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**8.105 Applicant's Response to Rule 17 Request –
Implications of the P19 Approval for the DCO**

Infrastructure Planning (Examination Procedure) Rules 2010 Application

Document Ref: TR020001/APP/8.105

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.105 Applicant's Response to Rule 17 Request
– Implications of the P19 Approval for the DCO**

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Contents

	Page
1 Introduction	1
1.1 Purpose of this document	1
1.2 Structure of this document	2
2 Implications of the proposal authorised by the P19 permission for the DCO	3
2.1 Introduction	3
2.2 Commentary on implications for the DCO application	3
3 Implications of conditions attached to the P19 permission for the DCO	7
4 Commentary on Content of the P19 decision letter	20
5 Conclusion	26
Glossary and Abbreviations	27

Tables

Table 2.1: Direct airport related employment at 19 mppa baseline compared to 18 mppa baseline in the Assessment Years

Table 3.1: Commentary on the implications of the conditions attached to the P19 planning permission for the DCO application

1 INTRODUCTION

1.1 Purpose of this document

- 1.1.1 On 13 October 2023, the Examining Authority ('ExA') issued a letter pursuant to Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) ('the Rule 17 letter').
- 1.1.2 The Rule 17 letter requested that the Applicant and all Interested Parties review the joint decision issued by the Secretaries of State for Levelling Up, Housing & Communities and Transport, in respect of a planning application made by the airport operator, London Luton Airport Operations Limited (LLAOL) on 11 January 2021. The application (hereafter referred to as 'the P19 application'), made under the Town and Country Planning Act (TCPA) 1990, (Reference 21/00031/VARCON) sought to vary five conditions attached to the previous planning permission (Reference 15/00950/VARCON), granted on 13 October 2017.
- 1.1.3 Variations to conditions 8, 10, 22, 24 and 28 of the previous permission were granted by the Secretaries of State, subject to several further planning conditions, on 13 October 2023 (hereafter referred to as 'the P19 permission'). The relevant original conditions concerned the following matters:
- a. **Condition 8:** a limit on commercial passenger throughput of 18 million passengers per annum.
 - b. **Condition 10:** the size of noise contours.
 - c. **Condition 22:** the provision of parking areas.
 - d. **Condition 24:** a passenger and staff travel plan.
 - e. **Condition 28:** approved plans and documents.
- 1.1.4 The P19 application was initially made to Luton Borough Council (LBC) and on 1 December 2021, the Council's Development Management Committee resolved to grant the application, following a recommendation made by the Council's expert advisers and planning officers.
- 1.1.5 The P19 application was called-in for determination by the Secretary of State (SoS) for Levelling up, Housing and Communities in April 2022. Latterly, the former SoS for Transport exercised his powers under the TCPA to determine the P19 application jointly.
- 1.1.6 The deadline set by the ExA for receipt of any comments on the implications of the above decision for the current application for development consent ('the DCO application') is Deadline 4 (1 November 2023). This document sets out a response from Luton Rising (a trading name of London Luton Airport Limited), as the Applicant.

1.2 Structure of this document

- 1.2.1 This document provides the Applicant's commentary on the implications of the P19 permission being implemented and for the DCO application, under the following headings:
- a. **Section 2** – Implications of the proposal authorised by the P19 permission for the DCO
 - b. **Section 3** – Implications of the conditions attached to the P19 permission for the DCO
 - c. **Section 4** – Commentary on other content of the decision letter which is relevant to the Applicant's DCO application
- 1.2.2 The following topics are discussed under each of the headings:
- Need Case
 - Design
 - Environment
 - Surface Access
 - Green Controlled Growth
 - Employment and Training Strategy
 - Land and Compensation (including noise insulation)
 - Community First
 - Funding
 - Draft DCO (section 2 only)
- 1.2.3 Please note that the implications of the Section 106 obligations associated with the P19 permission (as well as those associated with the permission for Green Horizons Park (LBC ref: 17/02300/EIA)) for the DCO are generally not discussed in this document. The Applicant will provide full commentary at Deadline 5 as part of the response to Actions 8 and 11 from Issue Specific Hearing 1 on the Draft DCO, held on 26 September 2023. In addition, this document does not consider whether any of the conditions attached to the airport's existing consent, including those associated with the P19 permission, should to be rolled over to the DCO. This point will also be addressed in the aforementioned Deadline 5 commentary.

2 IMPLICATIONS OF THE PROPOSAL AUTHORISED BY THE P19 PERMISSION FOR THE DCO

2.1 Introduction

2.1.1 The P19 permission approved planning permission for variations to five conditions attached to the previous permission (15/00950/VARCON). These are as set out in the Planning Inspectorate's report (File Ref APP/B0230/V/22/3296455) to the Secretaries of State for Levelling Up, Housing & Communities and for Transport under Section 4 (The Proposal), and as summarised below:

2.1.2 **Original Condition 8 (Condition 7 under the P19 permission):** this variation increases the permitted passenger cap by 1 million passengers per annum (mppa) from 18 mppa to 19 mppa. It is expected that this will be accommodated by the use of modern aircraft with additional capacity.

2.1.3 **Original Condition 10 (Condition 9 under the P19 permission):** this variation provides less restrictive day and night-time noise contours until 2031. The increased contours will subsequently be reduced in the future to align with technological advancements within the aircraft fleet.

2.1.4 **Original Condition 22 (Condition 17 under the P19 permission):** whilst no changes were proposed to the existing car parking facilities at the airport, amendments to this condition were deemed necessary to ensure their retention and use.

2.1.5 **Original Condition 24 (Condition 18 under the P19 permission):** this variation provided for an updated Travel Plan (TP) to accommodate the increased passenger numbers.

2.1.6 **Original Condition 28:** this condition was deleted, following agreement during the inquiry between LLAOL and LBC.

2.1.7 There were no physical or infrastructure changes associated with these proposed variations that seek to change the external appearance, height, scale, mass, or layout of elements within the extant planning permission, known as 'Project Curium'.

2.2 Commentary on implications for the DCO application

2.2.1 At the time of submission of the DCO application, the outcome of the P19 application was still unknown. Hence, all assessment work to support the application was undertaken using a 'baseline' of 18 mppa. Nonetheless, in anticipation that the P19 application may be approved and the P19 permission implemented prior to a decision on the DCO, the Applicant's environmental assessments included sensitivity analysis of the implications of the permitted cap subsequently increasing to 19 mppa.

2.2.2 As a result of this sensitivity analysis, the Applicant believes that the environmental assessments are sufficiently representative of the likely significant effects of expansion, whether the baseline is 18 mppa or 19 mppa.

Where the change of the baseline would have an effect for a particular assessment topic, in most cases it means that the 'core' assessments (using an 18 mppa baseline) report a marginally greater change than would be the case with a 19 mppa baseline.

2.2.3 The approach to this sensitivity analysis is described in paragraph 5.4.35 of **Chapter 5 Approach to the Assessment [AS-075]** of the Environmental Statement (ES). The outcomes of this sensitivity analysis are presented within the assessment section x.9 of each technical assessment within Chapters 6 to 20 of the ES and are not repeated below. This remains true for **Chapter 11 Economics and Employment [APP-037]** of the ES, but further consideration of the change in Economics and Employment impact is discussed below under the section on Need Case.

2.2.4 The **Transport Assessment [APP-200 to APP-203 and AS-123]** did not include a sensitivity test of the implications of the permitted cap subsequently increasing to 19 mppa. However, by maintaining a baseline of 18 mppa the assessment reported a marginally greater change than would be the case with a 19 mppa baseline. The assessment is therefore considered to be robust.

Need Case

2.2.5 The P19 permission has minimal implications for the **Need Case [AS-125]**. Approval to the airport being able to increase its annual number of passengers above 18 mppa is consistent with the Core Planning Case assumption that the airport could reach up to 19 mppa in 2024 ahead of the DCO being approved. There is no implication for the forecasts assessment year.

2.2.6 However, the permission to increase to 19 mppa does mean that an element of job and Gross Value Added (GVA) creation will now form part of the baseline, reducing the difference in forecast job and GVA between the with and without development cases. The difference in direct airport related jobs between the 18 mppa and 19 mppa baselines is illustrated in Table 2.1 below and the implications for indirect/induced jobs and GVA will be pro-rata. The difference of c.300 jobs is not considered material to the assessment of the overall effects of, or need for, growth at the airport.

Table 2.1: Direct airport related employment at 19 mppa baseline compared to 18 mppa baseline in the assessment years

	2027 21.5 mppa	2039 27 mppa	2043 32 mppa
18 mppa baseline	10,500	9,600	9,400
19 mppa baseline	10,900	9,900	9,700

Design

2.2.7 All existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected in the **Baseline Scheme Layout drawing [AS-010]** submitted with the DCO

application. The Applicant therefore considers that implementation of the P19 permission would not have any design related implications.

Environment

2.2.8 The implications of the P19 permission being implemented are as described in paragraphs 2.2.1-2.2.3 above.

Surface Access

2.2.9 The implications of the P19 permission being implemented are as described in paragraphs 2.2.1-2.2.3 above.

Green Controlled Growth

2.2.10 As set out in paragraphs 2.2.1-2.2.3 above, the difference between the 18 mppa baseline and the 19 mppa baseline in respect of the environmental effects within the scope of Green Controlled Growth is considered to be marginal. The Applicant therefore considers that the P19 permission does not have any implications for the Green Controlled Growth proposals in the DCO.

Employment and Training Strategy

2.2.11 It is considered that the proposed **Employment and Training Strategy [APP-215]** would supersede the equivalent strategy submitted as part of the P19 application. As noted at paragraph 1.2.3 above, the Applicant will provide further commentary on Section 106 matters at Deadline 5 as part of the response to Actions 8 and 11 from Issue Specific Hearing 1.

Land and Compensation (including noise insulation)

2.2.12 The P19 permission would both increase the level of contribution under the existing noise insulation scheme and accelerate its roll out. This would bring forward installation of noise insulation in properties that would otherwise be delivered under the Proposed Development.

2.2.13 The P19 permission otherwise has no implications for the acquisition of land or payment of compensation for acquiring land or rights in land.

Community First

2.2.14 The P19 permission raises the baseline situation from which the Community First fund would be calculated. This means that Community First would apply to every new passenger above the new 19 mppa planning cap. The total maximum Community First allocation at 32 mppa would be £13m per year rather than the £14m per year as would have been the case had the P19 application not been approved and the previous 18 mppa capacity cap been retained.

Funding

2.2.15 The P19 permission does not impact the financial viability of the DCO project. The financial viability of the Proposed Development is based on assessments of

the airport as a whole, not the incremental changes in passenger volumes over time.

Draft DCO

- 2.2.16 The P19 permission does not have any material implications on the drafting of the DCO itself because the drafting in the DCO already accommodates a potential change in the permitted cap.
- 2.2.17 The proposed operational regime that would be established by the DCO – in particular Requirements pertaining to Green Controlled Growth in Schedule 2, Part 3 and Requirements pertaining to other material operational matters (Part 4) of the **Draft DCO [REP3-004]** – would replace wholesale the operational regime currently in place or any regime implemented as a result of the P19 permission.
- 2.2.18 With regard to the approach being taken to consider which conditions under the P19 permission (or the extant permission) may be rolled over to the DCO, please refer to paragraph 1.2.3.

3 IMPLICATIONS OF CONDITIONS ATTACHED TO THE P19 PERMISSION FOR THE DCO

- 3.1.1 The following table provides commentary on the implications of the conditions attached to the P19 permission for the DCO application. Note that implications on the Draft DCO have been considered under section 2 above and are not discussed below.

Table 3.1: Commentary on the implications of the conditions attached to the P19 permission for the DCO application

P19 condition 1	
The development hereby permitted shall be carried out in accordance with the As-Built Master Plan (CD1.02).	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	The infrastructure in the As-Built Master Plan is consistent with the future baseline considered in the ES submitted as part of the application for development consent, therefore there are no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 2	
Details of the timescale for the commencement of Phase 3 works comprising (i) Taxiway 26 (Golf) and (ii) north apron extension, as shown on As-Built Master Plan with Phases Labelled drawing, received November 2023 (INQ-86) (hereinafter referred to as Phase 3) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to its commencement. The scheme as approved shall be implemented in accordance with the approved timescales.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because Taxiway Golf and the North Apron are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	The infrastructure in the As-Built Master Plan is consistent with the future baseline considered in the ES submitted as part of the application for development consent, therefore there are no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.

Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 3	
Phase 3 of the development shall be carried out in accordance with the details contained in the Protected Species Management Plan approved on 8 May 2017 (ref: 17/00459/DOC).	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	The Protected Species Management Plan referred to in Condition 3 is from 2017 and recommends management measures to be implemented on the existing airport during work described in planning permission 17/00459/DOC. This has either been completed or can proceed as planned and therefore has no material implications for the DCO.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 4	
Details of the lighting scheme for Phase 3 of the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be implemented in accordance with the approved scheme and subsequently maintained and reviewed in accordance with the approved scheme. Any external lighting previously installed in accordance with details approved on 4 June 2015 for Phase 1 (ref: 15/00451/DOC) and 25 September 2019 for Phase 2 (ref: 19/00954/DOC) shall be maintained and reviewed in accordance with those schemes.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .

Environment	The lighting baseline used in the Light Obtrusion Assessment [APP-052 and APP-053] was based on the existing lighting. Any minor changes in line with the approved lighting scheme described above are not likely to alter the overall baseline of an operational airport to an extent that would result in new or different significant effects, or change the mitigation and management measures already proposed in the application for development consent.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 5	
Phase 3 of the development shall be carried out in accordance with the Construction Environmental Management Plan approved on 8 May 2017 (ref: 17/00460/DOC).	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] and are assumed to be complete before the DCO construction activities commence.
Environment	The implementation of the Construction Environmental Management Plan under the P19 permission would not have any material implications for the Proposed Development subject to the DCO.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.

P19 condition 6	
Phase 3 of the development shall be carried out in accordance with the archaeological Written Scheme of Investigation approved on 24 December 2014 (ref: 14/01496/DOC).	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	The implementation of the Written Scheme of Investigation for work at the existing airport would not have any material implications for the Proposed Development subject to the DCO as work would have already been completed before the DCO is granted or can proceed without being influenced by, or effecting, the Proposed Development.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 7	
At no time shall the commercial passenger throughput of the airport exceed 19 million passengers in any twelve-month period. From the date of this permission the applicant shall every quarter report in writing to the Local Planning Authority the moving annual total numbers of passengers through the airport (arrivals plus departures). The report shall be made no later than 28 days after the end of each quarter to which the data relates.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	No implications for the design of the Proposed Development subject to the DCO application.
Environment	No implications for the Proposed Development subject to the DCO application.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation	This condition does not give rise to any implications for Land and Compensation.

(incl. noise insulation)	
Community First	This condition does not give rise to any implications for Community First other than as indicated in paragraph 2.2.14
Funding	See section 2.2.15.
P19 condition 8	
The development hereby approved shall be operated in accordance with Sections 5, 6, 7 & 8 of the London Luton Airport 2022 Noise Management Plan Technical Document or the equivalent provisions in any successor document which shall first have been submitted to and approved in writing by the Local Planning Authority.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	<p>The Noise Envelope proposed for the DCO application (see Green Controlled Growth Explanatory Note [APP-217]) has been designed to improve upon the existing noise control regime (as re-secured in P19 condition 8) and to effectively prevent breaches from occurring. The Comparison of consented and proposed operational noise controls document [AS-121] provides a direct comparison between the current and proposed operational noise controls (including those modified by the P19 permission), noting that the Noise Envelope provides several enhancements to the current consented noise controls that are designed to prevent breaches before they occur, such as independent scrutiny and oversight, increased transparency, adaptive mitigation and management plans and noise Limit reviews.</p> <p>Since the submission of Comparison of consented and proposed operational noise controls document [AS-121] several enhancements have been made to the noise controls that would be secured in the Proposed Development, such as:</p> <ol style="list-style-type: none"> the introduction of an Outline Ground Noise Management Plan [TR020001/APP/8.46] that would be secured through a Requirement of the DCO. This Management Plan builds upon the existing controls secured in condition 8 of the P19 permission; the introduction of a Ground Noise Insulation Scheme within Draft Compensation Policies Measures and Community First [REP2-005] that would be secured through a Section 106 agreement. This insulation scheme, along with the proposed air noise insulation scheme and highways insulation scheme, builds upon the existing controls secured in condition 8 of the P19 permission. a commitment to provide quarterly and annual reporting in the Aircraft Noise Monitoring Plan [REP3-023] that would be secured through the Green Controlled Growth Framework [REP3-017]. This reporting builds upon the existing reporting requirements secured in condition 8 of the P19 permission. <p>Following discussion at the Issue Specific Hearings in September 2023, further discussions with the Host Authorities and the decision to approve the P19 application, the Applicant is intending to make further updates to the noise controls secured in the DCO which will be published at Deadline 5.</p>
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth. Please see also the 'Environment' response above with respect to the Noise Envelope.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation	This condition does not give rise to any implications for Land and Compensation. Note that noise insulation is covered under Environment.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.

P19 condition 9

The area enclosed by the 57dB Laeq(16hr) (0700-2300 hrs) contour shall not exceed 21.1km² for daytime noise, and the area enclosed by the 48dB Laeq(8hr) (2300- 0700 hrs) contour shall not exceed 42.1km² for night-time noise, when calculated by the Federal Aviation Authority Integrated Noise Model version 7.0-d (or as may be updated and amended) for the period up to the end of 2027.

The commercial passenger throughput at London Luton Airport shall not exceed 18 million passengers in a twelve-month period until a strategy has been submitted to and approved in writing by the Local Planning Authority which defines the methods to be used by LLAOL or any successor or airport operator to reduce the area of the noise contours by 2028 for daytime noise to 15.5km² for the area exposed to 57dB Laeq(16hr) (0700- 2300 hrs) and above and for night-time noise to 35.5km² for the area exposed to 48dB Laeq8hr (2300-0700) and above.

Post 31 December 2027 the area enclosed by the 57dB Laeq16hr (0700-2300 hrs) contour shall not exceed 15.5 km² for daytime noise, and the area enclosed by the 48dB Laeq(8hr) (2300-0700hrs) contour shall not exceed 35.5 km² for night-time noise.

Post 31 December 2030 the area enclosed by the 57dB Laeq16hr (0700- 2300) contour shall not exceed 15.1km² for daytime noise, and the area enclosed by the 48dB Laeq(8hr) (2300- 0700 hrs) contour shall not exceed 31.6km² for night-time noise.

A report on the actual and forecast aircraft movements and consequential noise contours (Day, Night and Quota Periods) for the preceding and forthcoming calendar year shall be reported on 1 December each year to the Local Planning Authority, which shall utilise the standard 92 day summer contour.

Commentary on implications for the DCO

Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	There are no implications for the Proposed Development with regards to the newly consented noise contour area Limits. New noise contour area Limits are defined for the Proposed Development as part of the Noise Envelope secured through the Green Controlled Growth Framework [REP3-017] . Commentary and comparison between the Noise Envelope and the P19 permission noise contour area Limits is provided in Comparison of consented and proposed operational noise controls [AS-121] .
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth. Please see also the 'Environment' response above with respect to the Noise Envelope.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First
Funding	See section 2.2.15.

P19 condition 10

The development shall be implemented and managed in accordance with the Comprehensive Surface Water Management Strategy approved on 18 May 2015 (ref: 15/00187/DOC).

Commentary on implications for the DCO

Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not have any implications for this topic because all existing commitments by LLAOL to develop infrastructure as indicated on the As-Built Master Plan drawing submitted with the P19 application are reflected on the Baseline Scheme Layout drawing [AS-010] .
Environment	The drainage strategy for the Proposed Development can still be delivered as proposed, no material implications.

Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 11	
The detailed surface water drainage scheme for Phase 3 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be generally in accordance with the Flood Risk Assessment (FRA) prepared by Jacobs, reference B1074100/22.2, issue 3, dated November 2012 (within Technical Appendix J of the Environmental Statement submitted with application 12/01400) and the scheme shall include details of soakaways and a restriction in run-off and surface water storage on site. The scheme as approved shall be implemented in full before completion of the phase and managed in accordance with the approved scheme thereafter.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	The drainage strategy for the Proposed Development can still be delivered as proposed, no material implications.
Environment	The drainage strategy for the Proposed Development can still be delivered as proposed, no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 12	
Phase 3 of the development shall be carried out in accordance with the Contamination Risk Assessment Report approved on 7 April 2017 (ref: 17/00173/DOC).	

Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Outline Remediation Strategy for the Proposed Development can still be delivered as proposed, no material implications.
Surface Access	
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 13	
Phase 3 of the development shall not be brought into use until a verification report demonstrating i) completion of works set out in the approved remediation strategy and ii) the effectiveness of the remediation for the phase, has first been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a “long-term monitoring and maintenance plan” (the Plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The Plan shall be implemented as approved.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Outline Remediation Strategy for the Proposed Development can still be delivered as proposed, no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.

Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 14	
If contamination not previously identified is found to be present at the site during the construction of Phase 3 of development, no further development of that phase shall be carried out until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Outline Remediation Strategy for the Proposed Development can still be delivered as proposed, no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 15	
No infiltration of surface water drainage into the ground shall take place other than in accordance with a scheme, including timescales and phasing as appropriate, which has been submitted to and approved in writing by the Local Planning Authority in advance of any discharge. The development shall be carried out in accordance with the approved scheme, timescale and phasing.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	The drainage strategy for the Proposed Development can still be delivered as proposed, no material implications.
Environment	The drainage strategy for the Proposed Development can still be delivered as proposed, no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .

Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 16	
Phase 3 of the development shall be carried out in accordance with the Borehole Protection Report approved on 28 March 2017 (17/00176/DOC).	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Proposed Development can still be delivered as proposed, no material implications.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 17	
The areas within the application site which are shown to be in use for car parking on the As-built Master Plan (CD1.02) shall not be used for any other purpose other than the parking of vehicles by passengers, staff and contractors servicing the airport.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	The Proposed Development can still be delivered as proposed, no material implications
Environment	The Proposed Development can still be delivered as proposed, no material implications.
Surface Access	The Proposed Development can still be delivered as proposed, no material implications.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.

Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 18	
Prior to the commercial passenger throughput at London Luton Airport exceeding 18 million passengers in a twelve-month period, an updated travel plan shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the airport shall be operated in accordance with the approved travel plan.	
Commentary on implications for the DCO	
Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Proposed Development can still be delivered as proposed, no material implications.
Surface Access	The updated travel plan will be produced in accordance with the Framework Travel Plan and therefore this condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.
P19 condition 19	
Prior to the commercial passenger throughput at London Luton Airport exceeding 18 million passengers in a twelve-month period, a Carbon Reduction Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Carbon Reduction Strategy and its outcomes shall be informed by the carbon mitigation targets and measures in the London Luton Airport 19 mppa: Outline Carbon Reduction Plan, Wood Group UK Limited – May 2021. The approved Carbon reduction Strategy shall be reviewed in accordance with the following provisions:	
<ul style="list-style-type: none"> a. Annually: independent verification by the Airports Carbon Accreditation Scheme with the results being made available to the Local Planning Authority for their review and written approval; b. Annually: publication as part of the Airport's Sustainability Report, available for review by all stakeholders, including the Local Planning Authority; c. Every three years: independent audit and inspection by the Airports Carbon Accreditation Scheme with the results being made available to the Local Planning Authority for their review and written approval; and, 	

- d. Every five years: the airport operator review and update, including consultation with stakeholders and submission to the local planning authority for their review and written approval.
- e. As and when new national policies or targets are published: the Carbon Reduction Strategy shall be updated to reflect those new policies and targets.

The reviewed and/or updated Carbon Reduction Strategy shall be submitted to and approved in writing by the Local Planning Authority in accordance with the above provisions. The methodology and/or interim targets may be amended and approved in writing beforehand by the Local Planning Authority to include any updates to best practice. All approved measures in the Carbon Reduction Strategy, and any subsequent approved updates, shall be implemented and complied with.

Commentary on implications for the DCO

Need Case	This condition does not give rise to any implications for the Need Case [AS-125] .
Design	This condition does not give rise to any implications for Design.
Environment	The Greenhouse Gas (GHG) Action Plan for the Proposed Development will be developed in accordance with the Outline GHG Action Plan [APP-081] and can take into consideration the Carbon Reduction Strategy available at the time of writing, no material implications for the Proposed Development.
Surface Access	This condition does not give rise to any implications for Surface Access.
Green Controlled Growth	This condition does not give rise to any implications for Green Controlled Growth.
Employment and Training Strategy	This condition does not give rise to any implications for the Employment and Training Strategy [APP-215] .
Land and Compensation (incl. noise insulation)	This condition does not give rise to any implications for Land and Compensation.
Community First	This condition does not give rise to any implications for Community First.
Funding	See section 2.2.15.

4 COMMENTARY ON CONTENT OF THE P19 DECISION LETTER

4.1.1 This section provides commentary on the discussion of other matters set out within the P19 application decision letter and outlines the Applicant's view on implications of this for the DCO application. It considers matters which are not directly authorised by the P19 permission, but which warrant consideration. Note that implications on the **Draft DCO [REP3-003]** have been considered under section 2 above and are not discussed below.

Need Case

4.1.2 Although the economic effects of the P19 permission are significantly less than those forecast with growth at the airport to 32 mppa, the Secretaries of State accorded significant weight to those benefits at paragraph 39 of the decision letter:

"... and that given the levels of unemployment and deprivation locally, even relatively modest jobs growth would have a particularly important positive economic impact. They conclude that the proposal would accord with LLP Policies LLP6 and LLP13, and that the socio-economic effects carry considerable weight in favour of the proposal (IR15.200)."

4.1.3 The decision by the Secretaries of State also addresses points raised at the P19 Inquiry that are also raised by Interested Parties at the DCO examination in relation to the economic effects of outbound tourism and in relation to whether a full WebTAG appraisal of the socio-economic costs and benefits is required. Both are addressed at paragraph 37 of the decision letter.

4.1.4 In relation to outbound tourism, the Secretaries of State are clear that the potential for increased outbound tourism does not carry any weight:

"For the reasons given in IR15.183-15.185, the Secretaries of State agree with the Panel that the proposal would be unlikely to constrain domestic tourism (IR15.183), and that any potential for displacement of passengers or spending does not weigh against the proposal (IR15.185);"

and, in relation to WebTAG, that:

"They further agree, for the reasons given in IR15.188-15.191 that the absence of an appraisal following a web-based transport analysis guidance (WebTAG) or similar methodology does not weigh against the proposal (IR15.190)."

4.1.5 In so far as the demand forecasts for the P19 application were concerned, the principal issue related to the anticipated transition to a new generation fleet of aircraft. The Secretaries of State placed more weight on the fleet modernisation forecasts put forward by the applicant than on alternative projections noting, at paragraph 19 of the decision letter, that:

"... should the fleet modernisation programme change, a noise contour condition as proposed would still be capable of application, and that the likely consequence would be a need to curtail passenger throughput until the predicted number of quieter aircraft had been introduced (IR15.15)."

4.1.6 This same principle would apply in respect of the DCO, through the application of the **Green Controlled Growth Framework [APP-218]**.

4.1.7 A further point made in the decision letter relates to the representations on the DCO made by several interested parties concerning the relationship between LBC and LR. This was addressed at paragraph 38 of the decision letter:

“For the reasons given in IR15.192-15.196, the Secretaries of State agree with the Panel that considerations about the extent to which Luton Borough Council may be dependent on the airport for economic support are not material in this case (IR15.193)”

Design

4.1.8 There are no other matters discussed in the commentary of the P19 application decision letter which require consideration from the Applicant in regard to design.

Environment

Greenhouse Gas Emissions

4.1.9 Although the increase in passenger numbers sought by the DCO application is considerably greater than that in the granted permission, the principles and application of the Government policy on aviation emissions are the same.

4.1.10 It is noted that in paragraph 20 to 26 of the decision letter that the Secretaries of State agree that:

4.1.11 *“... the aviation emissions arising from the proposal would be within assumptions within the Government’s policies and strategies, particularly the Making Best Use of existing runways (MBU) and Jet Zero Strategy (JZS), no material adverse effects would arise. Therefore, the proposal would not impede the Government in achieving its emissions reductions targets, including through the sixth Carbon Budget and the Jet Zero trajectory, either by itself or in combination with other expansion proposals (IR15.69).”*

4.1.12 The Secretaries of State also agree that:

4.1.13 *“... the UK Emissions Trading Scheme and carbon offsetting and reduction scheme for international aviation (CORSIA) regimes provide the separate pollution control regimes which the NPPF assumes will operate effectively (IR15.71), and that the evidence does not suggest the proposal would either harm the implementation or trajectory of the Jet Zero Strategy, nor that the proposal could not operate within its approach (IR15.74).”*

Chilterns Area of Outstanding Natural Beauty

4.1.14 It is notable that the Secretaries of State and the Panel agreed that increases in noise and aircraft movements would only occur in a small part of the Chilterns AONB (see paragraph 16 and IR15.41-15.44). The Panel notes that the AONB is already overflowed, and the P19 permission does not involve any changes in airspace arrangements such that any areas of the Chilterns would be newly overflowed. These considerations equally apply to the Proposed Development.

Noise

4.1.15 With regard to noise, the following is notable:

- a. Paragraph 14: the SoS and Panel agree that equivalent continuous A-weighted sound pressure level (LAeq) is of importance in considering the noise effects of the proposal, with other metrics of assistance, in contributing to the overall picture. This is consistent with the methodology applied in **Chapter 16** of the ES [REP1-003].
- b. Paragraph 15: the SoS and Panel note that the 2017 permission (Ref 15/00950/VARCON) provides the correct baseline for the purpose of comparison. The future baseline Do-Minimum contours used for the identification of Environmental Impact Assessment adverse likely significant effects in **Chapter 16 [REP1-003]** of the ES are compliant with the 2017 permission. A comparison with the 2017 permission baseline as applied to the historic 2019 baseline has been undertaken in **Chapter 16** of the **ES [REP1-003]** and **Appendix 16.1** of the **ES [AS-096]**.
- c. Paragraph 16: the SoS and Panel (at IR15.40) note that it is reasonable to assume that the airlines would be keen to implement the modernisation programmes which they have announced, leading to quieter aircraft.
- d. Paragraph 16: the SoS and Panel (at IR15.39) note that areas overflown outside of the Lowest Observed Adverse Effect Level (LOAEL), whilst being aware of the presence of overflying aircraft, would not experience any harm to amenity.
- e. Paragraph 19: the SoS and Panel note that if fleet modernisation were not to proceed as expected, in order to achieve compliance with the proposed variation to the noise contours condition it would be necessary for consideration to be given to reducing the number of flights. This reinforces the security that the noise contour area condition, like the DCO Noise Envelope, provides certainty in the noise outcome even in the situation where fleet modernisation does not proceed as expected.
- f. Paragraph IR4.7: The Panel notes that the P19 permission does not involve any changes to airspace and that such changes are the subject of a separate regulatory regime. This is consistent with the approach for the Proposed Development.
- g. Paragraph IR7.2: The Panel notes that matters agreed between the Local Planning Authority and LLAOL include that the night-time Significant Observed Adverse Effect Levels (SOAEL) (63 and 55 dB LAeq) will be mitigated by noise insulation which would minimise the increase in noise when windows are closed, avoiding adverse health effects. The Proposed Development also notes that adverse health effects would be avoided by the provision of the full cost of insulation about the daytime and night-time SOAEL.
- h. Paragraph IR8.82: The Panel notes that all parties agreed that the correct LOAELs and SOAELs for aircraft noise had been applied. The

Panel conclude at paragraph 15.26 that they have no reason to adopt a different approach. The same LOAELs and SOAELs have been used for the Proposed Development noise assessment in **Chapter 16** of the **ES [REP1-003]**.

- i. Paragraph IR8.82: The Panel notes that all parties agreed that there is a considerable body of evidence that supports the use of L_{Aeq} metrics in the assessment of aviation noise due to its correlation with annoyance (this is further discussed at IR8.137-138). At paragraph 15.22, the Panel conclude " *L_{Aeq} is of importance in considering the noise effects of the proposal, with other metrics of assistance in contributing to the overall picture.*" This is consistent with the use of the L_{Aeq} as the primary assessment metric supported by supplementary metrics in **Chapter 16** of the **ES [REP1-003]**.
- j. Paragraph IR8.83: The Panel notes the assessment criteria for identifying what they call a 'notable exceedance'. These are the same assessment criteria used to identify adverse likely significant effects in **Chapter 16** of the **ES [REP1-003]**.
- k. Paragraph IR8.123-127: The Panel notes that the process of noise model validation and calibration using the airports fixed noise monitoring terminals is robust, and that annual validation will capture future operational changes as required. The same approach has been applied for the noise assessment in **Chapter 16** of the **ES [REP1-003]** and ongoing annual validation of the noise model will be secured through the **Aircraft Noise Monitoring Plan [REP3-023]**.

Surface Access

- 4.1.16 The Secretaries of State have carefully considered the assessment of highway impacts set out in IR15.106-15.118. For the reasons given there, the Secretaries of State agree with the Panel that there is reasonable evidence that the M1 would provide the best route choice for most car journeys by staff and passengers (IR15.114), and that distributing the additional traffic movements in the a.m. and p.m. peaks would have only a minimal effect on the performance of any of the junctions in the study area (IR15.115).
- 4.1.17 Like the Panel, the Secretaries of State conclude that the effects of the additional traffic arising from the proposal would not result in significant adverse effects on the operation of the highway network during the average peak periods. They agree with the Panel for the reasons given in IR15.118 that it is appropriate for LLAOL to continue encouraging increased use of public transport for passengers and staff and active travel options for staff.
- 4.1.18 For the reasons given in IR15.131-15.137, the Secretaries of State agree with the Panel in its support for the Car Parking Management Plan being part of an updated TP and agree that to do so effectively it would need to be more wide-ranging, including in respect of estimating and managing demand, charging and incentives (IR15.137).
- 4.1.19 With regard to the airport's staff, the Secretaries of State agree with the Panel for the reasons given in IR15.138-15.141, that the actions set out in Section 10

of the TP to encourage cycling should be prioritised (IR15.40), actions to promote and encourage take up of staff discounts on public transport would continue to be appropriate, and that activities to secure increased participation in car sharing would be welcome (IR15.141).

- 4.1.20 For the reasons given in IR15.142-15.145, the Secretaries of State conclude that the provision of Schedule 2 of the planning agreement for an update to the TP to be submitted for approval prior to the passenger throughput exceeding 18 mppa is considered a necessary provision (IR15.145).
- 4.1.21 Overall with regard to transport matters, the Secretaries of State agree with the Panel that the proposal would not give rise to significant adverse effects on the operation of the highway network during average peak periods (IR15.146), and they are satisfied that the targets set out in the revised TP are an appropriate means of ensuring that the growth in passenger numbers could be accommodated on the surrounding transport network throughout the year (IR15.147).

Green Controlled Growth

- 4.1.22 Paragraph IR8.44: The Panel notes that a Carbon Reduction Strategy (CRS) would be secured by condition and that *“the airport is not currently subject to such obligations and so the CRS (which, like the TP, would apply to the whole Airport and not just the additional 1mppa) would be a significant benefit in its own right”*. Green Controlled Growth goes further than the proposed CRS in securing a number of legally-binding Limits across Air Quality, Greenhouse Gases and Surface Access in addition to the Noise Envelope.
- 4.1.23 A number of Interested Parties have raised concerns about LBC's role on the Environmental Scrutiny Group and as the 'relevant authority' for enforcement purposes under the Planning Act 2008. This is on the basis of a perceived conflict of interest, with these Interested Parties raising a perceived lack of enforcement of historic noise breaches to support their position. The Panel considers enforcement at Paragraphs IR8.109 to IR8.114 and states that in their role as the Local Planning Authority (LPA), LBC have *“followed an entirely orthodox, proportionate and lawful approach of responding to the breaches”* and that *“far from there being any basis for suggesting any improper or less than exacting process of scrutiny of the Airport, the whole history has been characterised by exactly the opposite”*.

Employment and Training Strategy

- 4.1.24 With regard to the ETS, the following is notable:
- a. Paragraph IR1.6: *“A planning agreement has been submitted, which has been made between the Applicant, London Luton Airport Ltd (LLAL, the owner of the airport), NatWest Markets PLC (the mortgagee), and the LPA1. The agreement includes obligations concerning local employment and procurement”*.
 - b. Paragraph IR15.180: *“It may well be that new jobs at entry level would be beneficial to those who are currently unemployed and live in the local area. Support for such people would also be provided by the*

Employment Skills and Recruitment Plan that would be secured by a planning obligation”.

- c. Paragraph IR15.235: *“In order to secure employment benefits, the Panel agrees that the local procurement protocol and the employment skills and recruitment plan should be implemented, and the latter updated.”*

4.1.25 The Employment Skills and Recruitment Plan outlined above and referenced within the P19 decision letter will be superseded by the proposed **Employment and Training Strategy [APP-215]**, which includes initiatives to encourage local employment and procurement including those who are unemployed in the local area as outlined in the statements above. The **Employment and Training Strategy [APP-215]** will be secured through a Section 106 agreement to ensure delivery of initiatives set out within the strategy.

Land and Compensation (including noise insulation)

4.1.26 The P19 permission provides for an enhanced Noise Insulation Scheme (NIS), secured by planning conditions and obligations, providing a fund of £4,500 per property (index linked) with an uncapped annual fund. The P19 Applicant (LLAOL) intends to allocate £8.5m to the scheme to ensure all properties meeting the relevant criteria can be insulated within five years. This is compared to the existing NIS which has an annual capped fund of £100,000pa (index linked) and a 'per property' fund of £3,000 (index linked). A current estimate is that it would take 33 years to complete with a fund of approximately £3.5M (based on current uptake of the scheme of approximately 50%), at best deployment it could take 16 years.

Community First

4.1.27 There are no other matters discussed in the commentary of the P19 application decision letter which require consideration from the Applicant regarding Community First.

Funding

4.1.28 There are no other matters discussed in the commentary of the P19 application decision letter which require consideration from the Applicant in regard to funding

5 CONCLUSION

- 5.1.1 This document sets out what the Applicant considers are the implications of the P19 permission for the DCO application. In conclusion, the Applicant considers that there are limited implications across the topic areas. This reflects the Applicant's ongoing commitment to consider fully the relationship and interaction between the P19 permission and the DCO application.
- 5.1.2 This proactive approach has ensured that the Applicant's proposals were considered both in the context of the existing 18 mppa baseline and of the P19 permission.
- 5.1.3 The main implications this document has highlighted are as follows:
- a. **ES baseline:** where the change of the baseline would have an effect for a particular assessment topic, in most cases it means that the 'core' assessments (using an 18 mppa baseline) report a marginally greater change than would be the case with a 19 mppa baseline. This was considered through sensitivity analysis of the permitted cap increasing.
 - b. **Transport Assessment baseline:** by maintaining a baseline of 18 mppa the assessment reported a marginally greater change than would be the case with a 19 mppa baseline. Given the degree of change is minor, the assessment is considered to be robust.
 - c. **Need case** – an element of job and GVA creation will now form part of the baseline, reducing the difference in forecast job and GVA between the with and without development case. This difference is not considered material.
 - d. **Noise insulation** – the P19 permission will bring forward installation of noise insulation in properties that would otherwise be delivered under the Proposed Development.
 - e. **Community First** – the baseline from which the fund is calculated is raised, meaning that the maximum allocation at 32 mppa would be £13m per year.

GLOSSARY AND ABBREVIATIONS

Term	Definition
ExA	Examining Authority
LLAOL	London Luton Airport Operations Limited
TCPA	Town and Country Planning Act 1990
LBC	Luton Borough Council
DCO	Development Consent Order
P19 application / permission	Planning application Ref 21/00031/VARCON to LBC
ES	Environmental Assessment
mppa	Million passengers per annum
GVA	Gross Value Added
ETS	Employment and Training Strategy
WebTAG	Web-based Transport Analysis Guidance
SoS	Secretary of State
AONB	Area of Outstanding Natural Beauty
MBU	Making Best Use of existing runways
JZS	Jet Zero Strategy
LAeq	LAeq
SOAEL	Significant Observed Adverse Effect Levels
LOAEL	Lowest Observed Adverse Effect Level
CRS	Carbon Reduction Strategy
LPA	Local Planning Authority
LLAL	London Luton Airport Limited
NIS	Noise Insulation Scheme
TP	Travel Plan