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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

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

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Author:	Luton Rising

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1 INTRODUCTION

1.1 Purpose of this document

- 1.1.1 This document has been prepared by Luton Rising (a trading name of London Luton Airport Limited) ('the Applicant') for submission to the Examining Authority (ExA). It provides the Applicant's response to Deadline 3 submissions by Interested Parties (IPs).
- 1.1.2 To avoid unnecessary repetition of information, the Applicant has only provided responses to new matters raised in submissions, i.e., the Applicant has not responded to matters that it considers have already been addressed in previous submissions.
- 1.1.3 This document does not include responses to matters that the Applicant considers will be addressed as part of the ongoing development of Statements of Common Ground (SoCG). Responses to such matters will be reflected in updated SoCG documents. Whilst this document includes responses to some submissions made by parties that have an SoCG with the Applicant, these responses are confined to matters that the Applicant considers may benefit from a response before the issue of an updated SoCG at Deadline 6.
- 1.1.4 In instances where the Applicant has not responded to a matter, this should not be read as the Applicant's acceptance of, or agreement with, the matter raised.

1.2 Structure of document

- 1.2.1 Where possible, the Applicant has responded to Deadline 3 submissions in Table 2.1. This includes responses to the following submissions:
- a. Bidwells LLP on behalf of ATO Holdings Limited [REP3-109].
 - b. Janet Ingham [REP3-119].
 - c. CPRE Bedfordshire [REP3-114].
 - d. CPRE Hertfordshire [REP3-115].
- 1.2.2 Where the Applicant considers that submissions require detailed responses, the Applicant has included these responses in Appendices, as follows:
- a. **Appendix A:** New Economics Foundation [REP3-131].
 - b. **Appendix B:** Central Bedfordshire Council [REP3-085].
 - c. **Appendix C:** LADACAN [REP3-121].
 - d. **Appendix D:** Peter White [REP3-133].
 - e. **Appendix E:** Stop Luton Airport Expansion [REP3-136 and REP3-137].
 - f. **Appendix F:** The Chilterns Conservation Board [REP3-143].
 - g. **Appendix G:** The Eldridge Family [REP3-134].
 - h. **Appendix H:** Hertfordshire County Council, Dacorum Borough Council and North Hertfordshire Council [REP3-089 and REP3-090].
 - i. **Appendix I:** Buckinghamshire Council [REP3-083].

2 APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSIONS

Table 2.1 Applicant's Response to Deadline 3 Submissions

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
Bidwells LLP on behalf of ATO Holdings Limited: Post Hearing Submission including Written Submissions of Oral Cases [REP3-109]			
1	Land and Compensation	... carefully consider whether each and every part of the hedgerows shown on my clients' land are necessary/required/needed for screening the Airport. Whilst it is a matter my clients have taken up with Stephen Walker of cbre (agent for Luton Rising) and we hope will be resolved, if not, we invite the Inspectors to require the DCO plans to be amended so only the hedgerows, parts of hedgerows or new planting achieves the stated purpose, namely screening the Airport. This is vitally important given the impact these hedgerows will have of the future development of the allocation, especially when striking the balance between the Applicants need and the importance to the owners for the future development use.	The Applicant has now conducted a detailed review of the proposed hedgerow enhancements to provide visual screening. Agents for the Applicant have issued an updated plan to the Interested Party setting out what is and is not needed to satisfy the requirements as set out in the DCO. It is acknowledged that the plans submitted with the application for development consent have caused some confusion and by improving the quality of these plans with a revised submission, Figure 14.11a Assessment Phase 1 Landscape Mitigation – Hedgerows [TR020001/APP/8.104] the Applicant now expects to reach agreement with the Interested Party on this issue.
2	Land and Compensation	At the hearing we highlighted that a new hedgerow is proposed to be planted to the rear of Crouch moor buildings (see colouring blue on the attached plan). This hedgerow will sever Crouchmoor buildings from the field beyond. Given the intervening, permanent buildings, we can see no case that the new hedgerow planting is needed or required to mitigate views: the buildings obscure views. In addition, the existing hedgerow shown coloured red on the attached plan serves no screening benefit as views are obscured once	As above, the proposals have been subject of a detailed review and as a result the Applicant has been able to write to the Interested Party to clarify that it was never the intention to plant a new hedgerow along the side of Crouchmoor Farm Buildings. The limits were drawn to include a means of access to plant and maintain new hedgerows proposed on the holding but not adjacent to the buildings. The Applicant now considers that it can resolve the Interested Parties

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		<p>again by the permanent buildings and intervening landscaping already shown on the DCO plans.</p> <p>These permanent buildings are not within the Green Belt and fall within the strategic housing allocation. In the event that the buildings were at some future date to be demolished, they would be replaced by housing as part of the housing allocation.</p> <p>In the earlier representations we have referred to plot 7-20, which comprises a narrow strip of land adjoining the Wandon End works buildings. Again, views of the Airport will be obscured by the buildings.</p>	<p>concerns and will prepare an assurance to that effect for issue to the Interested Party.</p> <p>The Applicant can confirm it was never its intention to plant a hedge adjacent to the buildings, this was an issue with the Interested Parties interpretation of the plans submitted with the Application.</p> <p>Plot 7-20 is a narrow strip of land and the Applicant can confirm that the submitted plans do not show a new hedgerow in this location. The land is included to provide a means of access to plant and maintain a new hedgerow beyond the Wanden End buildings through plot 7-21.</p>
Janet Ingham: Post Hearing Submission including Written Submissions of Oral Cases [REP3-119]			
3	Ecology	<ol style="list-style-type: none"> 1. Whereabouts in the replacement park the soil composition will be conducive to orchid germination? 2. What residual agricultural pesticides remain in the soil posing a barrier to orchid development? 	<p>The Ecological Mitigation Strategy for Orchids and Invertebrates [AS-035] details the two receptor site locations currently identified (Figure 2 in Appendix A of the document). Current soil conditions are reported on as detailed in Section 4.2.5 and further soil testing will occur ahead of translocation. Orchid germination, from wind-blown seed is a complex process, but the varying soil conditions and areas of vegetation cover are within the control of the Applicant.</p> <p>Both receptor sites are located within the edges of previous agricultural fields, one of which already has a population of orchids growing within the grassland present adjacent to the receptor site and within the same field, despite any previous use of</p>

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			<p>agricultural pesticides. In addition, this agricultural field has been taken out of agricultural use and has been left fallow, as have other nearby fields including the ones immediately to the south west.</p> <p>Any pesticides used in agricultural practices will be non-residual, would break down into the soil and would essentially get washed down the soil profile over time. Pesticides used within this field will have already had time to do this, and orchids are already established within this field, meaning that the soils are already conducive in this location.</p> <p>The Outline Landscape and Biodiversity Management Plan [AS-029] contains proposals for site management and this will be further refined during the detailed design phase and reflected in the Landscape and Biodiversity Management Plan which must be prepared substantially in accordance with the current outline plan, and will be adaptive throughout the life of the plan in response to monitoring programme.</p>
<p>CPRE Bedfordshire: Comments on any further information / submissions received by Deadline 2 [REP3-114] and CPRE Hertfordshire: Comments on any further information / submissions received by Deadline 2 [REP3-115]</p>			
4	Climate change	The Applicant's response makes no attempt to refute the significant legal challenges which have been made to the Government's Jet Zero Strategy (Mr Justice Holgate, 2022) nor the technical positions promoted by opposing parties to the Inquiry. It is thus inappropriate for the Applicant to suggest that the relationship between economic	It is not for the Applicant to comment on challenges by others to UK Government policy (Applicant's Response to Issue Specific Hearing 2 Actions 11, 12 & 13: New policy status paper [TR020001/APP/8.87]). It is, however, reasonable for the Applicant to rely on

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		<p>growth and demand for air travel is not changing, particularly with regard to the implications for environmental harm, both locally and more widely.</p>	<p>existing government policy, including the Jet Zero Strategy, when carrying out the GHG assessment. The assessment of the demand for air travel, as set out in the Need Case [AS-125] has been carried out in a manner consistent with the Government's Jet Zero Strategy and using the same assumptions as to the expected increase in carbon costs to meet the Government's decarbonisation targets. These costs are considered alongside economic growth projections in preparing the demand forecasts.</p>
5	Economic case and employment	<p>With regard to specific responses, under the sub-heading "Economic case and job creation" (page 75 op cit), the joint CPREs note that "Luton Council has relied for too long on the Airport as an income generator and employment hub." The Applicant then states, that "the Applicant is not responsible for Luton Borough Council's wider economic strategies, and therefore does not feel it is appropriate to comment on this point".</p> <p>This position is entirely untenable and inappropriate when the context for the proposed expansion of the airport is predicated entirely on economic growth projections and objectives, and the Borough Council is the effective owner of the Airport. The financial and economic linkages between the Council and the Airport are a justifiable concern of the opposing parties and it is not reasonable for the Applicant to seek to avoid responding to the implications of the cooperation between itself and the Council.</p>	<p>The Applicant is the owner of the airport and is promoting airport expansion as a route to supporting economic growth throughout the region in the most impactful way it can with its own assets.</p> <p>Separately, Luton Borough Council has its own strategies for growing the local economy. In 2023 the University of Bedfordshire was ranked as one of the top universities to start a Social Enterprise. In 2022, the town had the 7th highest private sector job creation in the country according to the Centre for Cities. In 2021 it was identified by Fasthosts, as the best all-round location to start a new business. It is noted that none of these is directly related to the airport.</p>