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London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.56 Applicant's response to Deadline 2 submissions
(Comments from Interested Parties on Deadline 1
submission) Appendix F - Friends of Wigmore Park**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.56

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.56 APPLICANT'S RESPONSE TO DEADLINE 2 SUBMISSIONS
(COMMENTS FROM INTERESTED PARTIES ON DEADLINE 1
SUBMISSION) APPENDIX F – FRIENDS OF WIGMORE PARK**

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Appendix F - Friends of Wigmore Park [REP2-054]

Table F1.1 Applicant's response to Friends of Wigmore Park's comments on Deadline 1 submission

I.D	Response Topic	Comments on deadline 1 submission (Verbatim)	Luton Rising's Response
1	Consultation	<p>The following is our response to Luton Rising who have commented on our RR under RR-0472.</p> <p>Topic: Consultations</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 1 of REP2-054].</p> <p>Luton Rising's Response: [see pages 1-2 of REP2-054].</p> <p>Our Reply: We refer you to our WR AS-048 10.2.13 and again in AS-049 4.3.2 states that the option to the south of the runway had already been rejected in Sift 2 yet the public were being asked to express an opinion in Sift 3. We take the view that the consultations were a sham.</p>	<p>In reference to Option 2 and the comments from the Friends of Wigmore Park about it being previously rejected in Sift 2, this was shown in the Design and Access Statement (Appendix B, Part 2 - 6.2.1) [APP-210] as being the least preferred option but with a recommendation that it was included in the non-statutory consultation to get wider feedback.</p>
2	Surface Access	<p>Topic: Surface Access</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 2 of REP2-054].</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</p>

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		<p>Luton Rising's Response: [see pages 2-3 of REP2-054].</p> <p>Our Reply: See our WR for more detail. Luton Rising anticipates a surge in traffic from the east, as the application includes upgrades to the A505 at both Hitchin and by the A1M at Stevenage. Their reply seems to play down this fact by commenting that the majority of traffic will use the link to the M1 at junction 10 while ignoring the substantial extra traffic a 32m passenger airport will bring due to a lack of east-west public transport options.</p> <p>The days of following road signage are over with most cars having access to car navigation systems particularly being used on longer journeys to airports where time is a critical factor and official signage is ignored for a quicker journey. On Luton Airport's own website they do not mention following road signs to the airport instead providing post codes for Sat Nav's and by making the following comment:</p> <p>"If you're using Sat Nav, use postcode LU2 9QT to get to the airport. Then just follow the road signs to your chosen Car Park".</p>	<p>Representations Part 2C of 4 [REP1-023] page 79, in response to RR-0472.</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> <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 together with growth associated with background traffic and other consented developments.</p> <p>The Capita document referred to was an Appendix to the Environmental Statement for the New Century Park (now known as Green Horizons Park (GHP)) planning application. At the time that the work relating to GHP was commissioned, the Applicant was in receipt of a proposal from the airport operator for expansion of the airport which extended beyond the eastern boundary of the current airport and into part of Wigmore Valley Park. Given that the Applicant was commissioning this work in the area anyway, extending the remit to</p>

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		<p>https://www.londonluton.co.uk/parking?qclid=Cj0KCQjw9fqkBhDSARIsAHlcQYQQLGwxGwWv3jld5ltZ_e1boyEtt_s6SCYnoxeyBY7U_Dn33_KpaUalaAq0BEALw_wcB (URL checked 11/9/23).</p> <p>The breach of the Luton Local Plan and measures to increase traffic through residential Wigmore is to the detriment of local residents including school children. No consideration has been made regarding the health and wellbeing of people who live in Wigmore, as the focus is on expanding the airport regardless of the human cost.</p> <p>The only reason why capacity improvements are required in Wigmore is purely down to the breach of the Local Plan that opens up an alternative and quicker route to Terminal 2 from the east.</p> <p>Regarding the planning permission granted for CPAR. This has always been about access to Terminal 2. We note the revealing statement as part of Luton Rising's reply.</p> <p>"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>cover the area within the airport operator's proposal was a sensible precaution to help to understand the implications of that proposal (which ultimately was not progressed). The commissioning of that survey was not related to the Applicant's current proposals, although clearly the data collected was later helpful to the Applicant for that purpose. The gestation of the proposals within this application for development consent are set out in Environmental Statement Chapter 3 Alternatives and Design Evolution Revision 1 [AS-026].</p>

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		<p>A company called Capita were engaged in 2016 to perform ecology works that was published in 2017. There is evidence from their documents that a new terminal would be built on Wigmore Valley Park, though the council denied this to the Friends of Wigmore Park group when challenged.</p> <p>Ref: 17_02300_EIA-EC03_Wintering Bird Report-686535</p> <p>The 2017 report contain the paragraphs:</p> <p>“1.14 A 2 km access road is proposed to run from the west through Dairyborn Scarp DWS, over an existing industrial road and buildings associated with airport operations and through the north of Wigmore Park.”</p> <p>and</p> <p>“BRIEF AND OBJECTIVES:</p> <p>1.15 To provide baseline data regarding the bird communities present within both Wigmore and Century Parks prior to the construction of a new terminal at Luton Airport, Capita was commissioned to complete a number of bird surveys of both areas to provide:”</p> <p>If the original planned timeline had been followed, then the CPAR would have been completed before</p>	

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		<p>the DCO was submitted. Its name then would have been changed to Airport Access Road (AAR), as that road's primary purpose has always been to serve a second terminal and not a fringe business park. The fact that funding has not been secured means we challenge this breach of the Luton Local Plan.</p> <p>As part of our WR we have provided evidence that the Planning Committee was engaged in claimed corrupt practices and was being influenced and pressurised by the Council to approve planning applications, which is illegal. This came to light through a resignation letter from a serving barrister who was a member of the planning committee at that time.</p>	
3	Wigmore Valley Park	<p>Topic: Wigmore Valley Park Matters Raised in relevant Representation (Verbatim): [see page 4 of REP2-054].</p> <p>Luton Rising's Response: [see pages 4-5 of REP2-054].</p> <p>Our Reply: Luton Rising admits that most of Wigmore Park and 100% of its County Wildlife Site will be</p>	<p>It is acknowledged that as part of the Proposed Development, an area of Wigmore Valley Park would be lost. As a result, an open space of a greater area is to be provided to the east of the existing green space at Wigmore Valley Park. The type, quality, quantity, and accessibility of the replacement open space would be equivalent or better.</p> <p>A detailed assessment of this is provided in the Open Space Assessment [APP-197].</p>

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		<p>destroyed and that the losses are considered significant in the short term. As there will be no replacement County Wildlife Site we see this as a significant long term loss. Wigmore Valley Park is a major mature park in the Borough of Luton that aids the wellbeing of the local population with its wild areas and County Wildlife Site. This should not be dismissed.</p> <p>There are no areas in the Borough of Luton that could host a new park of this size due to a shortage of green space, which is another reason why Wigmore Park and its County Wildlife site should be preserved.</p> <p>We note the admission that not all hedgerow restoration might take place and would be subject to other planning applications not being granted by North Herts District Council.</p>	
4	Climate Change	<p>Topic: Climate Change Resilience Matters Raised in relevant Representation (Verbatim): [see page 6 of REP2-054].</p> <p>Luton Rising's Response: [see page 6 of REP2-054].</p>	<p>The Applicant accepts the Government's view that emissions from aviation are the responsibility of the airlines and are best managed at a national level, as stated at Paragraphs 1.11 and 1.12 of the Aviation Strategy: Making Best Use policy.</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</p>

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		<p>Our Reply: Trading emissions is not the same as reducing emissions.</p> <p>https://commonslibrary.parliament.uk/research-briefings/cbp-8826/ (URL checked 11/9/23)</p> <p>“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”</p> <p>Luton Rising has made no commitment to make any effort in reducing aircraft emissions from aircraft operating out of Luton. This could happen by proposing to penalise the more polluting aircraft that operate into Luton or by charging an empty seat surcharge. Under these proposals pollution will substantially increase.</p> <p>Luton is the UK’s busiest business jet airport with aircraft carrying just a handful of passengers, which increases emissions per passenger above many, if not all, of UK’s major airports.</p>	<p>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 is the government strategy on how aviation will contribute to meeting the UK’s climate change commitments. Paragraph 3.57 sets out that “we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth”. The Applicant is aware that the rate of expansion of London Luton Airport is broadly similar to the Jet Zero Strategy High Ambition Scenario, which reinforces the view that the Application aligns with Government ambitions on carbon reduction.</p> <p>The application for development consent is for the infrastructure to increase airport capacity, and the Proposed Development does and would include measures to allow airlines to reduce aircraft emissions in line with this strategy, such as:</p> <ul style="list-style-type: none"> • Flexibility in design to allow addition of sustainable aviation fuels • Fixed electrical ground power at stands • Electric tug vehicles • Flexibility in electrical capacity • Potential for hydrogen use in the future.

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5	Air Quality	<p>Topic: Air Quality</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 7 of REP2-054].</p> <p>Luton Rising's Response: [see page 7 of REP2-054].</p> <p>Our Reply: Luton Rising acknowledges that the near doubling of aircraft will have an impact on air quality. Any increase is unacceptable when the UK is meant to be decreasing emissions. Our WR submission links to a Council document that acknowledges 86 deaths are attributable to particulate air pollution per annum with 1,004 associated life-years lost in Luton. This seems not to be important to Luton Rising. Luton has a higher percentage of adult deaths (5.8%) related to long term exposure to air pollution than England (5.1%) according to this report.</p>	<p>A robust air quality assessment has been undertaken in line with methodology and appropriate national legislation, including taking into account pollution from aircraft, in agreement with local planning authorities and technical working groups. This has been presented in Chapter 7 Air Quality of the ES [AS-076]. No significant impacts are predicted to occur. Appendix 7.5 Outline Operational Air Quality Plan of the ES [APP-065] sets out the measures committed to via the DCO which will help to improve air quality.</p> <p>An assessment of the health impacts of air emissions, including hospital admissions and mortality, was undertaken and is reported in Chapter 13 Health and Community of the ES [APP-039]. This assessment concluded that operational air emissions from the Proposed Development would have no significant impact on population health.</p>
6	Noise and Vibration	<p>Topic: Noise and Vibration</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 7 of REP2-054].</p>	<p>The Applicant considers that the issue raised regarding day and night noise was answered within the Applicant's Response to Relevant Representations - Part 2C of 4 [REP1-023] page 84, in response to RR-0472.</p>

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		<p>Luton Rising's Response: [see pages 7-8 of REP2-054].</p> <p>Our Reply: Luton Rising claims that all reasonable practical measures have been explored to reduce noise impacts. The reality is that day and night noise is getting worse. Luton Airport's own statistics show that the newly introduced Wizzair Airbus A321Neo is noisier than the aircraft it is replacing at Luton. It is noted that the airport operator has put in a planning application that includes increasing noise around Luton and that this application has been called in by the government.</p> <p>[see page 8 of REP2-054 for Figure].</p> <p>No one in Wigmore qualifies for sound insulation. Wigmore residents being woken up at 6 in the morning with disturbed overnight sleep is considered acceptable by Luton Rising and the Council.</p> <p>Despite the claims by Luton Rising, odour can be significant depending on wind direction. It is not in the interests of Luton Rising to admit this.</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 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 1). See Appendix 16.1 Noise and Vibration Information of the Environmental Statement [AS-096] for further information.</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. No significant impacts have been predicted in relation to odour effects.</p>

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7	Surface Access	<p>Topic: Surface Access</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 9 of REP2-054].</p> <p>Luton Rising's Response: [see page 9 of REP2-054].</p> <p>Our Reply: We made an error in our RR. Passenger car parking spaces are set to increase by 62% according the Luton Rising. AS-030 [TR020001-000941-5.01] Environmental Statement Chapter 18 Traffic and Transportation Revision 1. 18.8.16</p> <p>Luton Rising admits there are no measures in place or requirements to increase EastWest travel using public transport. "Supportive of measures" is just another name for nothing might happen.</p>	<p>The Surface Access Strategy [APP-228] 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 Framework Travel Plan [AS-131]. The vision and objectives of the Surface Access Strategy [APP-228] have been identified to capture the surface access Limits and Targets that underpin the strategy. The longlist includes 'Engage with bus operators to improve the existing routes and create new and extended routes, better connecting the airport to more places (especially east-west) and in particular urban areas and transport hubs'.</p> <p>Following the submission of the application for development consent, the Applicant has been developing proposals for a Sustainable Transport Fund (STF), to be used to fund measures identified within the Framework Travel Plan [AS-131].</p> <p>The Applicant has engaged with Host and neighbouring authorities on the governance, source, size and scope of the fund, and the S106 agreement for securing the fund, and is developing further detail within consideration of comments raised. The fund takes the Framework Travel Plan's aspirations and demonstrates the airport's</p>

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			<p>commitment to continuing to deliver access by sustainable transport.</p> <p>The Applicant will continue to engage as the STF's detail is developed.</p> <p>The Airport Operator can control parking tariffs and the supply of parking at future development phases if necessary.</p>
8	Earthworks	<p>Topic: Earthworks Matters Raised in relevant Representation (Verbatim): [see page 9 of REP2-054].</p> <p>Luton Rising's Response: [see page 10 of REP2-054].</p> <p>Our Reply: AS-072 [TR020001-000963-4.02] Scheme Layout Plans Revision 2 Shows houses around 25m away.</p> <p>Our WR provides evidence that during Covid, Luton Rising contractors building the Dart, did not follow UK Government guidance on managing risks. Because of our intervention and our</p>	<p>The proximity of the interpolated landfill boundary to residential properties is accepted.</p> <p>Any excavation of landfill will need to follow the requirements of a detailed design specification and will also be subject to an Environmental Permit. The Environmental Permitting process is highly regulated and must be agreed with the Environment Agency before any works begin. It should be noted that DART works were not subject to the same regulatory procedure.</p> <p>Some of the typical requirements of such a permit include:</p> <p>Environment Agency approval of the appointed Contractor who is deemed suitably qualified for the works; regular inspections of the site by the regulator (Environment Agency);</p>

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		<p>intervention only, the project was shut down twice. What they did do as part of their response was to turn off time lapse cameras that were recording breaches that we published in the media.</p> <p>We have no faith the contactors engaged in the exposure, processing and removal of hazardous waste will follow guidance at all times. We also note that a children's play area will only be metres away from disturbed contaminated ground.</p>	<p>verification/compliance testing and reporting; and ongoing monitoring.</p> <p>Site controls will be required as part of the permit, with suitable monitoring points and trigger levels agreed with the Environment Agency. These would form part of the permit application which would be made prior to any works. The Outline Remediation Strategy [APP-125] outlines options of measures to protect neighbours from contaminant migration.</p>
9	Ecology	<p>Topic: Ecology</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 10 of REP2-054].</p> <p>Luton Rising's Response: [see page 10 of REP2-054].</p> <p>Our Reply: Luton Rising promised that during the 2019 translocation of Orchids all measures would be put in place to successfully move the Orchids including using the expertise of Luton Borough Council's Senior Ecological Officer. The fact that they all died should act as a warning that what Luton Rising promise is unlikely to happen</p>	<p>Appendix 8.10 EMS Orchid and Invertebrate of the ES [AS -035] includes a method statement for orchid and invertebrate conservation. This includes prescriptions for the translocation and monitoring of orchids. The method statement has been reviewed by Natural England and the Applicant can confirm that prior to any translocation, soil and hydrology testing will take place to ensure receptor site conditions are suitable.</p> <p>The 2018 translocation occurred in a very hot summer. It provided an opportunity to implement, monitor and learn from the results of the translocation process. Taking forward this learned knowledge, Section 6 of the method statement includes details timing and artificial irrigation methods that will be used to ensure desiccation</p>

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			<p>does not occur as part of proposed orchid translocation.</p> <p>The method statement should be read alongside the Outline Landscape and Biodiversity Management Plan Revision 1 [AS-029]. This includes details on how habitats will be created, monitored and managed are included within The Plan covers a 50-year period and is secured by Requirement 10 in the Draft DCO. The Code of Construction Practice [APP-049], secured by Requirement 8 of the draft DCO will ensure all construction activities are undertaken in-line with best practice and consider specific environmental features, including orchids.</p>
10	Surface Access	<p>Topic: Surface Access</p> <p>Matters Raised in relevant Representation (Verbatim): [see page 11 of REP2-054].</p> <p>Luton Rising's Response: [see page 11 of REP2-054].</p> <p>Our Reply: Luton Rising's response fails to guarantee that residents will not be expected to fund the existing and any future expanded parking scheme that are</p>	<p>The Applicant has undertaken discussions with Local Highway Authorities about fly-parking associated with airport users. This takes place outside the Airport on land that is outside the Airport's control.</p> <p>The Framework Travel Plan [AS-131] includes measures that can be introduced to mitigate the effect of fly-parking. These include 'supporting the expansion of the residents parking zone to the north of the airport' and 'carrying out feasibility studies on restricted parking zones (RZs)'.</p>

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		<p>required, due to passengers parking cars in residential roads.</p> <p>We request that the inspectors should insist that residents will not be out of pocket due to the airport, which is Council owned, and that Luton Rising or its Operator will fully fund local parking schemes.</p> <p>The inspectors should also note the extreme measures the directors of Luton Rising were prepared to take to make sure any costs of implementing a residents parking scheme would not fall on Luton Rising or its Operator. A complaint to the Local Government Ombudsman resulted in the Ombudsman stating that the directors should have declared an interest and should have left the council chamber.</p>	<p>Actioning of these and related measures would be governed through Steering Groups within the Airport Transport Forum, either through the TRIMMA or STF processes. Further detail is being developed and will be shared with relevant parties in due course.</p>
11	Cost	<p>Topic: Cost Matters Raised in relevant Representation (Verbatim): [see page 12 of REP2-054].</p> <p>Luton Rising's Response: [see page 12 of REP2-054].</p> <p>Our Reply:</p>	<p>The Applicant acknowledges the comments of Friends of Wigmore Park and notes that there is no significant change from the comments on which the Applicant has already responded in the Applicant's Response to Relevant Representations – Part 2C of 4 (Non-Statutory Organisations) [REP1-023].</p>

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		<p>London Luton Airport Ltd (Luton Rising) was set up as a risk free company employing no staff. It could never make a loss as it had no outgoings. Its sole purpose was to collect concession fees and rental income and to pay a dividend to the Council and to make grants to charities. It has now become a property developer and transport operator.</p> <p>The Dart has been a financial disaster with the auditors writing off £184.7m of a then estimated £268m cost, at the time of writing of the auditor's report. Since that report the Dart is now estimated to have cost £309m.</p> <p>Council loans to Luton Rising are now around £500m with Luton Rising no longer paying a dividend. Luton Rising has been cutting grants to charities year on year since 2015/16 as its annual borrowings have increased.</p> <p>Expansion will involve more financial risks.</p>	

REFERENCES

Ref 1 EUROCONTROL Experimental Centre (2020); Air Noise Performance Database v2.3