



The Planning Inspectorate

Planning Act 2008 – Section 91

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

Agenda for Issue Specific Hearing 5 dealing with Air quality and related effects

Hearing	Date and Time	Location
Issue Specific Hearing 5: Air Quality and related effects	Thursday 28 September 2023 Hearing starts at 14:00¹ Blended event Venue Registration from: 13:30 Virtual Registration from: 13:30 ²	Riverside Suite, Venue 360, Gipsy Lane, Luton, LU1 3JH By virtual means using Microsoft Teams

Hearings Guidance:

Please see Annex A of this Agenda

Interested Parties who wish to speak at this event were required to provide notification by Deadline 1. If you haven't notified us that you wish to speak, you must contact the Case Team (LutonAirport@planninginspectorate.gov.uk) as soon as possible.

Each Interested Party is entitled to make oral representations at hearings. However, this is subject to the power of the Examining Authority (ExA) to control the conduct and management of hearings.

The event will be open 30 minutes prior to the start of the hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them.

¹ If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

² Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

Please Note:

In order to ensure timely publication of the agenda, this has largely been drafted before the receipt of submissions for Deadline 2 and 2A. Consequently, the ExA may need to adjust the agenda at the meeting to allow for responses received at these deadlines.



The Planning Inspectorate

Agenda

Title of meeting	London Luton Airport Expansion Issue Specific Hearing 5 – Air quality and related effects
Date	Thursday 28 September 2023
Time	14:00
Venue	Blended event
Attendees	Invitees

1 Welcome, introductions, arrangements for the Hearing

2 Post-Covid implications for air quality

- The Applicant will be asked to explain how air quality in Luton has changed following the Covid pandemic (with reference to any relevant local air quality and health datasets) and whether this has any implications for the air quality baseline and future scenario assessments.

3 Construction air quality assessment

- The Applicant will be asked to explain a number of construction stage assumptions (including working hours, plant on-times, types of plant used and in-combination climate change impacts). Construction mitigation measures will be considered with reference to the Code of Construction Practice (CoCP) [APP-049] including any necessary odour and dust monitoring and mitigation measures.

4 Operational air quality modelling and assessment

- The Applicant will be asked to explain a number of modelling and assessment assumptions (including runway modal split, terrain, fit with predicted/ modelled backgrounds, back-up generation and road network changes). Assessment conclusions will be discussed.
- The Applicant will be asked to provide a brief overview of the Operational Air Quality Action Plan [APP-065]. The levers available to the Applicant to ensure implementation of proposed mitigation will be discussed.

5 Water Treatment Plant and aviation fuel

- The Applicant will be asked to explain how it proposes to determine whether or not odour mitigation is required for the water treatment plant and associated sewage sludge storage and what implications this has for users of Wigmore Valley Park.
- The Applicant will be asked to comment on the frequency and circumstances in which fuel jettisoning occurs, whether any specific operational controls apply to fuel jettisoning and what records are kept of such events.

6 Green Controlled Growth (GCG) thresholds and limits

- The Applicant will be asked to provide further explanation relating to assessment locations in Table 4.2 of the GCG framework [APP-218] and the proposed Level 1 and Level 2 thresholds. The principle of continuing to grow whilst making only a small contribution to breach of an air quality level/ limit will be explored in light of the Airports National Policy Statement (ANPS) requirement to demonstrate that, with mitigation, the scheme would be compliant with legal obligations that provide for the protection of human health and the environment. The Applicant will be asked to explain how financial contributions may be made to the wider air quality improvement programme.
- Monitoring standards and air quality measures in the 'toolbox of interventions' will also be discussed.

7 Action Points arising from the Hearing

8 Any other business

9 Close of Hearing

Attendees:

All Interested Parties are welcome to attend the hearing. However, the ExA considers that representatives for the following parties should consider attending because the ExA believes that the material that they have submitted raises issues that may need to be explored at the hearing:

- The Applicant;
- Luton Borough Council;
- Any other public authority, organisation or body affected by the Proposed Development; and
- The Airport Operator.

The Applicant is requested to have people with the following expertise to assist the hearing:

- Air quality and odour monitoring, modelling and assessment.

This list may also assist other Interested Parties in preparing for the hearing.

Conduct and Management of Hearings

The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that the ExA that will probe, test and assess the evidence at hearings through direct questioning of persons making oral representations. Questioning at this Hearing will therefore be led by the ExA. Cross questioning of the person giving evidence by another person will **only** be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. Parties wishing to make a representation will be invited to do so at the ExA's discretion.

The ExA will begin the Hearing with opening comments and introductions, then will run through housekeeping matters and explain how the Hearing will be conducted. The ExA's expectation is that each hearing session will typically last for two to three hours. However, the actual duration will depend on the progress made on the day and will be subject to the ExA's powers of control over the conduct of the Hearing.

The agenda may be amended by the ExA at the start of the Hearing or throughout its course. Furthermore, the ExA may wish to raise matters arising from oral submissions, Relevant Representations and Written Representations, and pursue lines of inquiry that are not listed on the agenda in the course of the discussion.

The Hearing is being held at the discretion of the ExA to consider matters that it considers to be important and relevant to the effective and robust examination of the application. Consequently, the business of the Hearing will be limited to the matters identified in the agenda or otherwise raised by the ExA.

Active participation is at the invitation and discretion of the ExA. Oral submissions must address the matters and questions identified on the Hearing agenda or raised by the ExA at the hearing. Oral submissions on other subject matters or from persons who have not been invited to speak by the ExA may only be heard at the discretion of the ExA, who may decide that such matters are not heard in the interests of relevance, efficiency or fairness.

A recording and transcript of the Hearing will be published by the Planning Inspectorate on the project page of the national infrastructure website³ and any Interested Party may make a written submission on the specific matters either included in the agenda or arising at the Hearing by **Deadline 3, 5 October 2023**.

³ <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/london-luton-airport-expansion/?ipcsection=overview>