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# London Luton Airport Expansion

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Volume 8 Additional Submissions (Examination) 8.134 Applicant's Post Hearing Submission - Issue Specific Hearing 7 (ISH7)

Infrastructure Planning (Examination Procedure) Rules 2010

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#### The Planning Act 2008

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

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

#### 8.134 APPLICANT'S POST HEARING SUBMISSION – ISSUE SPECIFIC HEARING 7 (ISH7)

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#### 1 INTRODUCTION

- 1.1.1 This document contains Luton Rising's (a trading name of London Luton Airport Limited) (the Applicant) oral summary of evidence and post-hearing comments on submissions made by others at Issue Specific Hearing 7 (ISH7) held on 28 November 2023. Where the comment is a post-hearing comment submitted by the Applicant, this is indicated. The Applicant has also included tabulated responses to each of the action points raised by the Examining Authority (ExA) for ISH7 originally published on 30 November 2023 and republished 5 December 2023 to reflect amended deadlines requested by the Applicant and agreed by the ExA.
- 1.1.2 This document uses the headings for each item in the agenda published for ISH7 by the ExA on 20 September 2023.

#### 2 AGENDA ITEM 1: WELCOME, INTRODUCTIONS, ARRANGEMENTS FOR THE HEARING

- 2.1.1 The Applicant, which is promoting a proposal to expand London Luton Airport (the Proposed Development), was represented at ISH7 by Michael Humphries KC, supported by the following members of Applicant's team:
  - a. Richard De Cani, Director at Arup (transport & surface access).
  - b. Clive Posford, Aecom (strategic modelling).
  - c. Jag Riat, Arup (surface access).
  - d. Matthew Rhodes, Arup (traffic & transport).
- 2.1.2 The response to Action Point 1 to provide a summary setting out the details and experience of the Applicant's team who participated in the hearing is provided in **Appendix A** of this document (see Table 1.1 below for details all actions are for the Applicant unless stated otherwise).

#### 3 AGENDA ITEM 2: TRANSPORT MODELLING IN THE TRANSPORT ASSESSMENT

- 3.1.1 The Applicant was asked to provide a brief update regarding how the transport modelling in line with Department for Transport guidance was progressing including how any outstanding concerns raised by the relevant highway authorities in relation to the transport model are being progressed and resolved.
- 3.1.2 The Applicant confirmed that work was progressing to programme with a final report due by 15 December 2023. This would effectively be an early Deadline 7 submission.
- 3.1.3 There were comments from various highway authorities, generally seeking clarification on methodology, being addressed as part of ongoing engagement with those authorities, further information to support **Covid 19 Additional Modelling Technical Note 1 [REP4-086]** and **Technical Note 2 [REP4-106]** was also being addressed as part of that engagement.

- 3.1.4 Emerging results as part of revised forecasting showed a possible case for adjusting forecasts downwards but the recommendation was not to make any adjustment. A meeting will be arranged with the highway authorities which will inform submission of the report by 15 December 2023.
- 3.1.5 Asked by the ExA to comment, the Hertfordshire host authorities ('Combined Authorities') had a number of concerns previously raised in their D4 & D5 representations. One of their concerns related to trip distribution plans [REP4-**087]** which do not provide figures and the Combined Authorities considered it was not possible to clearly see the differences between the scenarios presented, in particular the Combined Authorities were concerned to see where trips were likely to extend further east. In relation to Technical Note 1 [REP4-086] and Technical Note 2 [REP4-106], the Combined Authorities referred to their comments in their Deadline 5 submission **REP5-068**, and reiterated that they wanted to see more details on cars. LGVs & HGVs, and were concerned that counts used came from a small area around the airport. The Combined Authorities also wanted a commentary on bus changes in the study area as COVID could affect this. There was a general concern that relevant adjustments had not been made and the Combined Authorities had a number of issues not agreed.
- 3.1.6 The ExA asked for reassurance that these issues would be resolved in a timely manner. The Applicant reiterated that the **Transport Assessment [APP-200** to **APP-206]** and **[AS-123]**) was properly carried out and this latest, more recent, work arises out of a request from the ExA to do so following publication of the DfT Guidance. The Applicant explained that the work was being undertaken in stages - see the **Applicant's response to Issue Specific Hearing 4 Action 2 Interim Response - Presentation on the Interim Findings of the Covid-19 Modelling Update [REP3-077]**, the **Applicant's response to Issue Specific Hearing 4 Action 2: Covid 19 Additional Modelling Technical Note 1 [REP4-086]** and the **Applicant's response to Issue Specific Hearing 4 Action 2: Covid 19 Additional Modelling Technical Note 2 Risk Assessment [REP4-106]**. The overriding message is that forecast traffic is reducing.
- 3.1.7 The ExA expressed concern not with the COVID work but disagreements on modelling generally and asked how this was being addressed. The Applicant confirmed it had received questions from host authorities, these would be considered as part of ongoing engagement with those authorities and many will be addressed in the 15 December report.

## 3.1.8 Action Point 2: Submit final report summarising the outcome of the accounting for Covid-19 in transport modelling (15 December).

- 3.1.9 Buckinghamshire Council (BC) expressed concerns related not to the COVID update but on modelling generally, in particular relating to:
  - validation in relation to the local road network in Buckinghamshire. BC had offered the Applicant survey data for Buckinghamshire to address this concern.

- b. the trip distribution plans in addition to the points made by the Combined Authorities there was a concern that the plans should address traffic across the full day, in particular BC had concerns about early morning traffic before the AM peak.
- 3.1.10 BC also considered that in traffic and environmental terms there was a case for altering the lvinghoe junction to ensure traffic routes appropriately.
- 3.1.11 As regards to validation, the Applicant pointed out that the Leighton Buzzard to Dunstable screen line which includes movements into and out of Buckinghamshire validates well, though this information had not yet been shared in detail. The **Applicant's response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087]** comments on distribution of traffic on a daily and peak hour basis to lvinghoe junction, and the Applicant will be responding on early hours traffic.
- 3.1.12 **Post hearing submission:** this is addressed in the Applicant's response to Action Point 3 (see table 1.1).
- 3.1.13 The ExA asked for clarification, in relation to the latest **Trip Distribution Plans** [**REP5-037**], on why the modelling showed traffic at the lvinghoe junction carrying on the B489 rather than routing via the B488. The ExA also noted that BC have concerns about how the junction was prioritised and asked whether this could be adjusted.
- 3.1.14 The Applicant noted that these figures represented daily traffic and that in peak hours when there were delays traffic may route differently. In response to BC's concern the Applicant confirmed the junction was coded as a priority T-junction and did not consider that adjusting this would make much difference.

## 3.1.15 Action Point 3: Review how the lvinghoe junction is modelled to determine whether what is shown on the trip distribution plan is representative (D6).

- 3.1.16 Central Bedfordshire Council (CBC) referred to the concerns raised in their Deadline 5 submission **[REP5-066]**. In particular, they considered that the addition of numbers to the distribution plots would give a greater understanding of the COVID modelling and whether there is reassignment of traffic due to differential traffic levels on the local and strategic road networks.
- 3.1.17 National Highways (NH) referred to their Deadline 5 submissions **[REP5-091** to **REP5-093]** noting that they would need to be satisfied as to concerns relating to congestion of the local road network and whether that results in an accurate representation of the position on the SRN. NH explained that meetings were on-going and welcomed. NH would like to see the VISSIM model to understand impacts on J10 of the M1.
- 3.1.18 Action Point 4: Provide an update on progress made in relation to agreeing the transport model with the relevant highway authorities including details of meetings held; what was discussed; what are the outstanding issues; and a programme for resolution (D7).

- 3.1.19 The ExA noted that in the **M1 A6 Routing Analysis [REP4-105]** airport traffic was not forecast to use M1-A6 link road and asked whether the model had shown no traffic or been programmed to assume no airport traffic. The Applicant confirmed it was the former, due to the shortest distance and time to the M1 still being via J10.
- 3.1.20 The ExA asked whether any sensitivity test had been undertaken on what would happen if the M1 became unexpectedly congested. The Applicant confirmed no such test had been done to address incidents or accidents, which was usual practice.
- 3.1.21 The ExA noted that the Applicant's response to written question TT.1.4 [**REP4-069**] mainly focussed on Luton.

## 3.1.22 Action Point 5: Provide detail of the discussions with highway authorities other than Luton Borough Council and signpost to where this is documented in the Application (D6).

3.1.23 The ExA asked about locations of potential rural traffic calming **[AS-023]**, why these were not proposed off-site highway works and where this was addressed in the application. The Applicant explained in general terms that these considered the results of the strategic model and an iterative process looking at changes working outwards from the airport noting that the demand and changes were not large.

#### 3.1.24 Action Point 6: Explain how the locations of potential rural traffic calming [AS-023] were determined and why these works are not included in the proposed off-site highways works. Signpost to where this is documented in the application (D6.)

- 3.1.25 Mr John Smith was concerned that there had been no impact assessment on local roads through Harpenden, noting that when the M1 is congested traffic already diverts through Harpenden, and expressing concern as to the traffic impacts of an accident or closure on the M1 citing numbers of accidents in 2022 and 2023, and that the B563 should not be ignored as traffic uses this to travel to the airport.
- 3.1.26 The Applicant confirmed that rural roads in Harpenden are included in the model and validation showed these were represented in a reasonable way. The Applicant had not modelled for incidents on the M1, which is usual practice as modelling covered typical flows not extraordinary events.
- 3.1.27 North Hertfordshire District Council (NHDC) expressed concern that they had only seen mode shares, not absolute numbers, making it difficult to picture how sustainable transport objectives would be met through active travel and public transport, that this was an area lacking clarity and detail they would wish to see addressed in the December 15 submission.
- 3.1.28 The Applicant explained that it had considered the catchment of demand of the airport in relation to various transport modes, considering the existing catchment, forecast growth of the airport and the ability to improve public transport mode share based on existing and future public transport provision, e.g. the Luton Direct Air-Rail Transit (DART), rail etc.

#### 4 AGENDA ITEM 3: SUSTAINABLE TRANSPORT

#### 4.1 Bus & Coach

- 4.1.1 The ExA noted that the Applicant's response to written questions on traffic and transportation **[REP4-069]** didn't include details of engagement with bus operators, e.g. what discussions had taken place, and asked about discussions and how confident the Applicant was that new spaces will be utilised.
- 4.1.2 The Applicant provided an update on the engagement with bus and coach operators and how that supports the Applicant's **Bus and Coach Study [REP5-058].**
- 4.1.3 **Post hearing submission:** The Bus and Coach Study determined improvements to be prioritised for funding and delivery as shown in Table 3.1 and Table 3.2 [REP5-068].
- 4.1.4 As regards bus services, the Applicant explained that there was an ongoing dialogue between the airport operator and existing bus operators through the Airport Transport Forum {ATF}, which was looking at how existing services could be maintained, strengthened and improved over time. Bus operators work to a relatively short term time horizon in responding to demand and commercial viability was an important part of any discussion.
- 4.1.5 Action Point 7: Provide details of how often the Applicant has met with bus operators and the outcomes of this engagement in relation to future provision of services (D6).
- 4.1.6 Luton Borough Council (LBC) noted there had been dialogue with the Applicant regarding use of the Council's enhanced partnership regarding bus.

### 4.1.7 Action Point 8 (LBC): Provide details of the Council's bus service enhancement partnership (D6).

- 4.1.8 The ExA asked about the contractual relationship governing coach services referred to in the **Bus and Coach Study [REP5-058]** and, in particular, whether coach operators paid a fee to use the airport bays. The Applicant explained that coach services are currently provided through contractual arrangements with operators focussed on accessing the airport and following a tendering process for routes proposed by the operator (ongoing as of November 2023) and as part of that a levy was included.
- 4.1.9 The ExA asked about table 3 in the **Bus and Coach Study [REP5-058]** and whether the Applicant could provide an indication of costs for each of the improved services identified.
- 4.1.10 The Applicant explained that there were a number of considerations as to what sort of funding may be required to unlock services. It was not sustainable in the long term to subsidise routes. "Pump priming" was more sustainable, there are also questions of marketing, ticketing, branding etc. All this would be considered as part of the Framework Travel Plan (FTP). The Applicant explained that costs were being considered as part of the Sustainable Transport Fund (STF)approach but it was difficult to give estimates since the cost

depends on the service and baseline demand and therefore the 'gap' in terms of pump priming.

- 4.1.11 The Combined Authorities referred to their submissions and in particular their submitted preferred bus and coach improvements, not all of which were assessed in the **Bus and Coach Study [REP5-058]**, e.g. the 788 National Express route, a point echoed by NHDC They noted a lack of detail in how services were assessed and a general lack of provision from Luton to Welwyn Garden City, Hatfield, and Hemel Hempstead. They were concerned that travel to the airport was too reliant on car travel, without up front proposals to address this, and highlighted the need for pump priming.
- 4.1.12 NHDC was concerned that there should be a bus service serving Hitchin station. CBC were keen to understand the general level of subsidy for the priority schemes identified in the **Bus and Coach Study [REP5-058].** BC considered the X61 should be minimum hourly, as 3 hourly was not sufficient for example to allow staff to travel to airport. BC also noted that a high speed coach service to Aylesbury was not proposed.t
- 4.1.13 The Applicant noted that the route suggestions from the HAs had not been received in time to incorporate these, but that the Travel Plans would address the issues raised and noted that the criteria used for the initial assessment of bus routes were set out in Appendix B of the **Bus and Coach Study [REP5-058].**
- 4.1.14 Action Point 9 (Joint Host Authorities): Provide further details of any bus services that they think may be missing from the bus and coach study [REP5-058] and why they should be included (D6).

#### 4.2 Sustainable Transport Fund

- 4.2.1 The ExA asked for a general update on the Sustainable Transport Fund **[REP5-056]**.
- 4.2.2 The Applicant noted it had looked at other airport's practices and sought to identify a funding source that could grow in line with airport growth and be ringfenced for sustainable transport options identified within the FTP including services and infrastructure related to public transport, and cycling and walking.
- 4.2.3 The Applicant is proposing a levy on on-site car parking (short, mid and long stay) and passenger drop-off. The fund would be generated from a charge per transaction on passenger vehicles.
- 4.2.4 **Post hearing submission:** Funds would only start to be collected following the serving of notice to grow under Article 44(1) of the DCO, which triggers the transition from the existing planning requirements to those established under the DCO.
- 4.2.5 The Applicant explained that the current (2023) levy has been set at £0.25 per passenger parking transaction and £0.10 per passenger drop-off. The fund would be collected and administered by the airport operator.

- 4.2.6 The Applicant confirmed that this will be secured through the s106 agreement and would generate an initial £516,000 per year based on current car park transactions growing over time as the airport grows.
- 4.2.7 The ExA asked how it had been determined that that amount of funding would be sufficient.
- 4.2.8 The Applicant explained it had looked at the practice of other airports and indicative costings of some of the emerging sustainable transport priorities in the early years. It had also considered affordability and balanced the criteria to derive an amount that would allow a number of proposals to be delivered in any given year, noting that there may also be other sources of funding that could contribute to sustainable transport.

## 4.2.9 Action Point 10: Demonstrate how the STF [REP5-056] is of sufficient size to fund an appropriate amount the mitigation listed in the FTP. Include detail as to when the fund would be available (D7).

- 4.2.10 The Combined Authorities reiterated concerns about costings in particular in relation to bus services and wanted evidence around how the fund would be distributed. They considered that the STF should not be capped and the levy should be retained indefinitely.
- 4.2.11 The Applicant explained the fund had been designed to link to airport growth, but this was not intended to be the end of sustainable transport improvement and other proposals for sustainable transport could be considered once the airport was fully built out.
- 4.2.12 BC considered that the approach to the fund should be to identify appropriate mitigation, cost and design a fund to deliver this, rather than working from the basis of how much revenue could be raised. They also pointed out that fund revenue was potentially uncertain (see e.g. the loss in parking revenue due to the car park fire).
- 4.2.13 The Applicant clarified that the STF would not be used for mitigation. This would be delivered by Green Controlled Growth (GCG) which includes specific Limits e.g. as to mode shares that must be achieved. The STF would deliver enhancements that go beyond what is guaranteed by GCG. The GCG Limits are requirements on the Applicant that must be met and funded by the airport operator or person exercising powers in relation to the Proposed Development.
- 4.2.14 The ExA asked how it could be guaranteed that STF funding would be used for enhancements. CBC wanted to understand whether the STF would not be called upon if the airport was not meeting relevant GCG Limits.
- 4.2.15 The Applicant pointed out that the STF was a hypothecated fund and that the wording of the relevant documents would address this. As regards to allocation of funds, the Applicant confirmed that terms of reference for the ATF Steering Group were being developed that would address this.

#### 4.3 Cycling & Walking

- 4.3.1 The ExA asked the Applicant to talk though Figure 4.1 (cycling catchment) of the Applicant's response to Issue Specific Hearing 4 Action 29: Catchment area for staff walking and cycling [REP4-084] and in particular how to identify what percentage of staff lived within the various time bands. The Applicant explained that the figure showed time bands of 15 minutes based on an analysis of the transport network, with staff numbers living within certain areas. Table 4.1 showed percentage of staff within each time band, based on the sample.
- 4.3.2 The ExA noted that 28% of staff lived within 15 minutes of the airport but only 2% cycled to work. The Applicant noted that Figure 4.1 demonstrated the potential for cycling and the report elsewhere outlined barriers to cycling and what might encourage more staff to cycle.
- 4.3.3 The Applicant was asked about Figure 8.12 in the **Transport Assessment [AS-123]** which did not appear to show all cycle routes. The Applicant showed a revised plan, yet to be submitted, and explained that the plan showed LBC's Local Cycling and Walking Infrastructure Plan (LCWIP) and how the airport proposals aligned with LBC's planned improvements in line with the overall ambition to improving cycling and walking share for staff. The new plan shows a combination of LBC and airport proposals including mitigation of junctions and how these interrelate.
- 4.3.4 Action Point 11: Submit the new plan that was shared at the Hearing which showed cycling and walking routes in and around the airport superimposed over the cycling catchment areas [REP4-084] and to update to include missing existing cycle routes (D6). This plan is included in Appendix B.
- 4.3.5 The ExA asked LBC when the LCWIP proposals would be delivered. LBC confirmed the improvements were townwide over 10 years. They were committed to the first 2 priority routes in LCWIP and were working to secure funding required for remainder.
- 4.3.6 Action Point 12 (LBC): Provide detail regarding improvements/ new cycle routes in the vicinity of the airport as discussed in the hearing and mentioned in the Road Safety Audits [REP5-055]. Include the locations of the routes and the programme for implementation (D6).
- 4.3.7 The ExA asked what weight could be given to cycling improvements not part of the application. The Applicant explained that as part of the first Travel Plan it would look to identify cycling improvements deliverable in the first 5 years and would work with LBC as part of this to ensure airport proposals matched with LBC developments to deliver corridor improvements with the greatest potential. LBC confirmed that emerging designs were consistent with LCWIP and noted that the LCWIP is a strategic 10 year plan so was subject to detailed design.
- 4.3.8 The ExA expressed concerned about Wigmore Lane and the widths that would be available and in particular wanted to understand where the Applicant could not deliver local transport note 1/20 requirements.

4.3.9 The Applicant noted that its response to written question TT.1.19 included its understanding of existing available space and potential widths available to provide upgrades to walking & cycling infrastructure along Wigmore Lane, showing the potential to upgrade existing available widths to deliver betterment.

## 4.3.10 Action Point 13: Provide detail of the locations where the recommendations in local transport note 1/20 could not be achieved and detail the reasons why (D6).

- 4.3.11 The ExA noted that in **REP4-069** (Applicant's response to written questions on traffic and transportation) there was a statement that mitigation was designed principally to accommodate increased traffic and was concerned about the provision for active travel in the Wigmore Lane area.
- 4.3.12 The Applicant confirmed that the mitigation works have been designed to cater for both, providing a balance for all users.
- 4.3.13 Action Point 14: Explain how the needs of non-motorised users has been considered. Include how those people who currently use the shared pedestrian/ cycle route along Wigmore Lane will not be discouraged from walking and cycling as a result of the proposed highway changes in that area (D6).
- 4.3.14 The Combined Authorities referred to key cycle routes from Luton to Harpenden and asked whether the Luton Parkway DART station has secured cycle staff parking. The Applicant confirmed that these measures could be considered as part of the first FTP and delivered if deemed appropriate by the ATF Steering Group

#### 5 AGENDA ITEM 4: FRAMEWORK TRAVEL PLAN (FTP)

- 5.1.1 The ExA noted from the Applicant's response to written question TT.1.7 that the targets in the Travel Plans will be no lower than the GCG Limits should strive to be more ambitious and asked how the FTP or other documents in the application encouraged or secured these more ambitious targets.
- 5.1.2 The Applicant noted that this relates to the earlier point around the CGC and the STF. Table 6.1 of the **GCG Framework [REP5-022]** sets Limits and Thresholds which the operator would need to fund, the FTP states that the actual travel plans will set more ambitious targets (para 1.4.1 of the **Framework Travel Plan [REP4-044]**) and the STF is geared towards meeting those higher target mode shares.
- 5.1.3 The ExA queried what encouragement there would be for those targets to be more ambitious than the GCG Limits. The Applicant explained that the first TP would effectively set those targets and those measures would have to be discussed and agreed with the relevant local authorities. Governance via the ATF would play a role in this including assessing how the travel plan is performing against targets.
- 5.1.4 The ExA noted that if targets were not sufficiently ambitious absolute numbers of vehicles would increase if the percentage of people travelling by non-sustainable means went down, and asked whether the Applicant had

considered what the targets would need to be to have absolute numbers reduce.

- 5.1.5 The Applicant confirmed that this had not been calculated at this stage and there was an acknowledgement that there would be a rise in vehicles, hence the proposed mitigation.
- 5.1.6 Action Point 15: Provide the mode share targets (passengers and staff) that would be required to reduce the number of vehicles travelling to the airport for each of the Phases and provide detail to explain if these targets would be achievable (D6).
- 5.1.7 The ExA noted that in their Deadline 3 submission **[REP3-124]** NH considered that the five year travel plan targets were too infrequent and asked whether discussions had taken place on this.
- 5.1.8 The Applicant clarified that discussions were ongoing. Monitoring would be ongoing, with an annual report to the ATF with targets modified every five years, to allow time for measures to influence travel behaviour.
- 5.1.9 NH considered that the FTP needed to have harder controls to ensure mitigation was secured and there should be a ratchet effect so that it is clear there will be a material improvement. In terms of the review of targets, NH expressed concerned about the information richness supporting the annual and five year review and sought a greater level of monitoring, e.g. real time and constant instead of a single week. NH also noted an interrelationship between the FTP, STF, TRIMMA etc, and considered a framework document or decision tree/flow diagram setting this out was required.
- 5.1.10 The ExA asked when the Applicant would be meeting with NH and the Applicant confirmed this would be arranged as soon as possible, in the next 1-2 weeks. The Applicant would seek to agree the proposed off-site highways to M1 Junction 10.
- 5.1.11 Action Point 16: Hold a meeting with National Highways to discuss the FTP and resolve outstanding disagreement regarding the proposed offsite highways works to M1 Junction 10 (within the next 3 weeks).
- 5.1.12 The Applicant pointed out that a flow diagram explaining how the various documents fit together is in the **Surface Access Strategy [APP-228]** at Figure 1.1.
- 5.1.13 The Applicant explained the mitigation types in the TRIMMA, the TRIMMA has 2 types of mitigation, type 1 is identified and included in DCO and the TRIMMA will identify when those measures need to be brought forward. Mitigation type 2 is an innovative proposal, providing a mechanism for mitigation funded by the Residual Impacts Fund (RIF) of impacts that are not identified at this stage. Normally projects simply do not mitigate such impacts. The FTP, travel plans, and the STF provide further mechanisms for enhancements that go beyond the mitigation guaranteed by GCG.

- 5.1.14 **Post hearing submission:** A diagram showing the relationship between the surface access controls was submitted by the Applicant on 30 November following discussion at ISH8 **[TR020001/APP/8.145].**
- 5.1.15 The ExA asked whether, in relation to the Secretary of State decision on the move to 19 mppa, the relevant travel plan had been produced and if not when will it be available.
- 5.1.16 LBC confirmed it was in discussion with the operator and the anticipation was this would be submitted shortly, possibly in December.
- 5.1.17 Action Point 17 (LBC): Confirm when Travel Plan for the 19 MPPA Planning Consent is to be submitted to LBC and if it is submitted before the close of the Examination then submit a copy into the Examination (by D6/ Before the close of the Examination).
- 5.1.18 The ExA noted that there was some confusion around GCG. The hearing on Thursday would give the Applicant various opportunities to explain further, and the ExA asked the Applicant when doing so to bear in mind the questions asked in this hearing and look to answer them.
- 5.1.19 BC sought clarity as to what constitutes mitigation, and how funding is allocated where, noting that the FTP is defined as mitigation in various instances. By way of example, several points within the FTP related to terminal building such as showers and changing facilities, and BC was concerned to understand whether these were deliverables from the STF or part of development itself.
- 5.1.20 The Applicant confirmed that the ATF Steering Group allocates funding from the STF. If it considers something is for the operator to bring forward as part of the airport works that discussion can take place to ensure the fund is spent on measures the STF consider are most important, and the Steering Group (of which all host authorities are members) has that scrutiny function.
- 5.1.21 NH considered that they should not be beholden other public authorities, the Steering Group shouldn't decide something is or isn't done on the SRN.

#### 6 AGENDA ITEM 5: PARKING

- 6.1.1 The Applicant provided an update on the 10 October car park fire which means the demolition of Terminal Car Part 2 (TCP2) is required. The drop off zone was at ground level and is decommissioned as a result of the fire, a temporary drop off zone is being considered, in the interim the mid-term car park is being used.
- 6.1.2 Demolition is to commence in January 2024, estimated to take 15 weeks. Planning for rebuild is underway. Replacement to pre-incident status is anticipated, subject to necessary approvals, with a build time of 14-18 months envisaged. On the working assumption the DCO is consented at the end 2024, the Applicant does not envisage any impact from car park works on the Proposed Development.

#### 6.1 'Fly-parking'

- 6.1.1 The Applicant provided an update on the work done since the last hearing regarding this issue, including a summary of the engagement with the relevant highway authorities. There had been discussions with all relevant authorities. Discussions take place as part of the consultative committee quarterly, attended by the Applicant, the operator, LBC, CBC, BC, the Combined Authorities, community groups and others. In 2017 a possible Controlled Parking Zone (CPZ) in the Wigmore Lane area was rejected by residents (see Appendix A of the **Transport Assessment [APP-200]**), the Applicant noted that discussion on this was continuing. The Applicant has also discussed with CBC concerns raised about fly parking in the Caddington area, noting that CBC may support the implementation of a CPZ in the area. CBC had provided information on potential coverage and costs of a CPZ. Discussions are ongoing as to how this could be delivered, one option discussed being as type 2 mitigation under the TRIMMA.
- 6.1.2 LBC confirmed that the Wigmore scheme was rejected as residents didn't want a residents parking scheme at that location, primarily for reasons due to the cost of permits. The ExA queried whether there had been discussion on covering the cost of permits. LBC confirmed their policy is that permit costs should be paid by those who benefit, though they may look to the Applicant to fund the consultation process. Limited waiting was also offered but not taken up as the Wigmore area was not suffering from fly parking to the extent that was experienced in Vauxhall Park and fly parking didn't appear since then to have migrated to Wigmore.
- 6.1.3 Action Point 18: (Applicant/LBC) Detail potential options to mitigate the fly parking issue in the Luton area including exploration of whether a Controlled Parking Zone could be progressed/ would be viable including exploration of how these measures could be funded without any cost to residents (D7).
- 6.1.4 CBC noted discussions with the Applicant were ongoing and considered this issue should be dealt with outside of the TRIMMA process as they considered it a foreseeable issue.
- 6.1.5 Mr John Smith asked that Harpenden be included in considerations, as fly parking was an issue there especially in the north.
- 6.1.6 Holiday Extras noted that RIF might fund works addressing fly parking as mitigation type 2. Holiday Extras queried whether the RIF and STF might be used in conjunction or separately to mitigate fly parking and also what is meant on page 14 of the **Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA) [REP5-041]** by "third party funding sources".
- 6.1.7 The Applicant explained that the RIF existed to address unidentified impacts, which included fly parking. Fly parking had also been identified in the FTP as an issue to be addressed to help to control vehicle use and incentivise use of sustainable modes so there is also a link to the STF. The OTRIMMA [REP5-041] at Figure 4.1 identifies fly parking as an example of something which may be identified by monitoring and thus addressed by the RIF.

#### 6.2 On-site car parking

- 6.2.1 The ExA referred to the Applicant's response to written question TT.1.13 and TT.1.11 **[REP4-069]** and sought clarification of the number passengers in January to August 2023, i.e. was this 18mppa or below? The Applicant agreed to respond in writing. The ExA also sought clarification that the Applicant was confident that the baseline number of 10,550 spaces is sufficient for 18mppa, noting that car parks are at 80% capacity or full at busy times.
- 6.2.2 Action Point 19: Confirm what was the actual number of passengers for the January to August time period given in [REP4-069] If this was below the equivalent 18mppa explain why the baseline number of parking spaces of 10,550 would be sufficient for 18mppa (D6).
- 6.2.3 The ExA referred to the response to written question TT.1.13 **[REP4-069]** that stated off-site car parking would provide part of the future parking supply for the airport and asked the applicant how many such spaces were assumed to be provided and what would happen if these were not provided.
- 6.2.4 The Applicant agreed to respond in writing as to the number of assumed spaces but clarified that transport modelling assumed a growth of off-site car parking trips with the same distribution in line with airport growth. The Applicant acknowledged that a market for off-site parking would exist and expected car parking operators to make planning applications to meet that demand. If that supply didn't materialise, controls in GCG would prevent the airport growing unsustainably.
- 6.2.5 The ExA asked how delivery of off-site car parking was secured if it was beyond the Applicant's control. The Applicant confirmed it was not secured in that it could not force off-site car parking, but what was secured was that airport growth will not happen unless sustainable mode share targets can be met.
- 6.2.6 The ExA asked what would happen if someone couldn't park and whether this risked more fly parking. The Applicant confirmed that the risk of this occurring would be mitigated by monitoring of on-site car parks, which would demonstrate that this is an issue well in advance, and addressed through the GCG thresholds.
- 6.2.7 Action Point 20: Detail the number of spaces that the Transport Assessment (TA) assumed would be provided by third party car parks and explain how this was determined. Signpost where this information can be found in the application (D6).
- 6.2.8 The ExA asked about the difficulty of obtaining planning permission for off-site car parking and whether there was really space for such off-site car parking.
- 6.2.9 LBC confirmed that Luton was constrained, and LBC has a local plan policy discouraging off-site parking. LBC is satisfied that the amount of parking at the airport is sufficient and they have turned down applications for additional off-site car parking. LBC has also tried to discourage CBC from granting permission for off-site parking, which was subsequently granted despite being a green belt site. CBC agreed to provide a response after the hearing.

## 6.2.10 Action Point 21 (CBC): Confirm if there is any suitable space that would be available for any future new off-site parking (D6).

- 6.2.11 Holiday Extras noted that car parking was one of most difficult types of development to secure permission for, especially on green belt land. NHDC reaffirmed this position. Holiday Extras considered it would be difficult to secure permission for a new site serving London Luton airport, so additional capacity was likely to come from existing sites.
- 6.2.12 The Combined Authorities reiterated their concerns linked to monitoring of trips relating to off-site parking, noting the **OTRIMMA [REP5-041]** did not include provision to monitor trips associated with this.
- 6.2.13 The Applicant explained that the **Transport Assessment [APP-203, APP-205, APP-206** and **AS-123]** included trips relating to third party car parks in the modelling to be robust from an assessment perspective, but this did not mean the airport needed that additional capacity- if the market did not address additional demand GCG would ensure the airport couldn't grow in unsustainable way.
- 6.2.14 Holiday Extras considered their points in their submissions at Deadline 3 [REP3-118] and Deadline 4 [REP4-175] had not been adequately addressed as regards to the methodology for how on-site parking requirements are derived, which impacted on off-site requirements. In particular they considered that the Transport Assessment [APP-203, APP-205, APP-206 and AS-123] didn't adequately address the point. Holiday Extras was looking for a similar approach to that adopted in section 6 of the Need Case [AS-125] and considered a strong co-ordinated approach with all parties was required or an additional 5% off-site parking was not likely to be achievable.

#### 7 AGENDA ITEM 6: OFF SITE HIGHWAY WORKS

#### 7.1 Road Safety Audits (RSAs)

- 7.1.1 The Applicant provided a brief update regarding the engagement with relevant Highway Authorities in relation to the stage 1 **Road Safety Audits (RSAs)** [**REP5-055**]. At Deadline 5 a designer's response to RSA comments had been provided and the next stage was to engage with relevant authorities on their comments to agree responses and actions to be taken forward on the designs. There had already been had some engagement with LBC and some feedback from CBC and a meeting was scheduled next week to talk through the actions on those schemes. A designer's response on the NH schemes was being prepared and will be shared when ready. The intention was for full completed audits to be provided for Deadline 7.
- 7.1.2 When asked by the ExA none of the relevant highway authorities had further comments on this process.

#### 7.2 **Proposed Highway Works to M1 Junction 10.**

7.2.1 Action Point 22 (all interested parties): The livestream was offline for a short period, people watching the livestream are asked to watch the

## recording to catch up the section when the livestream wasn't available (D6).

- 7.2.2 The ExA referred to NH's Technical Note on the South Facing Slip Interventions [REP5-093] noting that works at J10 of the M1 had not been agreed and asked the Applicant for an update to give confidence this could be agreed by the end of the Examination. The Applicant outlined the mitigation proposals and modelling work to date. Appendix A of the Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) [APP-200] sets out the proposed mitigation strategy for the Proposed Development which included works to M1 Junction 10. The works to M1 Junction 10 can be summarised as follows:
  - a. Assessment Phase 1 (Drawing Number LLADCO-3C-ARP-SFA-HWM-DR-CE-0009):
    - i. widening of the northbound (NB) off-slip from 2 lanes to 3 lanes;
    - ii. widening to western circulatory from 2 lanes to 4 lanes;
    - iii. amendments to the white lining on the northern circulatory from 2 lanes to 3 lanes; and
    - iv. amendments to the white lining on the NB on-slip to lengthen the two lane section.
  - b. Assessment Phase 2a (Drawing Number LLADCO-3C-ARP-SFA-HWM-DR-CE-0024 and LLADCO-3C-ARP-SFA-HWM-DR-CE-0025):
    - i. widening and white line amendments on the A1081 to the M1 southbound (SB) to provide a two lane diverge; and
    - ii. amendments to the nosing and merge point on the M1 SB to provide an informal two-lane merge and increased merging capacity.
  - **c. Post hearing submission:** Assessment Phase 2b (Drawing Number LLADCO-3C-ARP-SFA-HWM-DR-CE-0029) includes:
    - i. amendments to the white lining on the southern circulatory from 2 lanes to 3 lanes and amendments;
    - ii. widening to western circulatory from 4 lanes to 5 lanes;
    - iii. amendments to the white lining on the NB on-slip to provide a 3 lane to 1 lane merge; and
    - iv. signalisation of the northern circulatory with SB off-slip and removal of the SB freeflow left (movement now incorporated into the signals).
- 7.2.3 These works and the impacts on J10 were broadly agreed with NH.
- 7.2.4 The Applicant outlined that the main point of difference with NH was around the nature of the interface between J10 and the mainline. Issues were currently being addressed through the updated modelling. Broadly speaking this showed a 6% reduction in demand forecast throughout the modelled area, changes around J10 are even greater but this has not yet been shared with NH.

- 7.2.5 In summary, emerging work shows the Applicant's proposed mitigation addresses the impacts of the Proposed Development on the network, there was a desire to continue to work with NH around what further works may be needed as regards to merges to address any concerns.
- 7.2.6 NH confirmed that the works to J10 as currently in the application are nearly agreed, but NH sought a commitment to providing a maintenance bay and gantries.
- 7.2.7 NH noted that it remained to be seen whether the revised modelling would show NH's proposed additional works were unnecessary. Modelling showed existing congestion at this location which would be exacerbated by airport traffic and these additive consequences would usually be addressed, which could be done by constraining the development or providing for mitigation. NH proposed a Grampian requirement to address this.
- 7.2.8 **Post hearing submission:** The Applicant believes that the impacts of the Proposed Scheme are mitigated for all design years. As such, any residual concerns for NH relate to background traffic it should not be for the Applicant to have to provide additional mitigation over and above that already proposed. As such the Applicant does not accept that a requirement of this nature is required.
- 7.2.9 NH noted that the **OTRIMMA [REP5-041]** assumes that mitigation may not be provided if impacts are addressed in another way but NH sought hard commitments as regards to the SRN.
- 7.2.10 NH confirmed that having seen emerging forecasts for demand on the SB slips, NH considered that at phase 1 impacts on J10 were relatively minor and the junction could cope with the proposed mitigation. Beyond that the SB on slip and subsequently NB off slip appeared to require further work in a phased approach.
- 7.2.11 The ExA asked the Applicant when it was proposed to meet NH on these issues and the Applicant confirmed this would be arranged as soon as possible, with the intention to meet next week.
- 7.2.12 **Post-hearing note:** A meeting has been arranged for 15 December 2023.
- 7.2.13 As regards to the maintenance bay, the Applicant confirmed proposals had been shared with NH and details were under discussion. NH confirmed their satisfaction that those items can be provided within the Order limits.

#### 7.3 **Proposed Highway Works to three junctions in Hitchin**

- 7.3.1 The ExA referred to the Combined Authorities Deadline 5 submission **REP5-068** and asked for an update on discussions with the Applicant.
- 7.3.2 The Combined Authorities confirmed they were seeking further detail from the Applicant to provide certainty the issues will be addressed. The Combined Authorities noted that as part of mitigation type 1 there was no commitment that works enhance active travel, which was a principle for mitigation type 2.

- 7.3.3 The Applicant confirmed that it had not yet responded to the HA's comments submitted at Deadline 5 but would do so at Deadline 6. The comments have been reviewed and the Applicant disagrees in some cases the proposed mitigations addressed the impacts of scheme, principally additional traffic movements. The TRIMMA methodology allows the Combined Authorities to propose other solutions and provide proportional contributions if needed to deliver those. Emerging modelling also shows a reduction in flows.
- 7.3.4 NHDC noted that the proposed mitigation represented a non-compliance with their local transport plan which aims to be less car based, reinforced by a DfT policy paper from December 2022. Whilst GCG was an attempt to do this, they considered the mitigation proposed in Hitchin was effectively predict and provide. Various junctions in Hitchin also have local active travel proposals that could make Applicant's proposals undeliverable. NHDC were seeking a commitment to work together to deliver sustainable transport in compliance with local plan. The Applicant noted that their proposals did not preclude others from bringing other proposals forward.

#### 7.3.5 Action Point 23 (NHDC): Submit a copy of the Department for Transport policy paper: strategic road network and the delivery of sustainable development (D6).

- 7.3.6 The Applicant referred to the **OTRIMMA [REP5-042]**, paragraph 3.3.12 Paragraph 3.3.12 provides: "where requested by a local highway authority the Applicant may agree to an alternative solution to the proposed works set out in Schedule 1 of the DCO. If this approach is agreed, the Applicant's contribution to the cost of such works would be limited to the estimated costs of implementing the Schedule 1 proposals, and the Applicant would need to be satisfied that any alternative proposal would be delivered in a timely fashion by the local highway authority concerned."
- 7.3.7 Schedule 1 works had been identified on the basis of what is known now and what can be designed, but works would not be undertaken for potentially a number of years so the TRIMMA allows flexibility for proportionate alternative solutions to be adopted if the local highway authority considers appropriate, and as such is an attempt to go beyond 'predict and provide'.
- 7.3.8 NHDC noted they had not seen an estimate of Schedule 1 costs but considered it unlikely the scale of the proposed Schedule 1 interventions could fund ambitious sustainable proposals, and that the costs of relatively limited interventions shouldn't be the baseline for deciding on such provision.
- 7.3.9 The Applicant noted that whilst NHDC were looking for mitigation works to address walking and cycling the modelling did not indicate, and NHDC had no evidence to indicate, that the Proposed Development has an impact on walking or cycling. The scale of the mitigation is focussed on what the Proposed Development has an impact on.
- 7.3.10 The ExA asked NHDC whether the Council was satisfied the Applicant's proposals do mitigate the impacts of the Proposed Development. NHDC considered the information available did not allow them to confidently confirm

this, noting that this should look at trip demand and that as they had not seen traffic counts they could not be confident about the baseline.

- 7.3.11 The Applicant explained that the modelling has been undertaken based on outputs of the strategic model, which doesn't require a baseline count. The modelling does show that on key routes, the A602 and the A505, the proposed mitigation reduces queues and delays, providing betterment not just mitigation.
- 7.3.12 The ExA remained concerned that this was a significant issue and encouraged engagement at the earliest opportunity to resolve this.
- 7.3.13 Action Point 24 (Applicant and relevant highway authorities): Provide an update on the ongoing discussions regarding the proposed off site highway works to the three junctions in Hitchin.

## 7.4 Proposed Highway Works to Crawley Green Road/ Wigmore Lane/ Eaton Green Road.

- 7.4.1 Figure 13 of the **Trip Distribution Plans [REP5-037]** was shown. The ExA noted little or no vehicles using Crawley Green Road or Eaton Green Road in 2043 with the airport development. The ExA asked who at LBC had reviewed these works and why off-site works were proposed.
- 7.4.2 LBC confirmed the Team Manager for Sustainable Development and Transport and the Highway Development Control Manager had reviewed off-site highway works and they considered these proposals reasonable.
- 7.4.3 The ExA noted these were significant works and it was not clear how to justify them bearing in mind the apparent lack of airport traffic on these roads and the number of local representations concerned about this.
- 7.4.4 Action Point 25 (LBC): Provide detail of the review undertaken of the proposed highways works to Crawley Green Road/ Wigmore Lane and Eaton Green Road. Include explanation as to why the Council is satisfied that works of this scale would be required to mitigate airport related traffic (D6).
- 7.4.5 The Applicant noted that VISSIM takes account of rerouting of traffic as it's a dynamic model so the mitigation measures address exiting congestion, background growth, committed developments, airport traffic and redistribution of traffic.
- 7.4.6 The ExA asked whether the junction improvements focused on airport traffic would amount to general improvements. The Applicant explained that the proposals were to ensure airport trips can get to the airport but would provide wider benefits. The ExA requested more information, noting what had so far been provided was not enough to justify those improvements.
- 7.4.7 Action Point 26: Provide detail to explain why the scale of the works is required to Crawley Green Road/ Wigmore Lane and Eaton Green Road to mitigate airport related traffic (D6).

#### 7.5 Eaton Green Link Road

- 7.5.1 The ExA referred to the Applicant's response to written question TT.1.21 **[REP4-069]**, that the officer's report relating to the previous planning permission concluded that the link road conferred transport benefits notwithstanding it was contrary to Policy LLP6. The ExA sought clarification from LBC as to the rational for Policy LLP6 which aimed to ensure no use of Eaton Green Road to access the airport/New Century Park.
- 7.5.2 LBC referred to the Applicant's Deadline 1 Submission **8.23 Green Horizons Park Additional Information - Appendix A Committee Reports [REP1-006]**, paragraphs 226-229. The LLP6 designation covered the airport and New Century Park, there were concerns around moving New Century Park and traffic being channelled to/from Eaton Green Road- see paragraph 20 of the Inspector' s report into the local plan. However, the New Century Park application showed that without the link there were major tailbacks and even gridlock and having the link road eased that.
- 7.5.3 The Applicant noted that what LBC outlined is still seen in current modelling work, with the airport scheme flows on Eaton Green Road are reduced compared to the baseline.

## 7.5.4 Action Point 27 (LBC): Explain whether or not Local Plan Policy LLP6 applies to the current application and the reasons why (D6).

7.5.5 Mr John Smith asked where traffic would be routed when the J10 M1 work is going ahead. The Applicant noted that the works will need to be phased and delivered in advance of the impact arising, it would develop a Construction Traffic Management Plan (CTMP) to address how those works would be done, the intention was not to have any long terms closures of key infrastructure around J10.

#### 8 AGENDA ITEM 7: TRANSPORT RELATED IMPACTS MONITORING AND MITIGATION APPROACH (TRIMMA)

- 8.1.1 The ExA asked whether the **OTRIMMA [REP5-041]** would stay in outline form throughout the Examination and the Applicant confirmed it would. It would be finalised post-consent, and be secured by a requirement with the final TRIMMA being substantially in accordance with the OTRIMMA and approved by the planning authority.
- 8.1.2 The Applicant provided a brief update on the latest version of the **OTRIMMA [REP5-041]**. The development of the OTRIMMA addressed the following objectives:
  - a. Monitor the impact of traffic growth related to the Proposed Development on parts of the public highway;
  - b. Agree the timing of the need for and form of mitigation as identified in Schedule 1 of the **Draft DCO [REP5-003]**; and
  - c. Agree mitigation for residual traffic-related impacts to be funded by the Residual Impact Fund (RIF).

- 8.1.3 There would be three levels of monitoring for mitigation type 1 (MT1), i.e. where off-site highway works are proposed in Schedule 1 of the DCO:
  - a. Monitoring Level 1 (ML1): Monitoring of airport-related vehicle trips at airport sites.
  - b. Monitoring Level 2 (ML2): Monitoring of airport-related vehicle trips at junctions where mitigation is proposed.
  - c. Monitoring Level 3 (ML3): Junction-specific monitoring to confirm the need for mitigation. At this stage, the form of mitigation will also be agreed between the Applicant and the relevant highway authority.
- 8.1.4 The monitoring levels will be threshold based and informed by baseline surveys to be undertaken every 5 years. Both the thresholds and any Automatic Number Plate Recognition (ANPR) camera locations will be agreed with highway authorities. The approval of the TRIMMA is covered in amended requirement 29 of the DCO.
- 8.1.5 For mitigation type 2 (MT2) the RIF will be secured in the section 106 agreement. The Airport Transport Forum (ATF) Steering Group will decide on the allocation of funds after assessing proposals from its members.
- 8.1.6 The ExA asked whether further work could be done to provide greater certainty around monitoring locations to address highway authority concerns. The Applicant confirmed it had received feedback on this issue and had been in discussion with NH on J10 of the M1, discissions were ongoing and the Applicant will consider comments and issue an updated OTRIMMA for Deadline 7.

### 8.1.7 Action Point 28 (All interested parties): Provide comments on outline TRIMMA (D6).

## 8.1.8 Action Point 29: Review comments made by IPs on the outline TRIMMA and resubmit outline TRIMMA (D7).

- 8.1.9 The ExA asked whether fly parking was a residual impact requiring monitoring by the relevant highway authority to demonstrate MT2 would be required, and the Applicant confirmed it would be.
- 8.1.10 When asked by the ExA for their view the local authorities responded as follows. LBC continued to be supportive of the approach in the OTRIMMA and the Combined Authorities welcomed ongoing discissions on monitoring for various sites in Hertfordshire. The Combined Authorities did not agree that funding of MT1 schemes should be limited to the cost of the current proposed schemes in Schedule 1 of the DCO and sought to understand whether expanded off-site car parks would be monitored. The Applicant explained that monitoring of off-site car parks had not been included as MT1 is about monitoring traffic through junctions, this traffic will be picked up by flows through those junctions.
- 8.1.11 The Combined Authorities considered monitoring should not pause until the expansion works were completed in full, had queries about the RIF allocations, and were also seeking clarity on the mechanics of the RIF including what would

happen to unspent allocations, and the discretion of the ATF Steering Group to vary the spending profile (e.g. for schemes requiring more than a year's allocation).

- 8.1.12 BC expressed concerned that local highway authorities were obliged to gather evidence to access funds for MT2, the ability to fund that would be limited if possible at all, which may restrict access to MT2.
- 8.1.13 The Applicant considered that it had reached an appropriate balance as regards to impacts that had not yet been identified. If an authority as part of its normal highway functions identified a problem, then it can come to the ATF and MT2 provides the means to assist. The airport can't solve every problem for every authority that may or may not occur.
- 8.1.14 The ExA noted that fly parking has been identified in a number of representations and questioned whether this should that be considered MT2.
- 8.1.15 The Applicant explained that it considered the way fly parking was currently addressed was sufficient. Although fly parking should be readily apparent, there was a question of whether it is related to the airport, but if it exists the authorities can draw it to the Applicant's attention and a mechanism exists for addressing this. The Applicant will continue to discuss with local authorities but considered it had struck the right balance.
- 8.1.16 NHDC were concerned that without monitoring of car parks it would be hard to understand the growth and impact of off-site parking and if ANPR cameras only count traffic at the airport they will miss that parking.

## 8.1.17 Action Point 30 (NHDC/Applicant): NHDC to explain its concerns regarding on-going monitoring of off-site car parking and Applicant to provide a response (D6/D7).

- 8.1.18 CBC considered that monitoring fly parking was onerous for local authorities and required a baseline survey, and that that such a baseline survey should be the responsibility of the Applicant. They also expressed concern as to what impact the rebuild of car park TCP2 might have on the accuracy of the baseline survey at ML0 as part of the TRIMMA process.
- 8.1.19 NHDC considered that the TRIMMA process proposed mitigation after impacts had occurred, meaning the works would be undertaken while the deleterious impact was ongoing. NHDC also noted that the GCG Framework did not refer to TRIMMA, the sanctions for GCG do not appear to link to the TRIMMA.
- 8.1.20 The Applicant explained mitigation would not be introduced after the impact occurred. Relevant thresholds will be agreed with relevant highway authorities at a level so as to ensure early enough mitigation. The Applicant noted that whilst NHDC is not a highway authority, it would be happy to discuss this with NHDC.
- 8.1.21 NHDC were concerned that thresholds should be agreed and understood now and that a Grampian type approach would address their concerns. In addition NHDC was concerned to have specific approval rights e.g. through protective provisions, rather than through another body.

- 8.1.22 **Post hearing submission:** The Applicant believes that the impacts of the Proposed Scheme are mitigated for all design years. As such, any residual concerns for NH relate to background traffic it should not be for the Applicant to have to provide additional mitigation over and above that already proposed. As such the Applicant does not accept that a requirement of this nature is required.
- 8.1.23 Mr Smith considered that mitigation and monitoring must consider accidents. He also considered that passenger surveys undertaken to date were too small to be representative. He was also concerned about trains, noting that Thameslink trains were not built for luggage, and that there were no contingency plans for when the rail system goes down. The Applicant drew Mr Smith's attention to the **Rail Impacts Summary [REP5-057]** which addresses some of the points made.
- 8.1.24 Action Point 31 (Mr Smith/Applicant: Mr Smith to look at REP5-057 and then submit any outstanding concerns in writing and Applicant to respond (D6/D7).

#### 9 AGENDA ITEM 8: CONSTRUCTION

#### 9.1 Construction Traffic Management Plan (CTMP)

9.1.1 The ExA noted that section 6 of the **CTMP [APP-130]**, covered monitoring by the lead contractor of the effectiveness of the CTMP. The ExA asked if this was the same approach taken for Project Curium and if so what was the outcome.

## 9.1.2 Action Point 32 (LBC): Check whether the monitoring approach detailed in the outline CTMP is the same as that used for Project Curium. If different provide detail of the differences (D6).

9.1.3 The ExA queried how damage to roads would be addressed and asked whether a pre-start condition survey would be undertaken to ensure damage would be remediated, noting that this was a relatively standard approach. The Applicant agreed to consider this.

## 9.1.4 Action Point 33: Insert pre-construction condition survey requirements to outline CTMP (D6).

- 9.1.5 The ExA noted that relevant representations identified certain roads considered unsuitable for construction vehicles and asked whether these could be added to the CTMP.
- 9.1.6 The Applicant agreed to consider this if a list could be supplied. It was not the Applicant's intention to use local roads for material supplies but at this stage it may be too early to impose specific limitations, these may be more appropriate for the final CTMP.

#### 9.1.7 Action Point 34 (Relevant Highway Authorities): Relevant Highway Authorities to provide a list of the roads that they consider should not be used for construction vehicles (D6)

#### 9.2 Construction Workers Travel Plan (CWTP)

- 9.2.1 The ExA was concerned to understand how, in paragraph 2.3.2 of the **CWTP** [APP-131], the figure of 60% construction workers arriving by car was arrived at. The Applicant agreed to confirm this. The ExA considered this may be because 60% of workers live within a 1 hour drive time of Luton, as discussed in relation to socio-economic matters in the context of the need for homes.
- 9.2.2 Action Point 35: The CWTP [APP-131] states the assumption that 60% of construction workers will arrive to site by car. Explain how the figure of 60% was calculated (D6).
- 9.2.3 The ExA asked whether 60% was the same for Project Curium. LBC agreed to check.

### 9.2.4 Action Point 36 (LBC): In relation to AP36 - Check whether a similar figure than 60% for construction workers was used for Project Curium (D6).

- 9.2.5 The ExA noted that the 60% figure meant that in Assessment Phase 2a 846 workers would arrive by car and asked whether space for these vehicles had been provided for and if more workers travelled by car how they would be accommodated. The Applicant agreed to provide more information on this, noting that not all workers would be travelling in single occupancy cars.
- 9.2.6 Action Point 37: Provide further detail regarding capacity of the proposed on site construction worker parking and explain the contingency plan to accommodate parking if more than 60% of construction workers drove to site (D6).
- 9.2.7 The ExA asked local highway authorities whether there had been any measurable construction impacts from the Project Curium works.
- 9.2.8 None of the relevant highway authorities were aware of any problems but agreed to confirm in writing.
- 9.2.9 Action Point 38 (Relevant Highway Authorities): Confirm whether there were any traffic and transport related issues experienced during the Project Curium construction works (D6).
- 9.2.10 Mr Smith asked when Luton Town would be rebuilding its stadium. LBC could not answer this as the personnel attending were not involved.
- 9.2.11 The ExA confirmed that their remaining points on construction matters would be issued as written questions (see Table 1.2 below).

#### 10 AGENDA ITEM 9: ACTION POINTS

10.1.1 The Action Points noted by PINS were made available on 30 November 2023 and have been noted in Table 1.1.

#### 11 AGENDA ITEM 10: ANY OTHER BUSINESS

11.1.1 Mr Smith asked how a general election would affect timescales for the Examination and the ExA's work. The ExA explained that this would have no

effect, the Examination would still close on 10 February 2024 and the ExA would report on 10 May 2024, though post-election the ExA may report to a different Secretary of State.

11.1.2 The Applicant had no further comments.

#### Table 1.1: Applicant's Response to ISH7 Action Points (NB: Any missing action below was addressed to another third party)

Action	Description	When	Applicant's response
1	Post hearing note to include a one page summary setting out the details/ experience of Applicant's team who were participating in the Hearing.	D6	Please see Appendix A.
2	Submit final report summarising the outcome of the accounting for Covid-19 in transport modelling.	15 December 2023	The final reporting is in progress and planned to be submitted on 15 December 2023.
3	Review how the Ivinghoe junction is modelled to determine whether what is shown on the trip distribution plan is representative.	D6	The response is provided in a separate report, <b>Applicant's Response to ISH 7</b> <b>Action 3 - Ivinghoe Junction Modelling Review [TR020001/APP/8.147]</b> .
4	Provide an update on progress made in relation to agreeing the	D7	The Applicant notes this action and will address at the relevant deadline.

Action	Description	When	Applicant's response
	transport model with the relevant Highways Authorities including: • details of meetings held; • what was discussed; • what are the outstanding issues; and • a programme for resolution.		
5	The Applicant's response to written question TT.1.4 [REP4- 069] mainly focussed on Luton. Provide detail of the discussions with highway authorities other than Luton Borough Council	D6	<ul> <li>The Applicant's response to written question TT.1.4 [REP4-069] focussed on Luton as the response was given in respect of [RR-0472] which was a relevant representation from Friends of Wigmore Park (Friends of Wigmore Park) in regard to proposed junction improvements on Wigmore Lane.</li> <li>Engagement with highway authorities (including National Highways, Hertfordshire County Council, Central Bedfordshire Council and Buckinghamshire Council) on surface access matter has been on-going since 2018/19 and a summary of engagement is included within the relevant Statements of Common Ground which were submitted at Deadline 6.</li> </ul>

Action	Description	When	Applicant's response
	and signpost to where this is documented in the Application.		
6	Explain how the locations of potential rural traffic calming [AS-023] were determined and why these works are not included in the proposed off- site highways works. Signpost to where this is documented in the application.	D6	The Applicant believes that the mitigation strategy set out in Section 8 of the <b>Transport Assessment [AS-023]</b> provides a comprehensive package of measures to support sustainable access to the airport and, where required, highway improvements on key corridors to provide capacity on main routes and reduce/discourage the likelihood of traffic using rural roads to access the airport. Section 15 of the <b>Transport Assessment [APP-206]</b> sets out the approach to mitigation of residual impacts. The Applicant notes that that the mitigation strategy addresses the main impacts of the Proposed Development but acknowledges that it would be helpful to make provision to manage unforeseen consequences of the Proposed Development. This includes the locations of potential rural traffic calming which were identified as these were the closest rural location to the Proposed Development and the strategic modelling showed small but not necessarily significant increases in traffic flows. As such, the Applicant's proposed approach to monitoring included these locations.
7	Provide details of how often the Applicant has met with bus operators and the outcomes of this engagement in relation to future provision.	D6	The Applicant and airport operator have ongoing relationships with public transport operators that provide access to the airport. This includes bus operators, who have been repeatedly engaged on the airport's aspirations to grow through the development of the latest Airport Surface Access Strategy (ASAS) for the five year period of 2023-2028. Three workshops were held in November 2023, attended by Arriva, which operates the majority of bus routes accessing the airport. These sessions were also attended by relevant local authorities, where aspirations and plans for improved bus connectivity to the airport were raised and discussed in the context of the airport's proposed expansion.

Action	Description	When	Applicant's response
			local operators, including Stagecoach, First Bus and Arriva. Engagement captured where operators envisaged future capacity market growth coming from and how operators may fulfil demand and adopt facilities for next generation vehicles. This engagement exercise informed the renewal of the existing coach service concession agreement, regarding improved coach offerings and potential new routes.
10	Demonstrate how the Sustainable Transport Fund (STF) [REP5-056] is of sufficient size to fund an appropriate amount the mitigation listed in the Framework Travel Plan (FTP). Include detail as to when the fund would be available.	D7	The Applicant notes this action and will address at the relevant deadline.
11	Submit the new plan that was shared at the Hearing which showed cycling and walking routes in and around the airport superimposed over the cycling catchment areas	D6	Please refer to Appendix B.

Action	Description	When	Applicant's response
	[REP4-084] and to update to include missing existing cycle routes.		
13	Provide detail of the locations where the recommendations in local transport note 1/20 could not be achieved and detail the reasons why.	D7	The Applicant notes this action and will address at the relevant deadline.
14	Explain how the needs of non- motorised users has been considered. Include how those people who currently use the shared pedestrian/ cycle route along Wigmore Lane will not be discouraged from walking and cycling as a result of the proposed	D7	The Applicant notes this action and will address at the relevant deadline.

Action	Description	When	Applicant's response
	highway changes in that area.		
15	Provide the mode share targets (passengers and staff) that would be required to reduce the number of vehicles travelling to the airport for each of the Phases and provide detail to explain if these targets would be achievable.	D7	The Applicant notes this action and will address at the relevant deadline.
16	Hold a meeting with National Highways to discuss the FTP and resolve outstanding disagreement regarding the proposed off-site highways works to M1 Junction 10.	Within the next 3 weeks	A meeting has been arranged for 15 December 2023.
18	Detail potential options to mitigate the fly parking	D7	The Applicant notes this action and will address at the relevant deadline.

Action	Description	When	Applica	Applicant's response									
	issue in the Luton area including exploration of whether a Controlled Parking Zone could be progressed/ would be viable including exploration of how these measures could be funded without any cost to residents.												
19 Confirm what was the actual number of passengers for the January to August time		D6	August when th	2023 is ne airpo	s shown ort hand	in the t led 18 n	able bel nppa an	ow, alo d had 1	ng with 0,550 p	the equi arking s	ivalent f spaces -	en Janua ïgures fo - the lev capacity	or 2019 el of car
	period given in [REP4-069] If this		Year	Passeng h (millio	ers/mont ns)	Total (m)							
	was below the			Jan	Feb	Mar	Apr	Мау	Jun	Jul	Aug		
	equivalent		2019	1.154	1.180	1.339	1.536	1.637	1.674	1.783	1.871	12.173	
	18mppa explain why the baseline number of parking spaces of 10,550		2023	0.977	1.058	1.231	1.385	1.515	1.528	1.621	1.668	10.983	
			Change from 2019	-0.177	-0.121	-0.108	-0.151	-0.121	-0.147	-0.162	-0.203	-1.189	
would be sufficient for 18mppa.			The fig	ures sh		the airp	ort han				0	etween . andled c	January .12.2

Action	Description	When	Applicant's response			
			million passengers. The 2023 passenger numbers are therefore c.10% lower than in 2019.			
			The passenger car park utilisation data provided by the airport operator for January to August 2023 suggested that the average daily peak utilisation was approximately 80% of capacity and at the busiest times, the car parks were full, as set out in <b>8.83</b> <b>Applicant's response to Written Questions - Traffic and Transportation</b> <b>including Surface Access [REP4-069]</b> . This is because the airport operator manages the efficient operation of the car parks by limiting the number of spaces that can be pre-booked therefore leaving some spare capacity for car users that turn up on the day and have not pre-booked. This leads to the car parks operating close to capacity at the peak times. In addition, the on-site car parking provision in 2023 is less than in 2019, due to the works to accommodate the construction of the Luton DART, as stated in Section 5.6 of the <b>Transport Assessment [APP-205]</b> .			
20	Detail the number of spaces that the Transport Assessment (TA) assumed would be provided by	D6	The application for development consent assumes that off-site car parking would remain one of the available access options in the future with the expanded airport. This is shown in Table 9.5 of the <b>Transport Assessment [APP-205]</b> where the forecast future mode split assumptions for the transport modelling are set out. It is assumed that the off-site car parking mode share for the expanded airport would be 5.2% in 2027, and 5% in 2039 and 2043.			
	third party car parks and explain how this was determined. Signpost where this information can be found in the application.		The Transport Assessment does not set out the number of off-site car parking spaces inferred by the mode share, as off-site car parking is not within the control of the Applicant. Nevertheless, the assumed future year off-site car parking spaces have been estimated from the baseline parking spaces (6,800 as shown in Section 5.6 of the <b>Transport Assessment [AS-123]</b> ) as this was the amount of car parking provided at 18mppa. To produce future year off-site car parking numbers, the growth in passengers for each phase of the expanded airport has been applied to the total baseline parking spaces and an adjustment has been made to reflect the forecast change in off-site car park mode share from 2019. The forecast change in off-site car park mode share has been applied to the total number of passengers in each phase of the development. The off-site car park mode share for the baseline and future			

Action	Description	When	Applicant's res	sponse						
			years are shown in Table 6.12 of the <b>Transport Assessment [AS-123]</b> and Table 9.5 of the <b>Transport Assessment [APP-205].</b> The assumed provision of off-site parking is shown in the table below.							
				Year						
				2019 Baseline2027 Assessment Phase 12039 Assessment Phase 2a2043 Assessment Phase 2b						
				18mppa	21.5mppa	27mppa	32mppa			
			Total off-site car	6,800	7,480	9.520	10,880			
			Additional off- site parking requirement compared to 2019 Baseline	-	+680	+2,720	+4,080			
			parking space spaces for Ass 2b. It is recognise the mode shar insufficient off share assump the sustainabl the <b>Framewon</b> which would b If lower than a application inco the <b>Outline Tr</b>	s would be pr sessment Pha d that in the fu re assumption site car parking tions in the Tr e transport more rk Travel Plan be supported b inticipated pro- cludes a mech ransport Rela	ovided for Ass ase 2a and an uture, the off-s is used in the ng was brough ransport Asses ode share thro <b>n [AS-131]</b> an oy funding from ovision of off-si anism for dea <b>ated Impacts</b>	sessment Phas extra 4,080 sp ite car parking Transport Assent forward in the ssment), the in ough public trais d <b>Bus and Co</b> n the Sustaina ite car parking ling with issue	dditional 680 off-site ca be 1, an additional 2,720 baces for Assessment P mode share may vary essment. In the event th e future (to meet the m tention would be to incr nsport measures identif <b>ach Study [REP5-058]</b> ble Transport Fund. resulted in fly-parking, s of fly-parking as set o <b>ind Mitigation Approac</b> d.	0 Phase from nat ode rease ied in <b>]</b> , the ut in		

Action	Description	When	Applicant's response				
24	Provide an update on the ongoing discussions regarding the proposed off site highway works to the three junctions in Hitchin.	On going	The Applicant notes this action.				
26	Provide detail to explain why the scale of the works is required to Crawley Green Road/ Wigmore Lane and Eaton Green Road to mitigate airport related traffic.	D6	The Trip Distribution Plans [REP5-037] provide an overarching picture of demand and daily trip distribution.The work required to the Wigmore Lane corridor, including the associated provide and daily trip distribution.The work required to the Wigmore Lane corridor, including the associated provide and daily trip distribution.The work required to the Wigmore Lane corridor, including the associated provide and daily trip distribution.The work required to the Wigmore Lane corridor, including the associated provide associated of the network at peak to be developed to address the operational needs of the network at peak to be associated with a combination of committed development and background The VISSIM model has been used to extract the demand for airport related using Wigmore Lane. This is summarised in the table below for the AM and hours and shows the actual additional demand.Two-way Airport Vehicle Trips (vehicles per hour)AM PeakPM Peak2027 with Assessment Phase 12472352039 with Assessment Phase 2a5142862043 with Assessment Phase 2b600476				

Action	Description	When	Applicant's response					
			network is able to function with the additional demand generated as a result of the Proposed Development.					
29	Review comments made by IPs on the outline TRIMMA and resubmit outline TRIMMA.	D7	The Applicant notes this action and will address at the relevant deadline.					
30	NHDC to explain its concerns regarding on- going monitoring of off-site car parking and Applicant to provide a response.	D6/D7	The Applicant notes this action and will address at the relevant deadline.					
31	Mr Smith to look at [REP5-057] and then submit any outstanding concerns in writing and Applicant to respond.	D6/D7	The Applicant notes this action and will address at the relevant deadline.					
33	Insert pre- construction condition survey requirements to outline CTMP.	D6	Pre-construction condition surveys will be required to be undertaken to inform a Traffic Management Plan. This has been included in section 7 of the updated <b>Appendix 18.3: Outline Construction Traffic Management Plan</b> [TR020001/APP/5.02] submitted at Deadline 6.					

Action	Description	When	Applicant's response
35	The Construction Workers Travel Plan (CWTP) [APP-131] states the assumption that 60% of construction workers will arrive to site by car. Explain how the figure of 60% was calculated.	D7	The Applicant notes this action and will address at the relevant deadline.
37	Provide further detail regarding capacity of the proposed on site construction worker parking and explain the contingency plan to accommodate parking if more than 60% of construction workers drove to site.	D7	The Applicant notes this action and will address at the relevant deadline.

#### Table 1.2: Applicant's Response to ISH7 written questions

No.	Question to	Question	Applicant's response
1	Applicant	In paragraph 6.1.2 of the outline Construction Traffic Management Plan (CTMP) [ <b>APP-130</b> ] there is mention of site targets but no detail as to what they could be. Could the Applicant supply some information on site targets and could this be added to the outline CTMP?	The Applicant notes this action and will address at the relevant deadline.
2	Applicant	<ul> <li>When monitoring against targets it is usual to have trigger points. Can the Applicant explain if the use of trigger points has been considered.</li> <li>If yes - what would they be and what would be the proposed action or mitigation if the triggers were reached. Could this be added to the outline construction management plan?</li> <li>If no – why not?</li> </ul>	The Applicant notes this action and will address at the relevant deadline.
3	Applicant	<ul> <li>Paragraph 3.1.3 b of the outline Construction</li> <li>Workers Travel Plan (CWTP) [APP-131] states</li> <li>'the introduction of measures to reduce single</li> <li>occupancy car journeys by staff working on</li> <li>construction site(s) through the encouragement</li> <li>of car-sharing, use of public transport, cycling</li> <li>and walking to work wherever reasonably</li> <li>practicable.'</li> <li>What measures are you proposing to encourage</li> <li>construction workers to travel by alternative</li> <li>means and how and where would this be</li> <li>secured?</li> </ul>	The Applicant notes this action and will address at the relevant deadline.

No.	Question to	Question	Applicant's response
4	Applicant	Paragraph 6.1.2 of the outline CWTP states 'a Measure to reduce the need to travel – consideration could be given to the use of local hotels and B&B by workers.' How has the Applicant determined if there would be enough suitably low cost accommodation near the airport, which would be attractive to construction workers, to make this a realistic option? Has consideration been given to the potential use of caravan sites by construction workers? If so please provide further detail and if not, why not?	The Applicant notes this action and will address at the relevant deadline.
5	Applicant	Paragraph 7.1.4 of the outline CWTP states 'If the monitoring finds that targets are not being met, this will result in the implementation of additional measures to help to facilitate the CWTP staying on course to meet its overall objectives.' Can the Applicant detail what these additional measures could comprise? Could a list of these measures be added to the outline CWTP?	The Applicant notes this action and will address at the relevant deadline.
6	Applicant	<ul> <li>When monitoring against targets it is usual to have trigger points. Can the Applicant explain if the use of trigger points has been considered.</li> <li>If yes - what could they be and what would be the proposed action or mitigation be if these triggers were reached. Could this be added to the outline CWTP?</li> <li>If no, why not?</li> </ul>	The Applicant notes this action and will address at the relevant deadline.

## APPENDIX A: OVERVIEW OF EXPERIENCE FOR SURFACE ACCESS EXPERT WITNESSES (ISH7 ACTION 1)

### 1 INTRODUCTION

- 1.1.1 This appendix provides information on the attendees of Issue Specific Hearing 7 (ISH7) held on 28 November 2023 representing the Applicant, Luton Rising. It is intended to provide clarity to attendees of ISH7 on the role and experience of each attendee, who were introduced by Michael Humphries, KC.
- 1.1.2 The information is provided in response to the ExA's Action 1 from ISH7 **[EV14-008]**:

"Post hearing note to include a one page summary setting out the details/ experience of Applicant's team who were participating in the Hearing."

- 1.1.3 Attendees representing the Applicant for traffic and transport were:
  - a. Richard de Cani, Arup.
  - b. Clive Posford, Aecom.
  - c. Jagjit Riat, Arup.
  - d. Matthew Rhodes, Arup.

#### 1.2 Richard de Cani



Profession: Director, Head of UKIMEA Planning

Project role: Planning Advisor

Company: Arup

**Qualifications:** BA (Hons) Town and Country Planning, MSc Transport Engineering & Operations

Professional associations: Member of the Royal Town Planning Institute (MRTPI)

Years of experience: 30 Years

### 1.3 Clive Posford



Profession: Technical Director - Transport Planning

Project role: Strategic Transport Modelling Lead

**Company: AECOM** 

Qualifications: BSc (Hons) Geography, MSc Transport Planning & Engineering

**Professional associations:** Chartered Member of the Institute of Logistics and Transport (CMILT)

Years of experience: 39

#### 1.4 Jagjit Riat



Profession: Associate Director Transport PlannerProject role: Highway design and local modelling LeadCompany: Arup

**Qualifications:** BSc (Hons) Joint Honours in Mathematics and Economics, MSc (Hons) Transport Engineering & Planning **Professional associations**: Institution of Highways & Transportation, Member; Institution of Advanced Motorists, Member

Years of experience: 27

### 1.5 Matthew Rhodes



Profession: Associate Director Transport Planner

Project role: Surface Access Lead & Arup Team Lead

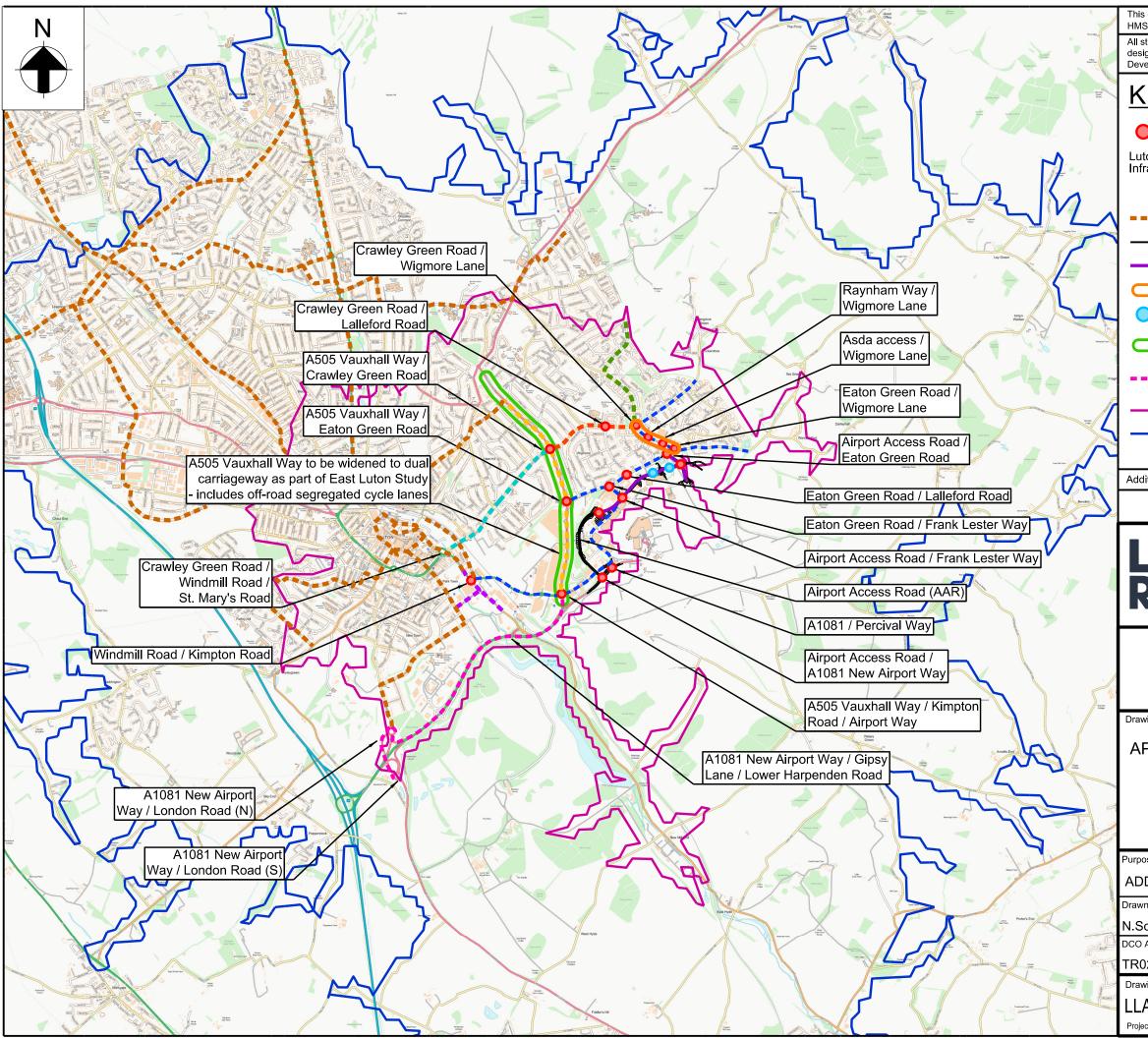
Company: Arup

**Qualifications:** BA (Hons) Geography

**Professional associations:** Institute of Logistics and Transport, Chartered Member; Chartered Institution of Highways and Transportation, Member; Transport Planning Society, Member

Years of experience: 19

# APPENDIX B: CYCLING INFRASTRUCTURE PLAN



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