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London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.107 Applicant's response to Deadline 3 Submissions -
Appendix G The Eldridge Family (REP3-134)**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.107

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.107 APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSIONS -
APPENDIX G THE ELDRIDGE FAMILY [REP3-134]**

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Appendix G – The Eldridge Family [REP3-134]

Table G.1 Applicant's response to submission by The Eldridge Family at Deadline 3

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
1	Land and Compensation	<p>The 4c (02) works extend over more than just our client's plot and clarification has been provided on the works and a number of points, including:</p> <ol style="list-style-type: none"> 1. Pipe size, depth and width of working corridor 2. Presence of working compounds, above ground installations, pumps, monitoring equipment and fencing (including any associated noise and lighting) 3. Finished site levels 4. Inspection requirements and frequency 5. Access track, parking and loading area locations. 6. Construction periods 7. Commitment to re-provide extinguished private water supply rights <p>The provisions of the rights and restrictions as documented are broad and we would ask that this sufficient detail is incorporated to give our clients more certainty.</p>	<p>Positive acknowledgement of clarifications provided by the Applicant are noted.</p> <p>The Draft DCO [REP3-003] contains detail on the rights and restrictions sought over each plot, see Schedule 5 to the draft DCO. These rights have been drafted as narrowly as possible so the Applicant only acquires the necessary rights/restrictions. However, the Applicant understands that additional detail on future use of land is sought and it will seek to progress discussions on this.</p>

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2	Land and Compensation	<p>The responses clarified that our clients land was "Woodland 4" in the Outline Landscape & Biodiversity Management Plan (Doc AS-029). This had not been clear previously as the plan had been removed from the document for confidentiality reasons. Proposals therefore included a 10-year felling and replanting programme to enhance it as a native broadleaved woodland.</p> <p>Our clients do question the requirement given extensive other land in control of the applicant. However, putting that question to one side, the details of what is intended at this point are not fully understood.</p>	<p>The woodland is assumed to be retained which would provide visual screening to receptors to the east. The habitat management proposals would have included measures such as fencing, thinning and coppicing, and opening up of canopy (as described in the Outline Landscape and Biodiversity Management Plan [AS-029] to provide increased biodiversity.</p> <p>However, discussions between the Applicant and Eldridge Family are ongoing and the Applicant is minded not to continue with proposals to manage this woodland. The marginal reduction in Biodiversity Net Gain (BNG) if not secured would not prevent the overall BNG commitment being achieved.</p>
3	Land and Compensation	<p>What is not known is the extent of rights & restrictive covenants to construct, operate, access, protect & maintain a habitat mitigation area are to be imposed and how our clients, or a future owner, would be able to use their woodland. This is a question we have put to the Applicant's agent our meeting and we await that response.</p>	<p>The proposed rights and reservations sought by the Applicant are set out in Schedule 5 to the Draft DCO [REP3-003] over woodland owned by the Eldridge Family. The extent of those rights is set out in the Land Plans [AS-011] and within Schedule 5. The Applicant understands that the landowner is seeking additional detail on future use. It is proposed that this will be shared with the landowner shortly as part of a draft voluntary agreement. Dialogue with the agent representing the Eldridge Family is ongoing in this respect and the Applicant continues to work towards reaching an agreement before the close of the Examination.</p>

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4	Land and Compensation	<p>Our clients also have planning approval to construct two dwellings on their property and Plot 6-04 incorporates the gardens for those dwellings. Depending on the exact rights and restrictions sought on the use of the gardens for those dwellings, this could have a particular impact. This area within Plot 6-04 does not actually contain any trees and in principle it has been discussed with the Applicant's agent that Plot 6-04 could be reduced to exclude the gardens. We would welcome that confirmation.</p>	<p>The Applicant acknowledges the Eldridge Family's Planning Application (21/00019/PIP) and notes the red line boundary for this application. The red line boundary does not extend into Plot 6-04 although it does have contiguous boundaries. For the avoidance of doubt Plot 6-04 in the Applicant's Land Plans [AS-011] is not coincident with the land ownership boundary as depicted on drawing 2019/957/01B included in the Eldridge Family's planning application (shown in light blue in application ref. 21/00019/PIP). As such there is no requirement for the Applicant to amend the extent of Plot 6-04.</p>
5	Design	<p>In relation to the pipe route on the Works plan in General Arrangement Drawings (pt 2 of 3) Doc. AS-019 –This is indicative and the route may in practice be positioned anywhere in Plot 6-04, which is an extensive area. We have asked if more detail can be provided and whether, if the pipe route is indeed required to pass through our client's property, whether it can be located further east, away from the dwelling and building plots.</p> <p>Whilst we have engaged and continue to progress dialogue with the Applicant, we still do raise the fundamental question as to why our client's property is required for</p>	<p>It is not correct to state that the pipe can be constructed anywhere in Plot 6-04. The proposed fuel line pipe spur and the associated above ground installation are shown on the Work Plans (Part 4 of 6) [AS-015] as Work No. 4c(02) on Tile 6.</p> <p>This Work Plan indicates the limited area of land within which the Applicant is seeking consent for the installation of the pipeline spur. The extent of Work No. 4c(02) is informed by the selected route of the pipeline and an associated corridor to enable construction and to give a small degree of flexibility in the event of uncharted buried hazards or constraints.</p> <p>With respect to the proximity of the pipeline to the Eldridge Family's property, specifically the existing dwelling and proposed building plot, the pipeline is at least 45m from the</p>

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		<p>this pipeline route and woodland enhancement area.</p> <p>We have raised the question why the pipeline route cannot be routed around our client's property which would be a relatively insignificant re-routing and why woodland enhancement cannot be undertaken elsewhere in the extensive land in the control of the Applicant.</p> <p>We understand the response has been that the land is required for the pipeline route and woodland enhancement, however these are questions that require a technical evidence based response.</p>	<p>existing dwelling or any of the land within the red line boundary of the Eldridge Family's Planning Application (21/00019/PIP).</p> <p>In terms of the selected alignment of the proposed spur there are a number of engineering, design and environmental factors and constraints which have informed the proposed design:</p> <ol style="list-style-type: none"> 1. The junction of the spur to the existing fuel pipeline is limited to a position on existing the pipeline and has been located to avoid the public safety zone and runway approach lighting system to the south. 2. The design has tried to limit the length of the spur connection thereby reducing the environmental effects associated with constructing the pipeline and restoring the land once installed. 3. A 90° connection is required between the existing fuel pipeline and the spur which directs the spur pipeline in a westerly direction. 4. Following engineering best practise the design has tried to limit the number of changes in the horizontal plane. This maintains the efficiency of the pipeline, reduces stresses in the pipe and allows for testing and cleaning by drawing a mandrel (pigging) through the pipeline. Note: any changes in the horizontal plane have been limited to a maximum of 45°. 5. The route of the spur from the AGI to the proposed FSF follows a route with least level challenges i.e. essentially along the bottom of Wigmore Valley. This route provides a vertical alignment with least level changes which is significant for 'pigging' of the pipe for the purposes of pipe monitoring and/or cleaning. If a route to the north of the

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			<p>Eldridge land had been selected this would have been on land with significantly greater vertical alignment challenges, particularly in the section west of Winch Hill Road. A route to the north would also have been more disruptive to the vehicular entrance to the Eldridge's dwelling during the construction phase.</p> <p>6. The proposed location of the AGI was also selected as the existing mature vegetation in plots 6-04 and 6-09 provide screening of the proposed AGI.</p> <p>The opportunity to enhance existing woodland was considered as it provides enhanced connectivity between existing habitats and those proposed across the area. However, discussions between the Applicant and Eldridge Family are ongoing and the Applicant is minded not to continue with proposals to manage this woodland. The marginal reduction in Biodiversity Net Gain (BNG) if not secured would not prevent the overall BNG commitment being achieved.</p>