

Department for Transport,  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

IP: 20040757

Ref: Invitation to comment TR020001-003654

26 November 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”).**

The above-referenced letter from the SoS dated 11 November 2024 invites final comments from IPs on representations received in response to her consultation letter dated 27 September 2024. That letter had invited comment from the Applicant on LADACAN’s assertion that access to noise insulation is tightly drawn, and on *‘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.’*

The Applicant responded in paragraphs 1.25-1.28 of Appendix A of its reply TR020001-003637 of 11 October, and in Table 1 on pages 5-9 also responded to LADACAN’s further comments on noise. We comment on both those responses below.

**Noise insulation – LADACAN’s assertions:**

In TR020001-003577 LADACAN made three points regarding noise insulation:

*‘Noise insulation, the only other ‘mitigation’ on offer, is more accurately portrayed as compensation and is not effective mitigation because:*

*(a) it does not protect people whilst outside in gardens, on balconies, or in noise-affected parks and open spaces such as Stockwood Park or Wigmore Valley Park;*

*(b) only a minority of the people who would be increasingly awakened by 70% more night flights (clearly detrimental to quality of life), would be eligible for noise insulation in any case due to the eligibility criteria being so tightly drawn;*

*(c) there is no recourse where landlords fail to respond to letters offering noise insulation, leaving their tenants to suffer in inadequately protected accommodation.’*

**Noise insulation – comments on Luton Rising response**

The Applicant makes no further commitment on the roll-out timetable of Air noise schemes 3 and 4, thereby failing to address the concerns raised by the SoS regarding assurance of the delivery of these Schemes as part of the roll-out plan.

Furthermore, the Applicant does not address LADACAN’s specific concerns, raised on behalf of local residents who would be impacted by increased noise and numbers of flights, particularly at night, were the proposed development to go ahead in its current form.

The table below shows an aggregate of the information provided by the Applicant in ‘TR020001-003012-5.01 Environmental Statement Chapter 16 Noise and Vibration’ indicating the scale of additional noise harms to which communities around the Airport would be exposed. It shows the added numbers of people who would be exposed to harm due to noise at the assessment years, and the percentage of additional aircraft movements, compared to Do-Minimum.

We respectfully invite the Secretary of State to agree that comparison between Do-Something to Do-Minimum is the only way to appreciate the impacts of this proposed development, because of the lack of a legitimate ‘current’ baseline. The Applicant misleadingly adopted ‘2019 Actuals’ as the baseline for noise assessment, yet, as we have evidenced in representations<sup>1</sup>, 2019 was the third year running in which the Airport Operator exceeded its permitted noise contour limits as a result of financial incentivisation of over-rapid growth ahead of noise reduction by fleet modernisation. That led to an inflated baseline, against which the Applicant has assessed this application.

It remains our firm contention that any noise assessment based on 2019 Actuals is fundamentally unjust to communities close to the Airport which have already endured higher noise levels without adequate mitigation due to the incentivised accelerated expansion and inadequate roll-out of the current much inferior noise insulation scheme. (See REP1-095 Section 7, PDF p23 of 91).

The benefit of that reckless and unregulated approach accrued to industry, and we respectfully urge the Secretary of State to recognise that the forthcoming decision is when a rebalancing must occur in order to restore confidence in the planning system. At the very least, we request that any comparisons to the ‘2019 Actuals’ be disregarded and comparison to Do-Minimum used instead.

Table of additional noise exposure by year, comparing Do-Something to Do-Minimum:

Noise exposure	2027 day	2027 night	2039 day	2039 night	2043 day	2043 night
<b>Above LOAEL below SOAEL</b>	+6,600	+13,700	+10,700	+19,500	+18,300	+27,150
<b>Above SOAEL below UAEL</b>	+400	+1,700	+200	+1,100	+500	+1,900
<b>% increase in number of flights</b>	11%	29%	30%	54%	48%	76%

Source: Luton Rising Jan 2024 5.01 Chapter 16 Noise and Vibration: Tables 16.36, 16.43 and 16:50; paras 16.9.94, 16.9.119, and 16.9.143

As the table shows, increasing numbers of people would be exposed to noise above LOAEL and in many cases above SOAEL – the level of Significant Observable Adverse Effects to health. Exposure is significantly worse at night, due to what local people regard as the unacceptably large proposed increases in the number of night movements: 76% above Do-Minimum by 2043.

Our summary in TR020001-003577 (b) above regarding ‘tightly drawn criteria for noise insulation eligibility’ was made for the following reasons:

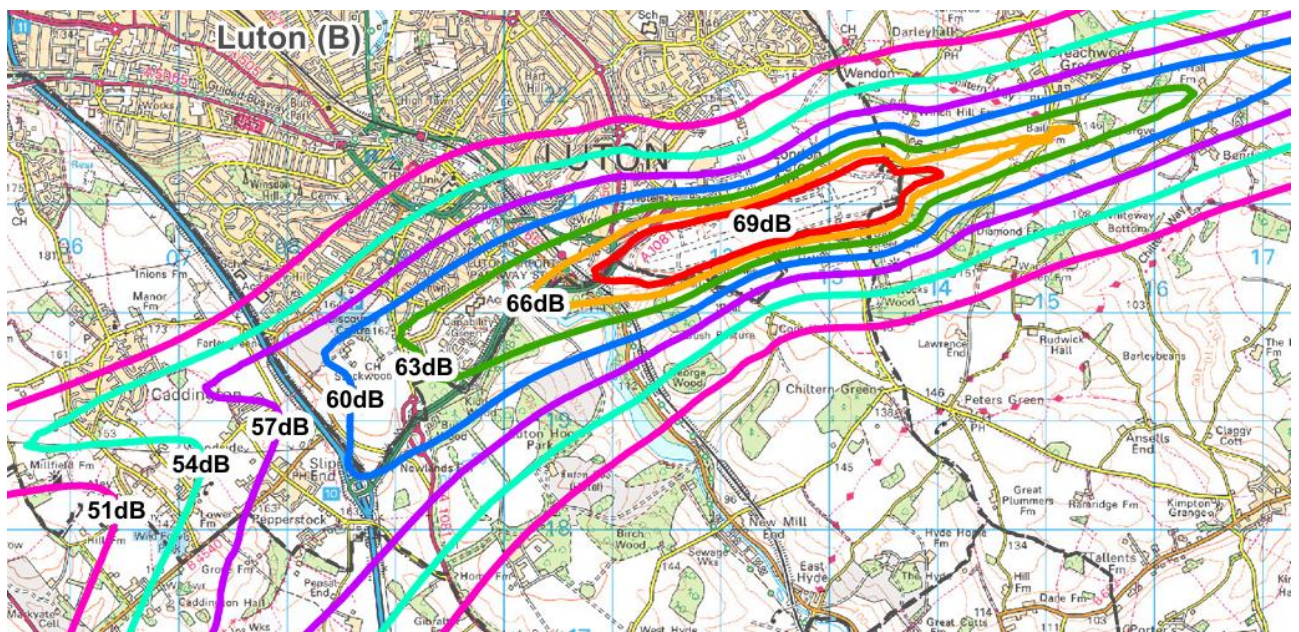
- The noise insulation scheme eligibility criteria are measured only by noise contours, which are modelled by computer and do not adequately reflect the number of awakenings caused by increased numbers of night flights also affecting communities outside the contour areas.

<sup>1</sup> REP1-095 Appendix 1, sections 6, 7, 8, 9 and Annex A.

- Apart from AN1 and AN3, the air noise insulation packages are limited by budget rather than being designed to address the specific noise issues at a given property and reduce the noise by a target amount or to a target level. Properties vary, and members of the Airport's Noise Insulation Sub-Committee (NISC) note that post-installation surveys have highlighted deficiencies and weaknesses such as poor quality trickle vents; a badly fitting front door. Please see our comments on best practice in REP10-078, second half of page 6.
- By reference to the air noise contour diagrams in TR020001-001100 (2027 Faster Growth) and TR020001-001074 (2043) for example, it is clear that there are notable exceptions due to the way the eligibility criteria have been so tightly drawn.

For example, the northern half of Caddington (at the left side of the extract below) which is effectively overflowed by easterly arrivals track, is ineligible and the southern half is only eligible for £4,000 under AN5. The same issue affects the large area of South Luton in the 54dB contour. This is because easterly arrivals only on average occur around 30% of the time - but course when they do, the noise is significant and detrimental to quality of life.

Likewise, the extensive Park Homes site in Slip End, which falls inside the 57dB contour and in the eyes of the Applicant would be eligible for £6,000 – has older mobile homes which require more extensive insulation work to achieve a worthwhile reduction of internal noise. The Applicant has chosen not to recognise this despite it being raised. See REP7-104 p10.



Cases like these illustrate the weakness of purely LAeq-based noise insulation criteria, and given the scale of the proposed expansion we would have expected the Applicant to have recognised and accommodated this, particularly since the Airport is so badly situated that noisy low-level aircraft unavoidably overfly sizeable local communities in and near Luton.

- No timeframes are given for providing adequate noise insulation for community buildings, and in the case of schools the comparison to 2019 Actuals as the baseline is misleadingly

being used to make it look as if the need is not significant. We quote from the Applicant's comments:

*"However, these schools are all already exposed above 63dB LAeq,16h in the 2019 Actuals baseline, and experience a reduction of 1.4dB from the 2019 Actuals baseline to 2027 DS. **The effects on these schools are therefore considered to be not significant.** Surrey St Primary and the Avenue Centre for Education are within the 63dB LAeq,16h contour and will therefore be eligible for noise insulation which will improve the internal acoustic conditions within the school."* (5.01 Chapter 16 paras 16.9.106 and 16.9.130, our emphasis).

We respectfully urge the Secretary of State to view the adequate noise insulation of schools as a key priority, and furthermore to regard it as inappropriate for costs to be capped.

- Residents are expected to select one Scheme, yet could be subject to both air noise and ground noise and ground noise, particularly in the Eaton Green Road area. Again this is not reasonable, and the delivery of mitigation should address the need based on the location and type of property, noting that the Applicant makes the claim in TR020001-003637 sub-paragraph 1.28(b) that its proposals '*represent industry best practice*'. Again, please see our comments on noise insulation best practice in REP10-078, second half of page 6.
- There is a very short response period once a letter regarding insulation options has been received, yet the overseeing NISC has no teeth and no powers and is not incentivised nor accountable for ensuring the rate of delivery is adequate, and the ultimate oversight by Luton Borough Council is likely to be conflicted by its financial interests.
- The Green Controlled Growth Scheme does not include a control provision to pause the capacity expansion if noise insulation rollout is delayed or inadequate.

### **Other noise mitigations**

LADACAN drew attention in TR020001-003577 to other misleading claims about noise reduction, to which the Applicant has responded in TR020001-003637. We refer to that response here.

In Table 1, foot of p5 and on to p6, the Applicant responds to our point that fleet modernisation is not mitigation *per se* by reiterating that the Noise Envelope secures mitigation. We reject this on the basis that any benefits of slightly less noisy aircraft are negated by increases in the numbers of flights. It is individual noisy planes which awaken people at night, not average noise contours.

The point is particularly pertinent because of the Airport's proximity to communities which are unavoidably overflowed, as indicated previously.

### **Conclusion**

In conclusion, as we have stated before, we respectfully urge the Secretary of State to recognise that for these and the many other reasons highlighted by residents and Local Authorities, this proposed expansion would simply be out of scale for the site, and harmful to local communities.