during construction and operation of the Proposed Development.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Surface Access</p>	<p><i>8.3.46 The proposed hotel would promote airport-related guests to use public transport including Luton DART, facilitate improved service for passengers taking early morning and late evening peak departures and arrivals, increase four-star options for potential guests, reduce private vehicles and shuttle buses on nearby roads, increase the airport's profile with conferencing facilities and provide several employment opportunities.</i></p>	<p>It is noted that whilst in isolation the numbers are likely to be small, the proposed hotel would contribute incrementally to a reduction in private vehicle trips. Given their scale it is not possible to provide the information requested.</p>

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		Can LR provide more detailed information, i.e. the number of private vehicles and shuttle buses that will be reduced?	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning Open Space</p>	<p><i>In paragraph 8.12.21 As part of the Proposed Development, an area of Wigmore Valley Park would be lost and open space of a greater area would be provided to the east of the existing green space at Wigmore Valley Park, south of Darley Road (as shown on Figure 14.11 of the ES [TR020001/APP/5.03]). Key facilities built as part of the extant Green Horizons Park planning consent to the north would be retained in this area and would remain fully accessible to the public throughout the construction period. Overall, the impact of the closure and re-provision of Wigmore Valley Park represents a minor beneficial impact for users of the park. The Open Space Assessment in Appendix C provides a full discussion of this matter.</i></p> <p>Can LR explain in detail how a reduction in the current Wigmore Valley Park open / green space available leads to a greater</p>	<p>Overall, the proposed Wigmore Valley Park will be larger than the existing Wigmore Valley Park which represents an improvement as set out in the Open Space Assessment at Appendix C to the Planning Statement [APP-197]. Paragraph C6.1.5 explains the size of the existing Wigmore Valley Park and the size it will be following the completion of the enhancements to open space and the creation of new Replacement Open Space provided as part of the Proposed Development.</p> <p>The Applicant has no plans to use the existing car park for anything other than its current use and it is outside of the limits of this application for development consent. Any request from construction contractors for use of parts of the car park during construction activity will need to be considered in detail at the appropriate time and be subject to separate agreement.</p>

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		<p>area of open / green space? SLAE cannot work out the maths, unless an area greater than the loss, is returned from brownfield land to open / green space. A new Wigmore Park can be greater when it purchases adjoining existing open / green / farming land in Hertfordshire, however excluding a name, overall it's a loss. SLAE would like to know how during construction activities that the car parking spaces will remain available only for users of the park?</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Planning Open Space</p>	<p><i>Evidence GHP k 8.12.22 This Open Space Assessment also considers the legal tests set out in sections 131 and 132 of the Planning Act (2008) which make provision for special parliamentary procedure to apply where a development consent order authorises the compulsory acquisition of land, or rights over land, forming part of open space. The assessment of the replacement open space proposals demonstrate section 132 (3) applies, therefore, the special parliamentary process referenced in section 132 (2) is not engaged. Furthermore, section 131 is not engaged.</i></p>	<p>This paragraph is confirming, for the avoidance of doubt, that Sections 131 and 132 of the Planning Act 2008 are not engaged.</p>

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		<p>SLAE seek clarification on this paragraph? When reading sections 131 and 132 of the planning Act (2008), it does not refer to agricultural land (documents 000781, 000658, which is clearly classified.</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park) REP1-160</p>	<p>Surface Access</p>	<p>8.12.23 Key mitigation measures relevant to health and community effects are summarised in Section 13.8 of Chapter 13 of the ES [TR020001/APP/5.01]. These include measures to reduce noise impacts notably to establish a noise envelope (GCG Appendix C [TR020001/APP/7.08]), provision of replacement open space (Appendix C of this document), landscape management at Wigmore Valley Park and where practicable, the Proposed Development would be designed to avoid or reduce adverse effects on other road and public transport users through measures that are targeted at encouraging greater use of those modes of travel that have less environmental impact (e.g. extending the Luton DART). Embedded and good practice mitigation measures of particular relevance to the health and community assessment identified in the following topics have also been taken into</p>	<p>Section 13.8 of Chapter 13 of the ES [AS-078] notes that “<i>where practicable, the Proposed Development would be designed to avoid or reduce adverse effects on other road and public transport users through measures that are targeted at encouraging greater use of those modes of travel that have less environmental impact e.g. extending the Luton DART</i>”, yet does not mention Wigmore Park in the same paragraph.</p> <p>The Luton DART is not intended to benefit users of Wigmore Valley Park, it is simply listed within the ES as a mode of travel which has a reduced environmental impact.</p> <p>The Applicant notes that the respondent has covered parking issues elsewhere in its Written Representation and has provided a response to such matters below.</p>

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		<p>account for the assessment: Chapter 7 Air Quality, Chapter 11 Economics and Employment, Chapter 14 Landscape and Visual, Chapter 16 Noise and Vibration, Chapter 18 Traffic and Transport of the ES [TR020001/APP/5.01], and Appendix 5.2 Light Obtrusion Assessment, and Appendix 4.2 CoCP of the ES [TR020001/APP/5.02].</p> <p>Please explain as we struggle to understand why visitors to the park would use the Dart to get to the Park? Also we cover in our Pavilion, Skate Park and children's Play park Written Representation the parking issues that will be faced by non airport, GHP or employees visiting those facilities.</p>	
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Luton Rising</p>	<p>Green Horizons Park 4 <i>Document 000657 Public Open Space land subject to acquisition 12.1.6 The land currently designated as public open space is within the eastern part of the Main Application Site. This land is principally arable but includes also WVP, a designated District Park and area of public open space. WVP is recognised to form</i></p>	<p>The delivery of projects authorised by other planning permissions is not relevant to this application for development consent.</p> <p>Notwithstanding this position, the extant planning permission which provides for the improvement of facilities within Wigmore Valley Park forms part of the wider Green Horizons Park project. For a number of</p>

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		<p><i>part of the Luton Green Infrastructure Network (Ref 12.1), is used for dog walking and recreation, and includes mown open grassland, scrub grassland, woodland, allotments, a play park, skate park, car park and a pavilion building. The Pavilion has been disused for a number of years. The total existing area of open space within the Order limits subject to permanent acquisition covers an area of 35.9ha.</i></p> <p><i>Document 001114 4.8.7 Improvements to Wigmore Valley Park as part of the Green Horizons Park proposals include refurbishment and extension to the Wigmore Valley Park Pavilion building as well as replacement children's play areas and skate park.</i></p> <p>SLAE suggest that these improvements could have been made years ago and have submitted a Freedom of Information request to LBC which is expected to be returned on the 18th September to find out why, and evidence will be submitted shortly after that date. SLAE believe this to be a deliberate lack of investment and</p>	<p>reasons, including the effects of the Covid-19 pandemic and the interface with this application for development consent, that project has not yet been implemented. Nevertheless, the Applicant remains keen on bringing forward some elements of the improvements to the retained area of Wigmore Valley Park at the earliest opportunity, subject to availability of funding and successful applications to satisfy relevant planning conditions.</p> <p>Further detail can be found in the Applicant's Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p>

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		maintenance with WVP, Pavilion and children's play area.	
Stop Luton Airport Expansion (Green Horizons Park) REP1-160	Open Space	<p><i>Document 001114 5.8.8 The DCO proposals include establishing a Community Trust to run and maintain Wigmore Valley Park and funding may be provided to the Trust through the section 106 obligation(s). This may also include the habitat creation land beyond the park.</i></p> <p>SLAE ask LR to change the "may be" into a "will" to indicate LR commitment, otherwise it means nothing and would be viewed as an application filler. This would also be seen as being a genuine "Good Neighbour".</p>	<p>The establishment of a Community Trust for the future management of public open space east of the airport delivered through its various projects is a longstanding commitment from the Applicant.</p> <p>The Applicant is similarly committed to providing funding for the Community Trust once established. It is currently envisaged that the mechanism for funding the Trust would be via an obligation to be included in the draft s106 agreement to be provided at a date later in the examination.</p> <p>Inclusion of habitat creation areas beyond the replacement open space within the demise of the proposed Community Trust is a matter of detail to be considered with the Trust once it is established.</p>
Stop Luton Airport Expansion (Green Horizons Park)	Planning	5.9.9 However, it is anticipated that some elements of Green Horizons Park will still be implemented under that planning permission, and these will be subject to future Reserved Matters / approval of details submissions to LBC. It may also be	Luton Borough Council is the local planning authority responsible for determining any planning applications submitted under the Town and Country Planning Act 1990 (Ref 15). Section 2.5 of the Applicant's Deadline 1 Submission Roles and Responsibilities of

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REP1-160		<p>necessary for some elements of Green Horizons Park to be amended having regard to the Proposed Development, and these would be subject to separate applications under S73 / S96a of the Town and Country Planning Act 1990 (ref 5.2) as appropriate</p> <p>As asked for in our OFH1 verbal statement, we ask the inspectorate / government that Luton Development Management Committee not be able to make planning decisions on airport expansion. Evidence RR c Anne Donelans statement evidences how decisions are made, and that all airport planning applications are approved suggests that the works that fall under paragraph 5.9.9 are already pre-approved.</p>	<p>Luton Borough Council [REP1-018] sets out the measures that have been put in place to ensure the due and proper demarcation of roles and responsibilities of Luton Borough Council, including the independence and objectivity of the Council's Planning functions.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Land Contamination Human Health</p>	<p>Green Horizons Park 5 [see page 12 of Written Representation for Table 2.1]</p> <p>SLAE believe that further and satisfactory DQRA must be carried out before the inspectors come to a decision on the DCO application. How can they make a decision</p>	<p>The information in Table 2.1 is taken forward from the assessment made in Table 13.1 in Appendix 17.2 to the ES (Land Contamination Generic Quantitative Risk Assessment (GQRA) [APP-121]), and shows what PCLs (Potential Contaminant Linkage) were being assessed further within Appendix 17.3 of the ES (Detailed</p>

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		<p>when those working at GHP could be gassed, inhale vapours, breath in contaminants, dust/ asbestos fibres and microorganisms, and be exposed to a the risk of explosion, despite the qualitative assessment of risk. SLAE suggest that the council offices are re-located to GHP and let them sample what they propose on others. Walk the walk, not talk the talk. What happens if people die as a result of working at GHP, it's a bit late to then state that the application said 'low risk'?</p>	<p>Quantitative Risk Assessment (DQRA) Report: Human Health) [APP-123]. The outcome of the assessment undertaken is presented in the DQRA, in Table 7.1.</p> <p>Therefore, a DQRA has already been undertaken with risks to future users assessed and reported as part of the application.</p> <p>The information contained in the application documents is sufficient to allow a planning decision to be made. These documents include further requirements for the design and installation of mitigation measures an ongoing monitoring regarding work in and over the landfill including the Code of Construction Practice [APP-049], Outline Remediation Strategy [APP-125], and Monitoring Strategy [APP-127].</p> <p>Similar requirements are set out in the extant planning permission for Green Horizons Park (available on the Luton Planning Portal) including Conditions 12 to 15 requiring the preparation of remediation strategy, verification report, and monitoring and</p>

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			<p>maintenance plan. There is also infrastructure already located over the landfill. This shows that risks can and will be appropriately managed for infrastructure proposed over historic landfill.</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Land Contamination Human Health</p>	<p>[see page 13 of Written Representation for Table 2.2]</p> <p>Same questions as those asked on Table 2.1.</p>	<p>Table 2.2 is taken from Appendix 17.5 of the ES (Outline Remediation Strategy) [APP-125]. This table shows PCLs which do not require specific remediation activities, but should be considered during design and how the construction is managed. Measures to protect workers and neighbours during construction, with suitable controls are secured by the Code of Construction Practice (CoCP) [APP-049] and detailed remediation strategy, documents secured by Requirements 8 and 17 of the draft DCO [AS-067].</p>
<p>Stop Luton Airport Expansion (Green Horizons Park)</p> <p>REP1-160</p>	<p>Land Contamination Human Health</p>	<p>[see page 14 of Written Representation for Table 7.1]</p> <p>Same questions for table 7.1 as for table 2.1.</p> <p>Inconsistencies: Where GHP is mentioned in documents and an acronym is used, the</p>	<p>Table 7.1 is taken from Appendix 17.4 of the ES (Detailed Quantitative Risk Assessment (DQRA) Report: Controlled Waters) [APP-124]. It shows the outcome of the assessment undertaken, and any further measures required. This assessment is taken forward to Appendix 17.5 of the ES (Outline Remediation Strategy) [APP-125].</p>

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		<p>meaning of the acronym is not found in all Glossary's.</p>	
<p>Stop Luton Airport Expansion (Luton Town Football Club Training Ground)</p> <p>REP1-160</p>	<p>Planning Air Quality Noise and Vibration</p>	<p>Stop Luton Airport Expansion (SLAE) would like to suggest a visit to Luton Town Football Clubs training ground at the Brache, Gypsy Lane, Luton. We don't think that this has been a site visit yet. The visit might need to be accompanied and with permission from the football club. We are happy to contact the club to ask for permission.</p> <p>We have not found anywhere in the applicant documents any consideration of the impact of their expansion proposals on the football club or their athletes. Can LR provide document references?</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 83, in response to RR-04724 and others.</p> <p>The training ground at Gypsy lane is within the study areas for some assessments reported in the Environmental Statement, including air quality [AS-076] and noise [REP1-003] and has therefore been considered appropriately. However, sports facilities are not considered sensitive receptors in the best practice methodology employed in these assessment as agreed with technical stakeholder including the councils. This is a result of them only being used temporarily for short periods of time rather than permanently occupied. Therefore, they have not been specifically mentioned or discussed as receptors in the assessment. Residential properties in the area have been considered and provide representative</p>

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			understanding of the existing and predicted environment where applicable. No further specific assessment for the training ground is required.
Stop Luton Airport Expansion (Luton Town Football Club Training Ground) REP1-160	Flightpaths Air Quality Noise and Vibration	We are concerned that the Luton Town Football Club training ground is under the flight path and that the athletes will be exposed to increased pollution, noise and other impacts of aviation and aircraft taking off from and landing at the airport. Why is the not covered in the application?	The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 83, in response to RR-04724 and others. It should be noted that sports facilities are not considered sensitive receptors in relation to long term noise or air quality effects as they are not permanently occupied or used, in line with best practice guidance, agreed with the local authorities, and Luton Town Football Club have not raised any concerns regarding the proposals.
Stop Luton Airport Expansion (Luton Town Football Club Training Ground) REP1-160	Flightpaths Air Quality Noise and Vibration	The football club are also planning to relocate from their present ground in Kenilworth Road to a planned new stadium in Power Court, which is on the airport side of the town centre and at the bottom of the valley. They and visiting teams will be prone to aircraft and aviation pollution there as well. SLAE could not	The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 83, in response to RR-04724 and others. It should be noted that sports facilities are not considered sensitive

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		find references to pollution from the airport at Power Court?	receptors in relation to long term noise or air quality effects as they are not permanently occupied or used, in line with best practice guidance, agreed with the local authorities.
<p>Stop Luton Airport Expansion (Luton Town Football Club Training Ground)</p> <p>REP1-160</p>	<p>Community and Stakeholder Engagement</p> <p>Air Quality</p> <p>Noise and Vibration</p>	<p>With a consultation costing up to £65 million, we are surprised that after 5 years of airport planning for the consultation that this item has not been picked up at all by Luton Borough Council or Luton Rising.</p> <p>Do LR and LBC not have the competent experts with the expertise to understand this subject and the health of professional elite athletes when performing at their maximum? Tiny margins matter when top athletes compete and aviation pollution may just make the difference between winning or losing.</p> <p>They can be forgiven as this is a very specialised subject and we are not aware of any UK organisation researching into this.</p> <p>Evidence taken from researchers and available on the internet.</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 83, in response to RR-04724 and others.</p> <p>The Applicant considers that the issue raised regarding the health impacts of air pollution and short term effects, was answered within the Applicant's Response to Relevant Representations Part 2A of 4 (Local Authorities) [REP1-021] page 24-25, in response to RR-0558 and others.</p> <p>It should be noted that sports facilities are not considered sensitive receptors in relation to long term noise or air quality effects as they are not permanently occupied or used, in line with best practice guidance, agreed with the local authorities.</p>

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		[see Written Representation for referenced evidence].	
Stop Luton Airport Expansion (Luton Town Football Club Training Ground) REP1-160	Surface Access	<p>We have also not seen any football crowd / traffic modelling in the expansion consultation documents for when the new stadium is built, which will also use the same road network as airport traffic. Please provide where in the application this information can be found? Document 000966, drawings LLADCO-3C-ARP-SFA-HWM-DR-CE-0002, LLADCO-3C-ARP-SFA-HWM-DR-CE-0003, LLADCO3C-ARP-SFA-HWM-DR-CE-0004, LLADCO-3C-ARP-SFA-HWM-DR-CE-0005, LLADCO-3C-ARP-SFA-HWMDR-CE-0006, LLADCO-3C-ARP-SFA-HWM-DR-CE-0015.</p> <p>The new stadium at Power Court is due to hold a crowd of 19,500 initially and expanding to 23,000. Outline planning permission was given in 2019. This will generate additional traffic.</p>	<p>The Transport Assessment [APP-203, AS-123, APP-205 to APP-206] provides a significant amount of detail on surface access, including the proposed mitigation measures which are designed to accommodate airport-related traffic growth, together with growth associated with background traffic and consented developments including the Power Court submission.</p> <p>However, the modelling exercise focuses on the typical weekday AM and PM peak periods, which would not include activity associated with the football club. In addition, the planning permission associated with Luton Town FC includes various forms of highway improvements, which the football club would be required to provide in order to mitigate the effects of traffic associated with the stadium relocation.</p>
Stop Luton Airport Expansion (The	Planning Open Space	Stop Luton Airport Expansion have not been able to find out what the plans are for the current Wigmore Valley car park. It	The existing Wigmore Valley Park car park does not form part of this application for development consent.

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Pavilion, Skate Park and Children's Playground at Wigmore Valley Park) REP1-162		is not clear from the applicants DCO submission and Luton Borough Councils Evidence PSCP a 17/02300/EIA Airport Way - Century Park permission granted on 29 June 2021 on what is planned for this car park. [see Written Representation for referenced evidence].	The Applicant has no plans for this car park other than for its continued use to serve Wigmore Valley Park.
Stop Luton Airport Expansion (The Pavilion, Skate Park and Children's Playground at Wigmore Valley Park) REP1-162	Planning Open Space	Under the 17/02300/EIA Airport Way planning permission the Wigmore Pavilion will include a new cafe, a Skate board area and next to it a new play park. Evidence PSCP c. This will attract visitors to the facilities and not all will be Wigmore residents and car park provision will need to be required for them. Evidence PSCP d. From the approved plans, the play park looks particularly exciting and we have not seen anything like this in Luton and it will certainly bring in Luton residents from all over the Borough. [see Written Representation for referenced evidence].	This is a matter for the Green Horizons Park planning permission. The Applicant does not consider it a relevant matter in this application for development consent. Nevertheless, the Applicant remains keen on bringing forward elements of the improvements to the retained area of Wigmore Valley Park at the earliest opportunity, subject to availability of funding and successful applications to satisfy relevant planning conditions.
Stop Luton Airport	Surface Access	SLAE are concerned that with the car park so close to the proposed new terminal, it	The Applicant and operator will continue to work with local authorities to understand the

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<p>Expansion (The Pavilion, Skate Park and Children's Playground at Wigmore Valley Park)</p> <p>REP1-162</p>		<p>will become crowded with cars picking up and dropping off passengers going to the airport or those holiday makers with money to burn and not concerned about the fines. There will be some who may abandon cars if they have a one way ticket, and those who live in countries where parking fines will not be chased (social media is a good communications tool). Who wouldn't like to park there and enjoy a cup of coffee whilst waiting to pick up passengers, especially delayed flights. There will be waiting cars to pick up workers from the airport and Green Horizons Park (if ever built). Evidence PSCP a & PSCP b. The current car parking limits allow xxx hours free parking, enough time to drop off and collect passengers. Cars will be parked on verges and the road entrance and will the road be wide enough if cars are parked either side, for cars to travel on both sides of the road with allowances for vehicles such as Fire Engines to get through unimpeded.</p>	<p>impacts of the airport through ongoing monitoring as set out within the Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA) (Appendix I of the Transport Assessment [APP-202]). There are opportunities through this process to identify any impacts that are being realised in future and seek to investigate the potential implementation parking control measures and/or traffic management in local areas.</p>
<p>Stop Luton Airport Expansion (The Pavilion, Skate</p>	<p>Surface Access</p>	<p>How will groups that have mobility needs be able to park? How will residents be able to park, as not every trip can be made by the DART, public transport, bike</p>	<p>Parking controls within the Wigmore Park area would be subject to local authority monitoring and enforcement, however as previously noted, the Applicant and operator</p>

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<p>Park and Children's Playground at Wigmore Valley Park)</p> <p>REP1-162</p>		<p>or walking? And then there will be visitors with children from surrounding towns taking a day out to plane spot, play in the park and have a coffee whilst doing so. What parking enforcement will be in place?</p> <p>SLAE cannot see how this will work and think that this has been missed from 17/02300/EIA Airport Way permission and the DCO application, has it?</p>	<p>will continue to work with local authorities to understand the impacts of the airport through ongoing monitoring as set out within the Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA) (Appendix I of the Transport Assessment [APP-202]).</p> <p>There are opportunities through this process to identify any impacts that are being realised in future and seek to investigate the potential implementation of traffic management and/or parking control measures in local areas.</p>
<p>Stop Luton Airport Expansion (The Pavilion, Skate Park and Children's Playground at Wigmore Valley Park)</p> <p>REP1-162</p>	<p>Open Space</p>	<p>SLAE ask the inspectors to make a condition if the DCO is approved that the Pavilion, Skate park and play park as given planning permission is delivered as detailed in 17/02300/EIA and protected in law like the Green Controlled Growth proposal. If GCG can become law then so can Wigmore Valley Park amenities offered to benefit the residents. We are suspicious that Pavilion and play park plans will be cut back when it comes to local planning decisions made after the DCO application process has completed.</p>	<p>None of these facilities form part of this application for development consent, they are already permitted under a separate planning permission. The Pavillion building is outside of the development boundary.</p> <p>Nevertheless, the Applicant remains keen on bringing forward elements of the improvements to the retained area of Wigmore Valley Park at the earliest opportunity, subject to availability of funding and successful applications to satisfy relevant planning conditions.</p>

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<p>Wheathampstead and District Preservation Society</p> <p>REP1-170</p>	<p>Planning Noise and Vibration</p>	<p>I am speaking on behalf of Wheathampstead and District Preservation Society – an organisation with more than 400 households as members, which is more than 15% of the village population.</p> <p>I have lived in Wheathampstead for more than 25 years and have seen a massive increase in aircraft disturbance – increased noise, especially at night, increased traffic through our village to reach the airport and consequently increased pollution.</p> <p>We hear from members and villagers in Wheathampstead several times a week about how badly they are affected by aircraft noise from Luton Airport – in what is a rural community with a relatively low ambient noise level. We know night flights are a specific concern.</p> <p>There is no doubt that these impacts on people's quality of life and human rights will increase massively with the proposed expansion plans.</p>	<p>The impact of noise (day and night) from aircraft and road traffic associated with the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080]. The Applicant notes that the movement limit in the night quota period will be retained via Requirement 27 in Schedule 2 of the Draft Development Consent Order [AS-067].</p> <p>Section 2.5 of the Applicant's Deadline 1 Submission Roles and Responsibilities of Luton Borough Council [REP1-018] sets out the measures that have been put in place to ensure the due and proper demarcation of roles and responsibilities of Luton Borough Council, including the independence and objectivity of the Council's Planning functions.</p>

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		<p>The application is littered with limp assurances about introducing mitigation factors. But the airport has a very poor track record of delivering on past promises and it is just not held to account by the local planning authority (in my opinion due to the conflict of interest as airport owners).</p>	
<p>Wheathampstead and District Preservation Society REP1-170</p>	<p>Noise and Vibration</p>	<p>For example, the expansion to 18m passengers was allowed by Luton Borough Council on condition that the expansion took place over 15 years to allow time for fleet modernisation which would in turn reduce noise levels. We are deeply disappointed that the number of flights has been allowed to increase at a rapid rate before noise reduction measures were proven to be effective. Eight years have passed, and it is evident that expansion has run faster than mitigation.</p> <p>We find it very disturbing that Luton Borough Council have not held Luton Airport to account for their frequent breaches of their noise related planning</p>	<p>The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) has been designed to improve upon the existing noise control regime and to effectively prevent breaches from occurring. Appendix 16.2 Operational Noise Management (Explanatory Note) of the Environmental Statement [APP-111] sets out how the proposed Noise Envelope contains mechanisms that should have avoided the noise Limit breaches that occurred at the airport from 2017-2019. This is further elaborated on in the Comparison of consented and proposed operational noise controls document [AS-121] which provides a direct comparison between the current and proposed operational noise controls, noting that the Noise Envelope provides several enhancements to the current consented noise</p>

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		conditions, despite numerous complaints. This leads us to question the role and integrity of Luton Borough Council.	controls that are designed to prevent breaches before they occur, such as independent scrutiny and oversight, increased transparency, adaptive mitigation and management plans and noise Limit reviews. Compliance with existing planning conditions is a matter for the local planning authority. Please see response above in relation to the demarcation of roles and responsibilities of Luton Borough Council.
Wheathampstead and District Preservation Society REP1-170	Climate Change	If this latest expansion is allowed to take place, these changes will blight the lives of future generations and make a mockery of what the UK vowed to do at the COP convention it hosted just last year.	An assessment of changes to greenhouse gases due to the Proposed Development is provided in the Environmental Statement Chapter 12 Greenhouse Gases [APP-038] . This includes an assessment of the Proposed Development's alignment with the UK's trajectory to net zero, including the UK Government's Jet Zero Strategy (Ref 3).
Wheathampstead and District Preservation Society REP1-170	Flightpaths Need Case	We all know a review of airspace is underway. We know aircraft are often held low as they depart or fly over Wheathampstead due to congestion from other airports. So surely it is reasonable and appropriate to wait for the conclusion of the airspace review before granting	As the outcome of airspace modernisation in terms of allowing aircraft to climb more freely is not yet known, the noise assessment was undertaken based on current flight paths and limitations in order to be conservative and not understate the implications of growth, as agreed through EIA scoping [APP-167 and APP-168] and engagement with the

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		further expansion or changes to noise planning conditions.	Technical Working Groups including local councils. The noise assessment is set out in Chapter 16 of the ES [AS-080] . The Applicant does not consider it necessary to delay a decision pending the finalisation of airspace modernisation as the assessment criteria adopted by the Civil Aviation Authority (CAA) (as set out in CAP1616) requires them to minimise and any environmental implications of changes. In any event, one of the overarching principles of airspace modernisation is to reduce environmental impacts overall.
Wheathampstead and District Preservation Society REP1-170	Surface Access	Car park expansion is on the agenda. We are concerned about the East / West traffic that comes through our village and along Lower Luton Road – it is a rural B-road not an airport transit route.	<p>The Transport Assessment [APP-203, AS-123, APP-205 to APP-206] provides a significant amount of detail on surface access, including the proposed mitigation measures which are designed to accommodate airport related traffic growth, together with growth associated with background traffic and consented developments.</p> <p>In addition, the Applicant and operator will continue to work with local authorities to understand the impacts of the airport through ongoing monitoring as set out within the Outline Transport Related Impacts</p>

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			<p>Monitoring and Mitigation Approach (OTRIMMA) (Appendix I of the Transport Assessment [APP-202]). There is an opportunity through this process to identify any impacts that are being realised in future and seek to investigate the potential implementation of traffic management and/or parking control measures in rural areas, in order to dissuade vehicles from using these roads to access the airport.</p>
<p>Wheathampstead and District Preservation Society</p> <p>REP1-170</p>	<p>Planning</p>	<p>The residents of Wheathampstead and surrounding areas deserve to live in the peaceful rural community they chose when moving into the village. We do not accept that the quality of life of many thousands of people should be compromised because the airport cannot deliver the promises the make (or made in previous applications) and comply with the planning conditions Luton Borough Council imposed in the previous applications. Compliance with existing planning conditions must be a pre-requisite before any further expansion can be considered.</p>	<p>Compliance with existing planning conditions is a matter for the local planning authority.</p>

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		<p>This Planning Inquiry is most welcome, and we are sure you will review the evidence before you very carefully. And we thank you for this.</p> <p>We respectfully urge you to reject this application</p>	
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	<p>N/A</p>	<p>[see pages 1-3 of Written Representation for Background]</p>	
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	<p>Climate Change Greenhouse Gases Planning</p>	<p>1 Climate Emergency Aviation caused 7% of the UK's emissions in 2018, and 8% In 2019 (domestic and international flights). The only way to avoid aviation emissions is not to fly"- Aviation Environment Federation.</p> <p>Worldwide CO2 emissions from commercial flights are rising up to 70% faster than predicted by the UN, according to an analysis. Carbon dioxide emitted by airlines increased by 32% from 2013 to 2018, according to a study by the International Council on Clean Transportation (19 Sep 2019).</p>	<p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008 (Ref 16), to achieve net -zero GHG emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>It has introduced a range of measures to control carbon. For example, the Jet Zero Strategy (published July 2022 (Ref 3) is the government strategy on how aviation will contribute to meeting the UK's climate change commitments.</p> <p>An assessment of changes to greenhouse gases due to the Proposed Development is provided in the Environmental Statement</p>

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		<p>Since Apr 2021 all planning must include aviation impacts from planes in the sky, not just airport ground activities, and impacts of all transport to airports. A consultant (Ricardo) appointed by Luton said they must begin their Environmental Statement / Impact assessment again - in effect it was just a 'wish list', written by another consultant (Wood). Luton's Airport Masterplan was now out of date, making approval on 1 Dec 2021 of expansion from 18 to 19m passengers invalid. Luton Council has ignored this in its DCO application, focusing on airport ground activities. It has done nothing to persuade the operator to cut 'ghost flights' when planes travel either empty or at far from full capacity.</p> <p>The 2019 Antithesis report commissioned by Luton Council said that Luton should aim to cut emissions by 80% by 2030. The Tyndall Centre said this figure should be 90%. This process has scarcely begun, and airport expansion would make it impossible.</p>	<p>Chapter 12 Greenhouse Gases [APP-038]. This includes an assessment of the Proposed Development's alignment with the UK's trajectory to net zero, including the UK Government's Jet Zero Strategy. This is in line with the latest IEMA guidance (Ref 11) on assessing and evaluating the significance of GHG emissions. Emissions from construction, airport operations, air traffic movements and surface access as outline in Section 12.9 on Chapter 12. No emissions sources have been omitted from the assessment.</p> <p>As this is a Nationally Significant Infrastructure Project, and therefore goes beyond the boundaries of Luton Borough Council, it would not be appropriate to use the local carbon budgets developed by the Tyndall Centre as a comparator. The role of market-based mechanisms as control mechanisms to limit emissions from the Proposed Development is discussed in Section 12.11 of Chapter 12 of the ES.</p> <p>Although the Committee on Climate Change has made recommendations that expansion of airport capacity should not be expanded,</p>

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		<p>The National Planning Policy Framework requires climate emissions and noise to be reduced, not increased. We suggest Luton has failed to comply with Environmental Impact Assessment Regulations because it has not assessed the greenhouse gas impacts of burning fossil fuels on the UK's Net Zero target; and failed to follow the NPPF by not assessing greenhouse gas emissions from flights and traffic.</p> <p>For 'Decarbonising Transport' (Ref 7.23) re 'govt commitment & actions to decarbonise the entire transport system in the UK', Luton Rising refers to vehicle fleet emissions. Yet 99% of the airport's climate impact is from planes in the sky (51%) and transport to the airport (48%), mostly from outside the borough. Luton Airport's impacts are not only local, but worldwide, yet the council acts as if it were exempt. LLP6: iv. Proposals for development will . . . fully assess the impacts of any increase in Air Transport Movements on surrounding occupiers and/or local environment (in terms of noise, disturbance, air quality and climate</p>	<p>this position is not legally binding and has not been accepted by Government as is made clear in the Government's response to the Committee on Climate Change's 2022 report to parliament of March 2023 (Ref 12):</p> <p><i>#197 "We remain committed to growth in the aviation sector where it is justified. Our analysis in the Jet Zero Strategy shows that the sector can achieve net zero carbon emissions from aviation without the government needing to intervene directly to limit aviation growth. Our scenarios show that we can achieve our targets by focusing on new fuels, technology, and carbon markets and removals with knock-on economic and social benefits. Our 'high ambition' scenario has residual emissions of 19 MtCO2e in 2050, compared to 23 MtCO2e residual emissions in the CCC's Balanced Pathway. Airport growth has a key role to play in boosting our global connectivity and levelling up in the UK. Our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. We do not, therefore, consider restrictions on airport growth to be a necessary measure."</i></p>

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		<p>change impacts), and identify appropriate forms of mitigation in the event significant adverse effects are identified.'</p> <p>'Mitigation' in the form of carbon credits has been discredited.</p> <p>'Mitigation' for noise and disturbance are woefully inadequate, say multiple witnesses.</p> <p>Members of Friends of the Earth attended a number of Consultation events, first by London Luton Airport Ltd and later by Luton Rising. Several consultants from Arup and others admitted it was not possible to mitigate against the levels of climate and pollution emissions proposed. The Government's Climate Change Committee, on IPCC scientific advice, says that there should be no further expansion at any UK airport. Bristol was allowed slightly more passengers, but Luton BC's intention for a major expansion to an airport sitting above a big town is on a different scale. The UK has international commitments – the UN's Antonio Guterres said on 15 Jun that the world is</p>	<p>Non-CO₂ emissions are discussed within Section 12.12 of Chapter 12 of the ES [APP-038]. There remains significant scientific uncertainty around the overall warming effect of non-CO₂ impacts.</p> <p>Luton only has flights to Scotland, Northern Ireland and the Channel Islands where rail</p>

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		<p>sleepwalking to disaster, and must make radical emissions cuts in the next 7 years.</p> <p>It's not only CO2 that fuels the climate crisis – jets emit hydrocarbon pollutants; jet trails turn into clouds, and water vapour in Earth's thin, vulnerable upper atmosphere cause 2-4 times the climate damage from CO2.</p> <p>The authors of a major study say “To maintain liveable conditions on Earth and enable stable societies, we must do everything possible to prevent crossing tipping points.”</p> <p>Unlike the UK, European countries have banned internal flights. Schipol is limiting flights because of pollution, noise and climate. France and Austria only permit internal flights if you cannot do the journey by train in 3 hours. The UK is the most expensive country by far to travel by rail, and in Europe it is not much cheaper to book in advance. Promoting airport expansion is a strong disincentive for individuals and businesses to change</p>	<p>journeys are over 3 hours or not available at all.</p>

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		<p>patterns of behaviour and try to cut their carbon footprint. Flying is a symbol, seen in the sky, of burning fossil fuels. Anyone promoting an increase in flying is on the wrong side of history. NO action can be allowed that makes climate problems worse. All actions should be climate positive. Every flight burns fossil fuels, and will for many years. We must radically reduce this impact, and the only way is to fly less.</p> <p>The DCO application runs counter to all these warnings. The time for “Improving connectivity and growth in air travel” has passed. We now have the impacts of Brexit, Covid, the Russian war in Ukraine, food banks, and acute poverty due to the ‘eat or heat’ energy crisis. Emissions must come down dramatically to prevent a succession of tipping points and runaway climate change, and we need to drive less, not more.</p> <p>There is no funding for expansion, and most of the plans would be unlikely to begin in that period. The Climate Crisis will only get worse – so why spend over £60m</p>	

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		<p>on a DCO when this could be used to support struggling residents and to create green jobs for the future?</p> <p>An Inquiry was held in autumn 2022 as to whether Luton Airport could expand from 18-19m passengers. One of the 3 inspectors had a specific remit on Climate Change.</p> <p>Luton Council followed the government in declaring a Climate Emergency. It set an ambitious target of Net Zero by 2040, 10 years earlier than government. But all the good work in Luton's Net Zero Strategy, done already or recommended for the future, would be wiped out by the impact and scale of the same council's proposed airport expansion. A permanent local Climate Assembly is needed, as elsewhere, to involve local people.</p> <p>In a Climate Emergency it is simply impossible to justify airport expansion. No one is calling for the airport to be closed, but the doubling of flights between 2013 and 2019 was unjustified and hugely</p>	

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		<p>damaging. The responsible thing to do is to put in place measures to REDUCE flights and promote holidays in UK, and train journeys to Europe.</p> <p>Half the population never fly, and subsidise those who do, who don't care about the damage they cause. When every plane burns fossil fuels, adding to climate change and pollution, we don't have a right to fly. It will be decades before planes don't emit carbon & pollutants, and most people have electric vehicles. We should not be 'meeting demand', most of it generated by the aviation industry, but strictly enforcing 'demand management.'</p> <p>We cannot rely on serious, destructive fires across southern Europe acting as a deterrent. Our future depends on aviation not growing but shrinking. Flying within Europe must be seen as for emergencies only. We would like to see councils telling residents that to stop flying is the biggest single thing people can do to cut their carbon footprint. Also to give advice on taking holidays in UK, seeing Europe by</p>	

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		train, or experiencing other cultures, towns, villages and countryside en route.	
Luton Friends of the Earth REP1-099	Biodiversity Noise and Vibration Landscape	<p>2 Fatal Destruction of Nature, especially one of Luton's best wildlife habitats</p> <p>We are a part of and cannot survive without nature. Extinctions have increased. Biodiversity is in rapid decline. Scientists have warned of a possible collapse of nature's network that provides trees, plants, fresh air and the food we eat. Our rivers and seas are in crisis. Many people learnt during Covid how important it is for wellbeing to connect with nature.</p> <p>Expansion of Luton airport would destroy a vital County Wildlife Site – described as SSSI equivalent, an unusual mosaic of habitat bordered by a strip of ancient woodland, providing an important wildlife corridor – to build a second terminal and more roads and car parks. Wigmore Park was created and landscaped by Luton Council in the 1980s over the largest landfill site in the town, as the need for recreation for people in the new Wigmore</p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park and the County Wildlife Site was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 155, in response to RR-0879 and page 80 in response to RR-0472 with regards to effects on CWS and wildlife, and page 168, in response to RR-1078 with regards to air quality on ecological receptors.</p> <p>All ancient woodlands are retained, and whilst County Wildlife Sites such as Wigmore Park CWS are unavoidably affected, the embedded mitigation and additional habitat creation adequately mitigates this effect.</p> <p>The CWS is not a SSSI, and although two wildlife sites in the wider area have become SSSIs over recent years, this one was not included.</p> <p>The impact on biodiversity in the area is assessed and reported in Chapter 8 of the</p>

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		<p>estate was considered essential. Thousands of trees were planted, when only 2 million passengers a year flew from Luton.</p> <p>Mature trees are vital to absorb carbon, and each tree is a habitat for thousands of creatures. Yet 2 hectares of trees in Wigmore Park would be cut down to build Terminal 2 and car parks. There is also a plan to destroy thousands of trees either side of Airport Way, bringing noise and pollution to hundreds of front doors. No one should have their daily quality of life made worse.</p> <p>Today, with 18m in 2019, the park is a vital buffer for residents of Wigmore and beyond, reducing noise and pollution from the airport and making life bearable. When the wind is in the wrong direction, even in the park, the noise and fumes from burning aviation fuel is most unpleasant.</p> <p>Luton Friends of Parks & Green Spaces (an umbrella group for Friends of Parks groups across Luton, which I chair) is</p>	<p>ES [AS-027], which is informed by multiple years' worth of surveys and data gathering. As stated in paragraph 8.5.4 of (Chapter 8 of the ES [AS-027]) notes agreement as to the use of the baseline data and its validity within the Technical Working Group (TWG) that includes relevant stakeholders. It also states that "It was agreed that the survey effort showed consistent results and that pre-construction surveys would provide any needed updates prior to construction. Similar support was received within feedback on the 2022 PEIR from other consultees as detailed in the Consultation Report." In addition, comprehensive pre-construction surveys will be required, dictated by the phased programme of works for the Proposed Development, as stated in Table 7.1 of the Outline Landscape and Biodiversity Management Plan [AS-029] to ensure each phase is informed by up to date survey results.</p> <p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further</p>

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		<p>signed up to the National Federation of Parks Charter. This includes “Embed effective protection from inappropriate development or use, or loss of any part of our parks.”</p> <p>Pollution, noise and light from planes disrupts wildlife, reducing ability to feed, communicate and breed. To double these effects would accelerate the decline in wildlife. 4.1.5: ‘Assessment of impacts at ecological sites has been carried out in this ES’. Such studies are usually a short-term snapshot, and not regularly (eg monthly from Feb to Oct) to take account of impacts on species throughout the year. Wildlife lives and dies, metamorphoses, and moves around, through the air or using green corridors including gardens. In the early 1990s the Wildlife Trust carried out studies across the town to record wildlife. This is what is actually required to assess whether increased traffic and pollution were having adverse effects. Given the health problems for humans, the result of major expansion and loss of mature trees would be to accelerate decline in wildlife ecosystems.</p>	<p>details can be found in Chapter 16 Noise and Vibration of the ES [AS-080].</p>

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		<p>The National Planning Policy Framework refers to 'how the planning system should contribute to and enhance the natural and local environment and prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution' (Paragraph 174). The Environmental Statement by Luton Rising claims (Section 7.8) ' to provide the mitigation that looks to reduce the impacts to the natural and local environment.' This is greenwash.</p>	
<p>Luton Friends of the Earth REP1-099</p>	<p>Open Space</p>	<p>3 Wigmore Valley Park – a major amenity for recreation Wigmore is a District Park, Luton's second biggest and most biodiverse, twice awarded by charity Fields in Trust as one of the best parks in the East of England. Luton Friends of Parks and Green Spaces, a voluntary umbrella group for Friends of Parks groups across Luton, supported by parks & countryside officers, is signed up to the National Charter for Parks. One of its principles is to protect and enhance all parks. It is the council's</p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park and the County Wildlife Site was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 80 to 82, and others including page 155, in response to RR-0879.</p> <p>The replacement open space will be provided in Phase 1 before the existing park is directly impacted, the entrance will remain in the</p>

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		<p>responsibility to protect Wigmore Park, so there should be no development whatsoever on this park. Yet, for this expansion proposal, two-thirds of it including the valuable County Wildlife Site would be destroyed.</p> <p>The park is visited by many, both local and from outside the town. People bring their visitors to this park, an Asset of Community Value recognised by nearby villages Offley and Breachwood Green.</p> <p>A 'replacement park' is proposed, with different soils, that would take decades to evolve into as diverse a park as flourishes now at Wigmore. It would be much further from people's homes – indeed in the next county, Herts – and a long way to walk to. North Herts does not approve of this. The Council would be unable to replace Wigmore Park with a new park fully within Luton. Many, particularly older people who have grown up with the park, would be unable to access it, and their nearest part would have a noisy view of the airport. Most people live too far from the replacement Wigmore Park so wouldn't</p>	<p>same location, and accessibility to all groups will be better with purpose built paths.</p> <p>An Open Space Assessment is provided in Appendix C of the Planning Statement [APP-197] which considers the impact of the Proposed Development on open space in section C6.</p> <p>The health and community effects of the Proposed Development are assessed and reported in Chapter 13 of the Environmental Statement [AS-078]. The value of open space is acknowledged, hence the provision of replacement for any lost.</p>

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		<p>use it. Wigmore Valley Park must be given priority for its wildlife, size and amenity value for residents.</p> <p>Luton Council has discussed with Fields in Trust a deed of dedication, aiming to protect all Luton's parks and green open spaces from development, one park each year, a ludicrous idea which would take a century. Luton is overdeveloped, so needs all its parks, and they should all be protected. Green space, beneficial to health, is unevenly distributed.</p> <p>5 wards have less than the recommended levels.</p> <p>"Evidence shows that living in a greener environment can promote and protect good health, aid recovery from illness and help with managing poor health ... It is vital that the Local Plan and greenspace/green infrastructure strategy are informed by local health data, the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy and take a wider view of the multifaceted benefits of greenspace. Policy: Consider local green</p>	

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		(and blue) space to be critical assets for maintaining and supporting health and wellbeing in local communities.” from ‘Improving access to greenspace” – Public Health England review, 2020	
Luton Friends of the Earth REP1-099	Human Health Air Quality	<p>4 Pollution: More planes mean millions more road vehicles and poorer health</p> <p>The Joint Strategic Needs Assessment (JSNA) paints a bleak picture of health in Luton. Expansion would add to already unacceptably high levels of people suffering respiratory problems in the town. Pollution ruins the lives of people with asthma, and can lead to heart attacks and strokes. To protect the health of the most vulnerable in our community, we cannot afford to return to pre-Covid levels of flying and driving. Clean air zones are hard to implement and monitor, and often not set up correctly or fairly. To improve air quality through low emission zones is a huge challenge, evidenced here.</p> <p>Luton is a Health authority, yet appears to prioritise airport expansion with its adverse health effects over improving public health. There have been 2 changes in</p>	The Applicant considers that the issue raised regarding the negative impacts on air quality and health impacts, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 158-159, in response to RR-0879 and others.

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		<p>Director of Public Health since Covid. Much pollution is caused by workers and tourists travelling to and from the airport, Luton's biggest employer.</p> <p>The DEFRA NO2 monitoring station on the E-W A505 near junction 11 has for many years shown pollution in morning peak hours reaching 3 or 4 times the legal levels – highly dangerous for health, and close to several schools. Pollution can stunt the growth of youthful lungs and cause lifelong problems.</p> <p>The worst place for one's health is sitting in a vehicle in a polluted traffic corridor. Luton has a high level of drivers.</p> <p>These headlines are from 2018-19, the period when Luton reached 18 million passengers, having doubled in 5 years:</p> <ul style="list-style-type: none"> • <i>Air pollution kills 40,000 a year in UK from Lung and Heart disease</i> • <i>Air Pollution causes 15,000 new Diabetes cases a year</i> • <i>Air pollution Dementia threat</i> 	

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		<ul style="list-style-type: none"> • <i>Air pollution causes huge loss of Intelligence</i> • <i>Air pollution particles in mothers' placentas harms unborn babies</i> • <i>Air pollution: Greenspace nr home in childhood linked to fewer adult respiratory problems</i> • <i>Air pollution Children breathe toxic air at school & on school run</i> • <i>Air pollution – how it harms your heart</i> • <i>Air pollution in Luton hits illegal levels</i> • <i>Cleaner air from tackling climate change</i> • <i>Air pollution – UK govt given final warning in High Court</i> • <i>Air Pollution: Govt's Chief Medical Officer calls for tougher standards</i> • <i>UK parents 'worryingly unaware' of damage from air pollution</i> • <i>Air pollution linked to Alzheimer's disease</i> • <i>Air pollution nanoparticles linked to Brain Cancer for first time</i> • <i>Cutting air pollution 'can prevent deaths within weeks'</i> 	

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		<p>Four reports found Luton to be the most polluted town:</p> <ul style="list-style-type: none"> • <i>British Heart Foundation 5 Dec 2019 - Luton residents breathe some of the most polluted</i> • <i>air in the East of England</i> • <i>Universities of Birmingham and Lancaster 20 Dec 2019 - Luton has worst air pollution in UK</i> • <i>Centre for Cities annual study 28 Jan 2020 - Luton has the highest number of deaths from</i> • <i>air pollution in the East of England</i> • <i>British Lung Foundation (BLF) and Asthma UK 11 Feb 2021 - Dangerously high levels of toxic</i> • <i>air in Luton putting elderly at risk</i> 	
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	<p>Air Quality Human Health</p>	<p>5 Luton is the wrong place for a major airport</p> <p>The airport sits above a densely populated town, most people living in a valley where pollution gathers on windless days. This may have been fairly harmless when passenger numbers were 2-3m a year.</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality and health impacts, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 Non-Statutory Organisations [REP1-023] page</p>

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		<p>Now it is the town's major health hazard. Many in South Luton and Slip End have reported greasy dust coating surfaces in their homes and gardens.</p>	<p>158-159, in response to RR-0879 and others.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Greenhouse Gas Green Controlled Growth</p>	<p>Luton saw the fastest airport expansion in UK, doubling from 9 to 18m passengers in 5 years between 2014 and 2019, instead of 15 years as promised bringing the fastest growing amount of traffic accessing it. As aviation was the fastest growing source of climate emissions, this made Luton the fastest growing source of emissions in the UK.</p> <p>As almost nothing was done by the council to mitigate these effects, it is our strong view that 'green controlled growth' referred to in documents and on Luton Rising's website is greenwash. Permission to expand would bring Luton back to worst polluted town and fastest growing source of climate emissions.</p> <p>That Luton is the wrong place for a major airport is demonstrated by the on-street</p>	<p>The World Wildlife Fund (WWF) suggests the following are four main things to consider when deciding whether something is or isn't greenwashing¹:</p> <ul style="list-style-type: none"> a. Buzzwords b. Evidence c. Verification d. Sustainability <p>Buzzwords – Green Controlled Growth (GCG) is the most far-reaching commitment from any UK airport to intrinsically link growth with environmental performance, through a legally-binding control framework. One cannot happen without the other, and the decreasing values of the Limits in line with future phases of the development predicates expansion on a reduction in environmental impacts. This means that minimising environmental impacts is and will be central to decision making to ensure Limits are not breached and enable</p>

¹ <https://www.wwf.org.uk/learn/guide-to-greenwashing>

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		<p>parking, causing a nuisance to residents, which could not take place at Stansted or Gatwick.</p>	<p>growth to occur. The Applicant believes the GCG proposals provide a viable and genuinely 'green' solution to ensure sustainable airport growth.</p> <p>Evidence - The Environmental Statement documents the evidence from the environmental assessments to quantify the environmental impacts arising from the proposed development. Considering the four GCG topics:</p> <ul style="list-style-type: none"> a. Air quality – no likely significant effects on existing air quality were identified at human receptors, as evidenced in Chapter 7 Air Quality of the Environmental Statement [AS-076]. b. Aircraft noise – as evidenced in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080] for all assessment phases, there would be an overall reduction in the number of people who would experience adverse effects on health and quality of life from aircraft noise compared to current 2019 baseline, as a result of the introduction of

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			<p>quieter and more efficient aircraft. However, for communities closer to the airport, adverse likely significant effects are expected, which would be mitigated through the Noise Compensation Scheme.</p> <p>c. GHGs – despite increased GHG emissions (particularly from flights), Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038] demonstrates that the overall impact is minor adverse and not significant, because the Proposed Development would not materially affect the UK's ability to meet its carbon reduction targets and is compliant and consistent with existing policy and best practice, including the Jet Zero High Ambition scenario.</p> <p>d. Surface access – with the proposed mitigation in place, the changes in traffic flows were not determined likely to result in significant effects, as evidenced in Chapter 18 Traffic and Transport of the Environmental Statement [AS-030].</p>

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			<p>The Green Controlled Growth Framework [APP-218] has been developed to ensure that these forecast effects are not exceeded (through the definition of the Limits), with review mechanisms in place to improve environmental performance further where possible. The ES sets out the evidence base behind the Limits. It is therefore clear that there is a robust body of evidence underpinning the GCG approach.</p> <p>Verification - The airport's environmental performance will be assessed and verified by an independent third party – the Environmental Scrutiny Group (ESG). This group is proposed to address previous issues and the conflict of interest between Luton Borough Council as both the ultimate owner of the airport and the relevant planning authority responsible for enforcing the current planning conditions.</p> <p>To provide an additional layer of independent technical expertise to support the ESG in discharging its functions, it is also proposed to establish Technical Panels for each of the</p>

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			<p>four environmental topics within the scope of GCG.</p> <p>Membership and Terms of Reference for the ESG [APP-219] and Technical Panels [APP-220] have been developed in response to stakeholder feedback, to ensure it has sufficient technical expertise and independence to robustly carry out its oversight function.</p> <p>It is therefore clear that independent verification of environmental performance is fundamental to GCG.</p> <p>Sustainability - The WWF suggest that if a business or product is claiming to be 'sustainable' it should be considering the three pillars of sustainability (environmental, social and economic).</p> <p>The economic and social benefits of the Proposed Development are central to the Need Case [AS-125], and the GCG Framework provides the approach for managing the environmental impacts of expansion in a way that delivers these benefits.</p>

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			<p>It is therefore clear that the GCG Framework does not meet any of the criteria for 'greenwashing' and is one of the most ambitious and far-reaching environmental commitments made by any UK airport.</p> <p>The Applicant is seeking to increase the proportion of trips undertaken by sustainable transport modes including tripling the number of coach and bus bays as part of the expansion and extending the Luton DART to Terminal 2. However, it is not realistic to assume that there would be no additional car travel by car. As such, the Applicant has taken a pragmatic view on mode share targets given the airport's location, staff and passenger catchments. Additional car parking has been provided in accordance with the need for the Airport against these pragmatic targets as set out in the Transport Assessment [APP-203, AS-123, APP-205 to APP-206].</p> <p>The Transport Assessment [APP-203, AS-123, APP-205 to APP-206] and Surface Access Strategy [APP-228] also set out the</p>

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			<p>monitoring and mitigation measures proposed. As part of the ongoing review process, the Applicant intends to produce monitoring programs, assess any impacts, and then intervene accordingly if any issues persist as appropriate.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Surface Access</p>	<p>6 New roads against local plan Luton's DCO proposal contravenes government and Luton Local Plan requirements (eg on rat-runs, leisure space, noise, destruction of parks and green space and fly-parking). A new junction would take airport traffic from outside the local area through Wigmore Park into Eaton Green road, against the Local Plan, and through residential areas, creating a new major route to the airport, causing rat-runs past 3 schools. This includes around 10 new traffic lights which would increase pollution and danger, and would adversely affect quality of life. Lessons about air quality and health from 2018-19 have not been learned.</p>	<p>Section 8 of the Transport Assessment [APP-203, AS-123, APP-205 to APP-206] sets out the approach to traffic generation and distribution. The majority of airport related passengers arrive from the west and via the motorway network. Signage to the Airport is from the major road network and where traffic approaches from the east is signed via the A505. Highway improvements have been proposed on the main road network including M1 Junction 10, the A1081 Airport Way and Vauxhall Way to seek to provide capacity on the main routes into the Airport. Some people may choose to take alternative routes and we have therefore taken steps to provide capacity improvements to the local network to ensure that if they do, local traffic is not adversely impacted.</p>

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			<p>The application also proposes the Airport Access Road (AAR), similar to Century Park Access Road (CPAR) permitted under an earlier local planning application, to connect Airport Way to the consented Century Park development (now known as Green Horizons Park) which is located to the east of the Airport. The AAR is included as part of the application for development consent and provides the certainty that the road would be delivered ahead of the time it would be relied upon for access to the expansion area east of the existing airport.</p> <p>The DCO application will be decided in accordance with Section 105 of the Planning Act 2008 (Ref 9), which sets out the matters the Secretary of State must have regard to in deciding on the application. The application is not made under the Town and County Planning Act 1990 and therefore not subject to Section 70(2) (Ref 10), which requires the Application to be determined in accordance with the Development Plan, so far as material to the application.</p>
Luton Friends of the Earth	Surface Access	The council has failed to increase cycling – the town was traditionally the home of	Luton Rising is supportive of cycling as a mode of transport to access the airport.

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REP1-099		<p>Vauxhall, and cycling is not part of the culture of many ethnic groups living here. Against a clear need for sub-regional East-West rail to reduce vehicle journeys, the council pushed through a local Luton-Dunstable busway, which means that nearly all east-west journeys are by road.</p>	<p>Cycling which is generally only appropriate for staff travel to the airport, will be encouraged through the Framework Travel Plan [AS-131].</p> <p>A comprehensive approach to modelling the impact of the Proposed Development has been carried out. This considers the impacts of the Proposed Development on the road network including east/west routes. The modelling demonstrates that the impacts from the Proposed Development and mitigations included in the scheme would not have a significant adverse impact on the operation of the highway network. The modelling methodology and highway capacity assessments are described in Chapters 10 and 11 of the Transport Assessment.</p>
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	Air Quality	<p>Friends of the Earth placed 9 diffusion tubes for a month at various junctions near the airport. Lab results (rounded down to allow for any error) revealed NO2 levels near or exceeding legal levels, including a major school walking route for pupils.</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023], page 158-159, in response to RR-0879 and others.</p>

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			<p>The Applicant considers that the issue raised regarding the baseline diffusion tube monitoring survey, was answered within the Applicant's Response to Relevant Representations Part 2E of 4 (Parish Councils) [REP1-025] page 3-4, in response to RR-1408 and others.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Surface Access Air Quality</p>	<p>The NPPF refers to how sustainable transport should be focused on to help reduce congestion and emissions and improve air quality (Paragraph 105). Luton BC has done almost nothing towards this while doubling airport passengers between 1913 and 1919, which vastly increased road traffic and gave Luton the title of 'worst polluted town'. The council has lost public trust, so anything claimed by its company run by councillors, Luton Rising, is not credible.</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 158-159, in response to RR-0879 and others.</p> <p>The impact of changes in road traffic to and from the airport on the local environment in all assessment Phases of the Proposed Development has been thoroughly assessed. Some potential localised effects, close to the airport, have been identified as a result of Phase 2 of the expansion. Commitments, through both the Framework Travel Plan and the Transport Assessment (TA) [APP-201 to APP-203, AS-123, APP-205 to APP-206], have been made to monitor and mitigate these effects as required.</p>

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			<p>The Framework Travel Plan sets out a longlist of interventions and measures that the operator can draw upon in five priority areas including rail, bus and coach (Table 5.1 for rail and Table 5.2 for bus). These bus and coach interventions include measures relating to (1) infrastructure, facilities and provision (2) services, incentives and controls and (3) information, promotion, data and branding.</p> <p>The Applicant and operator are currently developing a suitable and effective funding mechanism. Further details will be shared during the course of the examination, following further consultation with relevant stakeholders on the details of the Sustainable Transport Fund.</p>
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	<p>Surface Access</p>	<p>7 Car spaces and travel would increase by over 50%</p> <p>To reduce climate emissions, pollution, noise congestion, inconvenience, and to improve health and quality of life, we must cut car travel, not increase it. These car spaces would be filled by a massive jump in vehicles from outside the borough, and</p>	<p>The proposed car parking numbers to support the Proposed Development have been calculated on the basis of the proposed mode share commitments which seek to reduce the reliance of private vehicle travel. Whilst there is a commitment to increase the proportion of trips by sustainable modes, the growth of the airport will still require additional car parking</p>

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		<p>their impacts would be far greater than those of the 18m passengers which made Luton the most polluted town.</p> <p>We have heard from many residents about people who are inconvenienced by those who park cars in residential roads to avoid parking charges at the airport.</p>	<p>as reported in the Transport Assessment [APP-203, AS-123, APP-205 to APP-206].</p> <p>It is recognised that there may be residual impacts relating to parking on residential streets as a result of the Proposed Development. The Applicant's approach to dealing with residual impacts is described in Chapter 15 of the Transport Assessment. In the Framework Travel Plan Table 5.4 one of the toolbox of measures identified is to carry out feasibility study/review on Restricted Parking Zones (RPZs) where appropriate and agreed with Local Highway Authorities.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Noise and Vibration Human Health</p>	<p>8 Noise and dust would increase, cause stress and health effects</p> <p>For three years running, from 2017 to 2019, those living below flightpaths endured more noise than is permitted. In Luton, the main people affected are those in South ward, but this had adverse effects on those within a 15 mile radius. Constant aircraft noise both day and night is relentless for those in South Luton or in nearby boroughs under flight paths. Sleep deprivation can have serious health effects and badly affects quality of life and</p>	<p>The impact of noise (day and night) from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080].</p> <p>The health effects of the Proposed Development are assessed and reported in Chapter 13 of the Environmental Statement [AS-078] including night time aircraft noise and sleep disturbance.</p>

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		health. This must not be made worse! Not nearly enough time is allowed for sleep – Luton airport’s night schedule, including cargo flights, is worse than Heathrow.	
Luton Friends of the Earth REP1-099	Noise and Vibration Compensation	Since Covid, more people work from home. This is hard when your thoughts, and online conversations, must compete with frequent plane noise. ‘Compensation’ for all this in the form of double glazing is inadequate in amount, and useless in warm months. If air conditioning is used this adds to climate impacts. A Cutenhoe Rd resident says: “Take-off noise drowns out the human voice, TV & radio programmes. On landing, the amount of soot & dust created covers my greenhouse and any washing hung out to dry.	Noise insulation is the last resort in the mitigation hierarchy, as set out in Section 2 of Appendix 16.2 Operational Noise Management (Explanatory Note) [APP-111] of the Environmental Statement (ES). The hierarchy therefore starts with mitigation at source and mitigation by intervention (which benefit both indoor and outdoor exposure) before mitigation by compensation (noise insulation) is provided. The noise insulation packages will include suitable ventilation if required to allow windows to be kept closed.
Luton Friends of the Earth REP1-099	Surface Access Human Health	9 Economy - local and national Local Economy - Effect of airport-induced congestion Morning airport traffic queues back up already on to the slip-road and on to the M1 at junction 10, and cause congestion around Junction 11, near 4 schools. Congestion affects local people and others travelling through, trying to reach their	The M1 junctions 10 and 11 are part of the Strategic Road Network and provide access to Luton, Dunstable, Leighton Buzzard, the Airport and the wider area. Existing traffic queues would be a function of all the journeys that use these junctions. The M1 junctions are included in the traffic modelling undertaken in the Transport

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		<p>workplaces but trapped in congestion. Every minute in a queue is a minute lost from working hours, as well as from personal time. Pollution affects health, and increases time off work.</p> <p>There are many scientific studies showing that a health society needs a healthy balance between economy, environment, and health & social wellbeing. It is clear that Luton Council prioritises income above all else.</p> <p>On 8 Oct 2018, at a public meeting, I said to the council leader: Today the Intergovernmental Panel on Climate Change has produced the most serious and apocalyptic report I've ever seen. The United Nations says we have 12 years to radically change the behaviour of individuals, companies, govt and councils. Business as usual is not an option. Because it is the fastest growing UK airport, causing many millions more flights and car journeys, Luton is the fastest growing source of climate change in the UK.</p>	<p>Assessment [APP-203, AS-123, APP-205 to APP-206]. The traffic modelling demonstrates that the proposed highway mitigation strategy would mitigate the impacts of the Proposed Development.</p> <p>The health effects of the Proposed Development are assessed and reported in Chapter 13 of the Environmental Statement [AS-078].</p> <p>The air quality effects of the Proposed Development are assessed and reported in Chapter 7 of the Environmental Statement [AS-076].</p> <p>The greenhouse gases effects of the Proposed Development are assessed and reported in Chapter 12 of the Environmental Statement [APP-038].</p> <p>Section 9 of the Planning Statement [AS-122] considers the planning balance of the Proposed Development, following the planning assessment in Section 8. It concludes that the proposed expansion of the airport will deliver substantial socio-economic</p>

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		<p>This is already killing people around the world, and also killing local people with air pollution. We are now 4th most congested UK town. Luton council just lent £300m to London Luton Airport Ltd, putting increased income before residents' health, environment & social wellbeing. A Green New Deal would prioritise positive projects that cut fossil fuel use. Will the council leader commit tonight to STOP irresponsibly expanding the airport?</p> <p>The council leader replied: "No – economic growth won't stop." So the council's plan is to carry on towards the cliff edge.</p>	<p>benefits in terms of jobs and a boost to economic activity in the local area, thereby supporting the Government's Levelling Up agenda and other initiatives to grow the economy in Luton and beyond. It sets out that, whilst it has not been possible to avoid all adverse impacts, these have been minimised, where possible, through careful design and detailed and innovative mitigation strategies.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Economic Need Case</p>	<p>National economy - Airport growth hinders UK growth and productivity There is a huge disparity between what is spent by visitors to UK and UK residents' spending abroad – this costs the UK economy billions every year. Example: Overseas residents spent £3.0 billion in the UK in Aug 2022, and £3.1 billion in the UK in Jul 2022. UK residents spent £8.1</p>	<p>Despite the existence of a tourism deficit in terms of direct income and expenditure, the Government is clear at page 60 of Flightpath to the Future (Ref 8) that it is not policy to restrict outbound travel from the UK as there are wider social and economic benefits, including health and welfare, benefits from allowing people to travel. The implications of outbound tourism are considered at</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		billion while overseas in Aug 2022, and £6.2 billion on visits overseas in Jul 2022.	paragraphs 8.5.19-8.5.20 of the Need Case [AS-125]
Luton Friends of the Earth REP1-099	Land Contamination Soils	<p>10 Luton's largest Landfill Site to be dug up 'at high risk' – consultants</p> <p>This huge landfill contains decades of unregulated waste including WWII weaponry. To develop buildings and roads on such sites has been shown at other landfills to cause big problems. In reports commissioned by LBC it was described by consultants including Arup as 'high risk'. It can lead to subsidence, needing repair to roads and buildings; to a build-up of methane and other toxic air in buildings which can lead to sickness, fire and explosion; and deep piling can disturb toxins below which could leach, in this case, to a very wide catchment and pollute drinking water and rivers including the Lea and the Mimram.</p>	<p>Ground investigations have been undertaken across the landfill to characterise its conditions. The Preliminary Risk Assessment of Land Contamination [APP-113 to APP-120] does identify potential risks classified as 'High' and 'Moderate', that is part of the purpose of a risk assessment, to identify risks so that appropriate mitigation and management measures can be designed and secured. Further detailed risk assessments have been undertaken for risks to Human Health [APP-123] and Controlled Waters [APP-124] following assessment of the ground investigation, testing and monitoring data. An Outline Remediation Strategy also outlines measures required to control risks. These documents can be found in Appendices 17.1-17.7 to the ES [APP-113 to 127]. A detailed remediation strategy will be developed prior to commencement of works in the landfill which will be regulated by the Environment Agency under and Environmental Permit.</p>
Luton Friends of the Earth	Land Contamination	To remove huge amounts of material would mean a great many HGV journeys	The Proposed Development is intended to achieve a cut/fill balance, with materials

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REP1-099	Soils Surface Access	close to homes over many months. The decision to take it elsewhere is questionable – which council is likely to welcome it? Having destroyed the biodiverse habitat which has evolved above the water-retaining clay cap, this would lower ground level considerably - where would all the material come from to replace it? This is not 'sustainable development'.	<p>excavated from across the site reused, and landfill materials recovered, processed and treated so that it is suitable for placement within the development. Any recovery of landfill materials will be subject to an environmental permit with the Environment Agency as the regulating authority. This will reduce material movement off site.</p> <p>The primary construction vehicle (HGV) access route is expected to be via Junction 10 (M1), along the A1081 (New Airport Way), then via President Way or the AAR as set out in Chapter 13 of the Transport Assessment [APP-203, AS-123, APP-205 to APP-206]. The primary construction route is generally located away from residential homes.</p>
Luton Friends of the Earth REP1-099	Surface Access	<p>11 DART link from Luton Parkway station will not reduce road traffic</p> <p>While the M1 is affected by airport traffic, much also comes from east or west. Luton Council's hopes to achieve Gatwick levels of public transport use are futile. Even if a slight modal shift were achieved (adding to already overcrowded trains), any environmental benefit would be quickly overwhelmed by the extra number of</p>	<p>The Luton DART is considered a key aspect in meeting the desired mode shift from road to more sustainable modes of transport. It will provide a significant improvement to connectivity for those passengers accessing the airport via rail. It's development to serve the existing terminal was subject to its own planning application and considered at that time by the planning authority. The extension of the Luton DART to serve the proposed</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>passengers, causing worse problems than in 2019. It was commissioned, and building began, with the intention of reaching a Terminal 2 before the public knew about the plan. This goes totally against the principle of local democracy</p>	<p>Terminal 2 was a consideration within the options and Sift process for the Proposed Development.</p> <p>Section 11.3 of the Transport Assessment [APP-203, AS-123, APP-205 to APP-206] considers the impact of the Proposed Development on rail capacity. This shows that there would be capacity available on the trains to accommodate the forecast increase in rail demand due to the Proposed Development.</p>
<p>Luton Friends of the Earth REP1-099</p>	<p>Green Controlled Growth</p>	<p>12 Luton Rising website claims about mitigation are unproven greenwash Green controlled growth' (GCG) is the term used to claim pioneering initiatives. This website is bursting with hypocrisy. Luton Council and its airport company run by councillors has a poor track record on delivering green successes – it has focused for the last decade and more on the airport, and is way behind many other councils</p> <p>Against government policy, the council ignores the impact of planes in the sky and the traffic airport expansion brings into</p>	<p>The Applicant considers that the issue raised regarding GCG and 'greenwash' was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 162, in response to RR-0879.</p>

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		<p>the town. One is prompted to ask who had the nerve - or stupidity - to write on the LR website "One airport, one community, one planet."</p> <p>GCG is not a legal term, with legal boundaries. All activities listed relate to airport activities on the ground, not in the sky, where most climate emissions are generated; and little is likely to be done about private vehicles or contractors travelling to the airport. If development were permitted, control of GCG would pass to the operator, a private consortium of companies operating for profit, who would not be answerable to law. The council itself has shown it prioritises money from airport growth over the needs of residents and people under flightpaths, so there could be no guarantee that meaningful mitigation would be provided.</p>	
<p>Luton Friends of the Earth REP1-099</p>	<p>Planning Need Case</p>	<p>13 Conflict of interests - Airport income not mainly for benefit of residents There has been concern for some years (Bim Afolami MP has complained about this on behalf of his constituents) that Luton's ownership of the airport and its</p>	<p>The Applicant contends that there is no conflict of interests between its activities and the role of its shareholder Luton Borough Council. The separation of roles between the two parties is set in out in Roles and</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>company Luton Rising (previously London Luton Airport Ltd) causes a conflict of interests. The directors are councillors. Airport ownership is a privilege other councils do not have. It might be acceptable if Luton was seen to be impartial, but airport policy has largely been made in private, with no internal opposition, allowing opportunities for commercial benefit of LBC and the operator to the detriment of residents.</p> <p>Money spent on the airport is money not spent (except for a few community groups) for the benefit of all local residents – the main role of a local authority. Airport income has become a temptation for those running the council to act like a corporate. This affects residents' health, quality of life, convenience (time stuck in traffic cuts both employment and personal time; a pollution corridor is the worst place to be to breathe in killer fumes).</p> <p>Many unwaged or low-waged people would suffer from the multiple effects of an expanded airport.</p>	<p>Responsibilities of Luton Borough Council [REP1-018].</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>There is an irrational conflict between the council owning and promoting the airport and its expansion, and carrying out a Net Zero Roadmap, encouraging behaviour change to reduce impact on the Climate Emergency, eg people to burn less fossil fuels, travel less, buy local, buy less (especially from the far side of the world), eat less meat, reduce waste and plastics. Flying (the biggest annual carbon footprint for many) must be cut sharply.</p> <p>The Local Government Association states "It isn't a consultation unless it's impartial". But two consultations, by London Luton Airport Ltd, then Luton Rising (a PR exercise name change) featured questionnaires full of leading questions designed to get answers the council wanted, and gave no option to say 'No expansion'.</p> <p>The Local Government Association: "Consultation involves listening to and learning from local people before decisions are made or priorities are set."</p>	

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		<p>But the recent 'consultation' was a sham, so did not fulfil the statutory requirement as part of its application for a Development Consent Order for Luton Council to consult on its plan to expand the airport to 32m passengers. The council leader emailed all council staff, copying a promotional letter from the CEO of its own airport company Luton Rising, urging them to talk to people and promote expansion.</p> <p>You will have seen the resignation letter (sent in by Chris Haden) from councillor and barrister Anne Donelan describing infighting and bad practice within Luton Council.</p> <p>Further evidence of lack of democracy is in the attached document submitted by FoE in April 2019, Material Considerations. This submission lists National and Local Plan policies that have been ignored, and a Balance of Harm, demonstrating that the undesirable factors of expansion massively outweigh any desirable factors.</p>	

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		<p>In every decision, Luton should be asking:</p> <ol style="list-style-type: none"> 1) <i>Are we looking after nature?</i> 2) <i>Are we adding to the climate crisis?</i> 3) <i>Are we helping or hurting the health & wellbeing of local citizens and people elsewhere?</i> 	
<p>Luton Friends of the Earth</p> <p>REP1-099</p>	<p>Need Case Economic</p>	<p>14 Jobs claims unlikely, poorly paid, and green jobs needed</p> <p>Jobs and economic benefits have been consistently overstated. Jobs are mainly low-paid, zero-hours contracts requiring unsocial hours. When giving itself permission in 2014 to expand from 9 to 18m passengers – which was reached by 2019 instead of 2028 as promised – LBC said that for every million more passengers there would be 1000 more jobs. When they reached 18m passengers, many jobs had come and gone, but there had been almost NO overall jobs despite doubling passenger levels. There were also many complaints from passengers that the airport was not pleasant to use, as it had been when smaller. The promise of 11,000 new jobs</p>	<p>The statements regarding jobs being mainly low-paid or zero hours is incorrect. As is clear from Appendix 11.1 to the ES [APP-079] Figure 10, jobs at the airport tend to be higher wage than the average in the local economy.</p> <p>In comparing to previous employment estimates, it is important to take into account that different methodologies have been used as explained in Appendix 1 to ES Appendix 11.1. Hence, earlier employment estimates that included some non-airport related in the vicinity of the Airport are not comparable with the estimates set out in the Application documents that relate to jobs directly related to the operation of the airport. It is important to note that the estimated increase of employment nationally of 10,800 jobs (Need Case [AS-125] Table 8.5) includes indirect and induced employment effects and is not</p>

Interested Party and Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
		is therefore highly speculative, if not laughable.	comparable to the direct on-site employment estimates from previous projects.
Luton Friends of the Earth REP1-099	Human Health	<p>15 Covid lessons not learned</p> <p>The pandemic was a wake-up call – a once in a generation chance to learn lessons in changing behaviour, including our need for contact with nature. Now vested interests with thoughts only on money are in a race to go back to as destructive habits as possible. Luton Council aims for Zero Poverty by 2040. Covid has killed 800 in Luton – each one is to have a tree planted in their memory – and left many with health after-effects.</p> <p>Increased pollution from planes and traffic, coupled with current financial pressures, will add to the high level of health problems in the borough, leaving more people in poverty, not fewer.</p>	<p>The health effects of the Proposed Development, both adverse and beneficial, are assessed and reported in Chapter 13 of the Environmental Statement [AS-078]. This includes consideration of employment, air quality, noise, and access to open space provided. Extensive habitats are also provided as part of the Proposed Development.</p> <p>The economic benefits of the development are significant as set out in Section 8 of the Need Case [AS-125] and will contribute to reducing poverty.</p>



London Luton Airport Expansion Development Consent Order

8.39 Part 4 - Applicant's Response to Written
Representations made by Non-statutory Organisations at
Deadline 1

September 2023

TR020001/APP/8.39 Final

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Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning Legal</p>	<p>0 Overarching Principal Issues</p> <p>0.1 Disagreement in principle regarding development approach</p> <p>1. We fundamentally disagree with the timing of this Application prior to delivery of the mitigations necessary to make its predecessor Project Curium acceptable in planning terms</p> <p>2. We also fundamentally disagree with the way that public money has been spent on development work and provisions facilitating the commercial objective of this Application (namely the increase in capacity at Luton Airport to 32mppa) prior to proper permission for that objective having been sought and obtained.</p> <p>3. Luton Airport achieved 18mppa in 2019 without the use of DART, and the investment of public money in DART makes no commercial sense in RoI terms for an 18mppa operation, but only as a facilitator for access to a second Terminal, for which permission had not been granted prior to the investment in DART.</p>	<p>The interaction between Project Curium and the Proposed Development is set out in Chapter 2 of the Environmental Statement [APP-030] at paragraph 2.4.</p> <p>The Luton DART scheme was, and is independent, of the Proposed Development. It has been delivered to facilitate improved public access to the airport via public transport with consequent positive environmental benefits.</p> <p>The application for development consent includes an extension of the Luton DART to the proposed Terminal 2 as part of the aim to achieve modal shift to public transport.</p> <p>The decision on the Proposed Development will not be made locally. As the Proposed Development qualifies as a Nationally Significant Infrastructure Project it is for the Secretary of State to make the decision on whether or not to grant the Order. A paper was submitted at Deadline 1 [REP1-018] explaining the governance between Luton Rising as the Applicant and Luton Borough Council (as Local Planning Authority). As the Local Planning Authority, Luton Borough Council will properly discharge relevant requirements and will follow</p>

		<p>4. Were the Application to be permitted, it would signal that developers are free to take the commercial benefits of a given bounded development and then proceed to further development under new permission on the same site, without first completing necessary remedial or mitigation works committed to as part of the original development permission.</p> <p>5. Were the Application to be permitted, it would also signal that a Council is free to permit development works and other arrangements to be undertaken by its own subsidiary run by its own Members, which facilitate an NSIP objective, without having obtained permission for such an NSIP.</p>	<p>the appropriate planning process with regards to any future planning applications related to the airport.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning Legal</p>	<p>0.2 Undelivered mitigations</p> <p>6. We fundamentally disagree that a DCO is appropriate part-way through a planning development (Project Curium) at a site (LLA) where the developer (LLAOL) and the site owner (the Applicant on behalf of LBC) have taken commercial benefits ahead of time through non-consented accelerated growth, but planning limits governing the consented operation of the site have been ignored and mitigations remain outstanding.</p> <p>7. Project Curium has not yet delivered the following:</p>	<p>As we set out in paragraph 2.4 of Chapter 2 of the Environmental Statement [APP-030], Project Curium has been implemented and is due to be complete either prior to the delivery or in parallel with early works for the DCO.</p>

		<p>a) completion of a new taxiway feeding the east end of the runway, which would reduce air noise</p> <p>b) modernisation of the fleet to a point where it can deliver 18mppa while remaining within the consented long term noise contours (ie the reduced values specified in current Condition 10)</p> <p>c) installation of noise insulation in the properties eligible for insulation under the current scheme</p> <p>d) any other changes to airspace design and operating procedures necessary to achieve the long-term reduction in noise contour values and a reduction in unnecessary emissions.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning</p>	<p>0.3 Advance development</p> <p>8. The developments proposed in this Application have already been prepared for by 'facilitating permissions' granted by LBC's planning department to the Applicant – for example the New Century Park project (now dubbed Green Horizons) including a long-term lease of Wigmore Park to the Applicant; and the investment in the DART cable-railway.</p> <p>9. Lack of transparency is also a wider concern: for instance a lack of minutes of pre-Application meetings with LLA representatives undermines confidence in the approach to planning; a refusal to provide information or board minutes</p>	<p>The Luton DART scheme was, and is independent, of the Proposed Development. It has been delivered to facilitate improved public access to the airport via public transport with consequent positive environmental benefits.</p> <p>Green Horizons Park is capable of being implemented with or without the Proposed Development. It will be implemented as set out in the Applicant's Deadline 1 Submission – Green Horizons Park Additional Information [REP1-005].</p> <p>Wigmore Valley Park is not the subject of a lease, long term or otherwise to the Applicant. The Applicant currently has a licence only for use of the park.</p>

		<p>relating to Luton Rising on grounds of commercial sensitivity; misinformation about the time frame for Project Curium; behind-the-scenes influence being exerted by the Applicant over management of LLA when the Applicant is not qualified under Section 17 of the Airports Act 1986 to manage an Airport.</p> <p>10. The guidelines produced by the Committee for Standards in Public Life on identifying and resolving conflicts of interest particularly in the case of commercial companies owned by Local Authorities are pertinent but were not apparently being followed by LBC during the lifecycle of Project Curium.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Need Case Noise and Vibration</p>	<p>0.4 Justification of Need</p> <p>11. The Need for the Application should be assessed by contrasting socioeconomic and other benefits weighed against effects on the environment and living conditions for the Do Minimum and Do Something outcomes, yet we see no evidence of an assessment in which the relentless increase in LLA's environmental impacts are paused until it has delivered the mitigations which could contribute to it becoming less unsustainable.</p> <p>12. A Do Minimum option clearly exists: there are forecasts for flights and fleet modernisation in this scenario, and the runway and existing Terminal can support at</p>	<p>The socio-economic benefits of the Proposed Development are set out in Section 8 of the Need Case [AS-125].</p> <p>This representation correctly identifies the characteristics of the Do Minimum case used for assessment. This approach was adopted to ensure that the impacts of the Proposed Development were not understated. Section 9 of the Planning Statement [AS-122] considers the planning balance of the Proposed Development, considering both potential benefits and adverse impacts. It concludes that the substantial benefits of the Proposed Development clearly and demonstrably outweigh the harms that would arise with the proposed suite of mitigation measures in place.</p>

		<p>least 18mppa and, with Phase One work to enhance the Terminal as described in the Need Case, potentially 21.5mppa (AS-125 Table 4.1 PDF p17/79)</p> <p>13. Insets 12.1 and 12.2 in Appendix 16.1 (AS-096 PDF p249/250) show noise reducing again over time for Do Minimum as fleet modernisation continues, and further noise mitigation and reduction of emissions is available through airspace modernisation which is expected by around 2030. As LLA continues to bounce back from COVID, a “mitigate first” approach would return LLA to a more balanced trajectory, in accordance with policy, and redressing the imbalance between socioeconomic benefits and environmental harms which the Applicant has driven since 2014, yet this option is not explored and assessed in the Application.</p> <p>14. Section 16.3.12-13 of the Non Technical Summary (APP-165) show that by 2027 when Assessment Phase 1 is delivered, noise would be worse for residential receptors with the Proposed Development and noise insulation would not have been rolled out. The comparison to 2019 Actuals to justify this is inappropriate since 2019 operation was non-consented. Such Proposed Development would be unbalanced growth ahead of mitigation, worsen the residential amenity of affected</p>	<p>As described in Chapter 16 of the Environmental Statement [REP1-003], the Applicant has undertaken an assessment of likely significant effects in Environmental Impact Assessment (EIA) terms by comparing the situation with the Proposed Development (the Do-Something scenario) to the situation without the Proposed Development (the Do-Minimum scenario) in each assessment year. The future air noise baseline (the Do-Minimum) is compliant with the airport’s current consented long term noise limits in each assessment year and therefore demonstrates a scenario where the airport is operating within its currently consented noise limits.</p> <p>Forecast noise exposure with the development is also compared to the 'current baseline' which is considered to be the actual noise levels in 2019, in line with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (which refers to the baseline scenario as “a description of the relevant aspects of the current state of the environment” in Schedule 4, paragraph 3).</p> <p>However, a sensitivity test using a ‘2019 Consented’ baseline (derived for this purpose by adjusting the fleet mix that occurred in 2019 to reach a modelled noise impact that would sit within the existing 2019 short term Limits) is</p>
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		<p>communities, and therefore be against policy.</p>	<p>summarised in Chapter 16 Noise and Vibration of the ES [REP1-003].</p> <p>An assessment against both the 2019 Actuals and 2019 Consented baseline has therefore been undertaken. The conclusions of residual significant effects remain the same for both assessments, as significant effects would be avoided through the provision of the full cost of noise insulation.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Air Quality Human Health</p>	<p>1 Air quality and odour</p> <p>15. LADACAN frequently hears from people living close to the Airport who report the odour of aviation fuel. This is an issue mentioned in RRs from members of the public. Furthermore, concerns have been expressed by researchers as to the effects and spread of ultrafine particulates from airports.</p> <p>16. Research suggests long-term exposure to kerosene vapour can cause health harms, and with housing in the close vicinity of the Airport it would be reasonable to expect the Applicant to have considered the effects of kerosene odours from aircraft on the ground and in low flight, or from fuelling operations and the charging of fuel bowsers.</p> <p>17. Whilst a list of odorous substances associated with the proposed earthworks is</p>	<p>The Applicant considers that the issue raised regarding the odour impacts (including kerosine smells), was answered within the Applicant's Response to Relevant Representations Part 1 of 4 [REP1-020] page 9, in response to RR-06277 and others. No significant impacts have been predicted in relation to odour effects.</p> <p>The Applicant considers that the issue raised regarding the negative impacts of air pollution, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 87 and 88, in response to RR-0530 and others.</p> <p>Volatile Organic Compound (VOC) monitoring was carried out by the project to determine the baseline for pollutants such as kerosene. All concentrations are well below the relevant UK Air Quality objectives which represent the accepted thresholds.</p>

		<p>reviewed in the Details Risk Assessment (APP-123), we cannot locate a risk-assessment of the long-term effects of exposure to kerosene odours, yet with some 70,000 additional flights per year by 2043 such pollution would clearly be increasing.</p> <p>18. Our concerns also extend to staff onsite at the Airport, particularly those working airside and liable to be regularly exposed to higher concentrations of kerosene fumes and ultrafine particulates, and we respectfully request the ExA to examine whether the Application specifies adequate provisions for their health and safety at work, as well as for the health of nearby residents, in these respects.</p>	<p>There are no legislated standards for ultra fine particulates. However, PM2.5 is considered to be a good indicator of general risk associated with exposure to particulate matter, which has been quantitatively assessed and no significant impacts are predicted, as confirmed in Chapter 7 of the Environmental Statement [AS-076]</p> <p>The health of staff has been considered in Chapter 13 of the Environmental Statement [AS-078]. Short term exposure would only be relevant at locations where people spend time equivalent to the short term target. As the Environmental Statement has demonstrated there are no likely exceedances of the short term objectives.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	Biodiversity	<p>2 Biodiversity</p> <p>19. We oppose the destruction of a large part of Wigmore Valley Park to build additional carparks and a second Terminal with aircraft stands, since it would reduce biodiversity. The Park is a mature site with an evolved ecology, deserving a level of protection appropriate for its status as a County Wildlife site and an Asset of Community Value. We return to this in section 9.2 below.</p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 243, in response to RR-0817, page 53/54 RR-0289/RR-0290, and page 80-82 RR-0472.</p>
<p>Luton and District Association for the Control of Aircraft</p>	Climate Change	<p>3 Climate change and greenhouse gas emissions</p> <p>3.1 Flightpath to the Future (May 2022)</p> <p>20. Flightpath to the Future states at the bottom of printed page 7 over to page 8:</p>	<p>The Applicant is confident their application meets the tests as set out in Flightpath to the Future (Ref 8). However, this will be determined by the Examining Authority and the Secretary of State</p>

<p>Noise (LADACAN)</p> <p>REP1-095</p>		<p><i>“We continue to be supportive of airport growth where it is justified, and our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. They continue to have full effect, as a material consideration in decision-taking on applications for planning permission. The Government is clear that the expansion of any airport must meet its climate change obligations to be able to proceed.”</i></p> <p>21. We contend that airport expansion must therefore pass the tests of being justified, sustainable and meeting climate change obligations – for which, as in other impact areas – the principle of cumulative effects suggests that increased emissions from each of several airport expansion proposals cannot be considered only in isolation.</p> <p>22. It will not have escaped the ExA’s attention that the greenhouse gas emissions from the Airport business operation, which the Application claims will reduce to net zero by 2040, are a tiny fraction (currently around 3%) of the total greenhouse gas emissions associated with the Airport and the Application due to aircraft in flight.</p>	
<p>Luton and District Association for the Control</p>	<p>Climate Change</p>	<p>3.2 Climate Change Committee (2023) 23. The Climate Change Committee issued its 2023 progress report to Government in</p>	<p>The Committee on Climate Change made a similar recommendation in its Progress Report to Parliament in 2022 (Ref 1). The Government</p>

<p>of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>		<p>June. Its key messages included <i>“The Government must act urgently to correct the failures of the past year and reclaim the UK’s clear climate leadership role.”</i></p> <p>24. The CCC’s recommendations for aviation include: [see page 4 of REP1-088 for full list of recommendations].</p> <p>25. This Application is not in accord with the first two items of the CCC advice, and does not include sensitivity testing for the effects of measures including policy changes which may reduce demand, particularly on the financial viability of the proposed development.</p>	<p>responded to this report in March 2023 (Ref 2) and made clear at #197 that <i>“We remain committed to growth in the aviation sector where it is justified. Our analysis in the Jet Zero Strategy shows that the sector can achieve net zero carbon emissions from aviation without the government needing to intervene directly to limit aviation growth. Our scenarios show that we can achieve our targets by focusing on new fuels, technology, and carbon markets and removals with knock-on economic and social benefits. Our ‘high ambition’ scenario has residual emissions of 19 MtCO2e in 2050, compared to 23 MtCO2e residual emissions in the CCC’s Balanced Pathway.</i></p> <p><i>“Airport growth has a key role to play in boosting our global connectivity and levelling up in the UK. Our existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. We do not, therefore, consider restrictions on airport growth to be a necessary measure.”</i></p> <p>There is no reason to believe that the Government’s response to the latest CCC recommendation for aviation will differ from that given earlier this year.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p>	<p>Climate Change Greenhouse Gas</p>	<p>3.3 The Jet Zero Strategy (Jul 2022)</p> <p>26. The Jet Zero Strategy (“JZS”) was published by the Government in July 2022 with the aim of providing “our framework and plans for decarbonising aviation.” (See end of footnote to paragraph 1.1)</p>	<p>Noted. As the Jet Zero Strategy (Ref 3) ‘High Ambition’ pathway represents current UK government policy, it was not deemed appropriate to model alternative pathways as part of this assessment.</p>

<p>REP1-095</p>		<p>27. JZS describes various theoretical pathways to achieving net zero aviation, with the so-called 'High Ambition' pathway representing the Government's favoured option. Although it identifies six "policy measures" they are generally targets and aspirations and surprisingly short of actual policies. The panel showing "Our policy measures" on JZS printed page 26 can be summarised as:</p> <ul style="list-style-type: none"> • System efficiencies is an ambition for airport operations to be net zero by 2040, and funding for Stage 2 airspace change proposals • Sustainable aviation fuels are described as a leadership opportunity, supported by funding, with a mandate by 2025 and a target of 10% SAF in the fuel mix by 2030 • Zero emission flight describes a potential, with an aspiration and some research funding • Markets and removals sets an aim of legislation by 2024 and enhancement to the ETS • Influencing customers was a Call for Evidence about preserving the ability to fly while supporting sustainable choices • Addressing non-CO2 is a focus on increasing understanding. 	<p>Since Jet Zero the Government has published Jet Zero strategy: one year on in July 2023, which reports on progress and achievements made since the launch of the Jet Zero strategy, the strategic framework for decarbonising aviation, as well as the latest aviation emissions data and updated Jet Zero analysis, and the next steps to deliver net zero aviation by 2050. The Government also consulted on further development on the Sustainable Aviation Fuel (SAF) mandate, including independent reports, announcing £165M in grant funding to support UK advanced fuels projects, and commitments to commercial scale SAF production by 2025. This provides evidence of the Government's commitment to implementing Jet Zero.</p>
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		It is difficult to identify any of this as enacted policy which can be relied on for precautionary modelling.	
Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095	Climate Change Greenhouse Gas	28. The Applicant's ES Chapter 12 Greenhouse Gases document (APP-038) treats the so-called High Ambition scenario as effectively representing UK aviation policy and we disagree with that approach. As just one example, under item 4: Next Generation Aircraft on printed page 66 of APP-038, it states: <i>"However, for this GHG assessment the future rollout of these aircraft has been assumed within the GHG Core Planning Case due to their explicit inclusion as an assumption within the Jet Zero Strategy High Ambition scenario that represents current UK Government policy on aviation."</i>	Noted. The Jet Zero Strategy (Ref 3) High Ambition scenario represents current UK Government policy on decarbonising the aviation sector. The majority of greenhouse gas emissions from aviation at London Luton Airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSA). The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the Sixth Carbon Budget and later Carbon Budgets to net zero in 2050.
Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095	Climate Change Greenhouse Gas	29. We also disagree with the final sentence in APP-038 para 12.1.14 where it states: <i>"The Jet Zero Strategy considers measures such as the national mandate to introduce Sustainable Aviation Fuels (SAF) into aviation fuel supply, and the introduction of next generation aircraft which are currently not available but in development. Initiatives and programmes in these areas are outside the control of the Applicant or scope of the application for development consent. However, as the Jet Zero Strategy demonstrates, they represent committed targets in government policy and legislation and can be relied upon as such."</i>	Noted. For the purposes of the greenhouse gas (GHG) assessment presented in Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES) , the assumption of the overall emissions reduction from the use of Sustainable Aviation Fuels (SAFs) is taken directly from the Jet Zero illustrative scenarios and sensitivities (Ref 3) published by the UK Government to accompany the Jet Zero Strategy. Paragraph B.5 of this document states that: <i>"In the illustrative scenarios presented in this document we present the emission savings delivered by SAF as a percentage of kerosene emissions in line with the assumed life cycle emission savings relative to kerosene"</i>

			<p><i>underpinning the 'Mandating the use of sustainable fuels' consultation'. The assumptions vary through time and by uptake scenario, in the range 67 -75% emissions savings relative to kerosene."</i></p> <p>The GHG assessment presented in Chapter 12 Greenhouse Gases [APP-038] of the ES applies the 67% emissions reduction figure relative to the use of kerosene, i.e. the most cautious end of the range supplied by the UK Government. The Applicant takes the view that this is a reasonable assumption to adopt for the use of SAFs, and recognises that there would be residual net emissions to the atmosphere of 33% those of kerosene.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Climate Change Greenhouse Gas</p>	<p>30. In both the above cases a distinction should be drawn between - on one hand - the setting of targets and trajectories for how the Government would like aviation decarbonisation to proceed and - on the other - the creation of policies which can be relied on to deliver these outcomes.</p> <p>31. While measures such as a Sustainable Aviation Fuels mandate are being considered, no such mandate has yet been set. Likewise, we are not aware of any policy proposals for increasing the rate of efficiency improvement in aircraft; this is simply assumed in the modelling to occur.</p>	<p>Noted. The Applicant recognises the fact that the range of mitigation measures described in the Jet Zero Strategy (Ref 3) represent current UK Government policy and associated assumptions, and are cited to provide plausible pathways rather than fully costed forecasts.</p> <p>It is also acknowledged that mitigation measures such as any future Sustainable Aviation Fuel (SAF) mandate and assumed improvements in aircraft and airspace management efficiency, are treated separately from discrete targets described within the Jet Zero Strategy, specifically the target for airport operations in England to be zero emissions by 2040. Targets are specific outcomes, while mitigation measures are those policies that will help to achieve them.</p>

		<p>32. It is also important to note that the modelling of emissions reductions in the High Ambition scenario, which the Applicant has apparently applied to reduce future emissions from an expanded LLA, are described by the Government as “illustrative scenarios” rather than fixed policies or even fully costed forecasts.</p> <p>33. The analytical annex to the JZS notes that: “There is significant uncertainty surrounding the abatement potential, uptake and costs of the measures described in this document and therefore these scenarios present illustrative pathways rather than forecasts”</p> <p>34. The Applicant has not evidenced any other pathway by which these High Ambition improvements would take place, therefore its assessment lacks credibility and would appear to be over-optimistic.</p> <p>35. There is in any case inconsistency in how the Applicant characterises aspects of the JZS, notably those with a nearer-term target date for which LLA could otherwise be held to account. For example, APP-038 para 12.5.12 states: “<i>..the Jet Zero Strategy includes a number of specific targets, including for domestic flights to be net zero by 2040, and for airport operations in England to be zero emission by the same</i></p>	
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		<p><i>date. These are target outcomes, rather than mitigation measures that can be incorporated into the GHG assessment. For this reason, neither the London Luton Airport Expansion Development Consent Order nor the Core Planning Case includes these 2040 targets as assumptions.”</i></p> <p>36. It is unclear why these particular aspects of the strategy but not others should be characterised as “target outcomes, rather than mitigation measures” when the majority of the JZS could be described in this way.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Climate Change Need Case Greenhouse Gas</p>	<p>3.4 Reliance on carbon pricing to deliver mitigation</p> <p>37. The Need Case (AS-125) para 6.3.9 item (b) assumes a cost of carbon “based on the Department for Business, Energy and Industrial Strategy (BEIS) guidance on carbon values 2021, which set out target consistent values of carbon to be used for appraisal purposes”. We contend this is misleading, as the values adopted in the forecasting model are consistent only with the Jet Zero Strategy which were not (as stated) “adapted from the BEIS appraisal.”</p> <p>38. In fact, the DfT’s Jet Zero Further Technical Consultation (“JZFTC”) states: <i>“Use of these values would risk overstating the emissions reductions that could be achieved through carbon pricing measures. For this reason, these new carbon values</i></p>	<p>The use of carbon pricing in the demand forecasts for the Proposed Development mirrors that adopted by the Department for Transport in its modelling for Jet Zero in that the assumed carbon prices trend from current prices under the Emissions Trading Scheme (ETS) to the future BEIS Carbon Appraisal Values that reflect the target price of carbon required to deliver mitigation and abatement. The trend from current prices to the BEIS long term appraisal values is provided in Annex B of the Jet zero: further technical consultation of March 2022. By using these assumptions, the demand forecasts internalise the cost of carbon at an increasing value, reflecting the costs of abatement and mitigation.</p> <p>The assessment of the impact of the Proposed Development has been carried out in accordance with the Jet Zero Strategy as this represents current Government policy.</p>

		<p><i>are not suitable for use in forecasting aviation demand.”</i></p> <p>39. Instead, JZFTC states: <i>“We have now produced a new set of carbon price assumptions for use in our aviation model which are designed to illustrate the potential range of costs faced by airline operators via the UK ETS, EU ETS and CORSIA in the future.”</i></p> <p>40. JZFTC goes on to stress: <i>“Given the market- based nature of these schemes, that future prices will be affected by future policy decisions and the need to make assumptions about carbon prices to 2050, there is considerable uncertainty around these assumptions.”</i></p> <p>41. The assumptions used in the Jet Zero modelling refer to future policy tools that are not yet in place, and in some cases have yet to be consulted on. Examples include the following:</p> <ul style="list-style-type: none"> • The modelling assumes that the UK Emissions Trading System will be aligned with the UK’s net zero climate obligations. This is a stated Government objective but changes to regulations have not yet been made. • It also assumes that ICAO will adopt a new international scheme to replace 	
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		<p>CORSIA in 2035, with prices that will converge with the UK ETS by 2050. The Aviation Environment Federation (AEF), which participates actively in ICAO's work, confirms there have been no negotiations to date on post-2035 arrangements. The fact that CORSIA credits for a tonne of CO2 currently cost in the region of \$5 when the UK ETS price for an allowance is £53 tonne suggest structural and political differences that will be difficult to harmonise both now and in the future.</p> <ul style="list-style-type: none"> • The Jet Zero modelling assumes that the higher UK ETS price applies on routes subject to both CORSIA and the UK ETS, but a decision has yet to be made on how the two schemes should interact. To avoid duplication, the UK is reviewing options for routes where CORSIA and UK ETS provisions apply. It is a possibility that the UK may choose to exempt routes from the UK ETS where CORSIA rules apply, meaning that many LLA flights will no longer be covered by the cap (and its possible future alignment with net zero). CORSIA's requirement is to offset emissions above a level equivalent to 85% of the emissions from international aviation in 2019. This threshold is not compliant with a net zero trajectory. This would affect the Applicant's claim that the majority of LLA's flights are covered by the UK ETS 	
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		<p>and will, therefore, be subject to an overall cap.</p> <ul style="list-style-type: none"> • A carbon price is assumed to apply to all emissions in the modelling. At present most aviation emissions attract no carbon price at all. For example, a report by Element Energy⁶ estimates that only about 17% of total aviation emissions are currently priced within the ETS while CORSIA will not create any offset obligations until global international traffic exceeds 2019 levels. To go from the present situation to one in which high carbon prices generated by the full convergence of global carbon markets are applied to all emissions from all flights may seem far-fetched. <p>42. We contend that if future carbon pricing does not reach the levels assumed in the forecasting for the reasons stated above, prices are likely to be insufficient to drive the decarbonisation measures relied upon, increasing the emissions associated with the expansion.</p> <p>43. To put the importance of carbon pricing into context, Jet Zero assumes that pricing is responsible for 14MtCO₂ of aviation emissions abatement nationally (27% of the total abatement required to reach net zero) by 2050. These emission reductions are achieved as the costs of decarbonising are</p>	
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		<p>passed on to passengers, resulting in reduced demand.</p> <p>44. The available evidence suggests that even if the mid-range carbon prices assumed in Jet Zero are achieved, they may be insufficient to drive investment in technology and SAF at the pace required. Using the costs identified for removals in EE's report for BEIS, and taking the midpoint of the costs for SAF pathways calculated by McKinsey in its Clean Skies for Tomorrow report, the CORSIA price in most cases exceeds the abatement cost for SAF and removals only from the 2040s onwards.</p> <p>45. Comparison of CORSIA mid prices and likely abatement costs 2020-2050 (red indicates that carbon prices are unlikely to be sufficient to encourage uptake and investment, green indicates that prices are likely to be higher than abatement costs)</p> <p>46. The assumed UK ETS mid-price performs better given its more rigorous framework, although prices are again unlikely to exceed SAF abatement costs until the 2040s.</p> <p>47. Comparison of UK ETS mid prices and likely abatement costs 2020-2050 (red indicates that carbon prices are unlikely to</p>	
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		<p>be sufficient to encourage uptake and investment, green indicates that prices are likely to be higher than abatement costs)</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095</p>	<p>Climate Change</p>	<p>3.5 Non-CO2 impacts 48. APP-038 notes that matters raised during feedback on the consultation report included the comment that “the impact of non-CO2 emissions and flight arrivals, not only departures as presented in the 2022 PEIR, should be considered in the assessment of significant effects”. However, the Applicant has decided to present no modelling of non-CO2 impacts in this analysis. 49. APP-038 claims that “non-CO2 impacts are generally short-lived and reversible”. The term ‘reversible’ is not one encountered in the scientific literature in this context and downplays the significance of these impacts. The latest scientific assessment estimates that to date, the non-CO2 impacts of flying have caused twice as much warming as from CO2 alone. 50. The Climate Change Committee (CCC) Sixth Carbon Budget states “non-CO2 effects contribute around two-thirds of the total aviation effective radiative forcing – twice as much as historical CO2 emissions from aviation.” While it is true that impacts such as contrails are more short-lived in the atmosphere than CO2, whether their impact</p>	<p>Non-CO₂ emissions are discussed within Section 12.12 of Chapter 12 of the Environmental Statement [APP-038]. There remains significant scientific uncertainty around the overall warming effect of non-CO₂ impacts. Furthermore, there is no recognised benchmark against which to compare the emissions of non-CO₂ impacts. They are not within the Nationally Determined Contributions declared pursuant to the 2015 Paris Agreement or the carbon budgets set pursuant to the UK Climate Change Act 2008 (Ref 9), and are not included in the aviation emissions trajectory for the Jet Zero Strategy (Ref 3) High Ambition scenario that this assessment uses as a comparator for aviation emissions. For these reasons, while it is important to acknowledge the presence and warming effect of these non-CO₂ impacts, this assessment has not sought to quantify non-CO₂ impacts, consistent with current Government and Committee on Climate Change advice within the sixth carbon budget summary for aviation which excludes non-CO₂ impacts of aviation from the sector carbon budget to be consistent with other sectors. This approach has been affirmed by recent High Court decisions in <u>R (on the application of Friends of the Earth Ltd and others) v Heathrow Airport Ltd [2020] UKSC 52</u> and <u>Bristol Airport Action</u></p>

		<p>is reversible depends on whether or not atmospheric warming begins to trigger 'tipping points' - self-perpetuating and irreversible changes to the climate system such as the melting of ice sheets.</p> <p>51. The Applicant further claims that the decision not to attempt to quantify the non-CO2 impacts of the proposal is consistent with the advice of the CCC. We are not aware of any advice from the Committee that non-CO2 impacts should not be quantified for planning purposes. In fact, the CCC specifically advises the Government that non-CO2 impacts should be monitored with a view to developing appropriate policy to mitigate them, and that a demand management framework should be developed in aviation "to control sector GHG emissions and non-CO2 effects."</p> <p>52. We contend that the non-CO2 effects of aviation are known to cause significant warming, and increasing them will have a detrimental impact on the UK's contribution to achieving global temperature goals, to which the UK has committed under the Paris Agreement. The Applicant should therefore, in our view have assessed the likely scale of increases in these effects associated with the proposed development.</p>	<p><u>Network Coordinating Committee v Secretary of State for Levelling up, Housing and Communities</u> [2023] EWHC 171 (Admin).</p> <p>Ongoing greenhouse gas reporting by the airport will follow all government policy as it evolves on this issue.</p> <p>In the Jet Zero Strategy – one year on report of July 2023 (page 33) (Ref 10), the Department of Transport has made clear that further work is required to understand the impact of aviation's non-CO₂ emissions on climate change. It indicates that consideration is being given to how such impacts could in future be captured within the UK Emissions Trading Scheme.</p>
<p>Luton and District Association</p>	<p>Greenhouse Gas</p>	<p>3.6 Apparent disparity between PEIR and DCO documents</p>	<p>The change in outcome of the greenhouse gas (GHG) emissions assessment is due to the</p>

<p>for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>		<p>53. Our expectation would be that the Do Minimum “Future Baseline” GHG emissions figures from the totals in Section 8.6.21 Table 8-9 of the PEIR Volume 1 Main Report for statutory consultation which preceded the DCO application, should be comparable with the equivalent line in APP-038 Table 12.22 of the Application.</p> <p>54. The corresponding values start off fairly similar (1.2Mt in PEIR vs 1.34Mt in APP-038) but by 2050 the PEIR value is 0.8Mt but the APP-038 figure is much reduced, down to 0.297Mt, as shown below: [see page 10 of REP1-088 for figures]</p> <p>55. Similarly, we would expect the total operational emissions from Table 8-15 of the PEIR to correspond reasonably well with the Core Planning line in Table 12.22 of APP-038. Again they are comparable in 2019 (PEIR 1.3Mt, APP-038 1.34Mt) but by 2039 (1.9Mt vs 1.14Mt) and 2050 (1.5Mt vs 0.58Mt) they differ significantly. [see page 11 of REP1-088 for figures].</p> <p>56. We have not found any explanation for the disparity. However, if it is caused by the Applicant applying the assumptions in JZS, and the modelling associated with it, as if they were policy then we would disagree with this approach for the reasons indicated</p>	<p>publication of the UK Government’s Jet Zero Strategy, which occurred after the publication of the Preliminary Environmental Information Report (PEIR) and provided a more detailed understanding of mitigation measures to be included within the subsequent GHG emissions assessment. The PEIR was published in early 2022, before the publication of the Jet Zero Strategy in July 2022. As the Jet Zero Strategy High Ambition scenario represents current UK Government policy on aviation, the mitigation measures assumed within this scenario as part of the Strategy were taken into account for the GHG emissions assessment subsequently undertaken in the Environmental Statement Chapter 12 Greenhouse Gases [APP-038]. Inclusion of the mitigation measures within the calculations leads to the overall GHG impact being lower in the Environmental Statement compared to the PEIR.</p> <p>The GHG emissions from aviation at the airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSA). The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the Sixth Carbon Budget and later Carbon Budgets to net zero in 2050.</p>
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		<p>previously: JZS contains few new policies, but makes assumptions - on so-called Sustainable Aviation Fuels, aircraft efficiency improvements and Zero Emission Aircraft, for example - at the upper end of what could feasibly be possible, as a High Ambition pathway. It is unclear which key actors will be delivering the measures forecast, which policies will be developed to deliver the modelled outcomes, and whether they will succeed.</p> <p>57. If the Applicant is confident that the High Ambition JZS pathway can be delivered at LLA then we would expect at least a condition be imposed to review annually the airport's performance against the emissions forecasts in Table 12.22 and that any overshoot be corrected for by a reduction in the number of aircraft operating until such time as compliance can be proven.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Climate Change Noise and Vibration Green Controlled Growth</p>	<p>3.7 Climate resilience</p> <p>58. The flight forecasts acknowledge likely changes in travel patterns to avoid summer heatwaves meaning more flights outside of the summer peak period. The Application does not however consider how noise assessment would respond to such changes in travel patterns.</p> <p>59. Noise contour limits are defined for a standard 92-day summer period and depend on parameters which include the numbers of</p>	<p>The standard industry approach, in line with Government policy (Ref Error! Bookmark not defined.) is to assess the impacts of aviation noise using the 92-day summer period.</p> <p>The Need Case [AS-125] explains at paragraph 6.6.66 that some spreading of flights beyond the current summer peak is anticipated. However, the proportion of annual flights within the 92-day period is expected to remain constant and higher than during the winter period in terms of an</p>

		<p>flights during that period, by day and night, and the noisiness of each aircraft type. If changing travel patterns mean flights move from the summer peak to other times of year, then the 92-day summer noise contours would not adequately represent the noise impact – they would under-predict.</p> <p>60. No provision is made for this in the Application or in the Green Controlled Growth process.</p>	<p>average busy day. It is not agreed therefore that the noise impact is underpredicted.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning</p>	<p>4 Compulsory acquisition and land and rights</p> <p>61. We opposed at the time, and continue to oppose, the disposal by LBC of Wigmore Valley Park (“WVP”) to the Applicant in 2022.</p> <p>62. We regard this disposal as one of a series of actions (including construction of the DART) which in effect are commencement of development of the proposed expansion prior to permission having been granted, since they are not otherwise justified.</p> <p>63. There is for example no plausible reason for the disposal of public open-space recreational land by LBC to its airport-owning company.</p> <p>64. The notice of disposal dated December 2021, was preceded in March 2016 by</p>	<p>The Applicant considers that the issues raised in points 6467 fall outside of the consideration of the application for development consent.</p> <p>The Secretary of State will determine the application in accordance with section 105 of the Planning Act 2008 and will have regard to matters which they consider to be important and relevant.</p> <p>The Applicant notes that there has been no disposal of Wigmore Valley Park by Luton Borough Council, and the Applicant further confirms that it has no leasehold interest in the park. The Applicant notes that an Open Space Assessment has been undertaken as part of the application, included as Appendix C of the Planning Statement [APP-197], and that the case for acquisition of special category land is contained within the Statement of Reasons [AS-071].</p>

		<p>investigations on behalf of LBC to discover the status of the Eaton Green Landfill site which underlies the Park, and which was believed to have been managed by Central Bedfordshire Council.</p> <p>65. Local residents also testify to a private development proposal for a business park next to WVP, for which LBC stipulated no access from Eaton Green Road and this was written into the Local Plan, and nothing was taken forward. As airport capacity was rapidly increased under Project Curium, LBC announced plans for New Century Park on that site and on WVP.</p> <p>66. Residents challenged LBC Councillors that this was Airport expansion by stealth, however this was denied. LBC approved a new dual carriageway to serve the proposed New Century Park, and then later the plans for developing Terminal 2 on that site were made public.</p> <p>67. We respectfully request the ExA to take into account the apparently facilitating works and effective closing of options in what was presented as consultation on this Application.</p>	<p>The New Century Park (now Green Horizons Park) planning application is unrelated to airport expansion and is capable of being delivered as a standalone development. The Applicant refutes that this was in any way 'airport expansion by stealth'.</p>
<p>Luton and District Association for the Control</p>	<p>Planning</p>	<p>5 Draft Development Consent Order 5.1 Adequacy of security for project delivery</p>	<p>68 and 69. Outline versions of these plans have been submitted as part of the DCO application (e.g. Framework Travel Plan [AS-131], Outline Construction Workers Travel Plan [APP-131],</p>

<p>of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>		<p>68. Part 4 paragraphs 29-33 of the Draft DCO (AS-067) refer to key Plans (Offsite highway works, Travel, Operational Air Quality, Greenhouse gas action and Operational waste management) which have yet to be submitted and approved by the relevant planning authority, which we take to be LBC.</p> <p>69. This raises governance issues since LBC would be a financial beneficiary of the proposed Project, and the ExA may consider it more appropriate for the Joint Hertfordshire Authorities to be involved in the review and approval process.</p> <p>70. Governance arrangements are a general cause for concern, since Members / Officers of the Applicant's Board sit or have sat on key Executive bodies in LBC including the Oversight and Scrutiny Board, Finance Board and Development Control Committee when LLA-related matters are discussed and voted on; and Applicant-funded charities in the Town may be overseen by LBC Members who also vote on LLA matters.</p> <p>71. Specific concerns were raised at the 2022 Inquiry about an overall deficiency in governance and unresolved conflicts of interest inherent in the ownership of the Airport. These concerns remain, especially</p>	<p>Outline Operational Air Quality Plan [APP-065], Outline Greenhouse Gas Action Plan [APP-081], Outline Site Waste Management Plan [AS-097]). Detailed versions will be required prior to the commencement of development and these will be submitted in due course to the relevant planning authority.</p> <p>69 and 70. Section 2.5 of the Applicant's Deadline 1 Submission Roles and Responsibilities of Luton Borough Council [REP1-018] sets out the measures that have been put in place to ensure the due and proper demarcation of roles and responsibilities of Luton Borough Council, including the independence and objectivity of the Council's Planning functions.</p> <p>71. The Applicant considers that the issue raised regarding LBC's role in Green Controlled Growth was answered within the Applicant's Response to Relevant Representations Part 2C [REP1-023] pages 235 to 237, in response to RR-0817.</p>
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		<p>given the key role of LBC in securing project delivery in respect of 'Green Controlled Growth'.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning Need Case</p>	<p>5.2 Funding concerns</p> <p>72. The Application is unclear how the £2.7 billion development costs would be funded. The Applicant itself has issued qualified accounts for the last two years, and its auditors resigned in 2021. Luton Borough Council's auditors have not signed off its accounts since 2018, and its Audit Results Report in 2018 is qualified in respect of financial decision-making on airport-related projects. Neither is in a position of financial strength.</p> <p>73. Were the proposed development of Terminal 2 and the DART extension to commence, but (for example) future demand did not meet the projections of the Applicant for any reason, a situation may arise in which major infrastructure development no longer made financial sense.</p> <p>74. We ask the ExA to examine the provisions for restoration and making good in such circumstances, since Wigmore Valley Park (a public green space intended to provide a noise buffer between the residents of Wigmore and the Airport site) has already been transferred to the Applicant under a long-term lease.</p>	<p>72-74. The Applicant is of the view that it has provided sufficient evidence as to how the Proposed Development will be funded within the Funding Statement [APP-012] submitted with the application.</p> <p>75. The Applicant has responded to points about its own accounts, those of Luton Borough Council and DHLUC's recommendations to Luton Borough Council in its responses to Friends of Wigmore Park's written representation [REP1-060], set out in Part 4 of the Applicant's Response to Writte Representations [TR020001/APP/8.39].</p> <p>76-77. The adoption of the DCO noise model and its ongoing validation by the airport operator is set out in paragraph 3.2.7 of the Green Controlled Growth Explanatory Note [APP-217] with further detail provided in the Aircraft Noise Monitoring Plan [APP-221].</p> <p>78-79. The Applicant has responded to these points in its responses to Friends of Wigmore Park's written representation [REP1-060], set out in Part 4 of the Applicant's Response to Written Representations [TR020001/APP/8.39].</p>

		<p>75. We also ask the ExA to examine the “financial arrangements” referred to by the concessionaire LLAOL in its qualified Letter of Support for the Application. It is unclear whether LLAOL would retain its concession and continue to operate the Airport; or whether the Applicant would both own and operate it (even though not currently qualified to do so under the provisions of Section 17 of the Airports Act 1986); or whether a third party might own or operate the Airport.</p> <p>76. Key to our concerns regarding certainty over noise, and future control of noise, would be a matter which is not explained in the Application: namely how and in what way would the adoption of the Applicant’s demand forecasts, fleet forecasts and noise model be verified and adopted by any future concessionaire?</p> <p>77. Without such verification and adoption, and future operation of the Applicant’s noise model by any future concessionaire’s own noise advisers, there would not be continuity or comparability between the forecasts, noise impacts and metrics predicted in the Application and forming the noise envelope expressed in terms of those metrics, and the assessment of the evolving noise impacts over the lifetime of the project.</p>	
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<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Green Controlled Growth Noise and Vibration</p>	<p>Green Controlled Growth 6.1 Noise Envelope Design Group</p> <p>80. LADACAN was an active participant in the Noise Envelope Design Group (NEDG), and we raise the topic here rather than in section 7 under Noise because the Application has embedded the Noise Envelope into the Green Controlled Growth (GCG) provisions rather than as a discrete noise-related entity as suggested by the Group.</p> <p>81. A key reason for distinguishing the Noise Envelope as a means of noise control, from GCG as a purported means of environmental control, is that the policy</p>	<p>80-81. As set out in Appendix 16.2 of the Environmental Statement [APP-111], the design and content of the Noise Envelope is not affected by its inclusion within the Green Controlled Growth Framework (GCG) [APP-218], and it is considered that the benefits of integration outweigh the additional 'visibility' of having a standalone Noise Envelope. The key advantages of integrating the Noise Envelope within the GCG Framework are that the enforcement, control and reporting processes set out within GCG will automatically apply to the Noise Envelope, avoiding the need for duplication of processes and enforcement bodies and providing consistency across the four topics covered by the GCG Framework (noise, air quality, carbon and surface access). The GCG</p>

		<p>concept of delivering certainty by means of noise envelopes is more developed than for other environmental impacts, as indicated below.</p> <p>82. Early curtailment of the work of the NEDG; lack of effective consultation on the noise envelope itself; and exclusion of measures recommended by the NEDG have in our view weakened both the Application and the certainty which is required from a Noise Envelope.</p> <p>83. We disagree that the Applicant's interpretation of "sharing the benefits" as set out in Appendix 16.2 Operational Noise Management accords with policy, which places a clear imperative on industry (which would include an airport operator as well as an aircraft manufacturer) to continue both to reduce and to mitigate noise as capacity grows; and that the industry share of benefits is triggered only as noise levels fall: <i>"We want to strike a fair balance between the negative impacts of noise (on health, amenity (quality of life) and productivity) and the positive economic impacts of flights. As a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce <u>and</u> mitigate noise as airport capacity grows. <u>As</u></i></p>	<p>noise Technical Panel that would be formed under the GCG Framework allows for suitable independent technical expertise to be involved in the review and enforcement processes without the need for separate arrangements to those in GCG for a stand-alone Noise Envelope.</p> <p>82. It is not agreed that the work of the Noise Envelope Design Group (NEDG) was curtailed and the NEDG issued their Final Report in December 2022. The pieces of work referenced in the footnote in the Written Representation (the worked example showing that GCG could have avoided the historic noise limit breaches and noise model validation) were pieces of work to be undertaken by the Applicant, not by the NEDG. The worked example has since been provided in Noise Envelope – improvements and worked example [TR020001/APP/8.36] and the noise model validation has been set out in detail in Appendix 16.1 of the Environmental Statement [AS-096] and has been agreed as appropriate with the Host Authorities in the draft Statements of Common Ground [TR020001/APP/8.13-17].</p> <p>83. The quantified "sharing the benefits" in Appendix 16.2 of the Environmental Statement [APP-111] does measure this with respect to noise levels falling when compared to the 2019 consented baseline. This is illustrated by Insets 3.1 to 3.4 and Tables 3.2 and 3.3 of this appendix which show that there is no community share of the benefit when noise levels are above the 2019 consented limit.</p>
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		<p><u><i>noise levels fall with technology improvements the aviation industry should be expected to share the benefits from these improvements.</i></u> (our underline)</p> <p>84. The CAA’s CAP 1129 document, cited by the Applicant in relation to “sharing the benefits”, is clear that it only provides some information to help develop technical guidance on noise envelopes: “The Government has set out that it ‘wishes to pursue the concept of noise envelopes as a means of giving certainty to local communities about the levels of noise which can be expected in the future and to give developers certainty on how they can use their airports’. As such, the Government has invited the CAA to provide information to help develop technical guidance on the concept.”</p> <p>85. The key policy objective of a Noise Envelope is to provide certainty, and we are certain the ExA will wish to examine this issue from a policy perspective.</p> <p>86. The NEDG’s discussion on sharing the benefits is summarised in its Final Report although at the time the Green Controlled Growth document was not available.</p>	<p>84-85. It is noted that the Civil Aviation Authority CAP1129 document (Ref 17) is guidance but it is nevertheless very relevant to policy as the stated overall aim of the document is to “<i>inform the definition of a noise envelope concept which can be applied to airports looking to increase their capacity, which is aligned to the Government’s overall noise policy.</i>” How the proposed Noise Envelope complies with Government noise and aviation policy (including how the Noise Envelope should give certainty to local communities) is set out in Table 3.1 of Appendix 16.2 of the Environmental Statement [APP-111].</p> <p>86. Noted.</p>
<p>Luton and District Association</p>	<p>Green Controlled Growth</p>	<p>6.2 Governance</p> <p>87. Because of the widespread cross-boundary environmental impacts of LLA, we</p>	<p>87. The Applicant considers that the issue raised regarding Luton Borough Council’s role in Green Controlled Growth (GCG) was answered within</p>

<p>for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning</p>	<p>disagree that in the case of a National Infrastructure Project, Luton Borough Council (as ultimate owner and financial beneficiary of LLA) should be sole ultimate arbiter in regulating future environmental impacts including those on the wider residential amenity – particularly given the history of Project Curium.</p> <p>88. We proposed that the Environmental Scrutiny Group chair and chairs of Technical Panels should be nominated by the Joint Host Authorities.</p> <p>89. Reporting by Technical Panels to the ESG should be every 6 months ahead of capacity declarations, and remediation of any noise breach should be decoupled from slot issuing and slots rights process.</p> <p>90. We disagree with the proposition in the ‘Green Controlled Growth Framework’ (APP-218) section 2.3 that the review of the GCG process should be solely by LLAOL, given the history of Project Curium where LLAOL was responsible for the breaches of noise conditions through its inability to manage growth in a controlled and balanced way as indicated in our cross-referenced OFH2 submission.</p> <p>91. Similarly, we disagree that LLAOL alone should propose a mitigation plan in case of</p>	<p>the Applicant’s Response to Relevant Representations Part 2C [REP1-023] pages 235 to 237, in response to RR-0817.</p> <p>88. The Applicant considers that the issue raised regarding how the chairs of the Environmental Scrutiny Group and Technical Panels are appointed was answered within the Applicant’s Response to Relevant Representations Part 2C [REP1-023] pages 239 to 240, in response to RR-0817.</p> <p>89. The Applicant considers that the issue raised regarding the timing of reporting through GCG was answered within the Applicant’s Response to Relevant Representations Part 2C [REP1-023] pages 240 to 241, in response to RR-0817.</p> <p>90. The Applicant considers that the issue raised regarding the review of the GCG process was answered within the Applicant’s Response to Relevant Representations Part 2C [REP1-023] pages 237 to 238, in response to RR-0817.</p> <p>91. The Applicant considers that the issue raised regarding the production of Mitigation Plans was answered within the Applicant’s Response to Relevant Representations Part 2C [REP1-023] pages 238 to 240, in response to RR-0817.</p> <p>92, 93. Section 1.7 of the Green Controlled Growth Explanatory Note [APP-217] sets out why this is the case. As stated in this section, due</p>
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		<p>breach. If a breach occurs then LLAOL will again have failed adequately to control its own operation.</p> <p>92. The 'Green Controlled Growth Framework explanatory note' (APP-217) describes in section 1.7 how when the current concession ends in 2032 the GCG obligations would revert to the Applicant – yet as already indicated the Applicant is not currently qualified to manage an Airport.</p> <p>93. Paragraph 1.7.7 of the note also states that the Applicant has worked closely with LLAOL to increase the sustainability of operations and ensure GCG is delivered – but if the concessionaire changes in 2032 that understanding would be lost and therefore its outcomes would need to be procured from any new concessionaire by the DCO document.</p>	<p>to the way that Development Consent Orders work, any requirements secured through the draft Development Consent Order (dDCO) [AS-0067] (including the requirement to implement GCG) fall to the Applicant. As the Applicant does not operate the airport, Article 8 of the dDCO sets out the proposed mechanism by which the benefit of the Order will be transferred from the Applicant to LLAOL as the airport operator. At the end of the current concession period, the restrictions, liabilities and obligations to implement GCG would revert back to the Applicant. They would then be transferred again to any new airport operator. In this way, it can be ensured that the requirement to implement GCG will always be in place, and environmental impacts associated with expansion can always be controlled, regardless of who is operating the airport at any given point.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Green Controlled Growth</p>	<p>6.3 Thresholds and Limits</p> <p>94. Setting Thresholds at 85% of Limits as originally proposed by the NEDG was a value chosen after careful discussion to ensure corrective action was taken in good time to avoid breach, given that noise contours are a retrospective metric, calculated after the event for the preceding year.</p> <p>95. Table 3.1 on PDF page 63 of the 'Green Controlled Growth explanatory note' (APP-</p>	<p>94-97. Improvements have been made to the Noise Envelope since submission, including proposals to lower the Level 1 Threshold to 85% of the Limit in line with recommendations from the Noise Envelope Design Group (NEDG). A worked example has been provided which can be used to reasonably conclude that the NE would have addressed the historic breaches that occurred in 2017-2019, see Noise Envelope – improvements and worked example [TR020001/APP/8.36].</p>

		<p>217) modifies this to set Thresholds at 95% of the difference between the Limits and the Do Minimum contour.</p> <p>96. The effect is that the Level 2 Thresholds are now at 97-98% of the Limit, and the Level 1 Thresholds are at 98-99% of the Limits, rendering them ineffective.</p> <p>97. Bearing in mind the “inertia” involved either in increasing or decreasing contours, and the risk that too many slots are released to recover from a breach position - as Project Curium demonstrated – we strongly disagree with the proposed approach.</p> <p>98. We also disagree – particularly in the proposed scenario – that the Airport Operator should (as in paragraph 2.2.13) be permitted to release more slots if a Level 2 threshold is reached, without an expert independent review of whether, in light of circumstances, this would ensure avoidance of breach.</p> <p>99. If a breach does occur, the mitigation and remediation process could take more than a year as indicated in paragraph 2.2.27 – again this is unacceptable, and demonstrates that Green Controlled Growth is designed to be able to fail, mired in committees, therefore no better than the process under Project Curium.</p>	<p>98. Such a review is the purpose of the Level 2 Threshold in the Green Controlled Growth Framework [APP-218]. As set out in Section 2.2 of the Green Controlled Growth Explanatory Note [APP-217], if a Level 2 Threshold is exceeded, Paragraph 23 of Schedule 2 of the draft Development Consent Order [AS-0067] requires the Airport Operator to:</p> <p>(a) not increase the amount of declared capacity at the airport, and</p> <p>(b) prepare and submit for approval to the Environmental Scrutiny Group a Level 2 Plan. The Level 2 Plan firstly needs to consider whether continued operation at the current level of capacity would result in a Limit being breached. If this is the case, the Level 2 Plan will need to propose mitigation to avoid this breach. This mitigation could, for example, include stopping the release of any new slots.</p> <p>The Level 2 Plan would subsequently be reviewed and approved or refused by the independent Environmental Scrutiny Group, which includes independent technical experts. It is not however a given that continued operation at a given level of capacity would result in a Limit being breached, and as such it is considered disproportionate to automatically require a stop to the release of slots if a Level 2 Threshold is reached.</p> <p>99. The Applicant considers that the issue raised regarding the timing of mitigation through GCG</p>
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			<p>was answered within the Applicant's Response to Relevant Representations Part 2C [REP1-023] pages 240 to 241, in response to RR-0817.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Air Quality</p>	<p>7 Noise 7.1 Policy 7.1.1 Overarching Noise Policy (March 2023)</p> <p>100. We have provided separately as requested our comments on the Overarching Noise Policy, summarising the policy requirements into five tests which we reiterate here in italics, with our comments in respect of this Application beneath:</p> <p>1) Is the benefits/harms balance being applied in the context of sustainable growth? No. The Application would increase noise, air pollution, carbon emissions and non-CO2 impacts overall, and make it harder for the UK to achieve Net Zero by 2050, and is not sustainable by the Brundtland definition which forms part of the policy definition of sustainability.</p>	<p>The Applicant's commentary on the Overarching Aviation Noise Policy Statement, including how the Proposed Development complies with this updated policy statement, is provided in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012].</p> <p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003].</p> <p>The effects of air quality and greenhouse gas emissions are assessed robustly and reported on in Chapter 7 [AS-076] and 12 [APP-038] of the Environmental Statement respectively, and therefore can be considered in balance with all other effects reported in the Environmental Statement both adverse and beneficial. Section 9 of the Planning Statement [AS-122] considers further the planning balance of the Proposed Development, considering both potential benefits and adverse impacts. It concludes that the substantial benefits of the Proposed Development clearly and demonstrably outweigh the harms that would arise with the proposed suite of mitigation measures in place.</p>

			<p>The Applicant considers that the issue raised regarding non-CO₂ impacts was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisation) [REP1-023] pages 248 to 249, in response to RR-0817.</p> <p>The Applicant considers that the issue raised regarding the negative impacts of air pollution, was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 87 and 88, in response to RR-0530 and others.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>2) Has the specific airport noise problem and been identified and all measures available to mitigate and reduce noise been analysed, explored and put in place?</p> <p>No. The Applicant has not analysed, explored and put in place all available measures for noise mitigation and reduction. One such measure is Noise Abatement Departure Procedures but no analysis has been provided even though LLAOL has conducted a trial. Another is to follow the ICAO balanced approach and restrict operations at night, yet 70% more night flights are proposed. An available quasi-mitigation, noise insulation, has not been fully installed even to the lower standards of Project Curium, and would be fully rolled out (and with inferior installations upgraded) ahead of increased noise impact.</p>	<p>The principal noise control secured in the Development Consent Order is the Green Controlled Growth Framework [APP-218] and the Noise Envelope that sits within it. In essence, the Noise Envelope defines the noise environmental outcomes to be achieved, or bettered, rather than pre-defining the specific mitigation mechanisms employed to achieve the outcomes (such as Noise Abatement Departure Procedures).</p> <p>Given that the airport expansion is planned over an extended period of time, this approach provides appropriate flexibility for the airport operator to identify and implement the optimum mitigation at the time it may become required and draw on future technology improvement whilst also providing certainty of the outcomes that will result even in the reasonable worst-case scenario.</p>

			<p>The current insulation scheme is not part of the Proposed Development. As part of the Proposed Development, the current air noise insulation scheme administered by the airport operator will be updated if development consent is granted. The updated noise insulation scheme improves on the current scheme and goes beyond the Government policy expectations.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Fleetmix</p>	<p>3) Have the noise-related measures that achieve maximum environmental benefit most cost effectively by objective measurable criteria been identified and put in place?</p> <p>No. Fleet modernisation is still at the point where according to the most recently published Quarterly Monitoring Report from LLAOL the type percentage of aircraft movements is:</p> <p>[see page 17 of REP1-088 for figure]</p>	<p>The Figure on page 17 of the REP1-088 shows the fleet mix trend from 2019 through to Q1 2023. From this it is evident that the transition to a new generation fleet of aircraft is proceeding in line with the fleet transition expectations set out in the application documents (see Need Case [AS-125] paragraphs 6.6.41 to 6.6.48).</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Human Health Need Case</p>	<p>4) Has the analysis taken into account the local and national context of both passenger and freight operations, and recognises the additional health impacts of night flights?</p> <p>No. The Application does not take account the local context of largely unmitigated increase in noise caused by the accelerated growth in Project Curium. The Application proposes to increase night noise and bring more people into SOAEL rather than recognising and responding to the additional health impacts of night flights. The Need</p>	<p>The airport reached the maximum throughput permitted by Project Curium in 2019. This application is for development beyond 18 mppa.</p> <p>The impact of night noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]. The assessment shows that less people would be exposed above the night-time Significant Observed Adverse Effect Level (SOAEL) with the</p>

		<p>Case does not justify why Project Curium is insufficient in the local and national context, bearing in mind it still has until 2028 to run, and the current concession extends until 2031. That timeframe would permit (according to current projections) delivery of airspace redesign which is now an important part of the national context of both passenger and freight operations in order to reduce carbon emissions, delays and noise impacts.</p>	<p>Proposed Development than in the 2019 Actuals baseline.</p> <p>Health impacts have been assessed in line with methodologies agreed through EIA Scoping and engagement with local authorities and UK Health Security Agency and the findings reported in the Chapter 13 Health and Community [AS-078] of the Environmental Statement. This includes the health impacts of aircraft noise, which include both day and night flights and an assessment of objective sleep disturbance.</p> <p>Changes to airspace and flightpaths are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Human Health</p>	<p>5) Has the impact of aviation noise been mitigated as much as realistic and practical, to limit and where possible reduce total adverse impacts on health and quality of life?</p> <p>No, for the reasons summarised above, and because it would be realistic and practical to limit and reduce adverse impacts on health and quality of life by limiting and reducing night flights given the location of LLA.</p>	<p>The impact of night noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003].</p> <p>Health impacts have been assessed in line with methodologies agreed through EIA Scoping and engagement with local authorities and UK Health Security Agency and the findings reported in the</p>

			<p>Chapter 13 Health and Community [AS-078] of the Environmental Statement. This includes the health impacts of aircraft noise, which includes both day and night flights and an assessment of objective sleep disturbance. Mitigation measures are also described in Sections 8 and 10 of the above Chapter.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.1.2 Flightpath to the Future (May 2022)</p> <p>101. On page 6 under ‘Embracing Innovation for a sustainable future’, Flightpath to the Future’s Executive Summary describes the importance of the Jet Zero Strategy as requiring “an extensive transformation of the sector over the coming decade”. It also sets the expectation that [government] “will also continue to work with the sector to reduce the localised impacts of aviation from noise and air pollution” echoing item 4 of the ten-point plan, page 10.</p> <p>102. The localised aspect is tied to sustainability under ‘Tackling the localised impacts of aviation’ on pp35 where it says “Air quality emissions and noise from aviation can have detrimental impacts on local communities, and addressing these impacts is an important aspect of a sustainable future for the sector.”</p> <p>103. That section goes on to explain that the CAA has assumed responsibility for most of the functions of ICCAN and that government</p>	<p>101-103. Noted</p> <p>104. It is agreed that noise insulation alone would be inadequate. Noise insulation is the last resort in the mitigation hierarchy, as set out in Section 2 of Appendix 16.2 Operational Noise Management (Explanatory Note) [APP-111] of the Environmental Statement (ES). The hierarchy therefore starts with mitigation at source and mitigation by intervention before mitigation by compensation (noise insulation) is provided.</p>

		<p>support for those functions remains. It stresses “This will include collaboration on the CAA’s plans to create a new Sustainability Panel, designed to provide independent expert advice on a range of environmental issues including carbon, noise and air quality.” Again, sustainability of the sector is linked not just to carbon but to noise and air quality as well.</p> <p>104. ‘Tackling localised impacts’ concludes by saying “These included a clearer noise policy framework alongside measures to incentivise best operational practice to reduce noise and measures to improve airport noise insulation schemes.” (our emphasis). Latest policy requirements treat reducing noise and improving noise insulation schemes as essential and distinct aspects: noise insulation alone is inadequate; noise reduction is required also.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Need Case</p>	<p>7.1.3 Night Flight Restrictions and consultation background (2021)</p> <p>105. The DfT’s 2021 Decision Document “Night Flight Restrictions at Heathrow, Gatwick and Stansted” confirms its intention to roll over the existing night flight restrictions at the designated airports until October 2024, and states on p5: “By rolling over for three years, the extra year will allow the government to develop a more meaningful evaluation of the costs and benefits of night flights ... This will enable decisions to be taken against a background</p>	<p>Noted. Whilst this document is specific to the designated airports (Heathrow, Gatwick and Stansted), the link between aircraft noise at night and health effects is noted and acknowledged within Chapter 13 Health and Community of the Environmental Statement [AS-078]. See, for example, paragraph 13.9.52. Health impacts have been assessed in line with methodologies agreed through EIA Scoping and engagement with local authorities and UK Health Security Agency and the findings reported in the Chapter 13 Health and Community [AS-078] of the Environmental Statement. This includes the</p>

		<p>of a wider evidence base, including on the negative impacts on sleep and health, against which the economic benefits of night flights have to be balanced.”</p> <p>106. The DfT website page providing background to the consultation states: “The government recognises that noise from aircraft taking-off and landing at night is often regarded by communities as the most disturbing form of airport operations. We also recognise that there is evidence, including in the World Health Organisation’s (WHO) revised ‘Environmental Noise Guidelines for the European Region’, that sleep disturbance caused by aircraft night operations can have adverse health impacts on overflown communities.”</p> <p>107. The background also makes clear that the Government recognises the harms associated with night flights, and the changing context in which people live and work post-COVID, as well as the benefits to business of good being transported at night</p> <p>108. This Application however is not predicated on the economic benefits of increasing the transport of essential goods by night, Instead, it is predicated on enabling budget airlines to maximise return on asset investments by increasing the distance travelled and/or the number of</p>	<p>health impacts of aircraft noise, which include both day and night flights and an assessment of objective sleep disturbance.</p> <p>The Department for Transport website, introducing the consultation on night flying restrictions, also makes clear that “<i>The aviation industry plays a significant role in the UK economy and it connects people and UK businesses with the world</i>” and also that it is seeking to support “<i>the aviation sector (passenger, freight, general aviation)</i>” more generally. There is no suggestion that Government is seeking only to facilitate night flying for air freight purposes but rather than this is one category of business, alongside the tourism sector, that it is seeking to support.</p> <p>One outcome of the consultation was the restated Overarching Aviation Noise Policy Statement (Ref 18) which makes clear that both economic and consumer benefits are key considerations in balancing the impact of noise against the benefits delivered. To this end, enabling low fare airline operations at London Luton Airport enables the delivery of valuable economic and consumer benefits.</p>
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		<p>rotations flown per day as aircraft are cycled from LLA to other destinations and back</p> <p>109. We disagree with the proposals to add many more scheduled aircraft to the early morning and late evening, with departures starting at or before 5am (currently 6am) and air noise filling the available hours between, and aircraft arriving and departing in the small hours, resulting in at worst barely two out of 24 hours being almost free of air noise as indicated in the Need Case (AS-125 printed page 139):</p> <p>[see page 19 of REP1-088 for figure]</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.1.4 Airports National Policy Statement (Jun 2018)</p> <p>110. The ANPS provides general guidance on decision-making regarding airport expansion, including: “5.68 Development consent should not be granted unless the Secretary of State is satisfied that the proposals will meet the following aims for the effective management and control of noise, within the context of Government policy on sustainable development:</p> <ul style="list-style-type: none"> • Avoid significant adverse impacts on health and quality of life from noise; • Mitigate and minimise adverse impacts on health and quality of life from noise; and • Where possible, contribute to improvements to health and quality of life.” 	<p>110-111. Noted. These are the same aims as overall Government noise policy as set out in the Noise Policy Statement for England (NPSE, Ref 20). The Applicant considers that the Proposed Development meets each of these aims as set out in paragraphs 16.9.6 onwards of Chapter 16 of the Environmental Statement [REP1-003]. The assessment shows that less people would be exposed above the daytime and night-time Significant Observed Adverse Effect Level (SOAEL) with the Proposed Development than in the 2019 Actuals baseline and that continuing significant adverse effects due to exposure above the air noise SOAEL will be avoided through the provision of the full cost of insulation.</p>

		<p>111. This Application fails the first test because it would cause additional significant adverse impacts on health and quality of life from increased noise by exposing more people to noise levels above SOAEL.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095</p>	<p>Need Case Planning Noise and Vibration</p>	<p>7.1.5 Beyond the Horizon: Making best use of existing runways (Jun 2018) 112. DfT's 2018 'Making Best Use' (MBU) policy document states in 1.5 that government "was minded to be supportive of all airports who wish to make best use of their existing runways, including those in the South East, subject to environmental issues being addressed." The key criterion is environmental issues being addressed – MBU does not give carte blanche for significant development to make maximum possible use of every airport runway.</p> <p>113. Paragraph 1.29 says "any proposals should be judged by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts and proposed mitigations."</p> <p>114. Paragraph 1.22 states "it is important that communities surrounding those airports share in the economic benefits of this, and that adverse impacts such as noise are mitigated where possible" which clearly requires what is possible to be done.</p>	<p>112-114. The Applicant considers that the Proposed Development, including the mitigations proposed fully complies with the requirements of the Making Best Use policy (Ref 13) and should be granted consent. Section 8 of the Need Case [AS-125] demonstrates the significant benefits that will be shared with local communities.</p> <p>115. The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]. Changes to airspace are outside the scope of the Proposed Development. Any changes airspace are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course.</p>

		<p>115. MBU requires adverse impacts such as noise to be mitigated where possible, including via airspace change.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095</p>	<p>Need Case Planning</p>	<p>7.1.6 Beyond the Horizon: Next steps towards an aviation strategy (Apr 2018) 116. The Foreword (printed page 5) states "As demand for aviation services continues to increase, we must ensure that the sector is able to grow in the most sustainable way. This means addressing the noise and air quality issues experienced by communities, as well as the global effects of carbon emissions." 117. Paragraphs 6.32-6.39 highlight the importance of airspace modernisation in resolving the following issues: - inefficient flight paths not optimised to reduce noise - planes queueing in holding stacks, increasing noise and emissions - holding at lower altitudes increasing noise - ICCAN to advise on noise impacts of airspace changes. 118. Paragraph 6.42 - as airports grow, surface access options need to be developed. 119. Paragraph 6.44 - government expects transport service organisations like Network Rail and Highways England to work with</p>	<p>Extracts from the 2018 Government Consultation Document are noted.</p>

<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Need Case</p>	<p>industry to provide surface access provisions to airports across the UK.</p> <p>7.1.7 Aviation Policy Framework (2013) 120. The APF 2013 sets out underpinning policy principles in respect of aircraft noise, and DfT officials confirmed on 11 July 2023 at its multi-stakeholder Airspace and Noise Engagement Group meeting that those policy principles remain in effect.</p> <p>121. The APF is clear in its policy requirements when airport expansion is being considered, as summarised here with reference to relevant paragraph numbers. Beneath each summary are our comments in italics on the application of the policy to this Application.</p> <p>122. Paragraph 3.1 recognises the economic benefits of aviation, and the costs associated with its environmental impacts borne by those living around an airport who may not directly benefit from its operations. There is a case to be made, particularly since public money has been used to fund the preparation of this Application and its facilitating works, and that the Secretary of State will determine it, that a monetised WebTAG analysis of the effects of its increased noise on health and residential amenity should be provided.</p>	<p>120-121. Noted.</p> <p>122. For the reasons set out in paragraph 8.6.2 of the Need Case [AS-125], a full WebTAG economic appraisal is not required for the Proposed Development. A socio-economic cost benefit analysis is presented in Section 8 of the Need Case and this is consistent with the approach accepted at the Bristol Airport Public Inquiry.</p> <p>123. The impact of noise (day and night) from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]. The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) has been designed to improve upon the existing noise control regime and to effectively prevent breaches from occurring. Appendix 16.2 Operational Noise Management (Explanatory Note) of the Environmental Statement [APP-111] sets out how the proposed Noise Envelope contains mechanisms that should have avoided the noise Limit breaches that occurred at the airport from 2017-2019. This is further elaborated on in the Comparison of consented and proposed operational noise controls document [AS-121] which provides a direct comparison between the</p>
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	<p>123. Paragraph 3.2 recognises noise as the primary concern, and the extent of tension over noise depends on an airport's location relative to population centres and the quality of its relations with local communities. LLA is sufficiently proximate to communities in South Luton, Breachwood Green, Stevenage that many people have no respite at all from its arrivals or departures; other communities are affected by significant levels of noise depending on wind direction and to further increase that noise when it was already higher than consented for three years 2017-2019 is a matter of significant concern, and detracts substantially from the quality of relations between LLA and local communities as the RRs show: more than 90% are opposed to further expansion. Trust has been lost due to the long-running and unresolved conflict of interest at LBC and the incentivisation of accelerated growth which undermined planning controls intended to give certainty.</p> <p>124. Paragraph 3.3 emphasises the need for a fair balance between the negative impacts of noise and the positive economic benefits of flights; and that future growth should ensure benefits are shared, by industry continuing to reduce and mitigate noise as capacity grows, and as noise levels fall with technology improvements the industry should be expected to share the benefits of those improvements. As</p>	<p>current and proposed operational noise controls, noting that the Noise Envelope provides several enhancements to the current consented noise controls that are designed to prevent breaches before they occur, such as independent scrutiny and oversight, increased transparency, adaptive mitigation and management plans and noise Limit reviews. Improvements have been made to the Noise Envelope since submission, and a worked example has been provided which can be used to reasonably conclude that the NE would have addressed the historic breaches that occurred in 2017-2019, see Noise Envelope – improvements and worked example [TR020001/APP/8.36].</p> <p>124. The Applicant is committed to sharing the benefits of future technological improvements (in terms of aircraft noise reduction) between communities and industry. The benefit of the transition to 'new generation' aircraft (e.g. the Airbus 320Neo and 321Neo and the Boeing 737Max) in the early years of expansion (assessment Phase 1) will be shared with the community, with the Noise Envelope Limits to be set at commensurate levels to secure this. For the later years of expansion (assessment Phase 2a and onwards), the Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities. This would be controlled through a requirement to review the Limits and Thresholds in 5-year cycles and reduce these, if reasonably</p>
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		<p>indicated in our cross-referenced written note of oral submission to OFH2, in the 'future growth' period post-2013, the accelerated growth ahead of mitigation led to windfall financial returns for industry and LBC/Luton Rising, but at the cost of a rapid rate of increase of noise particularly at night between 2014 and 2019 (and now climbing again post-COVID), and was not in accordance with policy. This Application proposes further benefits to industry through additional passenger traffic and aviation activity while noise levels would further increase, which is also contra to policy. Industry must continue to reduce and mitigate noise as capacity grows, and only share the benefits as noise levels fall.</p> <p>125. Paragraph 3.4 emphasises that the UK has a particular aircraft noise issue and government expects aviation industry at all levels to lead the way in best practice. The approach to this Application has not led the way in best practice. The initial consultation involved a tick-box questionnaire in which people had no option to disagree with the proposition. External auditors have called into question financial decision-making in respect of airport decisions in a Council which ought to have resolved its obvious conflicts of interest. The windfall revenues from incentivised condition-breaking growth were used to facilitate further works to pave the way for this Application while noise</p>	<p>practicable, as and when future technology becomes available, and its noise performance known. See the Green Controlled Growth Explanatory Note [APP-217] for further information. The extent to which the Proposed Development shares the benefit of future technology reduction (measured in the context of noise level reductions as suggested) is quantified in Section 3 of Appendix 16.2 of the Environmental Statement [APP-111].</p> <p>125. The Applicant is of the view that it has fully complied with the pre-application consultation requirements of the Planning Act 2008, and it notes that this was confirmed by the Planning Inspectorate in its decision to accept the application for examination, having regard to adequacy of consultation representations from host and neighbouring local authorities. The purpose of the consultation was to seek feedback on the proposals put forward, rather than to seek views on whether the application should proceed.</p> <p>Comments from the respondent regarding the accounts of the Applicant and Luton Borough Council, and the views of external auditors have been responded to in the Applicant's responses to REP1-165 and REP1-060, included in Part 4 of the Applicant's Response to Written Representations [TR020001/APP/8.39].</p> <p>The comment from the respondent regarding conflicts of interest has been addressed in the</p>
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		<p>insulation to protect residents was (and still is) only partially installed. The Applicant's auditors resigned over valuation of the airport and questionable accounting, and LBC's accounts for 2018/19 have not been signed off for similar reasons.</p> <p>126. Paragraph 3.7 confirms government recognition that all four components of the ICAO 'balanced approach' apply. Our comments in section 7.1.1 above highlight the need for operational restrictions should other mitigations fail to reduce noise, yet the Application assesses impact scenarios based on its forecast rates of growth, not on environmental limits. Green Controlled Growth is simply a misleading misnomer.</p>	<p>document submitted at Deadline 1, Roles and Responsibilities of Luton Borough Council [REP1-018].</p> <p>No DCO facilitating advanced works have been undertaken.</p> <p>126. The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) contains a legally binding framework of daytime and night-time noise contour area Limits.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Need Case Air Quality</p>	<p>7.1.8 Noise Policy Statement for England 2010</p> <p>127. The NPSE sets out its Noise Policy Vision in 1.6 as being: "Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development." and its aims in 1.7 are "Through the effective management and control of environmental... noise within the context of Government policy on sustainable development: avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible,</p>	<p>127-129. Noted.</p> <p>130. The impact of noise (day and night) from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003].</p> <p>The effects of the Proposed Development on air quality have been assessed and reported in Chapter 7 of the Environmental Statement [AS-076]. No significant effects have been identified.</p>

		<p>contribute to the improvement of health and quality of life.”</p> <p>128. The government’s overarching principle on Sustainable Development is reiterated in NPSE 1.8 as:</p> <p>129. “Living Within Environmental Limits – Respecting the limits of the planet’s environment, resources and biodiversity – to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations.”</p> <p>130. This Application would increase carbon emissions, reduce air quality as well as increase the adverse impacts on people and the environment of noise, especially at night.</p> <p>131. The Guiding Principles continue:</p> <p>132. “Achieving a Sustainable Economy – Building a strong, stable and sustainable economy which provides prosperity and opportunities for all, and in which environmental and social costs fall on those who impose them (polluter pays), and efficient resource use is incentivised.”</p> <p>133. This provides a yardstick for assessment of whether the Application delivers economic diversity and resilience;</p>	<p>The effect on greenhouse gas emissions associated with the Proposed Development have been assessed and reasonably practicable mitigation measures have been explored to reduce impacts. Further details are contained in Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038].</p> <p>131-132. Noted.</p> <p>133. A situation in which the fleet is fully modernised and no growth occurs would not be considered sharing the benefits with reference to CAP1129, as all the benefit would go to the communities (see paragraph 3.3.7-3.3.8 of Appendix 16.2 of the Environmental Statement [APP-111]).</p>
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		<p>as well as ensuring that the environmental and social costs are assessed and laid at the door of the polluter; and that efficient resource use is incentivised by the Application (for example by ensuring airspace and the fleet are both first modernised to minimise needless noise and carbon impacts, before increasing flights)</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Planning Need Case</p>	<p>7.1.9 Application of policy in this case</p> <p>134. Each application must be considered on its own merits – in other words one planning consent ought not to be used to try to create precedent for another.</p> <p>135. Policy also requires balance, and it is our contention that to redress the recent unbalanced uncontrolled growth in its environmental harms, Luton Airport’s owner - the Applicant – should now focus on delivering long-outstanding promises of mitigations and reductions to those harms before further capacity growth.</p> <p>136. Such mitigations and reductions would include: airspace change (to reduce noise and needless emissions), reduced night flights (to minimise health harms); noise abatement departure procedures (to reduce noise), further fleet modernisation (to reduce noise and emissions) and a more significant modal shift of passengers away from cars (to reduce surface transport loading and emissions, and improve air quality).</p>	<p>134. Noted.</p> <p>135-136. The impact of noise (day and night) from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]. The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) contains a legally binding framework of daytime and night-time noise contour area Limits and the Applicant has committed to retaining the current 9,650 movement limit in the night-time quota period (23:30 – 06:00) which will be secured through Requirement 27 of the Draft Development Consent Order [AS-067]. The Applicant has also substantially extended its noise insulation scheme, including the addition of schemes which will provide the full cost of insulation for habitable rooms in eligible properties exposed above the daytime and night-time Significant Observed Adverse Effect Level (SOAEL). See Draft Compensation Policies Measures and Community First [AS-128] for further details.</p>

		<p>137. The economic benefits of an 18mppa Luton Airport are already significant and beneficial: this was made clear as recently as 2012 in the application for 18mppa.</p> <p>138. The Need Case for this Application does not justify why further development would be required to create economic benefit above that already delivered by Project Curium, and how such further development is (in all required senses) sustainable.</p>	<p>136. The Noise Envelope defines the noise environmental outcomes to be achieved, or bettered, rather than pre-defining the specific mitigation mechanisms employed to achieve the outcomes (such as Noise Abatement Departure Procedures). Given that the airport expansion is planned over an extended period of time, this approach provides appropriate flexibility for the airport operator to identify and implement the optimum mitigation at the time it may become required and draw on future technology improvement whilst also providing certainty of the outcomes that will result even in the reasonable worst-case scenario. Changes to airspace are outside the scope of the Proposed Development. Any changes to airspace are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course.</p> <p>The modal share Limits are set out in the Green Controlled Growth Framework [APP-218], the Surface Access Strategy [APP-228] and the Framework Travel Plan [APP-229] set out the approach for setting mode share Targets, which will be further reaching and more ambitious than the Green Controlled Growth (GCG) limits for mode share.</p>
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			<p>The ambitious targets for passenger mode share will be established in Future Travel Plans and are focused on ensuring that the aim is to directly influence the increase in sustainable surface access to and from the airport in the longer term. It is proposed that the newly set Targets are more ambitious towards sustainable behaviours compared to those achieved in a preceding Travel Plan cycle and the GCG Limits.</p> <p>137. Noted.</p> <p>138. The economic benefits of the Proposed Development are substantial and set out in Section 8 of the Need Case [AS-125].</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.2 Noise levels resulting from the Application</p> <p>139. The ‘Comparison of consented and operational noise controls’ (AS-121) clearly shows in Insets 1 and 2 that noise is increased by the Application compared to the currently consented Do Nothing noise contour limits.</p> <p>140. We respectfully invite the ExA to agree that this Application therefore fails to achieve a key objective which is expressed across UK aviation noise policy (see section 7.1 above), namely that noise levels should</p>	<p>139. The Do-Minimum scenario represents a situation where there is no growth, but fleet modernisation has occurred. Any level of growth would result in increased noise levels compared to the Do-Minimum scenario, even accounting for quieter aircraft technology.</p> <p>140. The Applicant considers that the Proposed Development is fully compliant with UK aviation noise policy and emerging policy, as set out in the Planning Statement [AS-122] and Commentary on the Overarching Aviation Noise Policy Statement [REP1-012]. The impact of night-time noise from the Proposed Development has been assessed and all reasonably practicable</p>

		<p>fall over time, particularly as capacity is increased; and fails a further key objective to address levels of noise at night.</p> <p>141. Any mitigation by reduction of noise at source through fleet modernisation or other operational measures over time is already factored into the noise contours shown in Insets 1 and 2, since the noise model uses the fleet forecast data. Noise insulation is partial compensation and not fully effective noise mitigation, as indicated in section 7.6.1.</p>	<p>measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]. The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) contains a legally binding framework of night-time noise contour area Limits and the Applicant has committed to retaining the current 9,650 movement limit in the night-time quota period (23:30 – 06:00) which will be secured through Requirement 27 of the Draft Development Consent Order [AS-067]. The Applicant has also substantially extended its noise insulation scheme, including the addition of schemes which will provide the full cost of insulation for habitable rooms in eligible properties exposed above the night-time Significant Observed Adverse Effect Level (SOAEL). See Draft Compensation Policies Measures and Community First [AS-128] for further details.</p> <p>141. This is noted, and is the case for both the Do-Something and Do-Minimum scenarios. It is acknowledged that noise insulation is compensatory mitigation, but it is equally important to note that it is only one aspect (and the last to be employed) in the mitigation hierarchy. The noise management and mitigation hierarchy as described in Appendix 16.2 of the Environmental Statement [APP-111] is defined to meet the aims of Government noise policy (Ref Error! Bookmark not defined.), and to generally minimise noise as far as reasonably practicable.</p>
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			<p>The hierarchy therefore starts with mitigation at source (such as the Noise Envelope) and mitigation by intervention (such as airport boundary screening). Only once these mitigations have been employed is mitigation by compensation (noise insulation) provided to avoid any residual significant effects.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.3 Baseline 7.3.1 Disagreement in principle regarding baselines</p> <p>142. The Applicant's Scoping Response quoted below seeks to use the Scoping Opinion to justify a 2019 baseline: "Although it is acknowledged that, in 2019, existing noise contour limits were exceeded for both day and night periods, the use of 2019 as a baseline is to identify if there will be any changes to health and quality of life from the last year of typical operating conditions. The use of the 2019 Actuals baseline is also in line with the Scoping Opinion that notes at 4.5.4 that "The baseline year and the baseline noise monitoring year should be consistent". (APP-47, top right box on printed page 93, Applicant Response column).</p> <p>143. We fundamentally disagree with this approach to any of the assessment baselines: 2019 was by no means a year of "typical operating conditions" for several reasons: a) The foreword to LLAOL's 2019 Annual Monitoring Report (AMR)19</p>	<p>142-143. As described in Chapter 16 of the Environmental Statement [REP1-003], the Applicant has undertaken an assessment of likely significant effects in Environmental Impact Assessment (EIA) terms by comparing the situation with the Proposed Development (the Do-Something scenario) to the situation without the Proposed Development (the Do-Minimum scenario) in each assessment year. The future air noise baseline (the Do-Minimum) is compliant with the airport's current consented long term noise limits in each assessment year and therefore demonstrates a scenario where the airport is operating within its currently consented noise limits.</p> <p>Forecast noise exposure with the development is also compared to the 'current baseline' which is considered to be the actual noise levels in 2019, in line with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (which refers to the baseline scenario as "a description of the relevant aspects of the current state of the environment" in Schedule 4, paragraph 3).</p>

		<p>describes 2019 as “another record- breaking year for London Luton Airport, as we approached 18 million passengers passing through the airport.”</p> <p>[see page 24 of REP1-088 for figure].</p>	<p>However, a sensitivity test using a ‘2019 Consented’ baseline (derived for this purpose by adjusting the fleet mix that occurred in 2019 to reach a modelled noise impact that would sit within the existing 2019 short term Limits) is summarised in Chapter 16 Noise and Vibration of the ES [REP1-003].</p> <p>An assessment against both the 2019 Actuals and 2019 Consented baseline has therefore been undertaken. The conclusions of residual significant effects remain the same for both assessments, as significant effects would be avoided through the provision of the full cost of noise insulation.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.3.2 Disagreement with calculation of a ‘consented noise baseline’</p> <p>144. We fundamentally disagree with the method used by the Applicant to calculating a 2019 consented noise baseline as described in AS-096 6.17.2: “A fleet that is compliant with the Condition 10 noise contour limits was developed by increasing the number of new generation aircraft and reducing current generation aircraft by an equivalent amount.”</p> <p>145. LLAOL’s statement to the 2022 Inquiry quantified the extent of breach in terms of non-consented ATMs: “...the Airport would have to remove 30 daytime movements from the daily summer schedule (9%) and 13 night-time movements from the daily</p>	<p>144-146. The 18 mppa passenger limit was not breached in 2019 so it is considered appropriate to adjust the aircraft fleet mix, rather than the aircraft numbers (which would in turn reduce passenger numbers and be inconsistent with assessment topics), to derive the theoretical baseline in which the current consented noise contour area limits were not breached.</p> <p>Adjusting the fleet mix or reducing the number of movements would each have a similar outcome as both would result in a noise contour area that was just within the consented noise contour area limits. The N-above contours have not been referenced with respect to comparisons to the 2019 baseline so are unaffected by this approach.</p>

		<p>summer schedule (22%) compared with 2019 in order to comply with Condition 10."</p> <p>146. The method adopted to model the consented fleet overlooks that too many aircraft flew too soon to carry too many passengers before the fleet had been modernised. The method would have the effect of creating a 'consented fleet' with increased numbers of seats and therefore not in accordance with 18mppa; an increased number of flights of on-average less noisy aircraft therefore not giving correct Nabove contours or LAeq contours; and a distorted impression of the carbon emissions due to creating a higher percentage of modernised aircraft than were in the fleet at the time.</p>	<p>The 2019 Consented baseline has only been used in the noise assessment and has not been used for any other environmental assessment including carbon emissions.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.4 Noise modelling 7.4.1 Ambient noise survey</p> <p>147. We note the ExA's Rule 9 request for information about the attended noise surveys and the responses provided in 'Ambient noise monitoring data and survey sheets' (AS-120). It is not entirely clear to us the purpose to which this noise survey has been put, and whether the data gathered is fit for that purpose</p> <p>148. Taking one example location, ML37 (Breachwood Green JMI School), the sound survey was conducted over two periods 26/02/20-10/03/20 and 13/03/20-23/03/20.</p>	<p>147. The purpose of the ambient noise monitoring, as described in Table 2.1 of Ambient noise monitoring data and survey sheets [AS-120], is to spot check and verify the baseline road traffic noise levels at key road links in the surface access noise study area, and to provide qualitative information about the character of the existing sound environment at an assessment location and hence provide context for the noise assessment. Importantly, as set out in Table 2.1, the ambient baseline data does not inform the identification of noise effects in Chapter 16 Noise and vibration of the Environmental Statement [REP1-003]. As such, any limitations of the ambient baseline do not affect the noise assessment in itself.</p>

		<p>The survey sheets (AS-120 printed pages 74,75) note the dominant noise source as school children in school hours, followed by road noise and then aircraft.</p> <p>149. On page 7 of AS-120 the entry is written up differently, with the Primary Sound Source being Aircraft, and school activities relegated to Secondary, and this is as also reported in Appendix 16.1 AS096 Table 4.1 page 11.</p> <p>150. The noise monitor data plot (survey sheets AS-120 page 116, repeated also in Noise Appendix 16.1 AS-096 page 49) shows the two time periods, but most of the data is grey-shaded as (according to the key) Omitted Weather. The same applies to many of the other sheets. Sampling appears to be set at 15 minute intervals.</p> <p>151. Table 4.5 “Unattended baseline monitoring results” in Appendix 16.1 AS-096 shows the results for ML37 on page 16 as 83dB LASMax (day) and 81dB LASMax (night), and the preamble in 4.3.3 confirms that periods of adverse weather were excluded – in this case, most of the collected data.</p> <p>152. No confidence intervals are provided for the numbers in Table 4.5, and in fact it is unclear where they are otherwise used.</p>	<p>148. Survey sheets were completed by staff when attending site. At the time, it was noted that school children were the dominant source of noise.</p> <p>149. School noise was only a dominant source of noise during short periods of time i.e. break times, start of school and end of school. However, aircraft noise is a dominant sound source during the whole of the day. Consequently, when accounting for overall ambient noise over the course of a day, school noise was considered secondary to aircraft noise.</p> <p>150. Meteorological conditions recorded by the London Luton Airport weather station have been used to identify periods of adverse weather conditions over the unattended monitoring periods i.e. periods of rain and windspeeds greater than 5 m/s. These periods have been removed from the monitoring results.</p> <p>151. Periods of adverse weather were excluded from noise monitoring. The remaining data was considered sufficient to describe ambient noise conditions and provide context for the noise assessment.</p> <p>152. Sound monitoring time-histories in section 4.4 of Appendix 16.1 of the ES [AS-096] present a statistical analysis of measured noise data through provision of the LA90,15min (the sound</p>
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		<p>in order to assess validity. Therefore it is unclear why ML locations were used at all if they were not (for example ML-1, ML-4, ML-9, ML-19, ML-22, ML41, ML42, ML43) located near key road links.</p> <p>156. Since the ML locations were selected by the Noise Working Group, we respectfully request the ExA to seek clarification on the original objective of surveying noise at the ML locations. If it included surveying air noise (since many ML locations are not on key road links), and if LLAOL monitoring data was not made available for those locations (which can be determined from Chapter 16 Noise and Vibration Figures 16.3 in AS-103) then the survey may have failed to achieve its intended purpose.</p> <p>157. We also ask the Exa to consider why, if the ambient survey data was sufficiently reliable to be used for the validation of the traffic noise calculations, it was not used for the calibration of the air noise model; or conversely if it was not sufficiently reliable to be used to validate the air noise model, was it sufficiently reliable to validate the traffic noise calculations.</p>	
<p>Luton and District Association for the Control of Aircraft</p>	<p>Noise and Vibration</p>	<p>7.4.2 Air noise model validation 158. Insets 6.36 – 6.41 of Noise Appendix 16.1 (AS-096 PDF page 142 and following) do not correlate well across the various monitoring locations for all aircraft types</p>	<p>158-161. The noise model has been extensively validated using radar track data and noise measurements, exceeding the requirements for noise model validation set by the Civil Aviation Authority (Ref 21). See Section 6 of Appendix</p>

<p>Noise (LADACAN)</p> <p>REP1-095</p>		<p>despite adjustment, and there is not consistent offset.</p> <p>159. Pepperstock (LTN_PPR) is sufficiently close to the runway for the swathe to be fairly tight, but the variability of error between the different aircraft types is concerning.</p> <p>160. Flamstead (LTN_FLM) is also not showing consistent offsets: a correctly calibrated model should not, we contend, be predicting the A321neo almost 3dB higher than measured, yet the B737-800 almost 2dB lower.</p> <p>161. The Applicant may argue that these locations are not in the assessment zone, but Breachwood Green (LTN_BG) is, and its adjusted values show almost a 2dB error in either direction for A319 and A321.</p> <p>162. If the NEDG had continued its work, LADACAN would have proposed investigating this issue at the time.</p> <p>163. Of significant concern are the unresolved disparities in the South Luton (LTN_SLTN) predictions, since that is not only a key location for assessing departure profiles, it is also a key residential location for noise impact assessment. The issue is</p>	<p>16.1 of the Environmental Statement (ES) [AS-096] for full details of the aircraft noise validation which includes explanations of where there are differences between measured and modelled noise levels and how this has been accounted for in the validation exercise.</p> <p>Inset 6.30 to 6.35 of Appendix 16.1 of the ES [AS-096] show the difference between measured and predicted departure noise levels for each aircraft variant. The vast majority of predictions are within ± 2dB of measured noise levels, which is considered to be a reasonable margin of error for aircraft noise predictions.</p> <p>162. A detailed presentation on noise model validation was provided to LADACAN and LLATVCC to provide more detail to interested parties in lieu of a presentation to the Noise Envelope Design Group (NEDG). However, validation of the air noise model was not part of NEDG's role as set out in the Terms of Reference of the NEDG, as presented in Appendix A of Appendix 16.2 of the ES [APP-111].</p> <p>163-164. The resolution of the discrepancy in measured and predicted aircraft noise levels at LTN_SLTN was to omit the results from the validation exercise. This is justified as there are consistent over-predictions at LTN_SLTN so including the results in the validation exercise would have reduced the predicted noise levels for each aircraft variant. So, in this case, removing</p>
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		<p>discussed but not resolved in Noise Appendix 16.1 paragraphs 6.10.2 to 6.10.6.</p> <p>164. The statement in paragraph 6.10.3 “As such, LTN_SLTN has been omitted from the validation exercise. This is considered justifiable as it would result in a smaller correction applied to approaches, which would result in smaller noise contours (i.e. lower noise levels).” is unclear.</p> <p>165. Departure noise monitoring conducted in South Luton by LLAOL has also delivered widely varying results (typically 4dB(A) difference in average results between the locations) per aircraft type at different locations (Tennyson Road and Cutenhoe Road) and at different times of year.</p> <p>166. One of the key factors in assessing measured peak noise of an aircraft transit is the altitude of the aircraft relative to the monitor; another is the distance from the monitor, and it is observed that aircraft operated by different airlines may fly on average further north or further south in the swathe passing South Luton: it would appear to us that the calibration of the model needs further assessment.</p> <p>167. It is noteworthy that LLAOL did not until earlier this year have a routine in place for regularly checking the calibration of its noise</p>	<p>the LTN_SLTN results from the validation process represented a conservative approach.</p> <p>165. The Tennyson Road monitoring location was approximately 300m to the north of Cutenhoe Road monitoring location. Hence, there were differences in measured noise levels at the two locations due to differences in their location relative to aircraft.</p> <p>166. Validation of the noise model allows the prediction of a typical aircraft movement through comparison of predicted noise levels with measured noise levels of a large number of aircraft movement events. The prediction also accounts for the vertical aircraft profile (see Section 6 of Appendix 16.1 of the ES [AS-096]) and the lateral position (see Inset 6.1 of Appendix 16.1 of the ES [AS-096]) the aircraft. As such, variability in lateral position in the departure swathe and altitude are inherently accounted for when defining the typical profile for each aircraft variant in the noise model.</p> <p>167. LLAOL’s noise monitors were calibrated every six months and no significant drift in calibration was noted. As such, there is no reason to dismiss measured noise data based on calibration records.</p>
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<p>Luton and District Association for the Control of Aircraft Noise (LADACAN) REP1-095</p>	<p>Noise and Vibration Fleetmix</p>	<p>7.4.3 Airbus A321neo issue 168. An issue regularly discussed in LLA’s Noise and Track Sub-Committee, and agreed by LLAOL, is that the Airbus A321neo is not delivering the noise benefits expected from its certification values. This issue is seen elsewhere also – for example at Gatwick Airport.</p> <p>169. In investigating the issue, LADACAN has identified a possible link to the types of engines on the A321neo aircraft used by a particular airline: Pratt & Whitney engines appear to create more air noise than CFM-LEAP engines on the A321neo type. Wizz, the dominant operator of A321neo aircraft at LLA, uses Pratt & Whitney engines.</p> <p>170. Paragraph 6.6.3 of Noise Appendix 16.1 (AS-096 PDF page 85) reaches the same conclusion but assumes that this issue will be resolved over time: we disagree with that assumption since it is most unlikely indeed that Wizz would re-engine its fleet in response to a noise issue.</p> <p>171. We strongly disagree with the departure correction of -2dB adopted for the</p>	<p>168-169. The position regarding some variants of the A321Neo is noted. Through discussions with the airport operator and airline operators, it has become apparent that the poor performance is restricted to a particular engine variant of the A321Neo and other engine variants perform as would be expected from noise certification testing. Measured noise data was used to predict A321Neo (assessment Phase 1) noise in the 2027 scenario; however, it is assumed that, by 2039, any issues with the A321Neo performance would be resolved through fleet transition to equivalent aircraft that are no worse than the expected performance from noise certification testing. Consequently, A321Neo predictions for the 2039 and 2043 scenarios were modelled based on the modelling methodology referenced from the Air Noise and Performance (ANP) database (Ref 21). See Appendix 16.1 of the Environmental Statement [AS-096] for further information.</p> <p>170. It is considered likely that Wizz Air would replace their aircraft with a newer or next generation variant in the relevant timescales based on the normal replacement cycle of such aircraft operated by airlines such as Wizz Air.</p>

		<p>A321neo in Table 6.2 paragraph 6.6.5 of Appendix 16.1 during assessment phase 1, since this is not borne out by the data in LLAOL's Quarterly Monitoring Reports over the period Q1 2022 to Q1 2023 inclusive. They show the noise benefit of the neo type compared to the A321ceo can be as low as 1dB or less, and appears never to reach 2dB.</p> <p>172. Similarly, and because of the engine noise issue mentioned above, we also contend that the A321neo noise modelling departure correction of -3.7dB applied for assessment phases 2a and 2b is overstated.</p> <p>173. The net result of these two overstatements of benefit would be that the noise model underpredicts, and this would create an increasing error as the forecast future fleet shows increasing numbers of A321neos.</p>	<p>171. The correction applied to the surrogate A321Ceo aircraft to provide A321Neo aircraft noise predictions was based on measured noise data in the 2019 baseline year. The noise data presented in the Quarterly Monitoring Reports is LASmax data, whereas the corrections applied are based on Single Event Level (SEL) data, which are not directly comparable. As such, the data in the Quarterly Monitoring Reports cannot be used to determine the difference in SEL between aircraft variants.</p> <p>172. The -3.7dB departure noise correction is based on information in the Air Noise Performance (ANP) database (Ref 19). The ANP database is developed by the European Union Aviation Safety Agency (EASA) to provide data to support the computation of noise contours. Where aircraft are not yet included in the ANP database, EASA state:</p> <p><i>“Aircraft models and variants that are not presently covered by the ANP database must be represented by substitutes (often referred to as ‘proxy’ aircraft), i.e. aeroplanes with similar noise and performance characteristics that are included in the database that can be adequately scaled (in terms of “equivalent number of movements”) to represent the missing aeroplanes. To facilitate the substitution process, the ANP database includes a table that maps currently operating commercial aeroplanes with detailed airframe-engine combinations, which is compared to the aeroplanes listed in the actual database. The</i></p>
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			<p><i>substitutions table provides a list of suggested aircraft substitutions”.</i></p> <p>As such, the application of the departure noise correction is considered a reasonable approach for modelling future A321Neo noise.</p> <p>173. It is not agreed this would be the case as set out in the above responses. However, the Noise Envelope Limits in the Green Controlled Growth Framework [APP-218] have been set on the assumption of improved A321Neo performance, so in the instance that A321Neo performance does not improve (which is not expected to be the case) then other mitigations would need to be employed to offset this increase and stay within the Noise Envelope Limits.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Fleetmix</p>	<p>7.4.4 Next generation aircraft</p> <p>174. We disagree with the statements made in section 12.6 of Appendix 16.1 (AS-096 PDF page 265 and on) concerning likely noise benefits from ‘next generation’ aircraft, likely future reductions in noise, and the sensitivity tests which result from what appear to be incorrect assumptions.</p> <p>175. Paragraph 12.6.1: even if aircraft using so-called Sustainable Aviation Fuel are classed as ‘next generation’, no evidence is provided or as far as we can see available, to support the proposition that they may be less noisy.</p>	<p>174-182. Assumptions on the noise performance ‘next-generation’ aircraft have only been applied to a single sensitivity test and have not informed the core assessment in Chapter 16 of the Environmental Statement (ES) [REP1-003], nor have they informed the setting of Noise Envelope Thresholds/Limits. However, the Noise Envelope contains a mechanism for the Limit to be reduced in future years (beyond the 2030s) if ‘next generation’ aircraft are quieter than existing ‘new generation’ types that would enable lower noise levels to be achieved than are forecast in the reasonable worst-case assessment reported in the ES. This would be controlled through a requirement to review the Limits and Thresholds in 5-year cycles and reduce these, if reasonably</p>

		<p>176. Paragraph 12.6.2: having reviewed the ICAO report on Environmental Trends in Aviation we disagree that it predicts a decrease in noisiness ranging from 0.1 to 0.3 EPNdB per year.</p> <p>177. What the report actually does, on page 7 of 8 under the heading 'Trends in aircraft noise', is to develop four scenarios based on different assumptions as to what may happen in future, and then apply those scenarios to the amalgamated contours from 319 global airports to gauge the effect of the assumptions.</p> <p>178. This is quite different from evidencing a future reduction in noise based on technological development and as such we regard the modelling adjustment in the Application as entirely spurious. Removing this adjustment would increase the long-term contours by 2.4dB to negate the contrived benefit.</p> <p>179. Paragraph 12.6.3: we regard it as utterly spurious to assume that the step change to gearedturbofan engines which delivered a just-perceptible 3-4dB departure noise reduction at the statutory monitors for the A320neo (but not for the A321neo) would somehow be replicated in the step-change to 'next generation'.</p>	<p>practicable, as and when future technology becomes available, and its noise performance known.</p> <p>Regardless of whether or not next-generation aircraft are noisier, the GCG Framework [APP-218] requires the Applicant to comply with the Limits.</p>
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<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.5 Night flights</p> <p>183. As indicated in section 7.1 on Noise Policy, we strongly disagree with the proposed significant increase in night flights, regarding it as against policy, unjustified, and likely to cause significant harms to health and quality of life not just in Luton but across the wider area.</p> <p>184. An aggravating factor is the need, until the FASI-South redesign of airspace in the South-East has been completed, for flights to and from LLA often to be held low at 4,000 or 5,000ft to avoid conflict with other</p>	<p>183-184. The impact of night flights from the Proposed Development, including the current airspace design constraints, has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003].</p> <p>The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) contains a legally binding framework of night-time noise contour area Limits and the Applicant has committed to retaining the current 9,650</p>

		<p>flights either from LLA or from other airports using the local airspace.</p>	<p>movement limit in the night-time quota period (23:30 – 06:00) which will be secured through Requirement 27 of the Draft Development Consent Order [AS-067]. The Applicant has also substantially extended its noise insulation scheme, including the addition of schemes which will provide the full cost of insulation for habitable rooms in eligible properties exposed above the night-time Significant Observed Adverse Effect Level (SOAEL). See Draft Compensation Policies Measures and Community First [AS-128] for further details.</p> <p>Some increase in flights in the night shoulder periods (outside the current 6.5 hour night control period) is essential to enable the airlines to use their aircraft efficiently and deliver benefits to consumers by way of lower air fares.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration Compensation</p>	<p>7.6 Mitigation 7.6.1 Noise insulation 7.6.1.1 Limitations</p> <p>185. Noise insulation is essentially compensatory rather than effective mitigation, and may not be available to all properties which need it.</p> <p>186. The noise impacts on two neighbouring houses on the same road will be indistinguishable to a resident, yet one may be eligible the other not depending on where an LAeq contour line happens to fall.</p>	<p>185. It is acknowledged that noise insulation is compensatory mitigation, but it is equally important to note that it is only one aspect (and the last to be employed) in the mitigation hierarchy. The noise management and mitigation hierarchy as described in Appendix 16.2 of the Environmental Statement [APP-111] is defined to meet the aims of Government noise policy (Ref Error! Bookmark not defined.), and to generally minimise noise as far as reasonably practicable. The hierarchy therefore starts with mitigation at source (such as the Noise Envelope) and mitigation by intervention (such as airport boundary screening). Only once these mitigations have been employed is mitigation by</p>

		<p>187. Humans do not hear in averages, they respond to individual noise events and can be awoken by a single noise event exceeding a particular loudness. Therefore a compensation scheme based on Nabove contours would be more appropriate particularly for night noise.</p> <p>188. Listed properties may not be able to install noise insulation; nor is it clear whether insulation under the Application would be offered as an upgrade to homes already fitted with inferior insulation under Project Curium; nor would it be installed in an eligible rented property unless the landlord accepts the offer.</p> <p>189. Noise insulation is ineffective if people open their windows at night in summer; or are on a balcony; or wish peaceably to enjoy their garden; or visit a park or other outdoor space affected by overflights.</p> <p>190. The ExA will wish to assess whether it is feasible to make a sensible judgement on eligibility for Scheme 3 (for example) in Table 1.1 of AS-128 when the criteria (“Residential property inside the nighttime 55dBLAeq,8h contours and outside the daytime 60dBLAeq,16h contour”) indicate for the most part a very small area between the blue and orange/blue outlines on the</p>	<p>compensation (noise insulation) provided to avoid any residual significant effects.</p> <p>186. Whilst this is acknowledged, it is necessary to define the eligibility for noise insulation based on noise exposure criteria.</p> <p>187. In line with Government noise policy (Ref 22), eligibility for the noise insulation schemes is determined based on LAeq noise exposure. UK specific research from the Civil Aviation Authority (Ref 23, Ref 24) shows that there is no evidence to suggest that any noise indicators correlate better with the principal health effects from aircraft noise (daytime annoyance and night-time sleep disturbance) than the LAeq metric.</p> <p>188. It is acknowledged that consent may need to be sought for works to listed buildings and the Applicant is proposing to contribute up to £500 to homeowners to assist this application process. Properties previously benefitting from the current noise insulation scheme will still be eligible under the new proposals. See para 6.1.23 in the Draft Compensation Policies, Measures and Community First [AS 128]</p> <p>Landlord consent is required before noise insulation can be installed in rented property and the Applicant will take a proactive approach to encourage landlords to understand the benefits and accept offers made under the policy..</p>
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		<p>contour maps in AS-126, thinner than the lines themselves.</p>	<p>189. Noise insulation is the last resort in the mitigation hierarchy, as set out in Section 2 of Appendix 16.2 Operational Noise Management (Explanatory Note) [APP-111] of the Environmental Statement. The hierarchy therefore starts with mitigation at source and mitigation by intervention (which benefit both indoor and outdoor exposure) before mitigation by compensation (noise insulation) is provided. The noise insulation packages will include suitable ventilation if required to allow windows to be kept closed.</p> <p>190. As noted in updates to Draft Compensation Policies, Measures and Community First made at Deadline 2 [TR020001/APP/7.10, revision 3], the Applicant will provide an online compensation look-up tool post consent that will allow residents to find out which noise insulation scheme they may be eligible for, avoiding the need to interpret contour maps.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.6.1.2 Best practice</p> <p>191. ICCAN Guidance on noise insulation includes internal noise levels being checked. This has not been done to date on all installations as far as we are aware.</p>	<p>191. The Draft Compensation Policies, Measures and Community First document has been updated for Deadline 2 to note that a proportionate testing regime will be developed to monitor and as necessary improve the quality control of the scheme going forward. The testing regime will be developed in consultation with the London Luton Airport Consultative Committee and having regard to best practice.</p>
<p>Luton and District Association for the Control</p>	<p>Noise and Vibration</p>	<p>7.6.1.3 Parked mobile homes</p> <p>192. Parked mobile homes in Pepperstock are directly overflowed by westerly</p>	<p>There is no exclusion in the proposed compensation policy for park homes. All properties within the qualifying contour wishing to</p>

<p>of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>		<p>departures at low altitude, but the Application does not propose to treat this kind of property as a special needs case for compensation by noise insulation on the basis of internal noise levels.</p>	<p>be considered under the noise compensation schemes would be surveyed to see what insulation would be effective. Park homes are equally as eligible for the insulation schemes as other forms of residential property provided that they meet the eligibility criteria outlined in Draft Compensation Policies Measures and Community First [AS-128].</p> <p>It is likely that the properties referred to would also be eligible to claim compensation for diminution in value caused by noise from the proposed development. This can be claimed under Part 1 Land Compensation Act 1973 (Ref 25).</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.6.1.4 Caddington</p> <p>193. Caddington is also a special case: peak noise levels from flight arrivals directly over residential areas at low altitude are broadly equivalent to those in Breachwood Green, yet based on noise contours alone, much of Caddington is outside the noise insulation eligibility zone.</p> <p>194. Any eligible homes inside the turquoise lines but outside the mauve lines on the maps in AS-126 can only claim under Scheme 5 (the least effective insulation option).</p>	<p>193. The noise exposure in Breachwood Green and Caddington differs because of the way aircraft fly over these communities to a different extent when on easterly or westerly operations. As shown in Figure A1.1 to A1.3 of Draft Compensation Policies, Measures and Community First - Appendix A [AS-126], the forecast noise insulation eligibility contours do extend over parts of Caddington.</p> <p>194. The insulation scheme is tiered based on the level of noise exposure, with higher noise exposures resulting in a greater (or full) financial contribution towards insulation to reflect the higher levels of noise exposure.</p>

<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.6.1.5 Existing deficit</p> <p>195. Records from the current scheme indicate that noise insulation was not installed at an accelerated rate matching the accelerated growth trajectory in flights and noise impacts up to 2019.</p>	<p>The current insulation scheme is not part of the Proposed Development.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Noise and Vibration</p>	<p>7.6.2 ICAO balanced approach</p> <p>196. In the absence of any other effective mitigation for the health harms of night noise in particular, the ICAO Balanced Approach would require operational restrictions – in this case a reduction in night flights from current levels, rather than any increase.</p>	<p>The International Civil Aviation Organization (ICAO) Balanced Approach does not require operational restrictions that would reduce existing operations as suggested. The Balanced Approach only requires consideration of operating restrictions after consideration of the benefits to be gained from other elements of the Balanced Approach and taking into account the possible impact of such restrictions at other airports (Ref 26).</p>
<p>Luton and District Association for the Control of Aircraft</p>	<p>Human Health Land Contamination Construction</p>	<p>8 Physical effects</p> <p>197. We note that the topology of the site would necessitate major earthworks, reducing cost effectiveness and increasing</p>	<p>The impact of construction noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration</p>

<p>Noise (LADACAN)</p> <p>REP1-095</p>		<p>noise and vibration, odours, emissions and disturbance as well as contractor traffic.</p> <p>198. There would be unknown risks and hazards associated with the excavation of or piling into the toxic landfill site which underlies Wigmore Valley Park, particularly due to the lack of continuity in past records as indicated by this email:</p> <p>[see page 30 of REP1-088 for excerpt].</p>	<p>of the Environmental Statement [REP1-003]. The effects of the Proposed Development on air quality have been assessed and reported in Chapter 7 of the Environmental Statement [AS-076]. No significant air quality effects have been identified. The Funding Statement [APP-012] provides information on the cost of the scheme.</p> <p>The Proposed Development is intended to achieve a cut/fill balance, with materials from across the site reused, and landfill materials recovered, processed and treated so that it is suitable for placement within the development. Any recovery of landfill materials will be subject to an environmental permit with the Environment Agency as the regulating authority. This will reduce material movement off site.</p> <p>Ground investigations have been undertaken across the landfill to characterise its conditions. Risk assessments have been undertaken for risks to Human Health and Controlled Waters following assessment of the ground investigation, testing and monitoring data. An Outline Remediation Strategy also outlines measures required to control risks. These are described in Appendices 17.1-17.7 to the ES [APP-113 to 127].</p>
<p>Luton and District Association</p>	<p>Need Case Economic</p>	<p>9 Social economic and land-use 9.1 Socio-economic benefits</p>	<p>A separate detailed response has been prepared to the Written Representation by the New Economics Foundation, attached as Appendix A</p>

<p>for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>		<p>199. LADACAN endorses the Written Representation of the New Economics Foundation in respect of the overstatement of socio-economic benefits associated with the Application.</p>	<p>of the Applicant's response to Written Representations - Part 4 Non-statutory Organisations [APP-8.39].</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning Open Space (Wigmore Valley Park)</p>	<p>9.2 Wigmore Valley Park</p> <p>200. Wigmore Valley Park sits on a toxic landfill site, but has matured into a County Wildlife Site and is an important green space buffer between housing in Wigmore and the airport.</p> <p>201. The removal of agricultural land to create a substitute Park some distance away reduces residential amenity, and reduces the UK's available agricultural land at a time when food costs are rising.</p> <p>202. We fundamentally disagree with the proposal to destroy Wigmore Valley Park to build car-parks, aircraft stands and a second Terminal.</p>	<p>The Applicant considers that the issue raised regarding Wigmore Valley Park and replacement open space was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-statutory Organisations) [REP1-023] page 243 to 244, in response to RR-0817.</p>
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Surface Access</p>	<p>10 Traffic and transportation</p> <p>203. Frequent M1 delays in the regions of J9-J11 quickly spill over to clog local rural roads even at current traffic levels.</p> <p>204. The Airport has poor east/west road links, with access via rural roads and rat-runs, and fly-parking is a significant problem in the surrounding area.</p>	<p>The Transport Assessment [APP-203 to APP-206] provides a significant amount of detail on surface access, including the proposed mitigation measures which are designed to accommodate airport related traffic growth, together with growth associated with background traffic and consented developments.</p> <p>Section 8 of the Transport Assessment [APP-203 to APP-206] sets out the approach to traffic</p>

		<p>205. The north/south rail link is already crowded, and unlikely to deliver a modal shift from private cars.</p>	<p>generation and distribution. The majority of airport related passengers arrive from the west and via the motorway network. Signage to the airport is from the major road network and where traffic approaches from the east is signed via the A505. Highway improvements have been proposed on the main road network including M1 Junction 10, the A1081 Airport Way and Vauxhall Way to seek to provide capacity on the main routes into the airport.</p> <p>Some people may choose to take alternative routes and the Applicant has therefore taken steps to provide capacity improvements to the local network to ensure that if they do, local traffic is not adversely impacted.</p> <p>Section 11.3 of the Transport Assessment [APP-203 to APP-206] undertakes a rail capacity assessment and concluded that there would be capacity available on the trains to accommodate the forecast increase in rail demand due to the Proposed Development. The extent of the interventions to support the growth of rail passenger numbers will depend on the monitoring and evaluation carried out as part of the future Travel Plans and linked to Green Controlled Growth. The Applicant will monitor rail services as part of the Travel Plan. If deemed appropriate improvements can be discussed with Train Operating Companies and Network Rail.</p>
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<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-095</p>	<p>Planning Noise and Vibration</p>	<p>11 Recent planning history</p> <p>206. The Planning Statement (AS-122) provides a summary of recent planning history but omits key information which evidences the unbalanced growth without mitigation which has occurred since 2014, involving:</p> <p>Removal of Condition 11i which set type-specific noise violation limits</p> <ul style="list-style-type: none"> • Targeting by LBC and Luton Rising of accelerated growth without regard for planning limits • The 2014 Growth Incentive Scheme put in place immediately after 12/01400/FUL was agreed • Lack of delivery and signoff of a Long Term Noise Contour Reduction Strategy • Release of too many slots leading to the 19mppa application <p>207. In each of the above cases, the benefits accrued to industry rather than to local communities impacted by noise, and we respectfully request the ExA to take the view that the current application is being made at a time when the balance has over recent years been tilted heavily in favour of delivering revenue for the industry, the Applicant and LBC, rather than (as policy requires) being matched by equivalent mitigation.</p>	<p>The Applicant considers that the issues raised fall outside of the scope of the application for development consent.</p> <p>The Secretary of State will determine the application in accordance with section 105 of the Planning Act 2008 and will have regard to matters which they consider to be important and relevant.</p> <p>The Applicant's position on the planning balance is set out in the Planning Statement [AS-122].</p>
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		<p>208. Our written submission of oral case presented at OFH2 contains detailed cross-referencing to Appendix 1 of this document, and via that to other documents, evidencing the points made.</p> <p>209. Therefore, when weighing this Application, we represent strongly that it is essential to factor the current deficit in residential amenity into the equation.</p>	
<p>Luton and District Association for the Control of Aircraft Noise (LADACAN)</p> <p>REP1-088</p>	<p>Noise and Vibration</p>	<p>Overarching noise policy statement “The government’s overall policy on aviation noise is to balance the economic and consumer benefits of aviation against their social and health implications in line with the International Civil Aviation Organisation’s Balanced Approach to Aircraft Noise Management. This should take into account the local and national context of both passenger and freight operations, and recognise the additional health impacts of night flights. The impact of aviation noise must be mitigated as much as is practicable and realistic to do so, limiting, and where possible reducing, the total adverse impacts on health and quality of life from aviation noise.”</p>	<p>Noted. The Applicant’s commentary on the Overarching Aviation Noise Policy Statement, including how the Proposed Development complies with this updated policy statement, is provided in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012].</p>
<p>Luton and District Association for the Control of Aircraft</p>	<p>Noise and Vibration</p>	<p>Comments on the overarching policy We note that for completeness, the overarching noise policy statement itself should be interpreted in the context of the Preamble, Justification and Balance</p>	<p>Noted. The Applicant’s commentary on the Overarching Aviation Noise Policy Statement, including how the Proposed Development complies with this updated policy statement, is</p>

<p>Noise (LADACAN)</p> <p>REP1-088</p>		<p>provided by the DfT. The Preamble preceding the policy on the DfT webpage indicates:</p> <ul style="list-style-type: none"> • noise policy will be updated later this year, but the revised overarching statement is published to frame the night noise abatement and noise action plan consultations <p>The Justification following the overarching policy statement on the DfT webpage indicates:</p> <ul style="list-style-type: none"> • Aviation 2050, night flights consultation 2020, UK air navigation guidance 2017 fed into this update • an increase in total adverse effects may be offset by an increase in economic and consumer benefits in the context of sustainable growth • noise reduction and noise mitigation to the extent practicable and realistic are both required • clear evidence of the additional health impacts of night flights is explicitly recognised <p>The ICAO Balanced Approach is key to the required Balance. The Balanced Approach itself involves first identifying the noise problem at a specific airport, and then analysing and exploring various measures available to reduce noise using four principal elements:</p>	<p>provided in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012].</p>
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		<p>1. Reduction of Noise at Source (Technology Standards) 2. Land-use Planning and Management 3. Noise Abatement Operational Procedures 4. Operating Restrictions.</p> <p>The ICAO goal is to address noise problems on an individual airport basis and to identify the noise-related measures that achieve maximum environmental benefit most cost-effectively using objective and measurable criteria.</p> <p>ICAO Guidance on the Balanced Approach refers to various possible measures including</p> <p>Lower noise aircraft technology and certification</p> <ul style="list-style-type: none"> • Planning zoning and easement • Building codes, insulation, transparent disclosure • Tax incentives and noise charges • Noise preferential routes • Navigational procedures • Reduced power/drag and CDA • Limited engine ground running • Movement caps • Noise quotas • Curfews 	
<p>Luton and District Association for the Control</p>	<p>Noise and Vibration Need Case</p>	<p>Application of the overarching policy Application of the overarching policy would involve balancing the economic and consumer benefits against the social and</p>	<p>Noted. The Applicant's commentary on the Overarching Aviation Noise Policy Statement, including how the Proposed Development complies with this updated policy statement, is</p>

<p>of Aircraft Noise (LADACAN)</p> <p>REP1-088</p>		<p>health implications in the context of a particular airport, bearing in mind other principles which underpin noise policy. DfT officials confirmed on 11 July 2023 at its multi-stakeholder Airspace and Noise Engagement Group meeting that those underpinning principles (including the Aviation Policy Framework 2013) remain in effect.</p> <p>We have therefore summarised application of the overarching policy into five tests:</p> <ol style="list-style-type: none"> 1) Is the benefits/harms balance being applied in the context of sustainable growth? 2) Has the specific airport noise problem and been identified and all measures available to mitigate and reduce noise been analysed, explored and put in place? 3) Have the noise-related measures that achieve maximum environmental benefit most cost-effectively by objective measurable criteria been identified and put in place? 4) Does the analysis take into account the local and national context of both passenger and freight operations, and recognise the additional health impacts of night flights? 5) Has the impact of aviation noise been mitigated as much as realistic and practical, to limit and where possible reduce total adverse impacts on health and quality of life? 	<p>provided in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012].</p> <p>See responses to Written Representation REP1-095 paragraph 100 (above) for responses to the stated five tests.</p> <p>The Applicant considers that the Proposed Development is fully compliant with UK aviation noise policy and emerging policy, as set out in the Planning Statement [AS-122] and Commentary on the Overarching Aviation Noise Policy Statement [REP1-012].</p>
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		<p>To comply with the underpinning noise policy, airports seeking expansion must:</p> <ul style="list-style-type: none">a) share the benefits of growth between the aviation industry and local communities;b) demonstrate that noise is continuing to reduce and be mitigated as capacity grows;c) have regard to the need for noise levels to fall with technology improvements as a pre-condition of the aviation industry sharing the benefits from these improvements.	
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Chartered Institute of Logistics and Transport (CILT) REP1-048	General	<p>Summary</p> <p>1. We support the expansion of Luton Airport because we consider that it is possible to achieve the social and economic benefits of a growth in air travel in a sustainable manner. Our support is entirely dependent upon strict conditions relating to carbon emissions, noise and surface access, as outlined in this representation.</p>	Support noted.
Chartered Institute of Logistics and Transport (CILT) REP1-048	General	<p>Introduction</p> <p>2. The Chartered Institute of Logistics and Transport (CILT) is a professional institution embracing all transport modes whose members are engaged in the provision of transport services for both passengers and freight, the management of logistics and the supply chain, transport planning, government and administration. Our principal concern is that transport policies and procedures should be effective and efficient, based on objective analysis of the issues and practical experience, and that good practice should be widely disseminated and adopted. The Institute has a number of specialist forums, a nationwide structure of locally based groups and a Public Policies Committee which considers the broad canvass of transport policy. This submission draws on contributions principally by the Aviation Policy Group, who have experience in airport</p>	Noted.

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		<p>and airline planning and operations and take a UK-wide view of airport expansion, noting in particular the implications for other modes and environmental effects.</p> <p>3. In this written representation we comment on Demand and Capacity, Surface Access, Phasing, Noise, and Greenhouse Gas Emissions.</p>	
<p>Chartered Institute of Logistics and Transport (CILT)</p> <p>REP1-048</p>	<p>Need Case</p>	<p>Demand and Capacity</p> <p>4. It is clear that there is demand for additional air travel in the UK above the 2019 level. How much of this demand should be met is a matter for national policy and it has long been policy that not all demand should be met, primarily to ensure that the impacts are not greater than the benefits. At the regional level, it is also clear that demand for air travel in South East and Eastern England will exceed available capacity in the next few years and this also applies to the local market around Luton, given that 2019 levels were already in excess of capacity. However, it is possible to consider the balance between benefits and impacts at each airport, as is done in the Need Case.</p> <p>5. In relation to the Need Case, while the economic benefits can be quantified in terms of both jobs and GVA, air travel also brings social</p>	<p>The comments are noted.</p> <p>(4) (6)The Need Case [AS-125] sets out in Section 6 how the balance of demand and airport capacity across the South East of England has been taken into account. Allowance has also been made for growth at the other airports including Stansted and Birmingham Airport.</p> <p>In overall terms, the demand forecasts follow the approach taken by the Department for Transport in the Jet Zero Strategy and are consistent with the Government's policy of seeking to Make Best Use of Existing Runways. The implications of increasing costs of carbon or its abatement are already taken into account in the demand forecasts, meaning that they are lower than they would be if current</p>

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		<p>and cultural benefits which are not quantifiable. Examples of such benefits particularly relevant at Luton are the family connections between the UK and many parts of Eastern Europe and Israel.</p> <p>6. Luton's location means that it can serve London and parts of the Midlands, South East and Eastern England. There are other airports in this area which provide competition, in particular Stansted and Birmingham. On the one hand, such competition is good for passengers, but on the other, it may result in more capacity than can be justified by demand from this region. Stansted has approval to grow from its 2019 level of 28.1 m passengers to 43 mppa. Birmingham served 12.7 m passengers in 2019 and the DfT assessment of its capacity is 37 mppa by 2030.</p> <p>7. It is possible that the actual growth may turn out to be less than as indicated in the Need Case, for example if the strict conditions we propose for carbon emissions, noise and surface access restrict such growth or add to the cost of air travel. However, in such circumstances, the financial impact will be borne by the entities who own the airport. In other words, those entities will have to have confidence that the demand will be</p>	<p>carbon related costs were assumed to apply in future. The Green Controlled Growth Framework [APP-218] explains how growth will be managed to ensure that acceptable environmental limits are not breached.</p> <p>(5) The Need Case also explains in Section 5 the role of London Luton Airport in providing valuable air connections enabling people to visit friends and relatives. This enhances the airport's social contribution in addition to the quantified economic benefits and the more direct community contributions facilitated by the airport as set out in Section 8 of the Need Case.</p> <p>(7) The possibility that growth could be faster or slower has been considered through sensitivity tests as set out in Section 6 of the Need Case. As the CILT states, should growth be slower it would be expected that the phasing of the development would be adjusted accordingly.</p> <p>(8) In relation to cargo, limited growth in cargo activity is anticipated principally through some long haul services with belly hold capacity being operated in the longer term.</p>

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		<p>there and that the conditions can be met before they decide to invest.</p> <p>8. We note that the forecasts of cargo relate to the existing all-cargo aircraft operations plus the availability of belly hold capacity on long haul flights in the future. Given the competition for air freight at Heathrow, East Midlands, Stansted and potentially Manston plus the limited land availability at Luton we agree that these modest forecasts seem reasonable.</p> <p>9. Luton Airport is currently (or at least in 2019) the largest Business Aviation airport in the UK in terms of aircraft movements. We note that the approximate 2019 level of around 30,000 movements is considered a realistic upper bound. We agree with this assessment but note that other Business Aviation airports (in particular Farnborough and Biggin Hill) have significant spare capacity and may well offer opportunities for growth which, coupled with an inability to grow at Luton, would result in the decline in Business Aviation activity.</p>	<p>(9) In relation to business aviation activity, the apron areas available to park such aircraft are not being expanded and this is expected to limit such activity to the previous peak levels of such flying at c30,000 annual movements.</p> <p>It is considered, however, that Luton will remain an attractive location for business aviation activity, particularly for those individuals seeking to access north and central London. To the extent that there is growth in the market, this would also be expected to occur at airports such as Farnborough and Biggin Hill.</p>
Chartered Institute of Logistics and Transport (CILT)	Surface Access	10. Overall, the proposals for surface access are appropriate for the expansion. Given the expected congestion conditions on the M1 in any event, the rail mode share will have to increase significantly. The DART transit is a significant	The Applicant's approach to increasing public transport mode share is set out in the Public Transport Strategy as an appendix to the Transport Assessment [APP-202]. This

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REP1-048		<p>improvement and will provide a high quality link to the second terminal. As operational experience is gained, it will need to demonstrate a smooth interchange with rail services. Rail services from Luton Parkway now include express East Midlands longer distance and high frequency Thameslink services. The East Midlands Trains service provides a headline 20-minute non-stop journey twice an hour to and from St Pancras and connections with places to the north. Thameslink provides a high frequency (6 trains per hour) service with various calling patterns which continues through London. Air passengers therefore have a choice of train and need to be carefully directed to the most appropriate service, bearing in mind such issues as how full the train is and whether the train is direct or requires a change. Monitoring will be required to try to ensure that sufficient capacity is available for airport passengers alongside other rail users in future years.</p> <p>11. While the proposals for public transport are appropriate for expansion, the current Airport Surface Access Strategy is inadequate in its marketing and promotion activity. There are good rail, coach and bus links with many locations but these are not sufficiently publicised. The Airport's Surface Access team will need to</p>	<p>demonstrates that there is potential for mode share to reach 49% by 2043.</p> <p>The traffic modelling undertaken in the Transport Assessment has assumed a more conservative future year public transport mode share (rail and bus), as a reasonable worst-case in terms of traffic generations. The traffic modelling based on the conservative public transport assumption showed that the proposed highway mitigation strategy would mitigate the impact of the Proposed Development despite the constraints on M1 capacity.</p> <p>The Framework Travel Plan [AS-131] contains multiple interventions associated with promotion and marketing of public transport, which make components of the Applicant's surface access toolbox. This longlist is contained in the FTP [AS-131]. The longlist includes <i>'Increase promotion and marketing of Luton DART'</i>, and <i>'Continue to promote local bus and coach travel and build upon previous attempts to promote the Luton Dunstable Busway'</i>,</p>

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		be considerably strengthened if the public transport mode share targets are to be met.	
Chartered Institute of Logistics and Transport (CILT) REP1-048	Design	12. The reasons for the phasing are unclear. It may be that Phase 1 is designed to limit the early impact from construction, but the downside is that it requires extensive works in areas for passengers and aircraft operations. There may be advantage in a phasing which constructs new facilities and infrastructure for the second terminal, returning to expand the existing terminal after opening the second terminal.	<p>There is a short term need to increase capacity and this can only be delivered via the existing terminal. Due to the topography of the site extensive earthworks are required to create platforms to enable construction of the airfield elements of the Proposed Development, specifically T2, which will take several years to complete (allowing for settlement also) which leads to a delay to the delivery of assessment Phases 2a and 2b and hence the phasing strategy as adopted.</p> <p>Assessment phasing also took into account not only the development of demand as discussed within the Need Case [AS-125] but also reflected the length and nature of current commercial agreements and financial approaches as discussed within the Funding Statement [APP-012] in leading to a strategy for expanding T1 capacity before the major development of a second terminal. The alternative suggested is not deliverable under the terms of these agreements.</p>
Chartered Institute of Logistics and	Noise and Vibration	13. In addition to the various proposals to manage and mitigate the environmental effects, we suggest that a night ban should be considered. Such a ban was proposed for the	The impact of noise due to night flights from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce

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<p>Transport (CILT)</p> <p>REP1-048</p>		<p>third runway at Heathrow and has been implemented at some European airports. A night ban would be seen as a major improvement which will help to build bridges with the local community.</p>	<p>noise impacts. The approach to defining the mitigation measures is in line with the International Civil Aviation Organization 'Balanced Approach' and The Airports (Noise-related Operating Restrictions) (England and Wales) Regulations 2018 (Ref 27). These regulations require operating restrictions to be considered only after other measures of the Balanced Approach (which includes noise reduction at source, noise abatement operational procedures and land-use planning) have been exhausted and only where it is cost effective to do so. Further details can be found in Chapter 16 Noise and Vibration of the ES [REP-1-003].</p> <p>The Noise Envelope (see Green Controlled Growth Explanatory Note [APP-217]) contains legally binding night-time noise Limits and the Applicant has committed to retaining the current 9,650 movement limit in the night-time quota period (23:30 – 06:00) which will be secured through Requirement 27 of the Draft Development Consent Order [AS-067].</p> <p>A total ban on night flights is not possible at London Luton Airport as, in common with</p>

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			airports such as Gatwick and Stansted, it has a high dependence on low cost airlines operating with based aircraft that require the ability to maximise aircraft utilisation in order to be able to maintain low fare levels and deliver benefits to consumers.
Chartered Institute of Logistics and Transport (CILT) REP1-048	Green Controlled Growth Climate Change	<p>14. We are very supportive of the principle of Green Controlled Growth and agree that it should encompass Greenhouse Gas (GHG) emissions, aircraft noise and surface access. We would note that the proposed Green Controlled Growth system is not the only means of controlling impacts and there are other regulations and conditions which will be in place, for example for air quality which is covered by separate legally enforceable regulations relating to limit values of pollutants. We support the proposed limits for aircraft noise (day and night noise contour areas) and surface access (air passenger and staff mode shares).</p> <p>15. For GHG emissions, we note that expansion proposals at other UK airports have been permitted even though the expansion would lead to an increase in GHG emissions, on the basis of the policy that the total GHG emissions from aviation are controlled at national level, primarily through the Carbon Budgets. Such expansion permissions have also been tested in the courts.</p>	<p>The support for the Green Controlled Growth Framework [APP-218], and the proposed Limits for aircraft noise and surface access contained within it is noted and welcomed.</p> <p>It should be noted that it is proposed for Green Controlled Growth to include Scope 1, 2 and 3 emissions arising from airport operations and surface access. As the Applicant developed the GCG framework, it has carefully considered the inclusion of Scope 3 aviation emissions in the context of the Jet Zero Strategy, which outlines the Government's plans to reach net-zero aviation by 2050, and the Aviation Strategy: Making Best Use policy (MBU) (Ref 13).</p> <p>The Government has confirmed that it believes aviation emissions are best dealt with at a national level. MBU highlights that climate change issues are embedded in, and controlled by, national decision-making.</p>

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		<p>We do not dissent from this view, but suggest that for the proposals for Luton, which are for an NSIP, the result is a potential increase in GHG emissions of a sufficient amount that a specific control on growth related to GHG emissions is appropriate. We are confident that the aviation industry and, specifically the manufacturers, the airport operator, the airlines that operate at the airport and all the other associated organisations can achieve reductions in GHG emissions but we recognise that other parties need to be assured that this is the case. Our proposed addition of GHG emissions from all flights departing from the airport will provide this assurance.</p> <p>16. We therefore propose that the Green Controlled Growth mechanism should include Scope 1, 2 and 3 emissions and, in particular, emissions from aircraft departures in flight. The detail of how the reduction in GHG emissions should be included in the mechanism should be a matter of negotiation and agreement between the airport and the planning authority and decided through the DCO process. However, in principle, the GHG emissions should be calculated for a baseline period (eg. 2019, or possibly for a multi-year period up to 2019) and then forecast for the periods covered by the Carbon Budgets (for example, specifically for</p>	<p>Paragraphs 1.11 and 1.12 under the “Role of national policy” section of the MBU states the following:</p> <p><i>“There are, however, some important environmental elements which should be considered at a national level. The government recognises that airports making the best use of their existing runways could lead to increased air traffic which could increase carbon emissions.</i></p> <p><i>We shall be using the Aviation Strategy to progress our wider policy towards tackling aviation carbon...”</i></p> <p>As noted in the Written Representation, this position on aviation emissions was previously tested and accepted as part of planning appeals for both Bristol Airport and Stansted Airport. The Bristol Airport planning appeal states the following in the Decision Letter, at Paragraphs 70 and 71:</p> <p><i>“MBU, under the heading ‘Role of national policy’, provides that increased carbon emissions be dealt with at the national level. The Government reaffirmed its position on MBU on two occasions during the Inquiry - first as part of the Jet Zero consultation and</i></p>

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		<p>CB6 2033-2037). Initial figures are contained in the Environmental Statement Volume 5 Chapter 12. These two figures should then be expressed as a percentage of the total UK GHG emissions. The control would then be that, if GHG emissions in 2033-2037 remain below the baseline percentage related to Carbon Budget 6, growth can continue. If emissions are above the baseline percentage, further growth would not be permitted. The detailed mechanism for GHG emissions would be similar to that for other elements of the Green Controlled Growth mechanism.</p>	<p><i>second in response to NSC's letter to the DfT. In both cases it was confirmed that MBU remains "the most up-to-date policy on planning for airport development" and "continues to have full effect, for example, as a material consideration in decision-taking on applications for planning permission."</i></p> <p>National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Mitigation measures outlined within the document fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p> <p>The UK ETS applies to all domestic flights and international flights to the European Economic Area (EEA), Switzerland and Gibraltar, and the Government has consulted on setting an appropriate trajectory for UK ETS that allows the UK to</p>

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			<p>reach net zero by 2050. Through such a trajectory, the UK ETS will control aviation emissions in a way that is consistent with the approach suggested in the Written Response, with a trajectory aligned with carbon budgets and the UK's legal obligations, but at a sector level rather than attempting to control emissions from individual airports.</p> <p>CORSIA caps emissions at 85% of 2019 emissions and will cover all international flights from 2027, excluding flights to and from Least Developed Countries, Small Island Developing States, Landlocked Developing Countries and states which represented less than 0.5% of global international RTK (Revenue Tonne Kilometre, a measure of passenger traffic).</p> <p>Market-based mechanisms such as UK ETS and CORSIA provide national and international control mechanisms for aviation emissions, but the use of these mitigation measures is beyond the control of the airport operator, with responsibilities chiefly falling on the Government and airline operators. Given that this sector-wide approach exists, that compliance with the</p>

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			<p>UK ETS (and CORSIA from 2024) are already a legal requirement for airlines and that it is government policy for these emissions to be controlled at a national level, the Applicant does not believe that provision of controls on carbon emissions associated with aircraft use through the GCG Framework would be appropriate, and instead action to address carbon emissions from aviation should take place at a national level.</p> <p>In addition, setting a Limit that went beyond the ambition of the UK ETS is also unlikely to be effective. Any further reduction in GHG emissions allowed at the airport from an approach like this would result in fewer aircraft operators using their UK ETS emissions allowances to operate flights to or from London Luton Airport. They would however be free to use these allowances to operate to or from other airports. As such, any decreases in GHG emissions from flights operating to or from the airport would simply be offset by equivalent increases elsewhere. This would not help the UK meet its goal of achieving net zero by 2050, nor would it help to address the global effects of climate change. It could also lead to longer surface transport journeys overall as people</p>

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			<p>travel to less convenient airports for flights that might otherwise have been offered at the airport, resulting in greater energy use.</p> <p>However, actions to address aviation emissions through supporting measures consistent with the Jet Zero strategy have been outlined in the Environmental Statement Appendix 12.1 Outline Greenhouse Gas Action Plan [APP-081]. Requirement 32 of Schedule 2 of the Draft DCO [AS-067] mandates that no part of the authorised development is to be operated until a Greenhouse Gas Action Plan for the operation of the authorised development has been submitted to, and approved in writing by, the relevant planning authority. The Greenhouse Gas Action Plan must be substantially in accordance with the Outline Greenhouse Gases Action Plan.</p> <p>Aviation mitigation measures within the outline plan, detailed at Section 4.1, include operating policy/strategy to encourage uptake of more efficient aircraft and Sustainable Aircraft Fuels (SAFs), as well as the provision of infrastructure to allow aircraft refuelling with SAFs by 2030.</p>

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<p>England's Economic Heartland</p> <p>REP1-057</p>	<p>Surface Access</p>	<p>England's Economic Heartland (EEH) is the sub-national transport body (STB) for the Heartland region representing the transport authorities covering the area from Swindon, through Buckinghamshire, Oxfordshire, Milton Keynes and across to Cambridgeshire and Peterborough, and from North and West Northamptonshire councils, Central Bedfordshire, Bedford Borough, across to Luton and Hertfordshire Councils.</p> <p>Formed as a partnership of local authorities and supported by DfT, EEH, as the STB, is responsible for providing government with advice on which transport infrastructure and service improvements are priorities for investment in the region if we are to realise our economic ambitions and net zero commitments.</p> <p>EEH recognises the economic significance of the United Kingdom's aviation network. The ability to connect regions economically has enabled trade links to be established both domestically and internationally. Such linkages support economic activity across the region and beyond, bringing significant benefits to our businesses and residents. The proposed expansion of Luton Airport will create opportunities to generate benefits for the local economy and residents, especially in the use of a local airport, thereby</p>	<p>The support is welcomed.</p>

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		<p>providing relief to other parts of the wider South-East airport system.</p> <p>Luton Airport is the only major airport located within our region. It is a significant asset: as a key international gateway, a major regional employer and a key contributor to the economy. As one of the top five busiest airports in the UK, it is a focus for European services and a key hub for private business aviation services. Its expansion impacts and contributes to the economy beyond Luton itself, having significant regional impact supporting both central government and the region recognised by government for its economic potential – known as the Oxford to Cambridge Pan-regional Partnership. The region plays a key role in the UK economy, particularly in key sectors such as science, innovation and advanced manufacturing.</p>	
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>EEH believes that the proposal to expand Luton Airport should be viewed through the lens of the strategic ambition for the region, as well as within the context of national targets, including those in relation to decarbonisation of the transport system.</p> <p>EEH's Transport Strategy, published in 2021, sets out the strategic ambition for the region.</p>	<p>Ensuring that London Luton Airport has sufficient capacity to meet demand within its catchment area will be the best way of supporting the achievement of these ambitions as, otherwise, passengers from within England's Economic Heartland would need to make longer surface access journeys to access flights.</p>

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		<p>This includes a commitment to: support net zero transport by 2050; improve quality of life and wellbeing through a safe and inclusive transport system accessible to all; support the regional economy by connecting people and businesses to markets and opportunities; and ensure the Heartland works for the UK by enabling the efficient movement of people and goods through the region and to/from international gateways, in a way which lessens its environmental impact.</p> <p>Our strategy states that, 'as one of the world's leading economic regions our continued success is dependent upon being connected globally'. The nature of planning, policy and funding decisions for aviation in England means aviation is not included in EEH's transport strategy, nor are the implications for issues such as emissions from aviation.</p> <p>In line with the functions of EEH, as a sub regional transport body as set out in the Cities and Local Government Devolution Act 2016, EEH's response to proposals for the expansion of Luton Airport are focused on matters relating to surface access. However, our local authority partners may make their own representations related to this area of consideration, for example</p>	<p>Section 2 of the Need Case [AS-125] sets out the economic context within which expansion of the airport needs to be viewed, including the importance of ensuring good global connectivity as well as connectivity within the region.</p>

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		<p>around the impact of expansion on the number of flight paths.</p> <p>The EEH transport strategy actively encourages investment in improved, decarbonised surface access connectivity that addresses and reduces the environmental impact of international gateways. The recent completion of Luton's Direct Air Rapid Transit (DART) has improved connectivity between Luton Airport Parkway Station and the airport. Improving travel opportunities via national rail services stopping at Luton Airport Parkway is key to reducing the need to travel to the airport by private car for travellers coming the north and south.</p>	
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>EEH is currently developing a number of connectivity studies that show what the most effective connectivity solutions are for key corridors across the region. Three of these studies cover the Luton Airport area. The evidence captured in these will be invaluable in focusing investment proposals to improve connectivity to the airport. They are guided by the policies set out in the EEH transport strategy and steered by our local authority partners. The package of interventions identified will form a key part of our investment pipeline for the region. We believe the outputs from the connectivity studies will provide useful evidence regarding future</p>	<p>Noted. The Surface Access Strategy and Framework Travel Plan [AS-131] name Bus and Coach as one of the Priority Areas. There are multiple interventions associated with the priority areas, which comprise the Applicant's surface access toolbox. This longlist is contained in the FTP [AS-131]. The vision and objectives of the SAS have been identified to capture the surface access Limits and Targets that underpin the strategy. The longlist includes <i>'Engage with bus operators to improve the existing routes and create new and extended routes, better connecting the airport to more places</i></p>

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		<p>opportunities to improve surface access to Luton Airport. The studies have already highlighted the need for better east-west connectivity and could form the basis for prioritising and informing funding of both Section 106 and the suggested Sustainable Transport Fund.</p> <p>In addition, our emerging work on regional bus and coach connectivity has highlighted gaps in services and the need for better long-distance bus connectivity. This has shown a need for better connectivity from Luton Airport to Buckinghamshire, Hertfordshire and Oxfordshire by both regular bus services and longer distant coach services. Early results from the connectivity studies highlighted a need and potential for improved bus services to Luton with real opportunity to extend or provide a similar service to the existing F70 to serve Aylesbury via the Luton to Dunstable Bus Way or through extending services through Hemel Hempstead beyond to Aylesbury and even on to Oxford.</p> <p>We are pleased that the applicant has included a strategic surface access plan as part of their application as this is key to improving accessibility and mitigating the impact of the expansion as expressed in our response to the 2020 Statutory Consultation. The surface access</p>	<p><i>(especially east-west) and in particular urban areas and transport hubs'</i></p>

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		<p>plan is essential to ensure the airport is accessible for workers, travellers, services and freight by more sustainable modes, and alternative fuels with a focus on decarbonisation to move away from dependence of combustion-engine vehicles for accessibility. While we welcome the surface access plan we note that the main focus is on north-south connectivity, namely the Midland Mainline corridor with connections at Luton Parkway and north south vehicular traffic accessing the airport from the M1. Evidenced through our connectivity studies there is a real need for a greater focus on connectivity between Luton airport and the rest of the EEH region, particularly east and west connectivity.</p>	
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>We feel that there needs to be greater emphasis in the surface access plan for Luton Airport's proposals in the following areas:</p> <p>Investment in the delivery of measures that improve local connectivity between the airport and the immediate surrounding area – these measures should be supported by proposals that actively engage airport employees (both existing and future) and encourage them to use active travel modes. It is noted that at present the access is very vehicle focused with no cycling access and the main active travel route being up</p>	<p>The Applicant is supportive of measures to improve active and sustainable travel modes and reduce trips to the airport by private vehicle. Detailed interventions, and how they will be funded and implemented, will be provided in future Travel Plans. The Green Controlled Growth Framework [APP-218] mandates that airport growth cannot continue if the established limits for non-sustainable mode share are exceeded.</p> <p>The Surface Access Strategy and Framework Travel Plan [AS-131] name</p>

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		<p>and down a hill and under the existing runway. These issues should be addressed to improve active travel options and help meet stretch targets to achieve modal shift.</p>	<p>Walking and Cycling as one of the Priority Areas. There are multiple interventions associated with the priority areas, which comprise the Applicant's surface access toolbox. This longlist is contained in the FTP [AS-131]. The vision and objectives of the SAS have been identified to capture the surface access Limits and Targets that underpin the strategy. The longlist includes 'Explore opportunities associated with the Luton-wide cycling initiatives and consider making contributions towards them', 'Consider making contributions towards North Hertfordshire Walking and Cycling Infrastructure plan for schemes that improve access to the airport' and 'Explore opportunities associated with potential improvements for National Cycle Network (NCN) Route 6 which runs via Harpenden and accesses Luton Airport Parkway station'. The most appropriate interventions and measures will be selected post-consent, in response to monitoring and engagement.</p>

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<p>England's Economic Heartland</p> <p>REP1-057</p>	<p>Surface Access</p>	<p>Investment in the delivery of public transport infrastructure to provide enhanced travel options for those accessing the airport from all areas of the EEH region. This should include better connections to Aylesbury, Hertfordshire and Oxford in terms of coaches and regular bus services. There is a real opportunity for reinstating the previous 61 bus route or the existing F70 route to be extend to Aylesbury and beyond to Oxford, and more regular direct connections with London Stansted Airport both by coach and public transport. There should be on-going funding made available to support these services.</p>	<p>The Surface Access Strategy and Framework Travel Plan [AS-131] name Bus and Coach as one of the Priority Areas. There are multiple interventions associated with the priority areas, which comprise the Applicant's surface access toolbox. This longlist is contained in the FTP [AS-131]. The vision and objectives of the SAS have been identified to capture the surface access Limits and Targets that underpin the strategy. The longlist includes <i>'Work with operators to strengthen F70 and F77 bus service from Milton Keynes to the airport'</i>.</p> <p>The Applicant is supportive of measures to improve active and sustainable travel modes and will work with local authorities and bus and coach service providers to implement improvements wherever reasonably practicable. Further detail on interventions and funding will be provided in future Travel Plans, as outlined in the Framework Travel Plan [AS-131].</p>
<p>England's Economic Heartland</p> <p>REP1-057</p>	<p>Surface Access</p>	<p>The applicant should ensure that there is sufficient funding to ensure that transport infrastructure and revenue funding is provided to meet modal shift targets to support alternative modes of travel to all parts of the region. It is unclear how the Sustainable Transport Fund</p>	<p>Further details on Sustainable Transport Funding will be shared during the course of the examination, following further consultation with relevant stakeholders.</p>

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		<p>levels of available funding would be determined to ensure there is sufficient funding to deliver the measures required to support and mitigate the proposed development. This should be based on actual costs rather than the 'wait and see' or formulaic approach suggested. This would need to be part of a robust monitoring and manage approach.</p>	
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>Car parking – significant increases in car parking are proposed but increases to on-site car parking should only be considered once opportunities to improve local connectivity and public transport infrastructure and services have been fully exploited. Any changes in car parking should also relate and tie to the mode shift targets.</p>	<p>The Applicant has taken a pragmatic view on mode share targets given the airport's location, staff and passenger catchments.</p> <p>The Applicant is supportive of sustainable transport, including tripling the number of coach and bus bays as part of the expansion and extending the Luton DART to Terminal 2.</p> <p>The Transport Assessment [APP-203, AS-123, APP-205, APP-206] sets out the identified transport impacts of the Proposed Development, including those associated with the increase in car trips, and goes on to set out the proposed mitigation to address those impacts.</p> <p>The Green Controlled Growth Framework [APP-218] mandates that airport growth cannot continue if the established limits for non-sustainable mode share are exceeded.</p>

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<p>England's Economic Heartland</p> <p>REP1-057</p>	<p>Surface Access</p>	<p>Investment in improved highway infrastructure should prioritise improvements that support local connectivity and public transport infrastructure and services. Like any development it should be the developer's responsibility to provide highway mitigation outside of their red line boundary through Section 278 agreements. There is a need to address potential issues on A505 through Hitchin, Luton's MRN and potential impacts on local villages in Bedfordshire, Buckinghamshire and Hertfordshire, especially through the construction phase</p>	<p>Section 10 of the Transport Assessment [APP-203, AS-123, APP-205, APP-206] sets out the Highway Capacity Assessment for each development phase. Paragraph 10.3.4 to 10.3.7 set out the associated highway mitigation proposed for each phase. The conclusions of the assessment is that the mitigation strategy addresses the main impacts of the Proposed Development, which have been based on both the forecast changes to background transport use and the expected growth of the airport.</p> <p>The Transport Assessment [APP-203, AS-123, APP-205, APP-206] and Surface Access Strategy [APP-228] set out the monitoring and mitigation measures proposed. As part of the ongoing review process, the Applicant intends to produce monitoring programs, assess any impacts, and then intervene accordingly if any issues persist as appropriate. Known as the TRIMMA this will require location-specific monitoring, to inform the need to deliver the identified location-specific highway mitigation measures set out in the Transport Assessment.</p>

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England's Economic Heartland REP1-057	Surface Access	Midland Main Line – the applicant should discuss with the local train operators (currently East Midlands Railway and Thameslink) the level of service required to enable Luton Airport Parkway station to serve as a gateway to the airport: the significance of rail will increase further as a result of the proposed expansion, and this must be reflected in the level of service provided with seamless connectivity with the DART.	The Applicant considers that the issue raised regarding engagement with local rail operators was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [APP-023] page 198, in response to RR-0443.
England's Economic Heartland REP1-057	Surface Access	EEH will continue to work with Luton Airport and Luton Borough Council in order to ensure improved links with the future East West Rail route. We will particularly seek to identify how additional services and/or changes to train services could offer improved travel opportunities for Luton Airport's passengers. Through effective interchange between Midland Main Line services and East West Rail, Luton Airport could see greatly improved rail connectivity with Milton Keynes, Cambridge, Oxford and beyond.	The continued engagement between EEH and LBC is welcomed. The Surface Access Strategy and Framework Travel Plan [AS-131] name Luton DART and Rail as one of the Priority Areas. There are multiple interventions associated with the priority areas, which comprise the Applicant's surface access toolbox. This longlist is contained in the FTP [AS-131] . The vision and objectives of the SAS have been identified to capture the surface access Limits and Targets that underpin the strategy. The longlist includes <i>'East West Rail will improve catchment and connectivity to the airport, when delivered the operator will explore associated opportunities further'</i>
England's Economic Heartland	Surface Access	Bus and Coach Provision – the proposal to establish a new coach station and a new bus station is welcomed. However, there is a need for the applicant to work with service providers to	The Applicant considers that the issue raised regarding engagement with local bus operators was answered within the Applicant's Response to Relevant

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REP1-057		<p>identify the level of services required in order to ensure sufficient funding is provided to increase both existing service frequencies and the range of destinations served by buses and coaches, especially focusing on wider regional east and west connectivity. This funding should be through Section 106 funding separate from the Sustainable Transport Fund as these are considered essential to provide regional connectivity and mitigate the development. Luton Council's BSIP funding could also support improving airport connectivity beyond its boundaries</p>	<p>Representations Part 2C of 4 [APP-023] page 199, in response to RR-0443. The Applicant does not consider it necessary to secure funding for these measures separately from the Sustainable Transport Fund.</p>
<p>England's Economic Heartland</p> <p>REP1-057</p>	Surface Access	<p>Freight traffic should be restricted to using the SRN and MRN to ensure there is no impact of increasing freight movements on local communities.</p>	<p>Currently, the majority of freight traffic movements utilise the SRN and MRN when accessing the airport, and this is likely to remain the case in future years to minimise impact on roads which may be unsuitable for HGV movements.</p>
<p>England's Economic Heartland</p> <p>REP1-057</p>	Surface Access	<p>The applicant proposes a range of different mitigations to offset the impact of the airport expansion on the environment at surface level. This is to be welcomed. Whilst this is outside of the remit of EEH as a transport focused organisation, there is a need for the applicant to quantify how they will ensure the proposal is consistent with the national targets to bring greenhouse gas emissions to net-zero by 2050.</p>	<p>The Applicant considers that the issue raised regarding net zero was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [APP-023] page 199, in response to RR-0443.</p>

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		<p>This is pertinent, not only for surface access to the airport, but also given the need for the aviation sector to make its own contribution towards achieving the net zero carbon target for the UK by 2050. The applicant should consider how its own and airside operations can contribute to net zero, potentially through electric air side vehicles.</p>	
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>It is unclear how the Sustainable Transport Fund would be determined or administered and how it would ensure that the focus is regional rather than local. Not all EEH Local Transport Authority partners are currently represented on working groups so there is concern that their connectivity requirements and transport mitigation priorities could be overlooked. Therefore, it is suggested to ensure a strategic and fair focus that EEH are part of any decision-making group to ensure that funding is focused where it is likely to have the most impact.</p>	<p>The Applicant and operator are currently developing a suitable and effective funding mechanism that best responds to the vision and objectives of the Surface Access Strategy [APP-228] and realising Sustainable Transport Opportunities. Further details will be shared during the course of the examination, following further consultation with relevant stakeholders on the details of the Sustainable Transport Fund.</p>
<p>England's Economic Heartland REP1-057</p>	<p>Surface Access</p>	<p>In conclusion, EEH is supportive of the expansion of Luton Airport as a significant international gateway and focus for economic opportunities that impact across the whole of the EEH region. However, given this strategic significance, EEH feel there needs to be further work on planning for sustainable transport access, particularly in relation to east-west regional connectivity, and greater clarity on</p>	<p>The support is welcomed and as stated earlier measures to strengthen east-west connectivity will be considered as the tool box of Travel Plan measures are evaluated post DCO consent.</p>

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		<p>levels of funding to support mitigation of the development, including administration and apportionment of the proposed Sustainable Transport Fund.</p>	
<p>HarpendenSky.com REP1-064</p>	<p>Climate Change (GHG)</p>	<p>The Climate Change Committee [CCC] in their report to parliament published on 28 June 2023 states <i>“No airport expansions should proceed until a UK-wide capacity management framework is in place to assess annually and, if required, control sector CO2 emissions and non-CO2 effects.”</i> LLA currently emits an estimated 2.2 million tonnes of CO2 annually [Source: Earthbound] plus other greenhouse gases [GHG] and expansion will significantly increase pollution.</p> <p>The HarpendenSky opposition to the LR expansion proposal and Development Consent Order [DCO] TR020001 is based primarily upon the LR document Volume 5 Environmental Statement, Volume 5.01 Chapter 7: Air Quality and Chapter 13: Health and Community; in particular “increased population exposure to air pollutants”. The items challenged below are listed according to the LR document references. For clarification therefore, HarpendenSky believes that the LR DCO application should be rejected based upon the CCC statement on no airport expansion and this summary.</p>	<p>The Government has responded to previous CCC recommendations of a similar nature and made clear that it considers that the CO2 impacts of aviation can be managed in line with the Jet Zero Strategy without the need for capacity constraints to be imposed.</p> <p>Para 3.5.7 states that <i>“we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth.”</i></p>

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<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Air Quality</p>	<p>[Item One] 13.2 Legislation, Policy & Guidance [LPG]</p> <p>The following legislation requirements, including interim emission targets, are not represented in LR Volume 5.01 Chapter 7 Air Quality nor Chapter 13: Health & Community documents yet are material to the environmental case against the LR DCO for expansion.</p> <p>[a] The Environment Act [EA] & DEFRA Environmental Improvement Plan 2023 [EIP]</p> <p>Air quality is now enshrined in interim legal targets which are not included in either of the LR documents & therefore there is no indication, or risk assessment, on how LLA expansion to 32m passengers can possibly support these targets being met by Luton Borough Council [LBC] or LR. As the largest polluter in the region, LR/LBC has an even greater duty-of-care to demonstrate how these issues will be resolved in the context of the DCO.</p> <p>According to the DEFRA Environmental Improvement Plan [EIP] 2023:</p> <p><i>“A DEFRA legal target to reduce population exposure to PM2.5 by 35% in 2040 compared to</i></p>	<p>The Applicant considers that the issue raised regarding the PM_{2.5} interim target and long-term target was answered within the Applicant's Response to Relevant Representations Part 2A of 4 Local Authorities [REP1-021] page 194 and 195, in response to RR-0558 and others.</p> <p>The applicant considers that an assessment of any other pollutants (including Sulphur Dioxide) can be scoped out as no other pollutant will be a significant pollutant of concern and are not likely to cause exceedances of the relevant standards. The pollutants to be assessed were agreed with PINS and the local authorities at the scoping stage.</p>

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		<p><i>2018 levels, with a new interim target to reduce by 22% by the end of January 2028.</i></p> <p><i>A DEFRA legal target to require a maximum annual mean concentration of 10 micrograms of PM2.5 per cubic metre [$\mu\text{g}/\text{m}^3$] by 2040, with a new interim target of 12 $\mu\text{g}/\text{m}^3$ by the end of January 2028.</i></p> <p><i>Legal emission reduction targets for five damaging pollutants by 2030 relative to 2005 levels including: Reduce emissions of nitrogen oxides by 73% [compliance with a 40$\mu\text{g}/\text{m}^3$ limit] & reduce emissions of sulphur dioxide by 88%”</i></p> <p>Source: HMG DEFRA Environmental Improvement Plan [EIP] 2023.</p>	
<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Air Quality</p>	<p>LR Volume 5.01 Chapter 7: Air Quality, table 7.2 Air Quality Standards, is not up-to-date insofar as the DEFA EIP interim targets for PM2.5 & NO2 therefore there are no mitigation actions which must be defined in the DCO. This requirement is underlined by the Government Aviation Strategy which states <i>“The government aims to “achieve a safe, secure and sustainable aviation sector...provided that growth takes place in a sustainable way, with actions to mitigate the environmental impacts”.</i></p>	<p>The Applicant considers that the issue raised regarding the interim targets was answered within the Applicant's Response to Relevant Representations Part 2A of 4 (Local Authorities) [REP1-021] page 194 and 195, in response to RR-0558 and others.</p> <p>There have been no changes to NO₂ targets in the Environmental Improvement Plan and therefore the air quality objectives outlined in Chapter 7 Air Quality [AS-076] of the ES are correct.</p>

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<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Air Quality</p>	<p>According to the LBC 2022 Air Quality Annual Status Report [ASR] there are already multiple Luton area air quality measurement sites where the PM2.5 & NO2 levels are either above the DEFRA target levels or very close such that they would undoubtedly be exceeded by the 32million passenger expansion. The ASR does not include the DEFRA NO2 & PM2.5 interim target levels.</p>	<p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 1 of 4 Air Quality [REP1-020] page 4-20, in response to RR-1441 and others.</p> <p>The Applicant considers that the issue raised regarding the interim targets was answered within the Applicant's Response to Relevant Representations Part 2A of 4 (Local Authorities) [REP1-021] page 194, in response to RR-0558 and others.</p> <p>Chapter 7 Air Quality [AS-076] of the ES has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the air quality impact of the Proposed Development would be not significant.</p>
<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Air Quality</p>	<p>As a further point of detail, the Herts & Beds HB007 air quality monitor on the Luton Dunstable Road East shows already a disturbing upward trend for PM2.5 over the past 12months & where 3 of 7 measurements are in already excess of the 10micro gram objective & either above or close to 12micro gram objective for</p>	<p>The Applicant considers that the issue raised regarding impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 1 of 4 Air Quality [REP1-020] page 4-20, in response to RR-1441 and others.</p> <p>Chapter 7 Air Quality [AS-076] of the ES has provided an assessment of air quality</p>

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		2028. And HB007 monitoring point is not near the airport so the actual figure will be far worse.	impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the impact of the Proposed Development would be not significant for the assessment years assessed. The more stringent target of 10µg/m ³ has been used. Assessment against the more stringent target therefore presents a worst-case assessment in the ES. As no significant impacts are predicted using 10µg/m ³ , there would also be no significant impacts when considering the less stringent interim target of 12µg/m ³ .
HarpendenSky.com REP1-064	Climate Change Air Quality	[b] Climate Change & Sixth Carbon Budget The Climate Change Act & policy, enshrined in the Business Energy Industrial Strategy [DfBEIS] Sixth Carbon Budget, contains a commitment to reduce emissions by at least 78% by 2035, which now includes aviation impact on CO ₂ , NO _x , NO ₂ , PM _{2.5} emissions growth. LLA currently emits c2million tonnes of CO ₂ annually & there is no indication in the LPG documentation coverage on how 32million passenger operations will support compliance with this commitment by either LBC [owner of LR] or LR.	The Government has confirmed that it believes aviation emissions are best dealt with at a national level. The Aviation Strategy: Making Best Use (MBU) policy (Ref Error! Bookmark not defined.) highlights that climate change issues are embedded in, and controlled by, national decision-making. Paragraphs 1.11 and 1.12 under the "Role of national policy" section of the MBU states the following: <i>"There are, however, some important environmental elements which should be considered at a national level. The</i>

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			<p><i>government recognises that airports making the best use of their existing runways could lead to increased air traffic which could increase carbon emissions.</i></p> <p><i>We shall be using the Aviation Strategy to progress our wider policy towards tackling aviation carbon..."</i></p> <p>This position on aviation emissions was previously tested and accepted as part of planning appeals for both Bristol Airport and Stansted Airport. The Bristol Airport planning appeal states the following in the Decision Letter, at Paragraphs 70 and 71:</p> <p><i>"MBU, under the heading 'Role of national policy', provides that increased carbon emissions be dealt with at the national level. The Government reaffirmed its position on MBU on two occasions during the Inquiry - first as part of the Jet Zero consultation and second in response to NSC's letter to the DfT. In both cases it was confirmed that MBU remains "the most up-to-date policy on planning for airport development" and "continues to have full effect, for example, as a material consideration in decision-taking on applications for planning permission."</i></p>

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			<p>National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Mitigation measures within the document to reduce fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p> <p>The UK ETS applies to all domestic flights and international flights to the European Economic Area (EEA), Switzerland and Gibraltar, and the Government has consulted on setting an appropriate trajectory for UK ETS that allows the UK to reach net zero by 2050.</p> <p>CORSIA caps emissions at 85% of 2019 emissions and will cover all international flights from 2027, excluding flights to and from Least Developed Countries, Small Island Developing States, Landlocked Developing Countries and states which</p>

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			<p>represented less than 0.5% of global international RTK (Revenue Tonne Kilometre, a measure of passenger traffic).</p> <p>Market-based mechanisms such as UK ETS and CORSIA provide national and international control mechanisms for aviation emissions, but the use of these mitigation measures is beyond the control of the airport operator or owner, with responsibilities chiefly falling on the Government and airline operators. Given that this sector-wide approach exists, that compliance with the UK ETS (and CORSIA from 2024) are already a legal requirement for airlines and that it is government policy for these emissions to be controlled at a national level.</p> <p>Actions to address aviation emissions through supporting measures consistent with the Jet Zero strategy have been outlined in Appendix 12.1 Outline Greenhouse Gas Action Plan [APP-081] of the Environmental Statement. Requirement 32 of Schedule 2 of the Draft DCO [AS-067] mandates that no part of the authorised development is to be operated until a Greenhouse Gas Action Plan for the</p>

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			<p>operation of the authorised development has been submitted to, and approved in writing by, the relevant planning authority. The Greenhouse Gas Action Plan must be substantially in accordance with the Outline Greenhouse Gases Action Plan. Aviation mitigation measures within the outline plan, detailed at Section 4.1, include operating policy/strategy to encourage uptake of more efficient aircraft and Sustainable Aircraft Fuels (SAFs), as well as the provision of infrastructure to allow aircraft refuelling with SAFs by 2030.</p> <p>Chapter 7 Air Quality of the ES [AS-076] has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the air quality impact of the Proposed Development would be not significant.</p> <p>Appendix 7.5 Outline Operational Air Quality Plan of the ES [APP-065], sets out the proposed mitigation for the Proposed Development in order to reduce air quality impacts (whether they are significant or not).</p>

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<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Climate Change</p> <p>Air Quality</p>	<p>[c] Luton Borough Council [LBC] Climate Emergency</p> <p>LBC declared a Climate Emergency in July 2019 with a carbon neutral target of 2040 & “clean air for all by 2030”, which will be impossible to meet with LA growing to 32million passengers & there being no alternative to kerosene as aircraft fuel.</p> <p>The EIP 2023 states: <i>“Using the Air Quality Strategy to make clear that local authorities are key delivery partners in reaching our legal limits and targets. This will include a clear expectation, to which local authorities must have regard, that they should use their powers to reduce PM2.5 from sources within their control [eg Luton Airport flight operations]”</i>.</p>	<p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>The Applicant notes and supports the LBC target for the council estate and operations, and Luton town, to have net-zero emissions by 2040 as laid out in LBC’s most recent Climate Change Policy and Action Plan. The Applicant further notes and agrees with the UK Government’s position that emissions from the aviation sector must be addressed at a national rather than local level.</p> <p>This position, together with national policy for the mitigation of aviation emissions, is set out in the Jet Zero Strategy, published by the UK Government in July 2022.</p> <p>Mitigation measures within the Jet Zero Strategy fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for</p>

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			<p>International Aviation (CORSA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p> <p>The UK ETS applies to all domestic flights and international flights to the European Economic Area (EEA), Switzerland and Gibraltar, and the Government has consulted on setting an appropriate trajectory for UK ETS that allows the UK to reach net zero by 2050.</p> <p>CORSA caps emissions at 85% of 2019 emissions and will cover all international flights from 2027, excluding flights to and from Least Developed Countries, Small Island Developing States, Landlocked Developing Countries and states which represented less than 0.5% of global international RTK (Revenue Tonne Kilometre, a measure of passenger traffic).</p> <p>Market-based mechanisms such as UK ETS and CORSA provide national and international control mechanisms for aviation emissions, but the use of these mitigation measures is beyond the control of the airport operator or owner, with</p>

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			<p>responsibilities chiefly falling on the Government and airline operators. Given that this sector-wide approach exists, that compliance with the UK ETS (and CORSIA from 2024) are already a legal requirement for airlines and that it is government policy for these emissions to be controlled at a national level.</p> <p>Actions to address aviation emissions through supporting measures consistent with the Jet Zero strategy have been outlined in the Environmental Statement Appendix 12.1 Outline Greenhouse Gas Action Plan [APP-081].</p> <p>The Applicant considers that the issue raised regarding the negative impacts on air quality was answered within the Applicant's Response to Relevant Representations Part 1 of 4 Air Quality [REP1-020] page 4, in response to RR-1441 and others. Chapter 7 Air Quality of the ES [AS-076] has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the impact of the Proposed Development would be not significant.</p>

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			<p>Appendix 7.5 Outline Operational Air Quality Plan of the ES [APP-065], sets out the proposed mitigation for the Proposed Development in order to reduce air quality impacts (whether they are significant or not).</p> <p>Air quality impacts are also proposed to be controlled through the Green Controlled Growth Framework [APP-218]. This represents a commitment from the Applicant to stop airport growth if the airport is materially contributing to an exceedance of the UK legal limits for air quality.</p>
<p>HarpendenSky.com REP1-064</p>	<p>Local Environment (Health and Community)</p>	<p>[Item 2] 13.7.48 Vulnerable Groups</p> <p>As stated in DfT Transport Health & Wellbeing Review 2019 & the LR Environmental Statement Health & Community <i>“the guidance highlights how vulnerable groups are disproportionately affected by the adverse impact impacts of transport”</i>.</p> <p>There are 84 care homes in the Luton area [Source: lottie.org] & a major hospital with 695 beds, yet this very substantial vulnerable grouping is not included in the LR document Chapter 13: Health & Community table 13.11 & must be considered in regard to the likely impact</p>	<p>Chapter 13 Health and Community of the Environmental Statement (ES) [APP-039] considers the potential for an inequitable distribution of effects on ‘vulnerable groups’. Vulnerable groups are identified in Section 13.7 of the ES, based on OS data. Residents of care homes are included in this data. Disproportionate or differential effects on vulnerable groups are considered within the assessment in Section 13.9. The prevalence of older people within Luton has been considered within Table 13.11 of the ES and is identified as being ‘below average’. Paragraph 13.7.49 acknowledges that Luton has the greatest prevalence of vulnerable groups compared to the England</p>

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		<p>of LA expansion particularly on PM2.5 emissions.</p> <p>Luton has already been established as one of the “top 4 areas for PM2.5 related deaths as a percentage of total deaths in the UK” Source: Centre for Cities “Where Is Air Pollution Worse” which has led to Luton PM2.5 emissions causing an estimated one in 16 deaths. In a corroborating statement, the LR Health & Community document 13.5.28 states <i>“evidence shows associations between exposure to air pollutants and adverse health outcomes, most notably premature mortality and hospital admissions, linked to long term exposure to PM10, PM2.5 & NO2”</i>.</p>	<p>average. Luton and Dunstable Hospital is around 5km northwest of the airport, adjacent to the M1 motorway. Chapter 7 Air Quality of the ES [AS-076] has not identified any significant effects on air quality at this receptor, and there are no significant effects on PM2.5 resulting from the Proposed Development.</p> <p>A quantitative assessment of health effects from changes in exposure to NO₂ and particulates was reported in Chapter 13 Health and Community [AS-078] of the ES. This considered changes in population exposure at all concentrations, including below the AQS level. The assessment identified very small changes in health outcomes and concluded that there would be no significant effect on population health. Paragraph 13.9.51 notes that the study population contains areas of high sensitivity, particularly in parts of Luton close to the Proposed Development, and that those who are more likely to experience adverse effects include children and young people, older people and people with existing poor health, particularly respiratory or cardiovascular conditions. While the effects on these groups cannot be quantified individually, the very small scale of overall</p>

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			<p>change in health outcomes indicates that effects on vulnerable groups would also be small.</p> <p>No mitigation is proposed in relation to air quality effects, including PM_{2.5}.</p>
<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>Climate Change</p> <p>Air Quality</p>	<p>[Item 3] Hertfordshire County Council [HCC] Sustainable Hertfordshire Strategy [SHS] 2022</p> <p>The HCC SHS policy mentioned in the LR Health & Community document, promises “clean air for all by 2030” & “net zero greenhouse gas [GHG] county by 2050”. There is a high risk that neither of these objectives will be met with LR increasing GHG emissions by c75% as a consequence of raising the LA passenger limit to 32million plus the impact of AD6 LA arrivals airspace change including aircraft in a holding pattern over North East Herts.</p> <p>The HCC SHS policy is listed under Table 13.2 but no mention of how it will be affected as a consequence of the LR proposal, and similarly in Section 13.12. At the very least there must be a risk assessment relating to the policy objectives being achieved.</p>	<p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>The Government has confirmed that it believes aviation emissions are best dealt with at a national level. Making Best Use (MBU) (Ref Error! Bookmark not defined.) highlights that d change issues are embedded in, and controlled by, national decision-making. Paragraphs 1.11 and 1.12 under the “Role of national policy” section of the MBU states the following:</p> <p><i>“There are, however, some important environmental elements which should be considered at a national level. The government recognises that airports making the best use of their existing runways could</i></p>

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			<p><i>lead to increased air traffic which could increase carbon emissions.</i></p> <p><i>We shall be using the Aviation Strategy to progress our wider policy towards tackling aviation carbon..."</i></p> <p>This position on aviation emissions was previously tested and accepted as part of planning appeals for both Bristol Airport and Stansted Airport. The Bristol Airport planning appeal states the following in the Decision Letter, at Paragraphs 70 and 71:</p> <p><i>"MBU, under the heading 'Role of national policy', provides that increased carbon emissions be dealt with at the national level. The Government reaffirmed its position on MBU on two occasions during the Inquiry - first as part of the Jet Zero consultation and second in response to NSC's letter to the DfT. In both cases it was confirmed that MBU remains "the most up-to-date policy on planning for airport development" and "continues to have full effect, for example, as a material consideration in decision-taking on applications for planning permission."</i></p>

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			<p>National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Mitigation measures within the document to reduce fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p> <p>The UK ETS applies to all domestic flights and international flights to the European Economic Area (EEA), Switzerland and Gibraltar, and the Government has consulted on setting an appropriate trajectory for UK ETS that allows the UK to reach net zero by 2050.</p> <p>CORSIA caps emissions at 85% of 2019 emissions and will cover all international flights from 2027, excluding flights to and from Least Developed Countries, Small Island Developing States, Landlocked Developing Countries and states which represented less than 0.5% of global</p>

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			<p>international RTK (Revenue Tonne Kilometre, a measure of passenger traffic).</p> <p>Market-based mechanisms such as UK ETS and CORSIA provide national and international control mechanisms for aviation emissions, but the use of these mitigation measures is beyond the control of the airport operator, with responsibilities chiefly falling on the Government and airline operators. Given that this sector-wide approach exists, that compliance with the UK ETS (and CORSIA from 2024) are already a legal requirement for airlines and that it is government policy for these emissions to be controlled at a national level.</p> <p>Actions to address aviation emissions through supporting measures consistent with the Jet Zero strategy have been outlined in the Appendix 12.1 Outline Greenhouse Gas Action Plan [APP-081] of the Environmental Statement.</p> <p>The Applicant considers that the issue raised regarding the risk to air quality objectives being achieved was answered within the Applicant's Response to Relevant Representations Part 1 of 4</p>

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			<p>[REP1-020] page 4-20, in response to RR-1441 and others.</p> <p>The air quality assessment (Chapter 7 Air Quality of the ES [AS-076]) has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the impact of the Proposed Development would be not significant. As a result the HCC SHS policy promising “clean air for all by 2030” will not be impacted by the project.</p> <p>The Outline Operational Air Quality Plan in Appendix 7.5 of the ES [APP-065], sets out the proposed mitigation for the Proposed Development in order to reduce air quality impacts (whether they are significant or not).</p>
<p>HarpendenSky.com</p> <p>REP1-064</p>	<p>N/A</p>	<p>Background: HarpendenSky is an environmental campaign group focused upon reducing the impact of Luton Airport emissions in the local community. The group is supported by the membership plus Bim Afolami MP, Teresa Heritage Councillor, Harpenden Town Council, & Hertfordshire County Council.</p>	<p>Noted.</p>
<p>Hitchin Forum</p>	<p>Local Environment</p>	<p>Hitchin Forum opposes the granting of the DCO because:</p>	<p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been</p>

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REP1-071	(Health and Community) Noise and Vibration Air Quality	Further expansion will impact Hitchin residents due to increased aircraft noise, poorer air quality and degradation of the amenity value of nearby countryside.	explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003] . The Applicant considers that the issue raised regarding poorer air quality was answered within the Applicant's Response to Relevant Representations Part 1 of 4 [REP1-020] page 4-20, in response to RR-1441 and others.
Hitchin Forum REP1-071	Need Case	The proposal is unsustainable because it is based on demand for cheap flights, not need. It impacts residents' well-being and the natural environment.	Government policy supports the expansion of airport capacity through airports making best use of their existing runways because of the economic and consumer benefits that aviation activity brings. Ensuring flights at a price that people can afford is an important part of securing these consumer benefits.
Hitchin Forum REP1-071	Green Controlled Growth	Green Controlled Growth will be ineffective and prioritises growth. It will permit harmful impacts to continue after limits have been breached – a fact admitted with respect to noise in para 2.3.9 of document 7.07 Green Controlled Growth Framework Explanatory Note	As stated at Paragraph 2.3.9 of the GCG Explanatory Note [APP-217] , the GCG Framework has been structured to minimise the time between environmental effects being monitored throughout a calendar year, a breach being then being identified, and action being taken to manage future capacity where required, noting the constraints around the timings for future slot allocation. As stated in Paragraph 2.2.23 of the Explanatory Note, when a Limit has been breached, action must be taken by the

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			<p>airport operator to not increase declared hourly runway capacity above the existing capacity declaration and nor should any additional slots be allocated (above the existing number of allocated slots). These actions will prevent further growth once a Limit has been breached and must remain in place until monitoring confirms the relevant environmental effect has fallen below the relevant Limit (as a result of actions delivered through the Mitigation Plan).</p> <p>It is important to note that the timings discussed in the referenced paragraph are worst case and represent the latest possible points in time at which aspects of the GCG process need to be completed in order to influence the summer season capacity declaration for the following year. The GCG timings have therefore been established to balance this deadline with the time needed for the airport operator to collect, process and report on monitoring data and the need to allow time for scrutiny of monitoring results, including by the public.</p> <p>Nevertheless, the Appendix B to the GCG Framework (ESG Technical Panels Draft Terms of Reference) [APP-220] sets out that monitoring data should be submitted to</p>

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			<p>the relevant Technical Panels as soon as reasonably practicable. Furthermore, there is nothing within the GCG Framework that would prevent the airport operator from implementing mitigation at the airport as soon as they are aware there is a risk of a Threshold or Limit being exceeded. Given the implications of a Level 2 Threshold or Limit being exceeded are significant, it is in the airport operator's interests to address any potential breaches as soon as possible to avoid ongoing constraints on growth.</p> <p>As set out in Section 1.4 of the GCG Explanatory Note [APP-217], the GCG Framework is not intended to replace or substitute the need for environmental mitigation measures associated with the Proposed Development and identified by the EIA process. The intention of the GCG Framework is to provide additional certainty that the environmental effects forecast will not be exceeded irrespective of the performance of the up-front mitigation measures secured through the DCO and set out in the Mitigation Route Map [AS-047] by making future growth dependent on achieving the environmental performance forecast at the time of the DCO.</p>

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			<p>On this basis, the Limits proposed as part of Green Controlled Growth do not represent a target level of environmental performance. Instead, they represent the maximum impact considered acceptable, that provides certainty that identified likely significant environmental effects (when allowing for the proposed mitigation) will not be exceeded. Where a Limit is breached, growth would be required to stop and a Mitigation Plan developed and implemented. A range of other measures are also in place to improve environmental performance and reduce environmental effects, such as the Framework Travel Plan [AS-131], which requires surface access mode share targets to be set that are more ambitious than the GCG Limits.</p> <p>The intent of the GCG Framework is to avoid any breaches of the Limits in the first-instance, and it is for this reason that proactive steps must be taken where a Level 1 or Level 2 Threshold are exceeded, in order to prevent a potential future breach of the Limit. This is a positive commitment that significantly strengthens the controls over environmental effects compared to current planning conditions, and addresses the identified issue as stated in paragraph 2.3.9</p>

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			<p>of the GCG Explanatory Note [APP-217], that the capacity declaration for the subsequent summer season cannot be informed by the monitoring results of the current season. This time-lag is acknowledged and accepted and is a function of the existing legislation and guidance related to slot allocation that the GCG Framework must fit within, and which cannot be amended by the Proposed Development.</p>
<p>Hitchin Forum REP1-071</p>	<p>Green Controlled Growth</p>	<p>LR reserves the right to ignore any remedial action recommended by the ESG.</p>	<p>This is not the case. As set out in Section 2.2 of the GCG Explanatory Note [APP-217], the ESG have the ability to provide commentary on Monitoring Reports while an impact remains below the Level 2 Threshold. This is considered appropriate as the airport would be expected to be routinely operating above the Level 1 Thresholds, particularly as growth is brought forward. However, where impacts exceed Level 2 Thresholds or Limits, there is a requirement for the Airport Operator to produce a Level 2 Plan or Mitigation Plan as appropriate. A Level 2 Plan will need to consider whether continued operations at the declared level of airport capacity is expected to result in the effect(s) increasing above the Limit and identify mitigation if this is the case. A</p>

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			<p>Mitigation Plan must set out the airport operator's plan for bringing the environmental effect(s) below the Limit, within as short a timeframe as practicable. Crucially, the ESG may request reasonable modifications to be made to the airport operator's Level 2 Plan or Mitigation Plan. The ESG must then approve or refuse a Level 2 Plan or Mitigation Plan, subject to the Airport Operator's right of appeal. Until a Level 2 Plan or Mitigation Plan is approved, airport growth will be restricted. In this way, ignoring remedial action recommended by the ESG where an environmental effect is above the Level 2 Threshold will have significant implications for airport growth and would not be in the interests of the Airport Operator.</p>
Hitchin Forum REP1-071	Green Controlled Growth	The ESG is too tightly controlled by LR and heavily loaded with aviation insiders. Its remit is limited by a requirement to allow the growth permitted by the DCO.	The development of the GCG Framework has taken place through engagement with a range of stakeholders including local authorities impacted by the Proposed Development. The proposed approach to GCG was also set out as part of the 2022 Statutory Consultation, which included the proposed membership and functioning of the ESG. Changes have been made in response to this feedback.

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			<p>A fundamental principle of the GCG Framework is that the scrutiny provided by the ESG should be independent and impartial. To that end, it has always been the case that airport representatives (including representatives of airlines operating at the airport) should not have a role on ESG. However, for the ESG to perform its proposed function, it will require expertise and advice on airport operations, for example in respect of how the slot allocation process works. This expertise is not available 'in-house' to local authorities around the airport, and to that end it is proposed to include independent technical experts from the aviation industry within the ESG. To further reinforce the impartiality of GCG governance, the independent chair, the independent aviation expert and the slot allocation expert on the ESG will be appointed by the Secretary of State. Similarly, the independent technical expert for each of the four Technical Panels will then be appointed by the ESG.</p> <p>Should the application for development consent be granted, then growth at the airport will be permitted subject to the constraints and controls included within the Development Consent Order (as made),</p>

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			<p>which will have followed the statutory processes for consultation and scrutiny through the examination process. The purpose of the ESG would therefore not be to prevent this growth from ever occurring, rather it is to oversee and scrutinise the implementation of the DCO, and to ensure that the environmental Limits included as part of the consent are respected. Its function must therefore be to allow future growth, although only where this growth fully complies with the requirements of the DCO, including compliance with the Limits of the GCG Framework.</p>
<p>Hitchin Forum REP1-071</p>	<p>Community and Stakeholder Engagement</p>	<p>LR has a history of seeking to limit consultation and to ignore legitimate stakeholder concerns, for instance in its handling of the Noise Envelope design process.</p>	<p>The Applicant considers that the issue raised regarding consultation and the Noise Envelope Design Group was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-0243] page 135, in response to RR-0565.</p> <p>In addition, the project has been subject to three rounds of public consultation since 2019. In the most recent Statutory Consultation in 2022 which took place over eight week there were 14 consultation events, newsletters were sent to 344,519 properties (in addition to the Section 42 a, b and c stakeholders) and all materials were</p>

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			available on the Luton Rising virtual consultation room and website. Feedback was received via the response form online and at events and via emails and post to Luton Rising. In total 3,790 responses were received and given due regard. Full details of the approach to consultation and how feedback was considered can be found in the Consultation Report.
National Trust REP1-110	Noise and Vibration Air Quality	<p>This Written Representation is made on behalf of The National Trust for Places of Historic Interest or Natural Beauty ("the Trust") (reference number 20040696). As set out in our Relevant Representation (RR-1077), the Trust's principal landholdings affected by this application proposal include the following properties:</p> <ul style="list-style-type: none"> • Ashridge Estate and Ivinghoe Beacon • Dunstable Downs • Chilterns Gateway • Whipsnade Estate – Whipsnade Heath, Tree Cathedral, Coombe Hill, Low Scrubs Pulpit Hill • Smithcombe, Sharpenhoe and Sundon Hills SSSI • Totternhoe Knolls SSSI. <p>The largest of these is the Ashridge Estate which comprises some 5000 acres of countryside,</p>	The Applicant considers that general issues raised by National Trust on noise and air quality were answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 167 and 168, in response to RR-1077.

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		<p>including ancient woodlands and commons. Dunstable Downs is the highest point in Bedfordshire and Dunstable and Whipsnade Downs, Ivinghoe Hills, Ashridge Commons and Woods are all designated SSSIs and all five landholdings lie within the Chilterns AONB. Ashridge Estate also includes Pitstone Hill, Alpine Meadow and Little Heath Pit SSSIs. Parts of both Coombe Hill and Pulpit Hill are also designated SSSIs. A large part of the Ashridge Estate is also part of the designated Chilterns Beechwoods SAC. These sites in the context of the DCO proposal are identified within the map provided at Appendix 1 of this document.</p> <p>Together, these special places offer access to miles of footpaths with expansive views across the Vale of Aylesbury and are home to sensitive and rare species of flora and fauna. The Trust is committed to the protection of these spaces, and to the quality of experience they offer to visitors. The Trust has a duty to protect and care for special places so people, nature and culture can thrive.</p> <p>This Written Representation expands on, and updates our position on the issues raised in our Relevant Representation (RR-1077), namely:</p>	

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		<ul style="list-style-type: none"> • The impact of the noise pollution caused by the DCO proposals on the tranquillity of the National Trust sites within the vicinity of the proposed airport expansion; and • The impact of the air pollution caused by the DCO proposals on the condition of the ecologically important and designated sites located within the vicinity of the proposed airport expansion. <p>These written representations are informed by technical advice provided by HaskoningDHV UK in relation to the noise impact and air pollution likely to be caused by the proposed development.</p> <p>Summary of the National Trust's position</p> <ul style="list-style-type: none"> • National Trust landholdings have not been included in the noise assessment submitted by the Applicant. We would request clarification on what review was done to scope out these National Trust landholdings. • The Trust object on the grounds of a likely increase in noise experienced at our landholdings resulting from an increased frequency of operational aircraft overflying these sites (listed above). 	

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		<ul style="list-style-type: none"> The Trust are satisfied with the scope of sites considered for Air Quality despite this scope not following typical/best practice Zone of Influence. 	
National Trust REP1-110	Noise and Vibration	<p>Sensitive Receptors</p> <p>The National Trust sites identified in the list above qualify as sensitive receptors (or contain sensitive assets/receptors) for these related assessments (e.g. sites, buildings and monuments listed and/or scheduled or non designated assets of value/importance for their heritage and archaeological interest) and/or may contain valuable habitat for sensitive receptors (e.g. SSSIs for biodiversity). We are advised that the noise assessment and the associated Environmental Statement (ES) undertaken by the applicant, do not include these National Trust sites (listed above) in the monitoring and assessment despite their qualification as sensitive receptors. Whilst the advice provided by Royal Haskoning has confirmed that the noise associated with operations located at the airport (earthworks and construction, operational ground movements and fixed plant) would be imperceptible at these sites, there is already an existing impact at these sites from air noise, and this concern has not clearly been included by the Applicant in their assessment, and as such, the cumulative effect is not assessed. Clarity is</p>	<p>The Applicant considers that the issue raised regarding inclusion of National Trust sites in the assessment was answered within the Applicant's Response to Relevant Representations Part 2 [REP1-023] page 169, in response to RR-1078.</p> <p>The Applicant can confirm that the listed National Trust sites are outside of the study area for the noise assessment (see Section 16.3 of Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003]) and therefore no likely significant effects or cumulative impacts have been identified.</p>

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		<p>therefore required from the Applicant on whether or not National Trust sites were included in the non-residential receptors within the noise assessment for air noise and, if they were, the noise level criteria which were applied, and an assessment of the cumulative impacts presented.</p>	
<p>National Trust REP1-110</p>	<p>Noise and Vibration</p>	<p>Paragraph 16.9.3 of the ES Chapter states that it “provides an assessment of noise effects on people, primarily where they live (‘residential receptors’) in terms of individual households, nursing homes and care homes and on a wider community basis. This includes any shared community open areas (e.g. parks) as well as private open space (e.g. gardens). Assessment of these receptors also includes consideration of ‘relative tranquillity’ (see methodology in Section 16.5). The chapter also contains an assessment of noise effects on non-residential receptors.” The National Trust sites could be considered to comprise “shared community open areas”, given the Trust’s charitable purpose to look after countryside and green spaces, ensuring everyone benefits. The reviewed documentation does not identify all community receptors in the study area, nor does it give any further definition; hence it has not been possible to identify whether National Trust sites were considered to be “shared community open areas”. We would</p>	<p>The Applicant agrees that National Trust sites could be considered “shared community open areas” and may contain heritage assets but notes that the listed National Trust sites are outside of the study area for the noise and cultural heritage assessments (see Section 16.3 of Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003] and Section 10.3 of Chapter 10 Cultural Heritage of the Environmental Statement [AS-077]) and therefore no likely significant effects or cumulative impacts have been identified.</p>

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		<p>appreciate clarification on this point from the Applicant. We have also reviewed the Cultural Heritage chapter of the ES on the grounds that National Trust sites may be classified as heritage assets in assessing the impact of noise on the landholdings listed above, however we understand that this relates predominantly to above- and below-ground heritage. Accordingly, the sites that we are concerned will be impacted by the development have been excluded from assessment in respect of noise impact within the ES.</p>	
<p>National Trust REP1-110</p>	<p>Noise and Vibration</p>	<p>We are of the view that the only potential noise and vibration impact from the development which has the potential to affect National Trust sites is operational air noise (i.e. the noise of aircraft).</p> <p>Paragraph 16.3.9 of the ES Chapter on Noise defines the air noise study area, which is the area over which aircraft noise level predictions have been undertaken, as follows: "The study area for air noise has been defined based on guidance within Air Navigation Guidance, which states: "Below 4,000 feet, there is a strong likelihood that aircraft could create levels of noise exposure above the LOAELs identified above, which is reflected in the Altitude Based Priorities". In addition, the largest of the baseline and Do-Something (defined in paragraph</p>	<p>The assessment of noise on tranquillity and setting is not confined to the Lowest Observed Adverse Effect Level (LOAEL) as suggested. It is acknowledged that National Trust sites outside of the air noise study area but within the Chilterns Area of Outstanding Natural Beauty (AONB) could experience effects on tranquillity due to increased overflight.</p> <p>The approach to the assessment of noise and tranquillity in line with the National Planning Policy Framework is set out in Section 16.5 of Chapter 16 of the Environmental Statement (ES) [REP-1-003].</p>

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		<p>16.5.48) daytime and night-time LOAEL air noise contours across all assessment scenarios have been used to define extents of the air noise study area. The Air Noise Study Area is illustrated in Figure 16.1 of this ES [TR020001/APP/5.03].”</p> <p>The above quote refers to the Lowest Observed Adverse Effect Level (LOAEL), which is a term adopted from the Noise Policy Statement for England (NPSE) and is defined as “the level of noise exposure above which adverse effects on health and quality of life can be detected”. The LOAELs for operational air noise are taken from the Air Navigation Guidance (Department for Transport, 2017) and are 51dB LAeq,16h for daytime noise. This is adopted from research into the health-related effects of aircraft noise undertaken by the UK Civil Aviation Authority (CAA) (Survey of Noise Attitudes 2014: Aircraft Noise and Annoyance, Second Edition). This survey showed that annoyance-related adverse effects can occur down to levels of around 51 dB LAeq. Whilst the LOAEL is appropriate to use for assessment with relation to the objectives of the NPSE, it may not capture the potential for all adverse effects on National Trust sites, as these are not necessarily health-related, but defined as</p>	<p>This section also provides a cross-reference to Chapter 10 Cultural Heritage of the Environmental Statement [AS-077] which considers the noise impacts on the setting of cultural heritage sites. The methodology outlined in Section 16.5 of this chapter is supplemented by guidance on the impact of aviation noise on the historic environment which was commissioned by English Heritage (Ref 28).</p> <p>Chapter 14 Landscape and Visual of the Environmental Statement [AS-079] considers tranquillity in the assessment of landscape effects and reports the conclusion of the assessment including effects on the Chilterns AONB (within which many of the National Trust sites are located) from increased aircraft movements resulting from the Proposed Development using existing flightpaths. This assessment uses a wider study area based on the aircraft overflight up to 7,000ft based on guidance from the Civil Aviation Authority (Ref 29).</p>

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		a potential disturbance of setting, including tranquillity where relevant.	
National Trust REP1-110	Noise and Vibration	<p>Noise Assessment</p> <p>The baseline conditions as set out in the ES in relation to the air noise assessment were defined by a combination of noise monitoring and modelling. Modelling was undertaken across the entire air noise study area; whereas, by necessity, monitoring was undertaken at specific locations, as shown in Figure 16.3 of the ES. These monitoring locations (ML) were also used as receptors (AR) for reporting the assessment of noise-related effects. Analysis of this figure shows that the closest monitoring locations/receptors to the National Trust sites are AR8 / ML8 in Dagnall (near Dunstable Downs & Whipsnade Cathedral), AR22 / ML22 in Holywell (near Whipsnade Heath) and AR30/ML30 in Pitstone (inside the north west area of Ashridge Estate). It is understood that the ES air noise assessment used measured noise level data from the Luton Airport monitoring locations to validate and adjust the predicted aircraft noise levels. We have been advised by our technical consultants that there are some discrepancies in the predicted sound exposure levels and maximum sound levels (LASmax) at the monitoring locations generated through the modelling. It is recommended that the Applicant</p>	<p>The noise model has been extensively validated using radar track data and noise measurements, exceeding the requirements for noise model validation set by the Civil Aviation Authority (Ref 21). See Section 6 of Appendix 16.1 of the Environmental Statement [AS-096] for full details of the aircraft noise validation. As the same aircraft are flown in the same manner regardless of whether they are flying on easterlies or westerlies, it is reasonable to apply one aircraft type in the model and validate this at all departure or arrival monitoring locations. Section 6.4 of Appendix 16.1 of the Environmental Statement [AS-096] notes that: "Validation has been undertaken for both the Sound Exposure Level (SEL) and LASmax noise metrics. The validation exercise has focused on validating noise predictions for SEL as it is used to calculate the primary LAeq,T noise metric; however, in order to improve the accuracy of supplementary noise metrics that use the LASmax, different corrections have been calculated for the LASmax to those applied to the SEL". This means that the validation has focused on providing the best results for the SEL metric</p>

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		<p>should clarify whether the adjustments to the predictions are correct and if not, the modelling of LAS_{max} values may need to be redone. Generally, it appears that the predictions would therefore have been more accurate if separate corrections had been made for each runway. The Applicant should clarify why this was not done.</p> <p>The air noise assessment compares the predicted Do Something and Do Minimum noise levels in three assessment years. This is considered a short-term impact, in that the assessment is undertaken for a snapshot in time with a theoretical “without Project” scenario. It is considered that this does not consider the actual effects of the Project, which will be observed as a gradual change in noise levels over time. We consider that the Applicant should explain the reason that the impact of noise level changes in the long-term were not assessed, as surely the noise impact would be over the lifetime of the operation of the expanded airport, notwithstanding anticipated technological advances in air traffic noise.</p> <p>The results of the noise assessment contained within the ES demonstrate that the overflight contours show that there are 20-50 overflights</p>	<p>and, as such, there tend to be larger discrepancies between measured and predicted LAS_{max} levels at some locations. This is not unexpected as there tends to be more variability in measured LAS_{max} noise levels than the SEL.</p> <p>The Applicant has undertaken an assessment of likely significant effects in Environmental Impact Assessment (EIA) terms by comparing the situation with the Proposed Development (the Do-Something scenario) to the situation without the Proposed Development (the Do-Minimum scenario) in each assessment year in Chapter 16 Noise and Vibration [REP-1-003] of the Environmental Statement. For aircraft air and ground noise the assessment also compares the Do-Something scenario in each year to the 2019 Actuals baseline (or the 2019 Consented baseline in the sensitivity test). This comparison is presented in Section 16.9 of Chapter 16 Noise and Vibration [REP-1-003] and demonstrates how noise impacts will reduce over time, in line with the government policy objective to limit, and where possible reduce, the total adverse impacts on health and quality of life from</p>

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		<p>per day over the Whipsnade Heath site, the southern end of Dunstable Downs & Whipsnade Cathedral and the northern end of Ashridge Estate in the DM scenario and 2027 and 2039 DS scenarios. However, in the 2043 DS scenario, this metric increases to 50 to 100 overflights per day. Based on the noise monitoring results at sites close to or within National Trust sites set out within the noise assessment submitted by the Applicant, the increase in number of overflights is considered potentially noticeable to visitors to Ashridge Estate in terms of the increase in frequency of air noise, and accordingly would be likely diminish tranquillity at the site.</p>	<p>aviation noise. Chapter 14 Landscape and Visual of the Environmental Statement [AS-079] considers tranquillity in the assessment of landscape effects and reports the conclusion of the assessment including effects on the Chilterns AONB (within which many of the National Trust sites are located) from increased aircraft movements resulting from the Proposed Development using existing flightpaths.</p>
<p>National Trust REP1-110</p>	<p>N/A</p>	<p>Conclusion Based on the above, there are shortcomings in the noise assessment, which casts doubt on the validity of its findings and leaves open the possibility that tranquillity could be adversely affected by the forecast increase in aircraft overflying National Trust sites, specifically Ashridge Estate, Dunstable Downs and Whipsnade Heath. The Trust maintains its objection to the impact that the proposals would have upon tranquillity. Whilst reference is made throughout the application to aeronautical technology advances which would mitigate any noise impact, these are theoretical and an</p>	<p>In 2023, approximately 40% of the fleet are made up of new generation aircraft. Fleet modernisation is proceeding in line with expectations. It was always anticipated that fleet modernisation would largely take place over the period to 2028 and this is still the expectation.</p> <p>The Core Case forecasts that capacity is not going to be reached until 2043. By this time, it is expected that aircraft technology will have improved, and the next generation of aircraft will be entering service. These aircraft are expected to bring further</p>

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		<p>assessment of the proposals in respect of existing noise levels should be undertaken.</p> <p>Where an adverse impact is identified on National Trust sites, such as the increase in overflights at Ashridge Estate, consideration should be made in respect of whether the proposals are appropriate and whether there is the need for mitigation. We are therefore of the view that the National Trust sites identified in this Written Representation should be thoroughly assessed by the Examining Authority in their consideration of the development proposals in respect of the noise impact of the development on tranquillity at these sites. It is considered that there is a need for noise monitoring at locations within Ashridge Estate, Whipsnade Estate and Dunstable Downs, to establish the impact of the expansion and identify any necessary mitigation required.</p> <p>We would invite the Examining Authority to undertake site visits, accompanied or otherwise, to locations with Ashridge Estate (including Ivinghoe Beacon), Whipsnade Heath and Dunstable Downs to consider the current noise impact of the airport in its existing operation and to assess the impact that the increase in</p>	<p>reductions in noise. The Noise Envelope includes a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities. This would be controlled through a requirement to review the Limits and Thresholds in 5-year cycles and reduce these, if reasonably practicable, as and when future technology becomes available, and its noise performance known.</p>

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		overflights at these locations would have upon the relative tranquillity of these sites.	
National Trust REP1-110	Air Quality	<p>Air Pollution</p> <p>In our Relevant Representation, we expressed our concerns that without the Applicant assessing the full complement of sites to include the National Trust sites identified in the list above in relation to routes to the Airport Access Road (AAR), it is not clear what the resultant effect of the proposed development would be. By omitting these sites, it may result in traffic being redirected towards routes in closer proximity to ecologically important designated sites which are sensitive to vehicle emissions, and this could have an adverse impact on these designations.</p> <p>The Trust has since taken advice from HaskoningDHV UK in respect of the Applicant's approach to the Trust's sites in their assessment of the proposed development, particularly in respect of air quality impact on important ecological designations within the National Trust's care. Their review of the Air Quality chapter of the ES concluded that whilst there are some discrepancies in the methodology (in respect of the Zone of Influence considered), given the distance of the National Trust sites to the (AAR), there are forecast to be no likely significant air quality effects at these National</p>	<p>No further response required. The National Trust accept that it is unlikely that there would be an impact on sites subject to ecological designations through air quality emissions given the distance between the airport and National Trust sites.</p> <p>The Trust's sites are outside of the agreed study areas for assessment as accepted by their advisor. Tranquillity is considered as part of the Landscape and Visual assessment reported in Chapter 14 of the Environmental Statement, including the AONB. A further assessment of potential effect on the 'Special Qualities' of the AONB is under preparation in consultation with Natural England and will be submitted to the Planning Inspectorate for consideration.</p>

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		<p>Trust sites. It has also been demonstrated that emissions of air pollutants from aircraft engines at altitudes above ground of 1,000 feet (305 metres) do not result in significant effects at ground level. Given the distance between the airport and National Trust sites identified in this Written Representation, we accept that it is unlikely that there would be an impact on sites subject to ecological designations through air quality emissions.</p> <p>These written representations set out the National Trust's position based on the information available. We would welcome the opportunity to consider further information provided by the Applicant which could clarify some of the queries raised in this representation, and to identify if there are any possible mitigation measures which would address our concerns regarding the likely anticipated impact on tranquillity at our sites.</p>	
<p>North Herts & Stevenage Friends of the Earth</p> <p>REP1-118</p>	<p>Climate Change</p>	<p>Outline Greenhouse Gas Action Plan (5.02 Environmental Statement Appendix 12.1)</p> <p>The above document states (under section 4.1.1) that "aviation contributes 83.4% of the overall GHG emissions of the Proposed Development." The plan refers to mitigation measures which are largely beyond the control of the operator, and rely heavily on changes in</p>	<p>The Government has confirmed that it considers aviation emissions are best dealt with at a national level. Making Best Use (MBU) (Ref Error! Bookmark not defined.) highlights that climate change issues are embedded in, and controlled by, national decision-making. Specific actions for the operator therefore have not been set as they</p>

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		<p>government policy or the introduction of as-yet unproven new technologies (e.g. "Zero Emission Aircraft"), based on the government's "Jet Zero" strategy for decarbonising aviation.</p> <p>The actions for the operator listed in this section (under 4.1.4) mostly do not include specific, measurable targets (e.g. "encourage take-up of more efficient aircraft").</p>	<p>are dictated by national policy. National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Mitigation measures within the Jet Zero Strategy to reduce GHG emissions fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p>
<p>North Herts & Stevenage Friends of the Earth</p> <p>REP1-118</p>	<p>Green Controlled Growth</p>	<p>The "Green Controlled Growth" framework does not require the monitoring of aviation emissions, as it covers only airport operations and surface access</p>	<p>As the Applicant developed the GCG framework, it has carefully considered the inclusion of Scope 3 aviation emissions in the context of the Jet Zero Strategy, which outlines the Government's plans to reach net-zero aviation by 2050, and the Aviation Strategy: Making Best Use policy (MBU) .</p> <p>The Government has confirmed that it believes aviation emissions are best dealt with at a national level. MBU highlights that climate change issues are embedded in, and controlled by, national decision-making.</p>

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			<p>Paragraphs 1.11 and 1.12 under the “Role of national policy” section of the MBU states the following:</p> <p><i>“There are, however, some important environmental elements which should be considered at a national level. The government recognises that airports making the best use of their existing runways could lead to increased air traffic which could increase carbon emissions.</i></p> <p><i>We shall be using the Aviation Strategy to progress our wider policy towards tackling aviation carbon...”</i></p> <p>This position on aviation emissions was previously tested and accepted as part of planning appeals for both Bristol Airport and Stansted Airport. The Bristol Airport planning appeal states the following in the Decision Letter, at Paragraphs 70 and 71:</p> <p><i>“MBU, under the heading ‘Role of national policy’, provides that increased carbon emissions be dealt with at the national level. The Government reaffirmed its position on MBU on two occasions during the Inquiry - first as part of the Jet Zero consultation and second in response to NSC’s letter to the</i></p>

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			<p><i>DfT. In both cases it was confirmed that MBU remains “the most up-to-date policy on planning for airport development” and “continues to have full effect, for example, as a material consideration in decision-taking on applications for planning permission.”</i></p> <p>National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Mitigation measures within the document fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide ‘cap and trade’ approach to the management of GHG emissions.</p> <p>The UK ETS applies to all domestic flights and international flights to the European Economic Area (EEA), Switzerland and Gibraltar, and the Government has consulted on setting an appropriate trajectory for UK ETS that allows the UK to reach net zero by 2050.</p>

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			<p>CORSIA caps emissions at 85% of 2019 emissions and will cover all international flights from 2027, excluding flights to and from Least Developed Countries, Small Island Developing States, Landlocked Developing Countries and states which represented less than 0.5% of global international RTK (Revenue Tonne Kilometre, a measure of passenger traffic).</p> <p>Market-based mechanisms such as UK ETS and CORSIA provide national and international control mechanisms for aviation emissions, but the use of these mitigation measures is beyond the control of the airport operator, with responsibilities chiefly falling on the Government and airline operators. Given that this sector-wide approach exists, that compliance with the UK ETS (and CORSIA from 2024) are already a legal requirement for airlines and that it is government policy for these emissions to be controlled at a national level, the Applicant does not believe that provision of controls on carbon emissions associated with aircraft use through the GCG Framework would be appropriate, and instead action to address carbon emissions</p>

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			<p>from aviation should take place at a national level.</p> <p>In addition, setting a Limit that went beyond the ambition of the UK ETS is also unlikely to be effective. Any further reduction in GHG emissions allowed at the airport from an approach like this would result in fewer aircraft operators using their UK ETS emissions allowances to operate flights to or from London Luton Airport. They would however be free to use these allowances to operate to or from other airports. As such, any decreases in GHG emissions from flights operating to or from the airport would simply be offset by equivalent increases elsewhere. This would not help the UK meet its goal of achieving net zero by 2050, nor would it help to address the global effects of climate change. It could also lead to longer surface transport journeys overall as people travel to less convenient airports for flights that might otherwise have been offered at the airport, resulting in greater energy use.</p> <p>However, actions to address aviation emissions through supporting measures consistent with the Jet Zero strategy have been outlined in the Environmental</p>

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			<p>Statement Appendix 12.1 Outline Greenhouse Gas Action Plan [APP-081]. Requirement 32 of Schedule 2 of the Draft DCO [AS-067] mandates that no part of the authorised development is to be operated until a Greenhouse Gas Action Plan for the operation of the authorised development has been submitted to, and approved in writing by, the relevant planning authority. The Greenhouse Gas Action Plan must be substantially in accordance with the Outline Greenhouse Gases Action Plan.</p> <p>Aviation mitigation measures within the outline plan, detailed at Section 4.1, include operating policy/strategy to encourage uptake of more efficient aircraft and Sustainable Aircraft Fuels (SAFs), as well as the provision of infrastructure to allow aircraft refuelling with SAFs by 2030.</p>
<p>North Herts & Stevenage Friends of the Earth</p> <p>REP1-118</p>	<p>Climate Change</p>	<p>A 2023 report by the Royal Society found that there are huge challenges around proposed measures to decarbonise aviation, including so-called "sustainable aviation fuels": https://www.theguardian.com/business/2023/feb/28/scientists-uk-aviation-net-zero-ambitions-half-farmland-double-renewable-electricity</p>	<p>For the purposes of the GHG assessment presented in Chapter 12: Greenhouse Gases [APP-038] of the Environmental Statement (ES), the assumption of the overall emissions reduction from the use of SAFs is taken directly from the Jet Zero illustrative scenarios and sensitivities published by the UK Government to accompany the Jet Zero</p>

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			<p>Strategy.- Paragraph B.5 of this document states that:</p> <p><i>“In the illustrative scenarios presented in this document we present the emission savings delivered by SAF as a percentage of kerosene emissions in line with the assumed life cycle emission savings relative to kerosene underpinning the ‘Mandating the use of sustainable fuels’ consultation’. The assumptions vary through time and by uptake scenario, in the range 67 -75% emissions savings relative to kerosene.”</i></p> <p>The GHG assessment presented in Chapter 12 Greenhouse Gases [APP-038] of the ES applies the 67% emissions reduction figure relative to the use of kerosene, i.e. the most cautious end of the range supplied by the UK Government. The Applicant takes the view that this is a reasonable assumption to adopt for the use of SAFs, and recognises that there would be residual net emissions to the atmosphere of 33% those of kerosene.</p>
North Herts & Stevenage	Climate Change	The most detailed section of the plan (4.2) is that covering airport operations, which contribute only 0.7% of increased greenhouse gas emissions arising from the proposed expansion. While	Noted.

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Friends of the Earth REP1-118		these measures are no doubt positive, they will clearly have minimal impact of the total environmental impact of the development.	
North Herts & Stevenage Friends of the Earth REP1-118	Climate Change	By contrast, section 4.3 on surface access (12.6% of increased emissions) includes few specific commitments, instead resorting to consideration of "options to incentivise" low carbon travel modes and "aim[ing]" to reduce levels of personal vehicle use by passengers and staff (although there is reference to setting percentage targets for "sustainable means" of travel under the Framework Travel Plan)	Noted.
North Herts & Stevenage Friends of the Earth REP1-118	Climate Change	The operator argues elsewhere that the impact of the proposed development is not significant in relation to the total allowances made for aviation-related emissions in current and future UK carbon budgets, but this assertion fails to take into account the wider context in which a number of other UK regional and hub airports are pursuing their own expansion plans, and depends on the successful implementation of the "Jet Zero" strategy, which currently looks highly uncertain. We are opposed to the proposed expansion on the grounds of the significant contribution that all aviation makes to greenhouse gas emissions, and will, on current trajectories, continue to make for many years to come. Reducing this impact requires that we	The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets. The Government has confirmed that it considers aviation emissions are best dealt with at a national level, thus capturing all airport expansions, not just Luton. MBU highlights that climate change issues are embedded in, and controlled by, national decision-making. National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. Para 3.5.7 states that "we

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		<p>consider measures to reduce demand for flying, rather than continuing to stimulate it.</p>	<p><i>can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth."</i></p> <p>The applicant takes the view that it is reasonable to align with government policy. Mitigation measures within the Jet Zero Strategy to reduce GHG emissions fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSA). These propose a sector-wide 'cap and trade' approach to the management of GHG emissions.</p>
<p>St Paul's Walden Bury Estate Company (Simon Bowes Lyon)</p> <p>REP1-142</p>	<p>Local Environment (Landscape, Cultural Heritage)</p>	<p>I am Simon Bowes Lyon and I live with my family very close to what is now the flight path to the East of the Luton runway.</p> <p>First I remind the Panel of the aesthetic factors and emphasise the intimate landscape quality which attracts many visitors, walkers, bicycles, all kinds of recreation from the surrounding towns, a lung for these communities. The area between Luton and Stevenage, at most five miles, is very carefully preserved following government policies with grants on woods, hedgerows and permissive paths. Our centre</p>	<p>Potential impacts upon the heritage interests and value of St Paul's Walden Bury Grade I listed registered park and garden, and associated landscaped park, including potential impacts arising from aviation noise, have been assessed within Chapter 10 Cultural Heritage of the Environmental Statement [AS-077]. There would be no physical impacts to St Paul's Walden Bury park, or to heritage assets within the park, and the noise change contours during operation show a negligible change to the</p>

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		<p>piece is the Grade 1 Listed early 18th century Landscape Gardens of St Paul's Walden Bury and adjacent Stagenhoe Park through which there are no less than five rights of way. The Stagenhoe Mansion, now a Neurological Care Centre, is directly below the flight path.</p> <p>Airport expansion will not destroy this, it will just degrade it, removing the interest and motivation for its preservation and development. It will of course become a much less desirable area to visit or live in.</p>	<p>park's noise environment, resulting in no effect to the assets' heritage values.</p> <p>Stagenhoe Park Country House is a Grade II listed building; the surrounding parkland is not a designated heritage asset. Stagenhoe Park Country House was not included in the cultural heritage assessment in Chapter 10 Cultural Heritage [AS-077] as it is located outside of the study area agreed with heritage statutory consultees. Stagenhoe Park Country House is located within the noise change contours as illustrated on Figures 10.6 to 10.8 in Chapter 10 Cultural Heritage Figures [APP-150]. The noise contours show a negligible change in noise environment resulting in no effect to the asset's setting or its heritage value. Further details of the assessment methodology can be found in Chapter 10 Cultural Heritage of the Environmental Statement [AS-077] and Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003].</p> <p>Landscape and visual effects are assessed and reported in Chapter 14 of the Environmental Statement [AS-079], which reports a range of the effects, both significant and not significant in section 14.9</p>

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			<p>including on areas, and users of public rights of way, to the east of the airport and mitigation has been included to reduce significant landscape effects in this area as reported in section 14.1. All effects can therefore be considered during examination.</p>
<p>St Paul's Walden Bury Estate Company (Simon Bowes Lyon)</p> <p>REP1-142</p>	<p>Local Environment (Cultural Heritage)</p>	<p>As Events Manager at St Paul's Walden Bury I welcome this hearing so I can explain the damaging effect airport expansion would have on our business, on the celebrated Grade 1 listed landscape garden which attracts thousands of visitors each year, and on the quality of life of thousands of people in Luton and surrounding areas. St Paul's Walden Bury is 3 miles east of the runway, just south of the flight path. It is open to the public. (Website stpaulswaldenbury.co.uk). As well as being a wedding venue which gives employment to local people we host cultural events, both commercial and charitable. Thousands of people visit our garden each year, and also come to have tours of the house. As well as being architecturally interesting this was the home of the late Queen Mother.</p>	<p>Potential impacts upon the heritage interests and value of St Paul's Walden Bury Grade I listed registered park and garden, and associated landscaped park, including potential impacts arising from aviation noise, have been assessed within Chapter 10 Cultural Heritage of the Environmental Statement [AS-077]. There would be no physical impacts to the park, or to heritage assets within the park, and the noise change contours during operation show a negligible change to the park's noise environment, resulting in no effect to the assets' heritage values. Further details can be found in Chapter 10 Cultural Heritage of the Environmental Statement [AS-077] and Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003].</p> <p>Landscape and visual effects are assessed and reported in Chapter 14 of the Environmental Statement [AS-079], which reports a range of the effects, both</p>

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			<p>significant and not significant in section 14.9 on including on areas, and users of public rights of way, to the east of the airport and mitigation has been included to reduce significant landscape effects in this area as reported in section 14.1. All effects can therefore be considered during examination.</p>
<p>St Paul's Walden Bury Estate Company (Caroline Bowes Lyon)</p> <p>REP1-142</p>	<p>Noise and Vibration</p>	<p>We have had filming in the garden earlier this year, but aircraft noise was very disruptive and any increase would discourage further filming. Aircraft noise also interferes significantly in outdoor plays, which have to pause for a few minutes in mid stream as planes come over. We have already curtailed other events and no longer have outdoor concerts. If there is further expansion of the airport this could lead us to abandon cultural activities. It would also spoil the enjoyment of this celebrated garden, to the detriment of the quality of life of thousands of people.</p>	<p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080].</p>
<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>Introduction St Albans Quieter Skies (STAQs) represents residents in North St Albans, Sandridge, Jersey Farm and Wheathampstead, who are impacted by aircraft flying Luton's most frequently flown departure route. We are members of the London Luton Airport Consultative Committee (LLACC) and its Noise and Track Sub Committee (NTSC). Historically, representation was driven by noise</p>	<p>The Applicant considers that the issue raised regarding concerns on noise was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 255, in response to RR-1416.</p>

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		<p>intrusion, but our residents are also increasingly concerned about climate change, pollution and long-term health consequences.</p> <p>We strongly oppose the Luton Rising DCO application, in that it does nothing to resolve our existing concerns and we believe it will make the existing situation far worse. Substantial expansion of the Airport and its capacity would create such significant overall harms, that the claimed benefits will be outweighed by the environmental and social costs and further noise blight.</p> <p>Flight paths to and from Luton Airport impact communities often many miles from the runway. The rapid increase in passenger numbers and flights between 2014 and 2019 has had a significant adverse impact on the residents that we represent. Although outside of the contour area that would automatically categorise us as “significantly affected”, the repeated intrusive noise disturbance still impacts on the quality of life for our residents in what would otherwise be considered a quiet and tranquil environment. Sleep is regularly cut short by the 6 a.m. rush to depart the airport and maximise the length of the working day for the aircraft. The tranquillity of our gardens is lost from the roar from above.</p>	

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		<p>Conversations are put on hold. Even an evening watching television is blighted by noise interruptions.</p> <p>Our main areas of concern relating to this Application are summarised below:</p>	
<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>1 Policy and Guidance</p> <p>We consider that the Application does not apply policy and guidance in a balanced way. We consider that the Application seeks to emphasise those areas of national policy that fit the agenda for expansion whilst ignoring the more general principles that expansion and noise mitigation should go hand-in-hand and seeks to completely ignore local democratic policy.</p>	<p>The Applicant considers that the issue raised regarding compliance with policy was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 270, in response to RR-1416.</p>
<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>2 Good governance and operation</p> <p>We do not consider that the impacts that would result from the Application are justified or reasonable in the context of good governance and operation.</p> <p>We consider that between 2014 and 2019 LLA was not managed responsibly in the context of its permitted planning consent or in the spirit required by aviation policy. Expansion from 9mppa to 18mppa was agreed in 2013. This expansion was to cover a 15 year period based on gradual growth, sufficient to ensure aircraft</p>	<p>The Applicant considers that the issue raised regarding current airport operations that do not relate to the Proposed Development was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 255, in response to RR-1416.</p>

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		<p>fleet modernisation that would allow for noise reduction that would protect residential amenity.</p> <p>The Airport Owner, the Airport Operator and the Local Authority entered a confidential agreement to incentivise growth and deliver the passenger limit by 2020. The noise contours designed to protect residential amenity were breached in three consecutive years – 2017, 2018 and 2019. The Local Authority failed to take any enforcement action and rather than taking action to comply with the noise contours, the Applicant applied for an increase in passenger numbers to 19mppa to effectively legitimise the breaches. This application has been called-in and a decision is still awaited.</p> <p>Whilst taking all the benefits of incentivised growth and profit, the Applicant has failed to put into place the long term noise contour reduction strategy that should have been delivered in 2021 and has failed to deliver the promised fleet modernisation that would reduce noise under the existing planning permission. Additionally, it has failed to materially address noise mitigation more generally in terms of respite routes.</p>	
St. Albans Quieter Skies	Noise and Vibration	<p>3 Noise impacts</p> <p>We do not consider that the annoyance and disturbance caused by aircraft noise can</p>	The LAeq metric is used as the primary assessment metric in line with aviation noise policy (Ref 22) and guidance from the Civil

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REP1-149		<p>adequately be measured by the choice of a single metric (LAeq contours) that this Application proposes.</p> <p>People perceive noise in different ways such as length of noise event and frequency of overflight. There are also factors that are outwith the control of the airport, such as the distribution of the number of aircraft along particular routes that cannot be adequately dealt with by a one factor arrangement of an averaging of the day and night noise contours.</p> <p>Out of date and inefficient airspace design means flights can be held low at 4,000 or 5,000ft for up to 20 miles. Departures on the Match Detling route make up 50%3 of westerly departures, which significantly affects the residents we represent. These flights may be held low for a considerable distance after take-off because of the proximity of the Northolt and Heathrow flightpaths and crowded airspace to the south of Luton.</p> <p>Further expansion of the airport with increased flight numbers from larger aircraft will make this situation far worse. Arrivals and departures are taking place around every 90 seconds during peak flying times with early morning departures</p>	<p>Aviation Authority which states that "evidence based decisions should continue to use LAeq,16h" for daytime (Ref 23) and "there is insufficient evidence to change from the current practice of using average summer night LAeq,8h noise exposure for UK assessments" for night-time (Ref 24).</p> <p>Notwithstanding this, supplementary noise metrics including N-above metrics have been included in the noise assessment presented in Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003].</p> <p>Changes to airspace and flightpaths are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course.</p> <p>The Applicant considers that the issue raised regarding increased flight numbers from larger aircraft was answered within the</p>

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		<p>and late night arrivals and the proposed “busy day” timetable totalling 554 flights per day by 2043 is significantly more than the 2019 busiest day of 444 (corrected for unconsented movements). This would include aircraft larger than are currently flown and for which noise data is not available.</p>	<p>Applicant’s Response to Relevant Representations Part 2C of 4 [REP1-023] page 257, in response to RR-1416. Increases in aircraft numbers and changes in fleet mix (including larger aircraft as forecast) are taken into account in the noise assessment presented in Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003].</p>
<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>4 Noise mitigation</p> <p>We do not believe that the Application sufficiently provides effective mitigation of the substantial noise impacts that will occur.</p> <p>Mitigation is limited to noise insulation to those living closest to the ends of the runway and again based on the simplistic measure of LAeq. During a period of climate uncertainty, it is unrealistic to assume that during increasingly hot springs and summers that people will live indoors with their doors and windows closed.</p> <p>The noise insulation scheme is effectively a limited form of noise compensation scheme that does not extend to consider the noise impact on those who live further from the airport and who are affected by overflights and who will suffer significant noise increases impacting health and quality of life for whom there will be no noise</p>	<p>The Applicant considers that the issue raised regarding noise insulation was answered within the Applicant’s Response to Relevant Representations Part 2C of 4 [REP1-023] page 257, in response to RR-1416.</p> <p>It is not the case that insulation is limited to those living closest to the ends of the runway. For example, indicative noise insulation scheme extents for 2027 shown in Figure A1.1 of Draft Compensation Policies, Measures and Community First - Appendix A (Part 1 of 2) [AS-126] demonstrate the schemes extend to approximately 9km to the east of the runway end and approximately 5-7km to the west/southwest of the runway end.</p>

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		<p>mitigation at all. It delivers a simplistic view that people will not want to use their garden or enjoy other outdoor spaces – something that we know from the impact of Covid 19 is important for mental health and wellbeing.</p> <p>The Application has failed to assess the benefits of other forms of noise mitigation, such as respite routes for those overflowed on the busiest routes. In 2015 a Noise Preference Route was put into place for the Match/Detling departure route – the busiest departure route at Luton Airport. This has caused significant noise intrusion for the predominantly rural and semi-rural communities that it overflies. Despite repeated requests by residents and their representatives for changes to the route and for respite - and despite being a recommendation within Aviation Policy4 where the narrowing of flightpaths should be accompanied by respite routes – respite and the potential for route changes are missing from this Application.</p>	<p>Changes to noise preferential routes and respite routes are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course.</p>
<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>5 Noise modelling baseline measures</p> <p>STAQS has concerns about the reliability of the noise modelling and the assumptions made.</p> <p>In 2019 LLA was being operated for the third consecutive year in a non-consented manner. We do not consider that using non-consented</p>	<p>As described in Chapter 16 Noise and Vibration of the Environmental Statement [REP-1-003], the Applicant has undertaken an assessment of likely significant effects in Environmental Impact Assessment (EIA) terms by comparing the situation with the Proposed Development (the Do-Something</p>

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		<p>baselines in calculating environmental impacts to be an appropriate baseline measure.</p> <p>The Application includes an estimated 2019 noise baseline that has been modelled by substituting less noisy aircraft into the fleet which is an incorrect approach as it does not remove the unconsented excess movements.</p> <p>Fleet modernisation has not been completed under the existing planning permission. The assumptions relating to noise are reliant on the modernisation and changes to the fleet of aircraft using the Airport. This is beyond the control of the airport and neither the fleet mix, nor the timescale for delivery can be relied upon. Whilst the main carrier at LLA, Wizz Air, has committed to making the whole of its fleet at Luton A321 neo by 2025, noise monitoring reports have consistently shown that the A321 neo have not been performing as expected at LLA in terms of achieving the noise reductions expected.</p> <p>Across our area – north St. Albans – the operators three most recent Community Noise Reports show that the A321neo is louder or as loud as the A321ceo that it supersedes, meaning that the expected noise reductions attributable to</p>	<p>scenario) to the situation without the Proposed Development (the Do-Minimum scenario) in each assessment year. The future air noise baseline (the Do-Minimum) is compliant with the airport's current consented long term noise limits in each assessment. All assessments presented therefore demonstrate a comparison of the future forecast noise levels with growth against noise levels expected, at consented levels, without growth at 18 mppa.</p> <p>Forecast noise exposure with the development is also compared to the 'current baseline' which is considered to be the actual noise levels in 2019, in line with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (which refers to the baseline scenario as "a description of the relevant aspects of the current state of the environment" in Schedule 4, paragraph 3).</p> <p>However, a sensitivity test using a '2019 Consented' baseline (derived for this purpose by adjusting the fleet mix that occurred in 2019 to reach a modelled noise impact that would sit within the existing 2019 short term Limits) is summarised in Chapter</p>

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		<p>the new engine option aircraft are not being delivered.</p>	<p>16 Noise and Vibration of the ES [REP-1-003].</p> <p>An assessment against both the 2019 Actuals and 2019 Consented baseline has therefore been undertaken. The conclusions of residual significant effects remain the same for both assessments, as significant effects would be avoided through the provision of the full cost of noise insulation.</p> <p>The Applicant considers that the issue raised regarding fleet mix transition was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 258, in response to RR-1416.</p> <p>The passenger limit was not breached in 2019 so it is considered appropriate to adjust the aircraft fleet mix, rather than the aircraft numbers, to derive the theoretical baseline in which the current consented noise contour area limits were not breached.</p> <p>Adjusting the fleet mix or reducing the number of movements would each have a similar outcome as both would result in a</p>

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			<p>noise contour area that was just within the consented noise contour area limits.</p> <p>The position regarding some variants of the A321Neo is noted. Through discussions with the airport operator and airline operators, it has become apparent that the noise performance issue is restricted to a particular engine variant of the A321Neo and other engine variants perform as would be expected from noise certification testing. Notwithstanding this, measured (actual) noise data was used to predict A321Neo (assessment Phase 1) noise in the 2027 scenario; however, it is assumed that, by 2039, any issues with the A321Neo performance would be resolved through fleet transition to equivalent aircraft that are no worse than the expected performance from noise certification testing. Consequently, A321Neo predictions for the 2039 and 2043 scenarios were modelled based on the modelling methodology referenced from the Air Noise and Performance (ANP) database (Ref 30). See Appendix 16.1 Noise and Vibration of the Environmental Statement [AS-096] for further information.</p>

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<p>St. Albans Quieter Skies</p> <p>REP1-149</p>	<p>Noise and Vibration</p>	<p>6 Noise envelope</p> <p>A Noise Envelope Design Group (NEDG) was formed and although not a member of the group, STAQs was invited to comment on some of the work undertaken.</p> <p>STAQs detailed concerns about the sharing of the benefits of technological improvements, the need for independent and effective noise controls and enforcement and the need for improved standards of noise monitoring.</p> <p>It is our understanding that work on this project remains unresolved, leaving a number of outstanding tasks. As a result we have significant concerns that our representations have not been considered in a fair and transparent way and that the noise envelope will not have an outcome that has actually been agreed in consultation with stakeholders.</p>	<p>The Applicant considers that the issue raised regarding consideration of STAQ's comments within the Noise Envelope Design Group was answered within the Applicant's Response to Relevant Representations Part 2C of 4 [REP1-023] page 260, in response to RR-1416. It is not agreed that the work of the Noise Envelope Design Group (NEDG) was unresolved and the NEDG issued their Final Report in December 2022</p>
<p>The Woodland Trust</p> <p>REP1-166</p>	<p>Biodiversity</p>	<p>As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering over 30,000 hectares and we have over 500,000 members and supporters. We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient</p>	<p>Noted.</p>

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		<p>woodland and ancient and veteran trees. Planning responses submitted by the Trust are based on a review of the information provided as part of the application to the Planning Inspectorate.</p>	
<p>The Woodland Trust REP1-166</p>	<p>Biodiversity</p>	<p>Impact to ancient woods and trees The Trust strongly objects to the proposed scheme on the basis of direct impact and likely loss of T343, an ancient ash tree set to be translocated for the project [reference: AS-085], plus potential detrimental impacts to surrounding ancient woodlands from increased nitrogen deposition.</p>	<p>The Applicant considers that the issue raised regarding to impacts on Ancient Woodland and Trees was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 315, in response to RR-1519.</p> <p>Furthermore, the Ancient Woodland Winch Hill Wood will be enhanced and managed for 50 years in order to improve on its existing condition as described in the Outline Landscape and Biodiversity Management Plan Appendix 8.2 of the Environmental Statement [AS-029].</p>
<p>The Woodland Trust REP1-166</p>	<p>Biodiversity</p>	<p>Ancient Trees Natural England's standing advice on ancient trees states that they "can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks or other areas. They are often found outside ancient</p>	<p>Noted. The Applicant considers that the issue raised regarding to impacts on Ancient Trees was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations)</p>

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		<p>woodlands. They are also irreplaceable habitats. An ancient tree is exceptionally valuable. Attributes can include its: great age, size, condition, biodiversity value as a result of significant wood decay and the habitat created from the ageing process; cultural and heritage value.”</p>	<p>[REP1-023] page 315, in response to RR-1519.</p>
<p>The Woodland Trust REP1-166</p>	<p>Biodiversity</p>	<p>Ancient Woodland Natural England and the Forestry Commission, the Government’s respective bodies for the natural environment and protecting, expanding and promoting the sustainable management of woodlands, define ancient woodland as follows within their standing advice:</p> <p><i>“Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for: wildlife (which include rare and threatened species); soils; carbon capture and storage; contributing to the seed bank and genetic diversity; recreation, health and wellbeing; cultural, historical and landscape value. It has been wooded continuously since at least 1600AD. It includes:</i></p> <ul style="list-style-type: none"> <i>• Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.</i> 	<p>Noted. No loss of or significant adverse effects have been identified for Ancient Woodland as a result of the Proposed Development.</p>

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		<ul style="list-style-type: none"> <i>Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”</i> <p>Both ASNW and PAWS woodland are given equal protection in government’s National Planning Policy Framework (NPPF) regardless of the woodland’s perceived condition, its size, or features it contains.</p>	
<p>The Woodland Trust</p> <p>REP1-166</p>	<p>Biodiversity</p>	<p>Planning Policy</p> <p>The Airports National Policy Statement, Paragraph 5.103 states: <i>“Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost, it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set</i></p>	<p>Noted.</p> <p>The Applicant considers that the issue raised regarding to impacts on Ancient Woodland and Trees was answered within the Applicant’s Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 315, in response to RR-1519.</p> <p>No loss of or significant adverse effects have been identified for Ancient Woodland as a result of the Proposed Development.</p> <p>Furthermore, the Ancient Woodland Winch Hill Wood will be enhanced and managed for 50 years in order to improve on its existing condition as part of the Outline</p>

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		<p><i>out proposals for their conservation or, where their loss is unavoidable, the reasons for this.</i></p> <p>The National Planning Policy Framework, paragraph 180, states: <i>“When determining planning applications, local planning authorities should apply the following principles:</i></p> <p><i>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;”</i></p> <p>Further to this, paragraph 174 of the NPPF states the following: “Planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”. Where an application involves the loss of irreplaceable habitats, such as ancient trees, net gain for biodiversity cannot be achieved.</p>	<p>Landscape and Biodiversity Management Plan (OLBMP) in Appendix 8.2 of the ES [AS-029].</p> <p>The veteran tree (T343 – coppiced ash), is to be coppiced and translocated as detailed within the Tree Survey Report Appendix 14.2 [APP-089] and Arboricultural Impact Assessment 14.3 [AS-085].</p>
The Woodland Trust	Climate Change Air Quality	<p>Reducing Carbon Emissions</p> <p>A number of important developments in UK climate change policy have occurred in recent times. The recently adopted target of net zero</p>	<p>The Government has confirmed that it believes aviation emissions are best dealt with at a national level, thus capturing all airport expansions, not just Luton. Making</p>

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REP1-166		<p>carbon by 2050 represents a major policy challenge of which transport emissions is a central component. The UK Committee on Climate Change (CCC) reports that <i>“aviation emissions accounted for 7% of UK GHG emissions in 2019 and were 88% above 1990 levels”</i></p> <p>The Woodland Trust's own State of Woods and Trees report recognises the impact that climate change will have on ancient woodlands and recommends the following with respect to tackling the impacts of climate change on woodland: <i>“... tackle climate change by radically reducing overall greenhouse gas emissions from all sectors and ensuring forests and peatlands can play their part in locking up and storing carbon for the long term”</i>.</p> <p>Any decision regarding the London Luton Airport Expansion scheme must be consistent with the UK's international commitments regarding carbon emissions. The court decision concerning plans for a third runway at Heathrow highlighted the need for consistency in the Government's legal objectives regarding emissions cuts and major infrastructure development proposals which are predicated on increasing transport movements. While the court decision was</p>	<p>Best Use (MBU)(Ref Error! Bookmark not defined.) highlights that climate change issues are embedded in, and controlled by, national decision-making. National policy for the mitigation of aviation associated emissions is outlined in the Jet Zero Strategy. The applicant takes the view that it is reasonable to align with government policy. Mitigation measures within the Jet Zero Strategy to reduce GHG emissions fall into six main categories, introduced on page 26 under Section 3: Our Policy Measures, and these include carbon pricing via the UK Emissions Trading Scheme (UK ETS) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). These propose a sector-wide ‘cap and trade’ approach to the management of GHG emissions.</p> <p>The measures proposed by the Applicant to reduce GHG emission are outlined in the Outline Greenhouse Gas Action Plan Appendix 12.1 of the Environmental Statement [APP-081].</p> <p>The ratio of parking spaces per passenger as the airport expands is planned to decrease, although it is acknowledged that the overall number of parking spaces will</p>

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		<p>overturned, the Government must lead the way in cutting emissions if the UK is to remain credible at climate negotiations.</p> <p>We also question the creation of substantial additional car parking facilities at London Luton Airport as part of the proposals, as this will further encourage and facilitate the use of vehicles to travel to the airport yet furthering the climate contributions of this scheme.</p>	<p>increase. The potential increase in passenger numbers all arriving by car would be substantial, as such there are limits and measures in place to maximise access to the airport by sustainable modes as reported in the Transport Assessment, [APP-200 to APP-206] and Framework Travel Plan [AS-131]</p>
<p>The Woodland Trust REP1-166</p>	<p>Biodiversity Landscape and arboriculture</p>	<p>Impact to Ancient Trees</p> <p>It is essential that no ancient trees are lost as part of the development. The loss of any such trees can have a significant impact on local wildlife, particularly those which depend on the habitat provided by ancient and veteran trees. Any loss of ancient trees can also be highly deleterious where there is a wider population of ancient/veteran trees within close proximity, which may harbour rare and important species.</p> <p>Trees are susceptible to change caused by construction/development activity. As outlined in 'BS5837:2012 - Trees in relation to design, demolition and construction' (the British Standard for ensuring development works in harmony with trees), construction work often exerts pressures on existing trees, as do changes in their immediate environment</p>	<p>Nine ancient and veteran trees and a small group of five ancient and veteran trees have been identified, along with Winch Hill Wood ancient woodland, and have been retained within the Main Application Site. These trees and woodland will be retained and have been incorporated into the landscape design for the provision of open space and habitat creation areas with the unavoidable exception of one, (T343 – coppiced ash (Tree Survey Report Appendix 14.2 [APP-089] and Arboricultural Impact Assessment 14.3 [AS-085]) which lies directly within the main works but will be coppiced and translocated. Root Protection Areas and Construction Exclusion Zones will be employed in line with BS5837:2012 as described in the Arboricultural Impact Assessment 14.3 [AS-085])</p>

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		<p>following construction of any new infrastructure. Root systems, stems and canopies, all need allowance for future movement and growth, and should be taken into account in all proposed works on the scheme through the incorporation of the measures outlined in the British Standard.</p> <p>While BS5837 guidelines state that trees should have a root protection area (RPA) of 12 times the stem diameter (capped at 15m), this guidance does recognise that ancient and veteran trees need particular care to ensure adequate space is allowed for their long-term retention. It is imperative that Natural England and Forestry Commission's standing advice on root protection areas for ancient trees is taken into account in planning decisions.</p> <p>This advice states: <i>"For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone."</i></p>	<p>The Applicant considers that the issue raised regarding to impacts on Ancient Woodland and Trees was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 315, in response to RR-1519.</p> <p>No loss of or significant adverse effects have been identified for Ancient Woodland as a result of the Proposed Development.</p> <p>Furthermore, the Ancient Woodland Winch Hill Wood will be enhanced and managed for 50 years in order to improve on its existing condition as part of the Outline Landscape and Biodiversity Management Plan (OLBMP) in Appendix 8.2 of the ES [AS-029].</p>

Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
<p>The Woodland Trust</p> <p>REP1-166</p>	<p>Biodiversity</p> <p>Air Quality</p>	<p>Impacts to Ancient Woodland</p> <p>Furthermore, the Trust holds concerns regarding potential nitrogen deposition on the ancient woodlands surrounding the proposed development. Chapter 7 (Air Quality) of the Environmental Statement [AS-076] outlines a likely increase towards the critical load of Winch Hill Wood (4% of Lower critical load) [7.9.16] and Kidney/Bulls Wood (18.7% of lower critical load) [7.9.28].</p> <p>We are of the opinion that development must be able to demonstrate that any resulting increase in the levels of nitrogen will be insignificant (<1% of the critical load) at all ancient woodland sites. The scheme may need to be amended to include further control measures or other proposals in order to attempt to reduce the process contribution to <1%.</p>	<p>The Applicant considers that the issue raised regarding to impacts on Ancient Woodland and Trees was answered within the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 315, in response to RR-1519.</p> <p>No significant adverse effects have been identified on Ancient Woodland as a result of the Proposed Development. Furthermore, the Ancient Woodland Winch Hill Wood will be enhanced and managed for 50 years in order to improve on its existing condition as part of the Outline Landscape and Biodiversity Management Plan (OLBMP) in Appendix 8.2 of the ES [AS-029].</p> <p>The Applicant considers that the issue raised regarding the air quality impacts to Ancient Woodlands was answered within the Applicant's Response to Relevant Representations Part 1 of 4 Air Quality [REP1-020] page 4, in response to RR-1441 and others. As there are no significant effects predicted at ancient woodland sites, there is therefore no need to amend the scheme.</p>

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<p>The Woodland Trust</p> <p>REP1-166</p>	<p>Biodiversity</p>	<p>Conclusion</p> <p>Ancient trees are irreplaceable habitats, once lost they are gone forever. Any development resulting in loss or deterioration of ancient woods and trees must consider all possible measures to ensure avoidance of adverse impact.</p>	<p>The Applicant considers that all possible measures have been considered regarding to impacts on Ancient Woodland and Trees. Please see the Applicant's Response to Relevant Representations Part 2C of 4 (Non-Statutory Organisations) [REP1-023] page 315, in response to RR-1519.</p> <p>Ancient and veteran trees have been retained where possible within the design of the Proposed Development.</p> <p>Only one tree will require translocation and this will be managed as part of the Outline Landscape and Biodiversity Management Plan (OLBMP) in Appendix 8.2 of the ES [AS-029].</p> <p>No significant adverse effects have been identified on Ancient Woodland as a result of the Proposed Development.</p> <p>Furthermore, the Ancient Woodland Winch Hill Wood will be enhanced and managed for 50 years in order to improve on its</p>

Examination Library Reference	Response Topic	Written Representation (Verbatim)	Luton Rising's Response
			existing condition as part of the OLBMP referred to immediately above.

REFERENCES

- Ref 1 Climate Change Committee (2022) Progress in reducing emissions: 2022 Report to Parliament.
- Ref 2 House of Commons (2023) Responding to the Climate Change Committee's (CCC) Annual Progress Report 2022 Recommendations
- Ref 3 Department for Transport (2022) Jet Zero strategy: delivering net zero aviation by 2050
- Ref 4 HMSO (2009) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
- Ref 5 Department for Communities and Local Government (2013) Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land
- Ref 6 Department for Communities and Local Government (2013) Planning Act 2008 Application form guidance
- Ref 7 York Aviation for the Department for Transport, Developing a framework for the local economic impact of airports, October 2020.
- Ref 8 UK Government (2022). Flightpath to the future: a strategic framework for the aviation sector
- Ref 9 HM Government (2008) Climate Change Act 2008
- Ref 10 Department for Transport (2023) Jet Zero Strategy – One Year On
- Ref 11 Institute of Environmental Management and Assessment (IEMA) (2022) Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance
- Ref 12 Department for Energy Security & Net Zero (March 2023) Responding to the Climate Change Committee's (CCC) Annual Progress Report 2022 recommendations.
- Ref 13 Department for Transport (2018) Beyond the horizon, The future of UK aviation, Making best use of existing runways, June 2018
- Ref 14 Green Horizons Park Planning Application
- Ref 15 Town and Country Planning Act 1990
- Ref 16 HM Government (2008) Climate Change Act 2008
- Ref 17 Civil Aviation Authority (2013), CAP1229 Noise Envelopes
- Ref 18 Department for Transport (2023), Policy Paper: Overarching Aviation Noise Policy
- Ref 19 ANP v2.3 Aircraft substitutions - jets & heavy props (22022018)
- Ref 20 Department for Environment Food and Rural Affairs (2010), Noise Policy Statement for England
- Ref 21 Civil Aviation Authority (2021), CAP2091: CAA Policy on Minimum Standards for Noise Modelling.
- Ref 22 Department for Transport (2017), Consultation Response on UK Airspace Policy: A framework for balanced decisions on the design and use of airspace.
- Ref 23 Civil Aviation Authority (2021), CAP1506: Survey of Noise Attitudes 2014: Aircraft Noise and Annoyance, Second Edition
- Ref 24 Civil Aviation Authority (2021), CAP2161: Survey of Noise Attitudes 2014: Aircraft Noise and Sleep Disturbance
- Ref 25 Her Majesty's Stationery Office (1973), Land Compensation Act.
- Ref 26 ICAO Resolution A41-20: Consolidated statement of continuing ICAO policies and practices related to environmental protection — General provisions, noise and local air quality
- Ref 27 Her Majesty's Stationery Office (2018), The Airports (Noise-related Operating Restrictions) (England and Wales) Regulations
- Ref 28 Temple Group Ltd. 2014. Aviation Noise Metric – Research on the Potential Noise Impacts on the Historic Environment by Proposals for Airport Expansion in England. English Heritage Report, Project No. 6865.

Ref 29 Civil Aviation Authority (2021), CAP1616: Airspace change: Guidance on the regulatory process for changing the notified airspace design and planned and permanent redistribution of air traffic, and on providing airspace information, Version 4
Ref 30 Eurocontrol, Aircraft Noise and Performance (ANP) Database