

## **Unique Reference 20040142**

### **St. Albans Quieter Skies**

#### **Deadline 5 submission - comment on Luton Rising explanatory note “Operational Noise Management Plan” – on behalf of STAQS members**

We cannot agree that the Applicant’s proposals for the Noise Envelope give any certainty of future noise levels to be experienced by surrounding communities.

In our deadline 4 submission TR020001-002269, commenting on the 19M Planning Inquiry Inspectors observation that there has been a loss of trust between Communities, the Local Planning Authority and the Airport (in that case the operator, LLAOL) we outlined our view of the primary reason behind that loss of trust.

The situation regarding the definition of the Noise Envelope has served only to reinforce our reasons to be mistrusting of the Applicant’s motives.

Within TR020001-002144-5.02 - Environmental Statement Appendix 16.2 Operational Noise Management (Explanatory Note) Rev 1 – the Applicant makes numerous references to Civil Aviation Authority document CAP1129 – “Design Envelopes” – but the requirements of CAP1129 have not been followed.

CAP1129 lists, in conclusion, these five points: (in italics)

*The key conclusions and messages arising from this study on the Noise Envelope concept are as follows:*

- 1. For an envelope to function as intended, it is essential that full agreement is achieved between all stakeholders on the envelope’s criteria, limit values and means of implementation and enforcement.*

Two community representatives only were invited to join the Noise Envelope Design Group. One of these subsequently had to withdraw for reasons of ill health. Because of confidentiality provisions they could not share their

discussions in any great detail within their own groups, or the other Community Groups that they were expected to represent. At the end of the process, the NEDG had one individual to represent all communities without independent professional support. Even so, Luton Rising have chosen not to take forward the recommendations of the NEDG.

- 2. The benefits of future technological improvements must be shared fairly between industry and local communities. This is fundamental to the noise envelope concept, and will need to be considered when defining parameters and setting limits.*

This was the intention behind the noise envelope in place for Project Curium, as defined by a series of planning conditions. The following years saw the airport take all of the growth ahead of schedule and before the delivery of mitigations such as quieter aircraft and noise insulation in the most seriously impacted residential properties. Again, the DCO forecasts show increased noise in the early years before the balancing mitigations are provided, with further noise increases later. The noise/growth balance is again tilted in favour of the Airport. What confidence can we have that noise reductions will follow?

- 3. An envelope is likely to be defined by a combination of parameters.*

The Applicant decided to use only LAeq metrics. This approach gives little assurance to communities. While having the benefit of enabling comparison with prior years, the use of Summer Day and Night LAeq contour area limits do not give protection against individual loud aircraft events, particularly at night. They give no assurance of noise levels at other times of the year. The human ear does not hear equivalent continuous noise levels – in the case of aircraft it hears a succession of individual noise events. It does not incentivise airlines to use quieter aircraft. As detailed in CAP 1129, numerous supporting metrics are available and examples of their use at other airports is given. The final report of the NEDG recommended a suite of metrics that gave penalties for excessively loud aircraft and incentives for the use of quieter aircraft, as well as regularly reviewed movement limits. The report was the work of noise experts and representatives from within the aviation industry. It is puzzling to see why these recommendations have been ignored, and in the eyes of this Community Group does not reflect well on the intentions of the Applicant.

- 4. The life-span of an envelope must be agreed, and its parameters defined to maintain appropriate sharing of the benefits over its intended life-span.*

See our comments above.

- 5. The parameters and limits, and means of implementation and enforcement of a noise envelope will need to be tailored to individual airports and their respective local conditions.*

Agreed – particularly the means of enforcement with Luton Borough Council being the owner of the Airport and also the Local Planning Authority.

- 6. The current planning system offers limited flexibility in the means available to implement a noise envelope. A change in primary or secondary legislation may be required for noise envelopes to be implemented effectively and enforceable by law.*

We are in agreement with this statement.

- 7. A possible need has been identified for independent third parties to assist stakeholders to reach agreement where necessary.*

This was not provided as far as we are aware.

Within TR020001-002144-5.02 - Environmental Statement Appendix 16.2 Operational Noise Management (Explanatory Note) Rev 1 – the applicant states on page 8 that:

*“As well as engagement with the NEDG, the developing Noise Envelope proposals have been widely consulted on through two statutory public consultations. The consultation was open to the public and all community groups.”*

We cannot agree that the work of the NEDG has ever been subject to public consultation.

Project Curium has a well defined Noise Envelope that encompassed within the planning conditions limits on not just the summer Night and Day contour areas, but also limits on individual aircraft noise events, night movement limits, early morning shoulder movement limits, annual movement limits and annual passenger throughput limits.

It was a noise envelope which set out to comply with Government policy and match passenger growth to the fleet mix evolving towards the introduction of quieter aircraft.

History shows that within weeks of planning permission being granted Luton Borough Council, London Luton Airport Limited and London Luton Airport Operations Limited signed the Growth Incentive Scheme which would accelerate the passenger growth at the cost of increased noise.

Despite the breaches of Night (and later Day) permitted contour areas being predicted in the years before they occurred, no effective action was taken to prevent them occurring and the Local Planning Authority took no enforcement action.

With the same three parties again owning, monitoring and operating the airport – together with failure to build on the work of the NEDG and bring it to a satisfactory conclusion, the certainty that the Noise Envelope is intended to provide to Communities is not provided.

St. Albans Quieter Skies

14<sup>th</sup> November 2023