



Responses for Deadline 4

Application by Luton Rising to extend London
Luton Airport

Author: Luton Borough Council (the local planning authority [LPA])

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1 Introduction

- 1.1 This report comprises the response of Luton Borough Council (LBC) as local planning authority (LPA) to the deadline 4 submission targets set by the Examining Authority (ExA).
- 1.2 The report is set out in tabular form, identifying the action and providing a response.

ISH Q	Action by	Question	LBC Response
2 ISH1: draft DCO			
ISH1 Q6	LBC	Luton Borough Council to provide wording of conditions on the planning permission for 18 million passengers per annum that still require to be discharged and/ or need to be carried forward to the draft Development Consent Order (DCO).	<p>This question was then superseded by Action Point 11 in the ExA's Rule 17 letter of 3 October which required the Applicant to produce a combined submission with the Host Authorities by Deadline 5 on the previous planning conditions and planning obligations that are to carry forward to the Proposed Development.</p> <p>Further, on 13 October the Secretaries of State for Transport and for Levelling Up Housing and Communities issued their decision notice granting planning permission for the passenger cap at the airport to be raised to 19mppa (LBC ref: 21/00031/VARCON). The decision letter from the Secretaries of State proposes 19 planning conditions, identifying the phase of the original development that has yet to be carried out.</p> <p>LBC has met with the Applicant and anticipates that there will be further meetings with the Applicant and the joint Host Authorities in order to discuss the position of conditions associated with both the original planning permission (LBC ref: 12/01400/FUL) and the 19mppa permission, to ensure that if the DCO is consented conditions and obligations are captured for both permissions (in case the 19mppa permission has not been implemented at that point).</p>
3 ISH2: Need and socio-economic matters			
ISH2 Q2	Applicant and Host Auths.	Dr Smith to review report and engage in further dialogue with Applicant following comments from Ms Congdon.	There have been further meetings between Dr Smith and Ms Congdon, with additional comments provided by Dr Smith in submissions from the Host Authorities at Deadline 4.

4 ISH3: Noise and vibration

ISH3 Q10	Applicant	Consider whether a restriction on piling would be needed and if so how and where would this be secured.	<p>The Applicant will answer this for Deadline 4, but in discussion with the Host Authorities noise consultant, Suono, the Applicant has agreed to accept suitable wording being added to cover whether a restriction on piling would be necessary – taking into account condition 8 of the New Century Park permission (LBC ref: 17/02300/EIA) and covering vibration as well as noise.</p> <p>The Host Authorities will consider the Applicant's response and respond appropriately.</p>
ISH3 Q18	Applicant and LBC	Discuss whether the maximum 5dB above background noise levels for fixed plant is appropriate.	Discussions have taken place with the Applicant, with confirmation that the Applicant is willing to accept plant noise limits being set from 10 dB below background (this was at 5 dB below previously). This is confirmed in the response to the ExAs Written Questions (Question DCO.1.17).

5 ISH4: Traffic and transport

ISH4 Q13	Applicant and LBC	Provide an update and details of the on-going discussions regarding how the Applicant and Luton Borough Council are working together to resolve the issue of fly parking.	The issue of fly-parking was addressed in in LBC's post hearing submission to Deadline 3 (REP3-106).
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6 ISH5: Air quality

ISH5 Q13	Host Authorities	Provide information to Applicant regarding a single previous incidence of suspected fuel dumping referenced by Mr Pitman.	LBC understands that this complaint was made to North Hertfordshire District Council and was forwarded to the airport operator (LLAOL).
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7 ISH6: Design, etc

ISH6 Q31	Herts CC, Central Beds, and Applicant	<p>Councils - provide a response on suitability of the Design Principles Document [APP-225].</p> <p>Applicant - consider introducing the need for a Design Code.</p>	<p>This question has not been addressed to LBC, however, most of the built development would be within the Borough and therefore a response is being provided.</p> <p>LBC has met with the Applicant in relation to the Design Principles and understands that the Applicant proposes to provide further information for Deadline 4. In addition, the Applicant has set up a meeting with the Joint Host Authorities on 3 November to discuss the Design Principles further.</p> <p>Whilst the New Century Park (LBC ref: 17/02300/EIA) development included a condition requiring design guides to be submitted and approved ahead of the reserved matters for the development, that development is somewhat different to that proposed in the DCO, since it encompassed numerous buildings being delivered in phases, whereas the DCO only includes two buildings that would be public facing (the new terminal and the new hotel). Consequently LBC does not consider that design guides are appropriate in relation to the DCO.</p> <p>LBC has addressed this further in the response to the question PED.1.5 of the ExA's Written Questions ExQ1 (PD-010)</p>
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