



**LONDON LUTON AIRPORT EXPANSION DEVELOPMENT CONSENT ORDER  
APPLICATION**

**CENTRAL BEDFORDSHIRE COUNCIL RESPONSE TO RULE 17 LETTERS**

The following table sets out the response of Central Bedfordshire Council to the ExAs Rule 17 letter dated 25 January 2024 requesting further information and written questions.

<b>ExA Request</b>	<b>Response:</b>
<p>Applicant, all Relevant Planning Authorities, CCB and NE</p> <p>The ExA requests comments at D10 regarding the compliance of the Proposed Development with both national and development plan AONB policies and any comments on the legislative provisions in Section 85 of the Countryside and Rights of Way Act 2000.</p>	<p>Please refer to CBC response in relation to Action Point 48 of ISH8 in CBCs ISH8 Post Hearing Submission (REP6-090).</p> <p>Paragraph 180 of the National Planning Policy Framework (NPPF) requires that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.</p> <p>Paragraph 182 of the NPPF requires that <i>'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'</i> It also requires development within their setting <i>'should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'</i></p> <p>Central Bedfordshire Local Plan policy EE7 (The Chilterns Area of Outstanding Natural Beauty) identifies 4 provisions that should be met in respect to planning permission for any proposal that affects the setting or appreciation of the AONB. These are:</p> <ol style="list-style-type: none"> <li>1) Conserve and enhance the Chiltern AONBs special qualities, distinctive character, tranquillity, and remoteness in accordance with national policy and the overall purpose of the AONB designation.</li> <li>2) Are appropriate to the economic, social and environmental wellbeing of the area or are desirable for its understanding and enjoyment.</li> </ol>

	<p>3) Meet the aims of the statutory Chilterns AONB Management Plan, making practical and financial contributions towards management plan delivery as appropriate; and</p> <p>4) Avoid adverse impacts from individual proposals (including their cumulative effects).</p> <p>The policy further requires that developments in its setting should respond to the landscape character and be informed by landscape and visual impact assessment to understand the impacts of the proposals development on landscape character, and what options for mitigating negative impacts are possible.</p> <p>Paragraph 14.9.22 of the ES Chapter 14 states in regard to the Chilterns AONB, <i>'these receptors are assessed to experience moderate adverse, likely significant, effects principally due to the permanent lasting impacts resulting from works undertaken during construction, or due to residual impacts on perceptual characteristics (notably tranquillity) resulting from the increase in aircraft movements.'</i></p> <p>The Applicant has stated that there is no mitigation to reduce the impact of increased overflights over the AONB. In light of this, CBC do not consider that the proposal complies with national or local planning policy.</p>
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The following table sets out the response of Central Bedfordshire Council to the ExAs Rule 17 letter dated 31 January 2024 requesting further information and written questions.

ExA Request	Response:
<p><u>Protective Provisions</u></p>	<p>CBC commented jointly with the other Host Authorities at Deadline 9 [REP9-063] on the Protective Provisions in the draft DCO for the Local Highway Authorities. The joint Host Authorities have made recommendations to the Applicant in terms of the draft of the Protective Provisions and negotiations are progressing positively. It is hoped that agreement will be reached in time for Deadline 11 but in any event the Host Authorities' Response at Deadline 10 to DCO Matters has appended to it the Host Authorities preferred form of local highway authority protective provisions.</p>
<p><u>Noise insulation delivery programme</u></p> <p>LADACAN's D9 and D8 submissions [REP8-075] suggest that an increased rate of noise insulation must be secured for it to be relied on as noise mitigation or compensation. The Applicant references back to [REP4-079] and [REP7-056] suggesting that these documents address the 'reality of this challenge'. These submissions explain how accelerated roll out could be achieved within a four-year period. The updated Compensation policies, measures and communities document does not commit to a timetable, instead referring to taking 'all reasonable steps' to ensure delivery of insulation in an 'efficient and effective manner'.</p> <p>Applicant: explain whether a specific commitment to a four-year timescale could be secured by the DCO and if not, how the DCO would ensure timely avoidance of any significant adverse noise effects.</p> <p>LADACAN and Relevant Planning Authorities: confirm whether the revised wording in [REP7-036] satisfies concerns relating to speed of</p>	<p>The revised wording in the Draft Compensation Policies, Measures and Community First documents [REP7-036] and [REP9-033] satisfies the Host Authorities that the speed of the rollout would be undertaken at a sufficient pace, noting all reasonable steps have been set out.</p> <p>We note that the revised noise contour limits proposed in [REP9-055] would lower the number of properties requiring insulation to avoid significant effects and that through setting these noise contour limits against the Core Case, as put forward by the Examining Authority, would lower this number again.</p>

roll out and if not, what alternative provision would be required to secure it in the DCO.	
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