

December 2023

# London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.126 Response to Suono's note on Noise Controls**

Infrastructure Planning (Examination Procedure) Rules 2010 Application

Document Ref: TR020001/APP/8.126

**The Planning Act 2008**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

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

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**8.126 RESPONSE TO SUONO'S NOTE ON NOISE CONTROLS**

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<b>Deadline:</b>	Deadline 6
<b>Planning Inspectorate Scheme Reference:</b>	TR020001
<b>Document Reference:</b>	TR020001/APP/8.126
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<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Issue 1	December 2023	Additional Submission – Deadline 6

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# 1 INTRODUCTION

- 1.1.1 This document has been prepared by Luton Rising (a trading name for London Luton Airport Limited ('the Applicant')) in support of the application for development consent for the expansion of London Luton Airport (the airport) to accommodate 32 million passengers per annum (mppa) (herein referred to as the 'Proposed Development').
- 1.1.2 The five Host Authorities have jointly commissioned The Suono Consultancy Limited (Suono) to provide expertise on noise matters on behalf of the Host Authorities in relation to the application for development consent for the expansion of the airport.
- 1.1.3 As part of the drafting of **Applicant's Response to Issue Specific Hearing 1 Actions 8 and 11: Note on existing/previous planning conditions and S106 obligations [REP5-098]**, the Applicant held technical discussions with Suono on the noise controls from the current planning permission (as modified by the approval of 21/00031/VARCON), that the Applicant has carried across to the Proposed Development.
- 1.1.4 To aid in these discussions, the Applicant shared a PowerPoint presentation (provided in **Appendix 1** to this document) which was shared with the Host Authorities and Suono. Following receipt of the presentation, Suono prepared a response on behalf of the Host Authorities (Suono Document Reference number 284B.NT.9.0 dated 13 November 2023, presented in **Appendix 2** to this document).
- 1.1.5 This document has been prepared to provide the Applicant's response to the matters raised in the response provided by Suono on proposed noise control measures.

## 2 RESPONSE TO SUONO'S NOTE ON NOISE CONTROLS

Table 2.1: Applicant's Response to Suono's Response on Proposed Noise Control Measures on behalf of the Host Authorities

ID	Heading	Suono Comment	Applicant Response
1	Night ban for $\geq$ Quota Count (QC) 2 aircraft	The proposal to carry this forward is in line with P19 conditions and is acceptable.	Noted. This is contained in the <b>Air Noise Management Plan [TR020001/APP/8.125]</b> , secured by a Development Consent Order (DCO) Requirement.
2	Night Quota Count period 9,650 movement limit	This proposal has been included at all stages of the DCO by the Applicant, is in line with P19 conditions and is acceptable.	Noted. This is contained in the <b>Air Noise Management Plan [TR020001/APP/8.125]</b> , secured by a DCO Requirement.
3	Night Quota Count (in the QC period)	<p>The proposal only carries forward the current limit of QC 3,500 (which is acceptable) but does not carry across the future reduced limit of 2,800, which is not acceptable. As stated within section 2.4.3 of the NEDG interim report [pdf page 61/100 REP4-023]:</p> <p><i>“With regard to the requirement for stepped changes in the Quota controls, it was acknowledged that the nature of QC limits ensure that growth in movement numbers has to be matched by a reduction in noise levels (or QC values) of individual aircraft. However, it was noted by the Group that there is a current requirement to reduce the annual night quota period Quota limit from its current value of 3,500 to 2,800 by 2028. It was suggested that a similar target should be included within the Noise Envelope, with Quota targets set to reduce in the future. This approach would</i></p>	<p>The reduced quota count limit goes hand in hand with the reduced contour area limit that applies from 2028 in the current permission (21/00031/VARCON), noting that the current permission has no requirement to calculate quota count budgets for the full night period.</p> <p>The reduced quota count limit of 2,800 would not align with the growth permitted by the DCO.</p> <p>However, the DCO Noise Envelope requires quota count budgets to be calculated for the full night period for each five-year period, which includes reductions in 2029 and 2034, and a mechanism to reduce these further (the Noise Limit Review) if and when quieter next generation aircraft become available.</p>

ID	Heading	Suono Comment	Applicant Response
		<p><i>ensure that the benefit of reduction in the QC values for individual aircraft would be shared between the airport operator (through allowing an increase in total aircraft movements) and the community (through benefits of reduced noise levels)."</i></p> <p>The Applicant must commit to future reductions, including further reductions over time, in order to ensure that the effects of night-time noise levels are minimised and where possible reduced in accordance with government policy.</p>	<p>An additional reduced quota count limit would therefore overlap and duplicate and conflict the quota count controls for the full night period.</p>
4	Quarterly and annual reporting	<p>The proposal is acceptable, as it would carry across the current reporting requirements.</p>	<p>Noted. This is contained in the <b>Aircraft Noise Monitoring Plan [REP5-028]</b>, secured by a DCO Requirement.</p>
5	Noise contour reduction methodology	<p>The current proposals set out in the GCG 5-yearly review process are acceptable, noting that the current proposed increase in noise contours beyond 2039 is not acceptable. Noise contour limits must not be allowed to be set higher than those proposed in 2034-2039.</p> <p>This unacceptable increase can be seen Tables 3.2 and 3.3 [pdf page 18/100 REP4 023] where the 'largest forecast noise contours (Noise Envelope Limit)' values decrease over time until 2039; the two tables are for day and night, respectively.</p>	<p>The noise contour area Limits step down in 2029 and again in 2034 (see Table 3.1 of the <b>Green Controlled Growth Framework [REP5-022]</b>). Further reductions cannot be defined beyond 2039 as by this point the fleet is almost 100% new-generation aircraft and the noise performance of next-generation aircraft are not yet known. However, the Noise Limit Review requires the airport operator to review and reduce the noise Limits if and when quieter next-generation aircraft become available. Such a review must be undertaken in consultation with the Noise Technical Panel and approved by the Environmental Scrutiny Group (or the Secretary of State in the event of an appeal).</p>

ID	Heading	Suono Comment	Applicant Response
6	Fixed noise monitoring	The current proposals to maintain the three existing positions and add further positions once airspace changes are known are acceptable.	Noted. This is contained in the <b>Aircraft Noise Monitoring Plan [REP5-028]</b> , secured by a DCO Requirement.
7	Track Keeping System	The proposal to carry across all paragraphs within Section 7.3 from the Noise Management Plan (NMP) is acceptable and includes that fining for aircraft not complying will occur.	Noted. This is contained in the <b>Air Noise Management Plan [TR020001/APP/8.125]</b> , secured by a DCO Requirement.
8	Complaints	The current proposals within the DCO are acceptable.	Noted. This is contained in the <b>Aircraft Noise Monitoring Plan [REP5-028]</b> , secured by a DCO Requirement.
9	Ground noise control	As will be commented on at Deadline 5, the Outline Ground Noise Management Plan submitted by the Applicant at Deadline 4 is acceptable.	Noted. This is contained in the <b>Outline Ground Noise Management Plan [REP4-049]</b> , secured by a DCO Requirement.
10	Noise Violation Limits	<p>Noise Violation Limits (NVLs) are proposed to be carried across, with graduated reductions as set out in the existing NMP. There is no commitment to these NVL's being graduated according to the certified departure noise performance of the different aircraft types. Section 2.3.3 of Interim NEDG report [pdf page 59/100 REP4-023] states:</p> <p><i>“Hence, it was agreed by the Group that NVLs are unlikely to represent an incentive to aircraft operators to operate quieter aircraft. However, it was noted that some form of incentive for the uptake of quieter aircraft should be included; this could take the form of either differential</i></p>	<p>Noise Violation Limits (NVLs) graded based on certified departure noise performance can have the opposite effect than intended as it can act as a disincentive to airlines replacing their aircraft with quieter aircraft as they would be subject to a lower limit (in effect penalised by being at greater risk of being fined). The airport operator noted in their response to the NEDG Final Report (Annex A of <b>Appendix 16.2 of the ES [REP4-023]</b>) that this was observed in the 2014 planning permission (12/01400/FUL) which had NVLs set according to quota count and this was demonstrated to be inappropriate and subsequently changed to NVLs with a set</p>

ID	Heading	Suono Comment	Applicant Response
		<i>landing charges and/or differential financial fines of the NVLs.”</i>	<p>limit for all aircraft, reducing over time, in the 2017 planning permission (15/00950/VARCON).</p> <p>Therefore, to incentivise the use of quieter aircraft, in line with current consented noise controls, NVLs with a set limit for all aircraft, reducing over time, are contained in the <b>Air Noise Management Plan [TR020001/APP/8.125]</b>, secured by a DCO Requirement.</p>
11	Track Violation Sanction / Fine System	The proposals carry across Section 9.2 of the NMP and are acceptable.	Noted. This is contained in the <b>Air Noise Management Plan [TR020001/APP/8.125]</b> , secured by a DCO Requirement.
12	Movement Cap	<p>There is no proposal for annual movement limits, which must be included. Section 2.2.3 of Interim NEDG report [pdf page 56/100 REP4 023] states:</p> <p><i>“After discussion by the NEDG, the following approach to movement cap controls on the airport’s operations was agreed by the Group and are recommended to LLAL:</i></p> <p><i>a) Compliance with the limits should be considered monthly by reviewing movements over the preceding 12-month period. This was agreed on the basis that control of the summer period would be maintained through the use of noise contour limits, and hence seasonal</i></p>	<p>As this comment later notes, it is not the case that there is no proposal for annual movement limits – there is an annual movement limit of 9,650 in the Night Quota Period (23:30 – 06:00).</p> <p>Movement limits are poorly correlated with noise impact metrics (as demonstrated in <b>Noise Envelope - Improvements and worked example [REP2-032]</b>) and provide no incentive for the adoption of quieter aircraft and therefore no further movement limits are proposed, though annual movements will be reported as set out in the <b>Aircraft Noise Monitoring Plan [REP5-028]</b>, secured by a DCO Requirement.</p> <p>This is in line with CAA’s CAP1731 document (Ref 1), which includes a review of suitable noise metrics for limiting and controlling noise,</p>



ID	Heading	Suono Comment	Applicant Response
		<p><i>separation of movement caps was not considered necessary.</i></p> <p><i>b) The numerical values of these caps will be defined by the project team based on the final movement forecasts included with the DCO application.</i></p> <p><i>c) The night-time quota period (23:30-06:00) movement cap of 9,650 to remain.</i></p> <p><i>d) The control of noise during shoulder periods would be best maintained through use of Quota Count (QC) limits, as discussed in Section 2.4 of this report.</i></p> <p><i>e) A threshold value at approximately 90-95% of the defined movement cap should be put in place. Once this value is reached or forecast to be reached in any 12-month period, steps should be put in place by the airport operator so that the overall movement cap is not exceeded. It is expected that these steps would be discussed and agreed with any enforcing body (see Section 4.4).</i></p> <p><i>f) THE movement caps should be staged over time with the expansion of the airport, stepping up towards an absolute cap that reflects the 32 mppa scenario.”</i></p>	<p><i>and which notes on page 58 that the number of movements: “has good correlation with day noise quota count and night noise quota count, when broken down into the number of movements per day and night respectively. It shows reasonable correlation with day noise contour area, but it gives no mechanism to limit impact within a given area. It also does not have any correlation with people exposed, so it would be not be effective in controlling population noise exposure or in driving noise reduction. Overall, the number of movements is a metric that should be monitored to understand the growth of the aviation market, but it does not provide effective controls to limit noise generation, noise exposure nor noise impacts.”</i></p>

ID	Heading	Suono Comment	Applicant Response
		<p>Bullet <b>a</b> refers to a 24-hour annual movement limit, with no such proposal having been put forward by the Applicant. Such a limit is a clear requirement to carry forwards. Bullet <b>b</b> is linked to <b>a</b>.</p> <p>Bullet <b>c</b> is covered by Night Quota Count, as set out above and is acceptable.</p> <p>Bullet <b>d</b> refers to QC limits within the shoulder periods, with no such proposals having been put forward by the Applicant. Such limits are a clear requirement to carry forwards.</p> <p>Bullet <b>e</b> refers to warning thresholds, such as those set out within Green Controlled Growth, being employed for the controls not currently proposed by the Applicant.</p> <p>Bullet <b>f</b> refers to staging of controls as the Airport's capacity expands, with no such proposals having been put forward by the Applicant. Staging is a clear requirement to carry forwards.</p>	

### **3 APPENDIX 1**

# Retention of existing and renewed noise controls (proposal for D5), 1 of 2

P19 Noise Control / reporting requirement	Time period	P19 para ref	Proposed changes to DCO	Where secured?
Night ban for ≥QC2, or aircraft that do not provide sufficient detail for operator to verify its QC, or if they claim to be QC0 but aren't	23:00 – 07:00	5.6 of 2022 Noise Management Plan (P19 NMP), secured by Condition 8 of P19 decision	Carry across to DCO	DCO Requirement
Night Quota period 9,650 movement limit	23:30 – 06:00	5.7.1 of P19 NMP	No further changes, already carried across as DCO Requirement	DCO Requirement
Night Quota period Quota Count - Total QC 3,500; reducing to 2,800 by 2028	23:30 – 06:00	5.7.3 of P19 NMP	Carry across to DCO total QC 3,500 but not the reduced Total QC 2,800 limit from 2028.	DCO Requirement
Quarterly reporting	n/a	5.15 of P19 NMP	Review and compare with quarterly and annual reporting already committed to in GCG Aircraft Noise Monitoring Plan [REP3-023]. Update ANMP to provide a clear single list of all reporting requirements, consistent with P19 and NEDG recommendations	Aircraft Noise Monitoring Plan (via DCO Rqmt)
Annual reporting	n/a	5.16 and 6.1.1 of P19 NMP		
Noise contour reduction methodology	n/a	6.2 of P19 NMP	No further changes, already covered by GCG five yearly noise limit changes and Noise Limit Reviews	Aircraft Noise Monitoring Plan (via DCO Rqmt)

*the DCO will carry across the same carry over / overrun provisions and exceptions that the P19 NMP includes as appropriate*

# Retention of existing and renewed noise controls (proposal for D5), 2 of 2

P19 Noise Control / reporting requirement	Time period	P19 para ref	Proposed changes to DCO	Where secured?
Fixed noise monitoring	n/a	7.2 of P19 NMP	No further changes, already covered by C4.2 of Aircraft Noise Monitoring Plan [REP3-023]	Aircraft Noise Monitoring Plan (via DCO Rqmt)
Track Keeping System	n/a	7.3 of P19 NMP	Carry across 7.3.1 to 7.3.5 as DCO Requirement.	DCO Requirement
Complaints	n/a	7.4 of P19 NMP	No further changes, already covered in C3.1.5 of Aircraft Noise Monitoring Plan	Aircraft Noise Monitoring Plan (via DCO Rqmt)
Ground noise control	n/a	8 of P19 NMP	No further changes, already covered by Outline Ground Noise Management Plan [REP4-049]	Outline Ground Noise Management Plan (via DCO Rqmt)
Noise Violation Limits	Separate for Day (07:00 – 23:00 and night (23:00 – 07:00)	9.1 of P19 NMP	Carry across 9.1.1 to 9.1.4 as DCO Requirement	DCO Requirement
Track Violation Sanction/Fine System	n/a	9.2 of P19 NMP	Map across 9.2.1 to 9.2.5. Fines going to community fund may be secured in the s106	DCO Requirement (plus s106 for community funds?)

*the DCO will carry across the same carry over / overrun provisions and exceptions that the P19 NMP includes as appropriate*

## 4 APPENDIX 2

## Note

<b>Title</b>	Retention of existing and renewed noise controls		
<b>Project</b>	Luton Airport DCO		
<b>Reference</b>	284B.NT.9.0	<b>Author(s)</b>	BHo
<b>Date</b>	13 November 2023	<b>Reviewer</b>	AS

## Noise Controls

1. The Applicant has proposed to carry across more aspects of the noise controls already in effect at Luton Airport within the DCO.
2. The proposals still do not cover large parts of what was agreed within the Noise Envelope Design Group (NEDG), as is set out in the interim and final reports in Appendix 16.2 [REP4-023]. Where these shortfalls occur, we must request the Applicant include these to protect the local communities from noise.
3. This note should be read in conjunction with the “DCO and P19 noise conditions” MS PowerPoint slides, where each sub-header below relates to a row on the two slides.

### Night ban for ≥QC2 aircraft

4. The proposal to carry this forward is in line with P19 conditions and is acceptable.

### Night Quota Count period 9,650 movement limit

5. This proposal has been included at all stages of the DCO by the Applicant, is in line with P19 conditions and is acceptable.

### Night Quota Count (in the QC period)

6. The proposal only carries forward the current limit of QC 3,500 (which is acceptable) but does not carry across the future reduced limit of 2,800, which is not acceptable. As stated within section 2.4.3 of the NEDG interim report [pdf page 61/100 REP4-023]:

*“With regard to the requirement for stepped changes in the Quota controls, it was acknowledged that the nature of QC limits ensure that growth in movement numbers has to be matched by a reduction in noise levels (or QC values) of individual aircraft. However, it was noted by the Group that there is a current requirement to reduce the annual night quota period Quota limit from its current value of 3,500 to 2,800 by 2028. It was suggested that a similar target should be included within the Noise Envelope, with Quota targets set to reduce in the future. This approach would ensure that the benefit of reduction in the QC values for individual aircraft would be shared between the airport operator (through allowing an increase in total aircraft movements) and the community (through benefits of reduced noise levels).”*

7. The Applicant must commit to future reductions, including further reductions over time, in order to ensure that the effects of night-time noise levels are minimised and where possible reduced in accordance with government policy.

### Quarterly and annual reporting

8. The proposal is acceptable, as it would carry across the current reporting requirements.

## Noise contour reduction methodology

9. The current proposals set out in the GCG 5-yearly review process are acceptable, noting that the current proposed increase in noise contours beyond 2039 is not acceptable. Noise contour limits must not be allowed to be set higher than those proposed in 2034-2039.

10. This unacceptable increase can be seen Tables 3.2 and 3.3 [pdf page 18/100 **REP4-023**] where the 'largest forecast noise contours (Noise Envelope Limit)' values decrease over time until 2039; the two tables are for day and night, respectively.

## Fixed noise monitoring

11. The current proposals to maintain the three existing positions and add further positions once airspace changes are known are acceptable.

## Track Keeping System

12. The proposal to carry across all paragraphs within Section 7.3 from the Noise Management Plan (NMP) is acceptable and includes that fining for aircraft not complying will occur.

## Complaints

13. The current proposals within the DCO are acceptable.

## Ground noise control

14. As will be commented on at Deadline 5, the Outline Ground Noise Management Plan submitted by the Applicant at Deadline 4 is acceptable.

## Noise Violation Limits

15. Noise Violation Limits (NVLs) are proposed to be carried across, with graduated reductions as set out in the existing NMP. There is no commitment to these NVL's being graduated according to the certified departure noise performance of the different aircraft types. Section 2.3.3 of Interim NEDG report [pdf page 59/100 **REP4-023**] states:

*"Hence, it was agreed by the Group that NVLs are unlikely to represent an incentive to aircraft operators to operate quieter aircraft. However, it was noted that some form of incentive for the uptake of quieter aircraft should be included; this could take the form of either differential landing charges and/or differential financial fines of the NVLs."*

## Track Violation Sanction / Fine System

16. The proposals carry across Section 9.2 of the NMP and are acceptable.

## Movement Cap

17. There is no proposal for annual movement limits, which must be included. Section 2.2.3 of Interim NEDG report [pdf page 56/100 **REP4-023**] states:

*"After discussion by the NEDG, the following approach to movement cap controls on the airport's operations was agreed by the Group and are recommended to LLAL:*

*a) Compliance with the limits should be considered monthly by reviewing movements over the preceding 12-month period. This was agreed on the basis that control of the summer period would be maintained through the use of noise contour limits, and hence seasonal separation of movement caps was not considered necessary.*



*b) The numerical values of these caps will be defined by the project team based on the final movement forecasts included with the DCO application.*

*c) The night-time quota period (23:30-06:00) movement cap of 9,650 to remain.*

*d) The control of noise during shoulder periods would be best maintained through use of Quota Count (QC) limits, as discussed in Section 2.4 of this report.*

*e) A threshold value at approximately 90-95% of the defined movement cap should be put in place. Once this value is reached or forecast to be reached in any 12-month period, steps should be put in place by the airport operator so that the overall movement cap is not exceeded. It is expected that these steps would be discussed and agreed with any enforcing body (see Section 4.4).*

*f) THE movement caps should be staged over time with the expansion of the airport, stepping up towards an absolute cap that reflects the 32 mppa scenario.”*

18. Bullet **a** refers to a 24-hour annual movement limit, with no such proposal having been put forward by the Applicant. Such a limit is a clear requirement to carry forwards. Bullet **b** is linked to **a**.

19. Bullet **c** is covered by Night Quota Count, as set out above and is acceptable.

20. Bullet **d** refers to QC limits within the shoulder periods, with no such proposals having been put forward by the Applicant. Such limits are a clear requirement to carry forwards.

21. Bullet **e** refers to warning thresholds, such as those set out within Green Controlled Growth, being employed for the controls not currently proposed by the Applicant.

22. Bullet **f** refers to staging of controls as the Airport's capacity expands, with no such proposals having been put forward by the Applicant. Staging is a clear requirement to carry forwards.



## GLOSSARY AND ABBREVIATIONS

<b>Term</b>	<b>Definition</b>
DCO	Development Consent Order
NVL	Noise Violation Limit
QC	Quota Count

## REFERENCES

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Ref 1 Civil Aviation Authority (2019), CAP1731 Aviation Strategy – Noise Forecast and Analyses