



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 9: Green Controlled Growth

Hearing	Date and Time	Location
Issue Specific Hearing 9:	Thursday 30 November 2023	
Green Controlled Growth	Hearing starts at 09:30¹ 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, 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.

The event will be 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.

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 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 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 written questions.

Please Note:

- 1. To ensure timely publication of this 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 representations received at this deadline.**
- 2. Matters relating to the drafting of requirements pertaining to Green Controlled Growth (Schedule 2, Part 3 of the draft Development Consent Order [REP5-003]) will be examined at Issue Specific Hearing 10 on Friday 1 December 2023**

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 9 – Green Controlled Growth
Date	Thursday 30 November 2023
Time	09.30
Venue	Blended event
Attendees	Invitees

Agenda

1 Welcome, introductions, arrangements for the Hearing

2 Green Controlled Growth (GCG) principles

- Update from Applicant regarding recent changes to GCG framework.
- Membership of the Environmental Scrutiny Group (ESG) and Technical Panels, quorate decision making and the status of ESG as a limited company.
- Principles relating to the transition period.
- Capacity declarations, slot allocation and local rules.
- Phasing.
- Timescales for approval of plans.
- Lag time between identifying and resolving issues.
- Whether specific issues should be linked in individual plans.
- Circumstances that are outside the control or influence of the airport operator.
- Sanctions for continued breaches.
- Enforcement.
- The GCG review process and approach to early warning data.

3 Noise

- Whether the noise envelope should be integral to the framework or separate.
- Extent to which community engagement has, or needs to, inform the development of the noise envelope.
- GCG noise limits and flexibility.
- Whether the noise envelope incentivises improvement in future noise levels.
- Whether increases in capacity should be linked to noise performance.
- Noting that a number of previously agreed controls have now been included in the GCG framework, whether there is a need to include any other previous noise

conditions or any other limits, particularly at night to ensure that the framework would be robust and incentivises best practice in operating procedures.

- Clarification regarding non-summer day noise controls.
- Day and night quota counts and whether there is a need to secure a day time quota count regardless of thresholds.
- Dispensation.
- Monitoring – location, review and timing/ reporting.
- Whether GCG should consider impacts on the Chilterns Area of Outstanding Natural Beauty or impacts arising from Airspace Change.
- The appropriateness of using faster growth assumptions in the GCG framework in light of constraints on noise insulation roll out in Phase 1 and whether the approach would comply with Luton Local Plan 2011-2031 policy LLP6(B)(iv-vii) and national aviation policy requirements to avoid significant adverse impacts on health and quality of life from noise.

4 Greenhouse Gas Emissions

- Basis for the limits and thresholds.
- Achievability of limits and thresholds, including options for mitigation and offsetting.
- Definitions of Scope 1, 2 and 3 emissions.
- Ability of the Framework to incorporate updated policy and legislation.
- GCG Framework Appendix E: Greenhouses Gases Monitoring Plan [APP-223] updates.

5 Air Quality

- Applicant to update on any agreement with local authorities regarding the need to apply short term emissions thresholds, monitor ultrafine particulates and locate air quality monitors on the boundary of the airport.
- Whether the revised review process for Phase 2a should apply to all out of scope locations.

6 Surface Access

- Staff mode share targets.
- The benefit supplied by GCG in relation to Surface Access.
- Level of confidence that the surface access mode shares will remain within the limits for each of the Phases.
- Monitoring.
- The relationship between GCG, Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA), Sustainable Transport Fund and Framework Travel Plan.
- Mitigation.

7 Compensation policies

- New eligibility under the ground noise/ traffic noise criteria and its implications for the funding statement.
- Explanation of the timing of the provision of the online lookup tool.
- Ability to deliver noise insulation drawing on historic rollout data for the airport.
- Applicant will be asked to explain its position on an appeal mechanism for noise insulation provision.
- Approach to insulation for listed buildings.
- Interaction between the old and new funds at the point of serving notice under Article 44 of the draft Development Consent Order.
- Potential need for the fund to include an Unforeseen Local Impacts Mitigation Strategy.

8 Action Points

9 Any other business

10 Close of 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 the material that they have submitted raises 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);
- Buckinghamshire Council; and
- LADACAN.

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

- Noise and vibration;
- Air quality;
- Climate change and greenhouse gas emissions; and
- Traffic and transportation.

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 Examining Authority (ExA) 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>