



Department for Transport

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To: The Applicant, Chilterns Conservation
Board, Hertfordshire County Council, Natural
England and All Interested Parties.

Date: 27 September 2024

Dear Sir/Madam,

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

**Application by London Luton Airport Limited (“the Applicant”) Seeking
Development Consent for the Proposed London Luton Airport Expansion (“the
Proposed Development”).**

**CONSULTATION SEEKING INFORMATION FROM THE APPLICANT, THE
CHILTERNES CONSERVATION BOARD, HERTFORDSHIRE COUNTY COUNCIL,
NATURAL ENGLAND AND ALL INTERESTED PARTIES**

REQUEST FOR INFORMATION

Amendment of section 85 of the Countryside and Rights of Way Act 2000

1. Responses were provided by [Natural England](#) and the [Chilterns Conservation Board](#) in relation to the Secretary of State’s consultation letter dated [23 August 2024](#).

Without prejudice to the final decision and subject to the above, **Natural England**, the **Chilterns Conservation Board** and the **Applicant** are invited to set out what, if any, further enhancement measures they agree could be brought forward, should it be decided further measures are necessary to assure compliance with the amended duty.

If agreement cannot be reached, **the Applicant, Natural England** and the **Chilterns Conservation Board** are invited to set out their respective views on what is needed to resolve the concerns.

R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council and others [2024] UKSC 20 (“the Finch judgment”)

2. In its letter dated [6 September 2024](#), the Applicant provided further information on the Finch judgment in relation to the Proposed Development. **All Interested Parties** are invited to provide any comments on this information as they may wish.

Noise

3. In response to the further information request dated [23 August 2024](#), a number of Interested Parties including [Suono](#) (on behalf of the Joint Host Authorities) commented on the [Applicant's](#) response to the further information requested dated [2 August 2024](#). **The Applicant** is invited to confirm whether its suggested draft wording is based on the core growth predictions as stated in Tables 7.40, 7.43, 7.46, 7.49, 7.52 and 7.55 of [Environmental Statement Appendix 16.1 Noise and Vibration Information](#) and to provide any further comments it may have on Suono's submission.

4. The Secretary of State notes the submission from [Michael Reddington](#) regarding the effect of the amended definition in Table 1.1 of [7.10 Compensation Policies, Measures and Community First \(Tracked Change Version\)](#). **The Applicant** is invited to confirm whether this amendment changes the number of eligible properties under Scheme 3 and whether this will have any implications for funding.

5. Noting the change made to paragraph 6.1.37 of the [Compensation Policies, Measures and Community First](#) document as submitted on 21 August 2024 limiting the scope of the roll out plan for noise insulation to air noise schemes 1 to 3, and noting the representation from [LADACAN](#) dated 6 September 2024 with regard eligibility to access to noise insulation being tightly drawn, **the Applicant** is invited to provide any comments on this that it may wish as to how the proposed approach assures the delivery of the full package of mitigation as submitted, in particular for schemes 4 and 5 which would not be included in the roll out plan.

Side Agreements

6. In its letter dated 20 September, **the Applicant** provided an update regarding the status of the side agreement in relation to the proposed traffic monitoring. **The Applicant** and **Hertfordshire County Council** are requested to confirm whether this side agreement has now been completed and if not, when an agreement might be concluded.

Other Matters

7. In its letter dated 20 September 2024, the Applicant requested an opportunity to comment on the submissions received from Interested Parties in response to the

Secretary of State's further information request dated [23 August 2024](#). **The Applicant** is therefore invited to provide any further comments on the submissions received from Interested Parties.

8. Interested Parties are also invited to provide any further comments that they may wish to make.

Deadline for Responses

The deadline for response is **13 October 2024**.

Submissions sent by post may be subject to delay therefore your response on the information requested above should be submitted to the Case Team, if possible, by email to lutonairport@planninginspectorate.gov.uk

If you will have difficulty in submitting a response by the deadline, or difficulty in submitting a response by email, please inform the Case Team.

Responses will be published as soon as possible after the deadline on the London Luton Airport Expansion project page of the National Infrastructure Planning website at: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR020001/documents>

This letter is without prejudice to the Secretary of State's decision on the London Luton Airport Expansion Application, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully,

Transport Infrastructure Planning Unit