



The Planning Inspectorate

Planning Act 2008 – Section 91

Application by London Luton Airport Limited for an Order granting Development Consent for the London Luton Airport Expansion

Agenda for Issue Specific Hearing 8 dealing with Environmental Matters including but not limited to biodiversity, water, climate change and greenhouse gases, health and communities, noise, landscape and visual impacts, including on the Chilterns Area of Outstanding Natural Beauty (AONB)

Hearing	Date and Time	Location
Issue Specific Hearing 8 on Environmental Matters	Wednesday 29 November 2023 Hearing starts at 09:30 ¹ Blended event Venue Registration from: 09:00 Virtual Registration from: 09:00 ²	Shire Suite, Hilton Garden Inn Luton North, Butterfield Business Park, Hitchin Road, Stopsley, Luton LU2 8DL By virtual means using Microsoft Teams

Hearings Guidance: Please see Annex A of this Agenda.

Interested Parties who wish to speak at this event were required to provide notification by Deadline 5. If you haven't notified us that you wish to speak then you must contact the Case Team (LutonAirport@planninginspectorate.gov.uk) as soon as possible.

Each Interested Party is entitled to make oral representations at hearings. However, this is subject to the power of the Examining Authority (ExA) to control the conduct and management of hearings.

¹ If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

² Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

The event will open 30 minutes prior to the start of the hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

Please note:

To ensure timely publication of the agenda it has been drafted largely before the receipt of submissions for Deadline 5. Consequently, the ExA may need to adjust the agenda at the meeting to allow for responses received at this deadline.

PARKING AND ARRIVAL INFORMATION

On arrival, please inform hotel reception that you are attending the Luton Airport Hearings, and you will be directed to the Shire Suite where the hearings are being held.

Car parking for those attending a hearing will be free provided that on arrival you register your vehicle with the hotel.

If you have driven to the hotel you **must register your vehicle with reception** using the portal system found at the reception desk. If you have any issues, please contact a member of the hotel reception team who will be able to help you with registering your vehicle.

PLEASE NOTE: Any vehicle that is **NOT registered with the hotel will receive a parking charge of £100.**



The Planning Inspectorate

Title of meeting	London Luton Airport Expansion Issue Specific Hearing 8 – Environmental Matters
Date	Wednesday 29 November 2023
Time	09:30
Venue	Blended event
Attendees	Invitees

Agenda

1 Welcome, introductions, arrangements for the Hearing

2 Noise and vibration

- The ExA will ask questions, including but not limited to:

Construction noise and vibration

- conclusions regarding piling and night-time construction noise impacts, including any implications for location specific mitigation;

Surface access noise

- Applicant to update on the implications of the new compensation policies for surface access noise receptors, including scope of eligibility and any implications for Crawley Green Road and Stony Lane receptors;

Fixed plant noise

- the revisions to the proposed fixed plant noise management plan and the Hertfordshire Host Authorities' comments regarding fixing noise levels;

Aviation noise

- appropriate baseline year for comparisons – Applicant to provide an update on the appropriate baseline/ baseline year for comparisons following the decision to approve application ref: 21/00031/VARCON;
- aircraft modelling assumptions and validation including assumptions relating to load factors, runway operation, the A321Neo and implications of the 19 MPPA consented fleet forecasts (eg Appendix 8B of CD1.10 Volume 3 Environmental Statement - Figures And Appendices (January 2021) (ESA2));
- the balance of growth vs future noise reduction;

- operational noise mitigation measures including for Park Homes; and
- the robustness of the non-residential receptor screening process (with specific reference to the Sue Ryder Neurological Care Centre at Stagenhoe, Woodside Nursing and Residential Home in Slip End).

3 Health and community

- The ExA will ask questions, including but not limited to:
 - whether local datasets and health strategies should be used to inform the health and community assessment;
 - the mapped extent of N-above 80dB L_{ASmax} contour linked to awakenings;
 - measures to mitigate impacts on the health and wellbeing of the local communities surrounding the airport; and
 - the potential need for future health effects monitoring as suggested by the UK Health Security Agency and any triggers for remedial action [REP4-219].

4 Air quality

- The ExA will ask questions, including but not limited to:
 - whether significant effects are likely due to 24 hour working using static conveyor(s) for non-contaminated material;
 - the extent to which freight consolidation would be used to reduce construction traffic and traffic related emissions;
 - an update on any air quality assessments relating to offsite highway works;
 - an update from the Applicant regarding the potential for odour and flies from the proposed water treatment plant; and
 - whether there would be an ongoing need to investigate, report and mitigate kerosene odour.

5 Biodiversity

- The ExA will ask questions, including but not limited to:
 - review how the effect of emissions from an 'increase in traffic' on woodlands is incorporated in the assessment in respect of car parks; and
 - timescale of updates to guidance on buffer zones for woodlands referred to by the Forestry Commission [REP4-169].

6 Water

- The ExA will ask questions, including but not limited to:
 - update on discussions with Thames Water regarding disposal of liquid discharges;
 - update on any discussions with the Environment Agency, including regarding discharge of treated surface water runoff and foul effluent to the ground;
 - management of the risk to water quality from works in and around landfill materials;
 - the pattern of discharge from the infiltration tanks and groundwater mounding;

- progress on assessing opportunities for improvements to the surface water drainage system to avoid diversion of 9 hectares of the River Lea catchment to the River Mimram;
- updates to the Water Framework Directive compliance assessment to incorporate the 2022 interim classifications and the latest River Basin Management Plan; and
- responses from Interested Parties (IPs), including the local authorities, the Environment Agency and Affinity Water to the updated 'Design Principles' [REP5-035] in relation to drainage works.

7 Land-use

- The ExA will ask questions, including but not limited to:
 - update on discussions with Natural England regarding best, most versatile land and alternatives to use of this; and
 - consideration of whether the proposal would be inappropriate development in the Green Belt and, if it is, whether the case for very special circumstances exists, with particular reference to the consideration of alternatives.

8 Climate change and greenhouse gas emissions

- The ExA will ask questions, including but not limited to:
 - sensitivity of the assessment to future operational requirements and pace of technological improvements;
 - use of offsetting for Scope 3 emissions;
 - likelihood of the 2040 net zero target for ground operations being achieved;
 - application of the 'Luton Net Zero: Climate Policy and Action Plan' [REP3-100];
 - implications of the Secretaries of State's assessment of the significance of emissions following the decision to approve application ref: 21/00031/VARCON when compared to the increase in emissions from the Proposed Development; and
 - emissions other than carbon dioxide.

9 Landscape and Visual

- The ExA will ask questions, including but not limited to:

Chiltern Hills Area of Outstanding Natural Beauty (AONB):

- Applicant to provide an update on the current position, details of the discussion/consultation held with bodies and summary of feedback provided, current scope of the assessment and timescales for submission;
- proposed Extension to the AONB, the suitability of the Sensitivity Test [APP-107] and weight to be given to the proposed extension in the assessment of the Proposed Development; and
- implications of Section 245 of the Levelling-up and Regeneration Act 2023, which will amend Section 85 of the Countryside and Rights of Way Act 2000.

Visual effects and approach to mitigation:

- Visual effects from buildings and structures on the eastern edge of the development, the fire training ground (Work No. 2d) and the appropriateness of new planting at mitigating effects including in winter; and

Lighting Assessment:

- Whether the Lighting Obtrusion Assessment [APP-052] and [APP-053] adequately identifies likely significant effects and the need or otherwise for a night-time Landscape and Visual Impact Assessment.

10 Design

- The ExA will ask questions, including but not limited to:
 - suitability of the update to the Design Principles document [REP5-034] and [REP5-035] and Principles of Good Design [REP5-043] submitted at Deadline 5;
 - discussion on the site layout, parameters and the components of the Proposed Development and extent of primary mitigation measures explored; and
 - need for masterplan and/ or design code to further inform the detailed design stage.

11 Heritage

- The ExA will ask questions, including but not limited to:
 - suitability of updates to ES Appendix 10.2 Cultural Heritage Gazetteer [REP4-017] and [REP4-018] and addition of findings in respect of effects and harm;
 - assessment of effects and harm to designated assets because of changes to their noise environment, whether all assets falling within noise contours in Figures 10.6-10.8 of ES Chapter 10 Figures [APP-150] have been included in the Cultural Heritage Gazetteer [REP4-017] and [REP4-018] and approach to assessment on these assets;
 - need for any mitigation measures to designated assets falling within noise contours in Figures 10.6-10.8 of ES Chapter 10 Figures [APP-150];
 - Luton Hoo – Mitigation measures considered by the Applicant, effects and harm to asset, Bedfordshire Council's request for additional viewpoints; and
 - Someries Castle – Discussion on suitability of mitigation measures and impacts from Fire Training Ground (Work No. 2d).

12 Any Other Matters

13 Action Points

14 Any other business

15 Close of the Hearing

Attendees:

All Interested Parties are welcome to attend the hearing. However, the ExA considers that representatives for the following parties should consider attending because the ExA believes that their submissions raise issues that may need to be explored at the hearing:

- The Applicant;
- Luton Borough Council;
- Other host local authorities (Hertfordshire County Council, Dacorum Borough Council, North Hertfordshire Council and Central Bedfordshire Council);
- Buckinghamshire Council;
- Environment Agency;
- Natural England;
- Woodland Trust;
- Forestry Commission;
- Chilterns Conservation Board;
- Affinity Water;
- Thames Water;
- Friends of Wigmore Valley Park;
- London Luton Airport Operations Ltd;
- LADACAN;
- SLAE;
- UK Health Security Agency; and
- New Economics Foundation.

The Applicant is requested to have people with the following expertise to assist the hearing:

- Noise and vibration;
- Air quality;
- Health and community;
- Ecology,
- Hydrogeology;
- Drainage design;
- Land contamination;
- Agricultural land quality and farm holdings;
- Soil resources;
- Climate change and greenhouse gases;
- Landscape;
- Design; and
- Heritage.

This list may also assist other Interested Parties in preparing for the hearing.

Conduct and Management of Hearings

The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that the ExA that will probe, test and assess the evidence at hearings through direct questioning of persons making oral representations. Questioning at this Hearing will therefore be led by the ExA. Cross questioning of the person giving evidence by another person will **only** be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. Parties wishing to make a representation will be invited to do so at the ExA's discretion.

The ExA will begin the Hearing with opening comments and introductions, then will run through housekeeping matters and explain how the Hearing will be conducted. The ExA's expectation is that each hearing session will typically last for two to three hours. However, the actual duration will depend on the progress made on the day and will be subject to the ExA's powers of control over the conduct of the Hearing.

The agenda may be amended by the ExA at the start of the Hearing or throughout its course. Furthermore, the ExA may wish to raise matters arising from oral submissions, Relevant Representations and Written Representations, and pursue lines of inquiry that are not listed on the agenda in the course of the discussion.

The Hearing is being held at the discretion of the ExA to consider matters that it considers to be important and relevant to the effective and robust examination of the application. Consequently, the business of the Hearing will be limited to the matters identified in the agenda or otherwise raised by the ExA.

Active participation is at the invitation and discretion of the ExA. Oral submissions must address the matters and questions identified on the Hearing agenda or raised by the ExA at the hearing. Oral submissions on other subject matters or from persons who have not been invited to speak by the ExA may only be heard at the discretion of the ExA, who may decide that such matters are not heard in the interests of relevance, efficiency or fairness.

A recording and transcript of the Hearing will be published by the Planning Inspectorate on the project page of the national infrastructure website³ and any Interested Party may make a written submission on the specific matters either included in the agenda or arising at the Hearing by **Deadline 6, 8 December 2023**.

³ <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/london-luton-airport-expansion/?ipcsection=overview>