



Our ref:

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Via E-Mail to:

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Dear Ms Dowling,

LONDON LUTON AIRPORT EXPANSION – DEADLINE 3 SUBMISSION

Following the Applicant's response to National Highways' Relevant Representation at Deadline 2, and the discussion that took place at last week's Issue Specific Hearings, please find attached the following documents.

1. National Highways' response to the points raised by the Applicant in its response submitted at Deadline 2 to our Relevant Representation.
2. A summary of the points of concern raised by National Highways at Issue Specific Hearings 1, 2 and 4.
3. Technical Note M1J10_TN-01, prepared by Jacobs on behalf of National Highways, which sets out the requirement for additional mitigation on the M1 Junction 10 south-facing slip roads, along with two potential mitigation solutions. Drawings of the solutions (M1J10_NB_Div_Op1-NB-A-01 and M1J10_SB_Mer_Op2-SB-A-01) are also appended.

National Highways was also asked at Issue Specific Hearing 4 to provide draft wording to incorporate a safety-related requirement for the provision of two gantries and a maintenance bay into the DCO. At this stage we think it is impossible to draft a suitable requirement that will meet the relevant legal tests in the absence of a more detailed specification for the gantries and bay or an understanding of whether the gantries and maintenance bay will fit within the order limits or the existing highway boundary. These matters would have been identified if a Road Safety Audit for Phases 1 and 2a had

been carried out by the Applicant, which is not yet the case. This needs to be done as a matter of urgency, not just to inform the necessary requirement but to give confidence that the Applicant has the land it requires for the highway works necessitated by the authorised development.

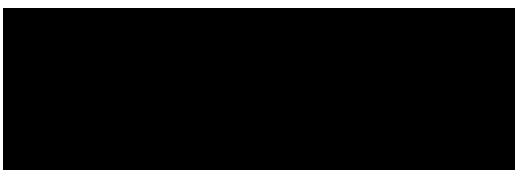
In the absence of these details, we would currently recommend that the following requirement be included on the face of the Order:

Requirement 18 (1) No part of Work No. 6e may commence until a scheme providing for motorway signage and a maintenance bay necessitated by the proposed development for the M1 Junction 10 has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority; (2) The authorised development must be constructed in accordance with the signage and maintenance bay scheme approved under sub-paragraph (1); (3) The authorised development must not be operated unless and until the works provided for in the signage and maintenance bay scheme approved under sub-paragraph (1) have been completed and commissioned.

Pending the availability of further information, National Highways reserves the ability to amend the above, proposed requirement.

Finally, whilst we continue to engage constructively with the Applicant to secure approval for the development with appropriate mitigations to National Highways' satisfaction, we are increasingly concerned that issues that should have been resolved by this stage in the Examination continue to be pushed later in the process. The SOCG submitted at Deadline 3 remains unilateral, although we raised a number of comments in advance of Deadline 2. We would welcome greater engagement from the Applicant on resolving the outstanding issues.

Yours sincerely,



Kelly Milburn
Spatial Planning Manager