



London Luton Airport

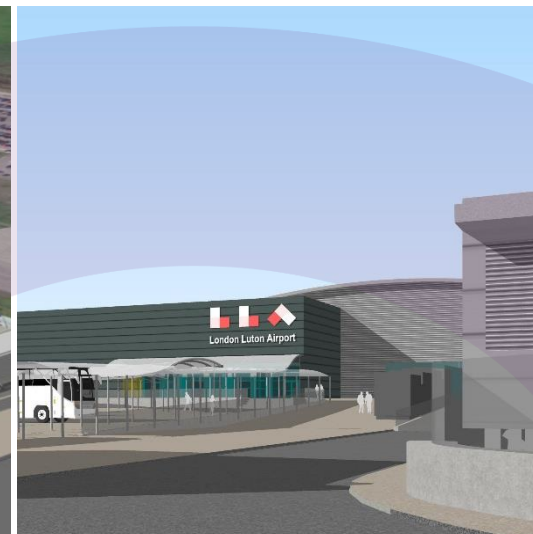
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London Luton Airport Operations Limited

# Variation of Conditions 8, 10, 22, 24 and 28 to Planning Permission 15/00950/VARCON to accommodate 19 million passengers per annum

Planning Statement

**FINAL REPORT**



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## Report for

London Luton Airport Operations Limited  
London Luton Airport  
Navigation House  
Airport Way  
Luton LU2 9LY  
United Kingdom

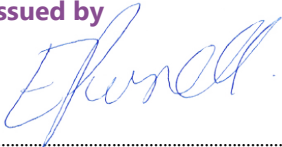
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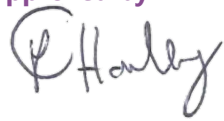
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## Document revisions

No.	Details	Date
1	Final Report	08/01/2021
2		
3		

## Purpose of this report

This report has been produced for the purpose of accompanying a Section 73 planning application by London Luton Airport Operations Limited to vary the Conditions 8 (Passenger Throughput Cap), 10 (Noise Contours), 22 (Car Parking Management), 24 (Travel Plan) and 28 (Approved Plans and Specifications) (the "**Proposed Amendments**") to planning permission (reference 15/00950/VARCON) granted by Luton Borough Council on 13 October 2017 (the "**Original Permission**").

London Luton Airport is currently permitted to accommodate up to 18 million passengers per annum (mppa) under the planning permission (reference 15/00950/VARCON). The airport served 18 mppa in 2019 and the proposed variations would allow the airport to accommodate up to 19 mppa.

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# 1. Introduction

## 1.1 Background

- 1.1.1 This Planning Statement has been prepared in support of an application for planning permission (the application) by London Luton Airport Operations Limited (LLAOL) (the "Applicant"), which has been appointed as the operator of London Luton Airport (LLA) until 2031. The application seeks approval for an increase in the number of passengers using LLA from 18 million passengers per annum (mppa) to 19 mppa. This increase can be accommodated without additional built infrastructure. The application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended) and is separate from the Development Consent Order (DCO) application currently being prepared by London Luton Airport Limited (LLAL), the owner of the airport, for a second terminal and the future expansion of LLA.
- 1.1.2 In June 2014, LLAOL was granted planning permission for the development of the necessary infrastructure to increase passenger throughput at the airport from 12 to 18 mppa (ref: 12/01400/FUL) (the "2014 Planning Permission"). Since then, £160 million has been invested in an ambitious expansion programme, transforming the UK's fifth busiest airport.
- 1.1.3 The 18 mppa cap on passenger numbers imposed by the 2014 planning consent reflected the forecasts at that time; it was anticipated that the airport would see a steady rise to 18 mppa by around 2028. It is important to note, however, that Luton Council (LC) as the local planning authority, acknowledged at the time (within the decision notice) that the approved scheme provided the airport with a potential capacity of up to 20 mppa (page 22 of the decision notice, under paragraph 4 of the Reasons for Granting Planning Permission). Therefore, although the 18 mppa cap was imposed on the Original Permission, the physical development consented by the Original Permission will accommodate an increase to 19 mppa.
- 1.1.4 The subsequent success of the airport has been well documented, with passenger throughput increasing from 10.5 mppa in 2014 to 18 mppa in 2019, a 71% increase in just six years. Notwithstanding the temporary implications of COVID-19 for travel volumes, the long term growth in demand is set to continue and raising the cap to 19 mppa would allow the airport to continue to grow effectively within sustainable limits, and as one of the largest employers in the area, it will assist in economic recovery both locally and nationally.
- 1.1.5 This Planning Statement sets out the context for LLAOL's Proposed Amendments including information on how they would allow the airport to continue to grow sustainably and deliver increased economic and social benefits for the local area, the wider regions, and the national economy. The Planning Statement then assesses the compliance of the Proposed Amendments with the relevant policies of the development plan and other material considerations, providing reasoned justification for the granting of planning permission.

## 1.2 Summary of Proposed Amendments

- 1.2.1 The planning application seeks to increase the annual passenger cap from 18 mppa to 19 mppa through the variation of the following five conditions attached to the Original Planning Permission (which amended the 2014 Planning Permission):
- Condition 8: Passenger throughput cap - the modification of Condition 8 would allow passenger throughput at LLA to rise to 19 mppa without necessitating any additional on-site or off-site development.

- Condition 10: Noise contours - variation to the wording of Condition 10 would provide a less restrictive day and night noise contour. This adjustment is required to reflect the fact that in recent years there has been a slower than anticipated introduction by airlines of the next generation of quieter aircraft. The modernisation of fleets has not kept pace with the steep rise in passenger demand.
- Condition 22: Car parking management - no changes to the airport's existing car parking facilities are proposed to accommodate the additional passengers. However, an updated Car Parking Management Plan is being provided to support the 19 mppa proposal and therefore a variation to Condition 22 is required.
- Condition 24: Travel Plan – an updated Travel Plan to accommodate 19 mppa is being provided to support the 19 mppa proposal and therefore a variation to Condition 24 is required.
- Condition 28: Approved plans and documents - updated submissions across a suite of technical evidence-based assessments necessitates the variation of Condition 28 which sets out the approved documentation in support of planning permission.

## 1.3 Submission

- 1.3.1 The application to accommodate 19 mppa at LLA will be determined under Section 73 of the Town and Country Planning Act 1990 to vary conditions associated with the Original Permission. The determining authority in this case is LC, as the local planning authority (LPA).

### Form and Content of the Application

- 1.3.2 The application and supporting documentation have been prepared to ensure sufficient information is provided to enable LC to make an informed decision on the merits of the proposals.

### Environmental Impact Assessment

- 1.3.3 In accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations') a request for a screening opinion was made to LC in July 2020. This confirmed that the Proposed Amendments constitute EIA development and therefore an Addendum to the Environmental Statement previously undertaken in support of the 2014 Planning Permission and the Original Permission has been undertaken in support of the planning application. This Addendum has been prepared to consider whether the Proposed Amendments are likely to alter the conclusions of the Environmental Statement and to identify whether there are any additional or new likely significant environmental effects arising from the Proposed Amendments. This Addendum is submitted alongside this Planning Statement.

### Pre-application Consultation

- 1.3.4 LC's published Statement of Community Involvement (SCI) explains how the Council will engage with the community in the preparation of development plans and in the consideration of planning applications. The SCI encourages applicants to hold pre-application discussions with the community and affected parties.
- 1.3.5 In developing its proposals, LLAOL has had regard to the requirements of the SCI and undertaken pre-application consultation. A Consultation Summary Report providing an overview of the consultation activities undertaken and a summary of the comments received accompanies the planning application; a summary of the pre-application consultation is provided below.

## Local Planning Authority Consultation

- 1.3.6 Pre-application consultation has been undertaken with LC with agreement secured on the scope and methodology of the technical assessments.

## Public Consultation

- 1.3.7 A public consultation on the Proposed Amendments to increase passenger numbers at LLA was held between 7 October and 11 November 2020. Prior to undertaking the consultation, LLAOL prepared a non-statutory consultation strategy. This set out details of the proposed approach to consultation and was presented to LC on 28th August 2020 and feedback invited on the approach. The Council endorsed the approach but recommended that the period of consultation be extended from four to five weeks due to the technical nature of the environmental information that was proposed to be published.
- 1.3.8 The London Luton Airport 19 mppa consultation document summarised the background the Proposed Amendments, as well as providing information on the approach to managing the impacts of the Proposed Amendments. The document was accompanied by an EIA Progress Report which set out details of the EIA approach, progress to date, assessments being undertaken together with their preliminary findings and next steps and a Masterplan which set out the framework for minor internal changes of the airport to increase its capacity to 19 mppa.
- 1.3.9 Alongside publication of the above documents, the following activities were undertaken:
- Launch of a dedicated consultation website ([www.luton19mppa.info](http://www.luton19mppa.info)) providing details of the timescales for the consultation, downloadable versions of all consultation materials, clear signposts to further information, and instructions on how to provide feedback.
  - Publication of a feedback form comprising of five questions relating to the Proposed Amendments that was capable of being completed on-line via the website or in hard copy via a freepost address.
  - Notifications to consultees including a letter and community information leaflet.
  - Advertising and publicity including a press release, newspaper and online advertisements.
  - Establishment of a freephone telephone helpline.
- 1.3.10 A total of 675 responses were received during the consultation, both for and against the Proposed Amendments, and a wide range of issues were raised. A summary of the principle issues raised by consultees relevant to the Proposed Amendments is provided by topic below:
- **Car Parking** – Comments were received that considered that existing parking measures at the airport were not effective, the cost of parking was too expensive, and that airport users parking in local villages has negative effects. Others raised requests for changes to the drop off and waiting areas and for alternative parking facilities such as park and ride.
  - **Consultation** – A broad range of comments were received about the approach to consultation. This included comments that it was not sufficiently advertised or promoted, should have covered a wider area and the approach was a tick-box or public relations exercise. Some comments considered that the consultation documents were unclear, inaccurate, and lacked details whereas others considered them clear, easy to understand and well produced. Some consultees questioned the timing of the consultation, claiming the COVID-19 pandemic would result in lower levels and quality of engagement. Some respondents raised concern about the relationship between the airport and LC. They considered that the consultation and the outcome of planning application was compromised as a result of LC being both the owner of the airport and the planning authority presiding over the planning application.

- **Travel Destinations** – Comments on this topic included that there should be more flights to more destinations and that an increase in international links would benefit the airport and the local community.
- **Environment** – Environmental matters were some of the most frequently commented on in the consultation. Some respondents expressed concerns about the effect of the Proposed Amendments on climate change. Others expressed concerns about the effect of the Proposed Amendments on local air quality, with requests for air quality mitigation measures, such as that the airport work to reduce aircraft emissions and fund research into more environmentally friendly aircraft engines. General comments about the environmental effects of the Proposed Amendments covering topics including noise, health, carbon emissions, light pollution and the effects on wildlife and the local environment were also received.

A number of suggestions were made for mitigation measures including requirements for airlines to use quieter and less polluting aircraft, greater investment in sustainable aircraft, and rate reductions or compensation for residents impacted by noise and disruption. Suggestions were also put forward for higher flight altitudes and steeper arrival and departure angles to reduce noise impacts on local communities, vehicle fleet electrification and provision of grants to sound proof windows in villages.

Some respondents challenged the effectiveness of the proposed noise insulation offer in mitigating the impacts of noise outside, during summer, when residential windows are open, and in rural areas. Comments were also received with recommendations for noise mitigation or management measures. These included the reduction of households in noise contours, increased eligibility and lower qualifying threshold for the Sound Insulation Scheme, a lower homeowner burden for the Sound Insulation Scheme, and the funding of triple glazing.

- **Information** – Responses received included requests for further information on environmental issues such as the types of aircraft which will be used at the airport, aircraft performance standards and noise impacts. Other respondents requested that additional information should be provided, including on how sustainability goals would be achieved, details of flight paths and passenger number predictions and the impact of the COVID-19 pandemic on passenger numbers and jobs.
- **Need** – Some respondents questioned the need for the increase in passenger numbers at the airport in light of the COVID-19 pandemic, considering that there is a lower demand for air travel due to modern communications and teleconferencing technologies. Others questioned the need for increased passenger numbers suggesting that aviation is not economically or environmentally sustainable.
- **Night flights and flight paths** – Some respondents expressed concern that there were already too many night flights. Some also said that there should be no further increase in the number of night flights or that there should be an outright ban. Comments on flight paths included a call for a review of flight paths so that they can be optimised for noise reduction, be directed away from residential areas, be routed over areas such as the countryside and less densely populated areas, and calls for flight paths to return to how they were pre-2015 or pre-2019.
- **Passenger Experience** – Comments were received that considered that the current airport facilities are too busy and over-crowded, that passenger satisfaction at the airport is low and current airport facilities should be improved.
- **Passenger Numbers** – Some respondents objected to the proposed increase in passenger numbers. Reasons included the environmental, social and health effects of the Proposed Amendments, the increased carbon emissions and impacts on climate change, and increased noise levels and air pollution. Others expressed the view that the number of passengers

transiting through the airport should be reduced, the airport is too small to be able to handle the existing number of aircraft and that there is already sufficient capacity at other airports. Support for the Proposed Amendment to increase airport capacity was also provided by some consultees, with comments highlighting economic benefits and job creation as reasons to move ahead with the plans. Support was also expressed with conditions such as tackling noise impacts, carbon emissions and improving infrastructure.

- **Socio economic** – some respondents commented about the community impacts of the Proposed Amendment, particularly for those living under the flight paths and near the airport. Others suggested that there were opportunities to enhance the local area through the Proposed Amendment such as increased bus services, countryside hotels and valet parking. Comments received also suggested that compensation or funding be provided to local communities in order to reduce, mitigate, or compensate for impacts.

Feedback received about employment and economic growth often expressed conflicting views, some considered that the Proposed Amendment would not help to support regional prosperity and economic growth, while others suggested that they would due to the benefit of increased employment opportunities in the local area. Others suggested that existing conditions provide sufficient employment and economic opportunities, and that additional employment opportunities could be delivered post-COVID. Some responses put forward suggestions on how to improve local/regional benefits. These included investing in green industries, building a community centre, building an events area, as well as increasing investment in local businesses and infrastructure and helping local communities to recover from the COVID-19 pandemic.

- **Surface Access** – comments included that the Proposed Amendment will increase the amount of traffic in the local area, causing increased delays and pollution. Concerns were also raised that local infrastructure cannot cope with an increase in passengers and traffic and that there will be additional strain on transport links. Others called for improvements to public transport and that taxi services and driving should be discouraged. Others commented that the measures set out in the Transport Plan are too aspirational.
- **Technology** – Respondents commented on the use of new technologies and their usefulness in reducing noise and environmental impacts. Suggestions included airlines phasing out older aircraft and replacing them with quieter and more sustainable ones. Others said that the Proposed Amendments should be withdrawn or delayed until quieter aircraft can be delivered, while others expressed concerns about over-reliance on future aircraft technology to reduce noise.

1.3.11

The key matters raised in the consultation responses are dealt with through the following:

- **Car Parking** – As part of the development of the Masterplan an assessment has been undertaken to consider the future requirements for car parking at the airport. The assessment shows that the existing parking facilities are sufficient to accommodate the increase to 19 mppa given continued investment in sustainable modes. A Car Park Management Plan which sets out details of how the existing parking facilities will be managed to accommodate 19 mppa is included as Appendix B in the submitted Transport Assessment.
- **Consultation** – The consultation on the proposals for 19mppa was undertaken in accordance with a strategy which was discussed and agreed with LC and the methods undertaken to raise awareness and publicise the consultation ensured all those with an interest in the proposals could provide feedback. Prior to the consultation LLAOL engaged with LC in relation to the content of the masterplan and the scope of the environmental assessment. The consultation elicited 675 responses from across a broad geographic area and across a range of channels. The submitted Consultation Summary Report details the consultation methods that were undertaken and provides summaries of the feedback received. Consideration has been given to all comments received in the development and finalisation of this application.

- **Travel Destinations** – In liaison with the airlines operating at the airport, LLAOL will consider the requests for additional destinations to be added to the flight lists. However, the addition of new destinations to flight schedules is driven by consumer demand and market forecasts.
- **Environment** – Comments raised in relation to the potential effects of the Proposed Amendments on the environment (including noise) and suggestions for mitigation are addressed in the submitted ES Addendum.
- **Information** – Further information on the environmental effects of the Proposed Amendments and the mitigation proposed is detailed in the submitted ES Addendum. Further information in relation to predicted passenger numbers, the timescales for recovery from the temporary implications of COVID-19 and the economic benefits associated with the increase in passengers to 19 mppa is set out in this Planning Statement. The proposed increase in passengers to 19 mppa does not require any changes to flight paths at the airport. A separate consultation (in combination with NATS) is being undertaken by LLA on future airspace change proposals for arrivals at airport. Further information on this consultation is provided on a dedicated website<sup>1</sup> and the consultation open until the 5<sup>th</sup> February 2021.
- **Need** – This Planning Statement sets out further details and justification on the need for the Proposed Amendments.
- **Night Flights and Flight Paths** – As outlined above, in combination with NATS, LLA is undertaking a separate consultation on its future airspace change proposals for arrivals at the airport. This consultation is open until 5<sup>th</sup> February 2021. In relation to night flights, following a breach of the night-time noise contour in 2017, LLAOL implemented a number of restrictions to curb the number of movements during the night-time period. These are detailed in the Action Plan published in March 2018. An increase in passenger numbers to 19 mppa will result in increased noise effects at night-time for some properties. In order to minimise this effect, all properties that will be experiencing noise above a Significant Observable Adverse Effect Level (explained in more detail in Section 6.5) will be eligible for noise insulation to minimise the effects of noise.
- **Passenger Experience** – As part of the development of the Masterplan an assessment has been undertaken to consider the future capacity requirements for facilities within the airport. The assessment demonstrates that the existing facilities at LLA are sufficient to accommodate the increase in passenger numbers without the development of any additional infrastructure. The Masterplan does however set out that there may be the requirement to carry out minor physical interior refurbishment works to support the increased capacity being proposed, such as the reorganisation of check-in and security areas.
- **Passenger Numbers** – General comments about the potential effects of increased passenger numbers on the environment including the effects on climate change, noise and air quality are addressed in the submitted ES Addendum. As outlined above in relation to passenger experience, the Masterplan submitted with the application shows that the increase in passenger numbers to 19 mppa could be achieved without the development of any additional infrastructure. This would be in accordance with the Government's support for the Making Best Use (MBU) policy for all airports in the UK as set out in the Beyond the Horizon: The Future of UK Aviation document.
- **Socio-economics** – This Planning Statement sets out the economic case for the expansion of the airport including the beneficial effects on the local economy and jobs.

<sup>1</sup> [https://consultations.airspacechange.co.uk/london-luton-airport/ad6\\_luton\\_arrivals/](https://consultations.airspacechange.co.uk/london-luton-airport/ad6_luton_arrivals/)

- **Surface Access** – As part of the development of the proposals an assessment has been undertaken to consider the transport effects associated with an increase in passenger numbers to 19 mppa. The Transport Assessment and Travel Plan which are submitted alongside this application confirm that the increase in passenger numbers can occur without causing any significant negative impacts in terms of the capacity of the existing transport network. The opening of the Luton DART in 2021 will support further shifts to public transport mode share.
- **Technology** – LLAOL recognise the importance of technological developments in the aviation industry and its importance in reducing noise and environmental impacts. The airport has a number of measures in place that incentivises its airline partners to bring forward fleet modernisation and the next generation aircraft. Airlines at LLA have placed orders for these modern aircraft and continue to do so, and it is anticipated that these aircraft will be delivered between 2021 and 2028.

1.3.12 Consultees, local bodies and the public will have a further opportunity to submit comments on the Proposed Amendments during the formal consultation process undertaken by LC once the application is registered.

### Application

1.3.13 The planning application and supporting documentation have been prepared to ensure sufficient information is provided to enable LC to make an informed decision on the merits of the proposed increase in passenger numbers at LLA to 19 mppa.

1.3.14 This planning application therefore consists of the following suite of administrative and technical evidence-based submissions:

- Application forms;
- Airport masterplan;;
- Drainage and water assessment
- Environmental Statement (ES) Addendum;
- Planning statement (this document);
- Site location plan;
- Site waste management plan;
- Consultation Summary Report;
- Terminal floorplans; and
- Transport assessment and Travel Plan.

1.3.15 Collectively these submissions present the full case in support of the proposal and should be read in conjunction with this over-arching planning statement. This document looks to draw on the key technical findings and conclusions, in respect of potential impacts and existing and proposed mitigation, whilst avoiding, wherever possible, repetition and duplication.

## Structure of this Planning Statement

1.3.16

The remainder of this Planning Statement is structured as follows:

- Section 2 – provides details of the application site and sets out the passenger growth context at the airport.
- Section 3 – sets out the planning history relevant to this current application, starting with the 2014 Permission.
- Section 4 – explains the Proposed Amendments providing details on the conditions that the application is seeking to vary.
- Section 5 - reviews the current planning policy context for the proposal including relevant development plan policies, national planning policy and guidance and other material considerations including national aviation policy Planning policy.
- Section 6 - assesses the Proposed Amendments in terms of their compliance with the development plan, national planning policy and guidance and other material considerations.
- Section 7 – summarises proposals for the Section 106 deed of variation.
- Section 9 - presents the overall conclusions of the Planning Statement in terms of compliance with planning policy and concluding that planning permission for the scheme should be granted.

## 2. Site context

### 2.1 Application site

- 2.1.1 LLA is located approximately 30 miles north of London and lies on the eastern fringe of the South Bedfordshire conurbation. Most of the site is located within the borough of Luton, with the remainder falling within Central Bedfordshire and North Hertfordshire. Areas of housing and employment uses lie to the immediate north and west and the site is surrounded by Green Belt to the south and east. The airport is approximately 3 miles north-east of Junctions 10 of the M1 and a mile east of Luton Airport Parkway train station.
- 2.1.2 The airport has one runway which runs along an east-west axis south of the commercial, general aviation and cargo aprons and the main buildings; the Central Terminal Area (CTA), hangars, maintenance facilities and multi-storey car parks, as shown on the submitted site plan. With an area of approximately 245 hectares, the airport site is one of the most densely developed in the UK.
- 2.1.3 In addition to its excellent highway connectivity, the airport is well served by public transport. The Luton Dunstable Busway links the airport with the wider urban area, including mainline train stations and Luton, Dunstable and Houghton Regis town centres. Other bus and coach services provide connectivity with national and regional destinations. The Luton Direct Air-Rail Transit (DART) – a fully automated ‘people mover’ – is currently due to open in 2021, transferring passengers between the airport terminal and Luton Airport Parkway in under 4 minutes. This will reduce the travel time between the airport and London St Pancras to 30 minutes.
- 2.1.4 LLA plays an important role in the economy of the local area and surrounding sub-regions. Within the Three Counties area, which includes Bedfordshire (and therefore the LC administrative area), Buckinghamshire and Hertfordshire, the airport supported a £1.1 billion contribution to GDP.
- 2.1.5 The greatest economic impacts were felt in the immediate vicinity of the airport, with the largest sub-regional impact occurring in Bedfordshire (defined to include the LC area). The airport delivered a total GDP contribution of £957 million in Bedfordshire in 2019. This reflects the direct economic impact that arises from the airport’s location within the county, its supply chain linkages within the county, and that 58% of those employed at the airport live – and are therefore assumed to spend their wages – in the county.
- 2.1.6 The airport is estimated to have sustained a total of 28,200 jobs across the UK in 2019. This comprised 10,900 “direct” jobs at firms which formed an integral part of the airport’s operations; 8,500 jobs within those firms’ supply chains; and 8,800 “induced” jobs that were supported by workers’ spending. So, for every job directly supported by the operations of the airport, another 1.6 are supported elsewhere in the UK economy. This means that the airport’s “employment multiplier” is 2.6 across the UK as a whole.
- 2.1.7 In 1998 LLAOL entered into a concession agreement with the airport’s owners LLAL, granting the consortium<sup>2</sup> the power to manage, operate and control the development of the airport up to 31 March 2031. LLAOL pays LC (via LLAL) a concession fee based on passenger volumes – in 2017 this fee amounted to £48 million<sup>3</sup> – which contributes towards local infrastructure improvements and public services. In 2019 the concession fee amounted to £55 million with more than £9 million allocated to LLAL’s community funding programme.

<sup>2</sup>LLAOL consists of AENA and AMP Capital

<sup>3</sup> <https://www.london-luton.co.uk/ownership-profiles>

## 2.2 Surroundings

- 2.2.1 The airport is surrounded by existing commercial and business parks immediately to the north and west categorised as employment areas, and residential dwellings are located to the north of the employment areas. Wigmore Park and green belt to the south and east of the airport are predominantly undeveloped greenfield land. There are three sites that are designated as Areas of Local Landscape Value, they are: Someries Farm approx. 0.75 km to the south of the airport site; Dane Street Farm approx. 0.2km to the south east; and Wigmore Rural approx. 0.2km to the north east of the airport site.
- 2.2.2 Someries Castle, which lies approximately 0.75km to the south west of the airport is a scheduled ancient monument. Also to the south west (within Central Bedfordshire) lies Luton Hoo, a Grade II\* Listed Registered Park and Garden, and Conservation Area (approximately 3km south west of the airport). There are also a number of non-designated heritage assets within the airport's immediate surroundings.

## 2.3 Passenger growth and site development

- 2.3.1 In 2019, LLA was the 5<sup>th</sup> busiest airport in the UK by passenger numbers<sup>4</sup> and served approximately 18 million passengers<sup>5</sup>. It is one of the fastest growing major London airports. It has grown steadily over the past 20 years and has recently experienced 10 years of successive growth between 2010 and 2019. During this period, passenger numbers increased from approximately 8.8 mppa to 18 mppa (circa 105% increase) and the passenger numbers increased by more than 1 mppa each year on average over the last 3 years from 2017 to 2019. It is anticipated that LLA will recover swiftly from the temporary implications of COVID-19 for travel restrictions, having been the second busiest airport in the UK by passenger numbers during the restrictions (e.g. May and June 2020) after Heathrow.
- 2.3.2 LLAOL secured planning permission in 2014 for the development of the necessary infrastructure to increase passenger throughput at the airport from 12 to 18 million passengers a year. The forecast at the time estimated that an 18 mppa cap would accommodate steady growth in passenger numbers up until 2028. However, growth in passenger numbers has occurred at a much more rapid rate than was originally forecasted and the 18 mppa cap was reached in 2019.
- 2.3.3 LLA serves a number of large European airlines; the largest proportion of airline movements in 2019 was easyJet with approximately 44% of the total, followed by Wizz at around 36% and Ryanair with 12%. The remaining 8% consisted of smaller low-cost airlines. The airlines operating from LLA offered flights to 141 destinations across 41 different countries in 2019. In 2019, there was a total of 141,481 aircraft movements at the airport which is circa 48% increase from 2010 when there was a total of 95,628 aircraft movements. Between 2010 and 2019, the 105% growth in passenger numbers was associated with only a 48% increase in total aircraft movements. This is due to increasing aircraft capacities and greater utilisation of available aircraft seats with an increasing average number of passengers per flight.
- 2.3.4 In 2019, the busiest time of the year at LLA was the May to October period, with July having the highest average daily aircraft movements at 436 per day. The winter months were less busy with average aircraft movements of below 400 per day, with November as few as 314 movements per day. The average through the year was 388 aircraft movements per day.

<sup>4</sup> <https://www.caa.co.uk/Data-and-analysis/UK-aviation-market/Airports/Datasets/UK-Airport-data/Airport-data-2019/>

<sup>5</sup> <https://www.london-luton.co.uk/corporate/community/noise/annual-monitoring-reports>

- 2.3.5 In 2017, LLAL published the 'Vision for Sustainable Growth 2020 – 2050' which set out the long-term aim of making the best use of the existing runway to accommodate between 36-38 mppa by the mid-2030s to 2040s. In 2019, LLAL published its Preferred Option for Expansion document for the growth of the airport to 32 mppa, with a proposed new terminal building north of the runway adjacent to the existing terminal building. It is expected currently that LLAL will submit the DCO application for these proposals to the Planning Inspectorate during 2021.
- 2.3.6 This application for a 1 mppa increase is not seeking permission for the development of any additional infrastructure. The additional 1 mppa would be achieved through using larger aircraft and increasing passengers during times of low utilisation through the year.

## 3. Planning history

### 3.1 Introduction

- 3.1.1 The growth in passenger numbers over recent years has been enabled by a number of significant planning consents, commencing with the 2014 Planning Permission.
- 3.1.2 The 2014 Planning Permission has been amended through subsequent Section 73 and Section 96A consents, as described below. The following key planning consents provide the planning history context for the current planning position:
- 12/01400/FUL (2014 Planning Permission).
  - 12/01400/AMEND (Section 96A amendment to the 2014 Planning Permission).
  - 15/00950/VARCON (Section 73 amendment to the 2014 Planning Permission).
  - 15/01213/FUL (Multi-Storey Car Park 1).
  - 17/00283/FUL (Direct Air-Rail Transit).
  - 17/00004/GPDOPD (Multi-Storey Car Park 2 and Drop Off Zone).
  - 18/00994/AMEND (Section 96A amendment to original permission).
  - 19/00428/EIA (Section 73 amendment to 15/00950/VARCON).
  - 19/01683/GPDOPD (South East Apron).
- 3.1.3 There have been other numerous applications for discharging planning conditions and consultations with LC regarding Permitted Development, however the most relevant consents are set out above

### 3.2 12/01400/FUL (2014 Planning Permission)

- 3.2.1 In December 2012, a planning application was made in respect of LLA for the following development description:
- "Full planning application for dualling of airport way/approach road and associated junction improvements, extensions and alterations to the terminal buildings, erection of new departures/arrivals pier and walkway, erection of a pedestrian link building from the short-stay car park to the terminal, extensions and alterations to the mid-term and long-term car parks, construction of a new parallel taxiway, extensions to the existing taxiway parallel to the runway, extensions to existing aircraft parking aprons, improvements to ancillary infrastructure including access and drainage, and demolition of existing structures and enabling works. Outline planning application for the construction of a multi-storey car park and pedestrian link building (all matters reserved)."*
- 3.2.2 The 2014 Planning Permission was issued subject to 30 conditions, some of which contained a number of requirements for the control of operations at the airport and some of which contained the approved specifications. The following conditions (which reflect the original condition numbers before the order was changed by later permissions) are of particular relevance to this Application:

- Condition 10: limits the commercial passenger throughput of the airport to 18 million passengers in any twelve month period.
- Condition 12: sets out the daytime and night-time noise contours permitted.
- Condition 24: requires the designated car parking areas to be retained for that use and be managed in accordance with an approved car parking management plan.
- Condition 26 requires the implementation of an approved Framework Travel Plan, with reviews on the 1<sup>st</sup> and 3<sup>rd</sup> years and subsequently every 5 years.
- Condition 30: requires the development to be carried out in accordance with approved plans and specifications as set out in the schedule of documents attached to the 2014 Planning Permission and the Environmental Statement submitted with that application.

3.2.3 It is also noteworthy that LC recognised within the decision notice for the 2014 Planning Permission (i.e. Reason no. 4 for granting planning permission) that the expanded airport would have a capacity of between 18 and 20 mppa as stated below:

*"...The conclusion reached in determining the application is that the capacity at the Airport with the proposed developments would be between 18 mppa and 20 mppa. The range reflects the many normal uncertainties in capacity assessments, with the greatest of these being whether the existing patterns of traffic will continue (the lower end of the range), or whether historic peak ratios will return (the higher end of the range). Whilst it is acknowledged that the airport capacity is not a single rigid number, and that there are different approaches and variables to estimating capacity and that at best capacity determination is an approximate science, it is considered that the most effective way of achieving a certainty of the throughput would be in the form of a limit on the annual passenger numbers. This would be best achieved through the imposition of a condition limiting the passenger numbers to 18 mppa..."*

### 3.3 12/01400/AMEND (Section 96A to 2014 Planning Permission)

3.3.1 Subsequent to the 2014 Planning Permission, an application was made in March 2015 under Section 96A of the Town and Country Planning Act 1990) for a non-material amendment to the 2014 Planning Permission. This was for:

- Modifications to the alignment of Airport Way, the junction with the mid-term car park and the design/location of the bus stops.
- Update to the arrangement of the Central Terminal Area, including a reconfiguration of the public transport area (including the addition of a canopy), drop off zone and short-term car park circulation.
- Reduction in floor space created in the terminal building by 1,747 sqm as a result of the corridor between existing terminal building to Pier B being reduced from two storey to single storey and the removal of infill of ground floor area between terminal building and immigration hall.
- Modification to front extension resulting in increase of 206 sqm due to requirements to move the lifts.

3.3.2 The amendment was granted in May 2015.

### 3.4 15/00950/VARCON (Section 73 to the 2014 Planning Permission)

- 3.4.1 In June 2015, a Section 73 application was submitted to vary Condition 11(i) attached to the 2014 Planning Permission. This condition sought to set the maximum noise violation limits that progressively reduce over time for all aircraft as recorded by departing aircraft at fixed noise monitoring terminals. The original wording of the condition linked the maximum noise violation limits to the type of aircraft classification under the Quota Count (QC) system. The proposal was to modify the condition wording to set out absolute noise limits that progressively reduce over time unrelated to the QC classification of aircraft.
- 3.4.2 The permission was granted in October 2017 along with a new Section 106 agreement. It is this permission which is being applied to be varied as part of the Proposed Amendments, and is therefore referred to in the application package as the Original Permission.
- 3.4.3 The Original Permission incorporated the conditions attached to the 2014 Planning Permission save for the amendment to the noise limit condition, and save also for conditions which had been discharged in the interim, resulting in amendments to the numbering of conditions. Therefore, Condition 11 under the 2014 Planning Permission was renumbered to become Condition 9 under the Original Planning Permission. Similarly, the conditions noted in Section 3.2 of this Planning Statement were also renumbered as set out Table 3.1 below. The condition numbers set out in the Original Permission are referenced in this application for the Proposed Amendments.

Table 3.1 Comparison of Condition Numbering between the 2014 Planning Permission and the “Original Permission”

2014 Planning Permission 12/01400/FUL	Section 73 Permission (the “Original Permission”) 15/00950/VARCON
Condition 10 (Passenger throughput cap)	Condition 8 (Passenger throughput cap)
Condition 12 (Noise contours)	Condition 10 (Noise contours)
Condition 24 (Car parking management)	Condition 22 (Car parking management)
Condition 26 (Travel plan)	Condition 24 (Travel plan)
Condition 30 (Approved plans and documents)	Condition 28 (Approved plans and documents)

### 3.5 15/01213/FUL (Multi-Storey Car Park 1)

- 3.5.1 The 2014 Planning Permission secured outline consent for the construction of a multi-storey car park (known as MSCP1) and pedestrian link building (with all matters reserved). An application seeking detailed planning permission for MSCP1 was submitted in August 2015 and subsequently granted in May 2016. The MSCP1 has since been constructed consistent with the approved permission.

### 3.6 17/00283/FUL (Direct Air-Rail Transit)

- 3.6.1 In February 2017, a planning application was submitted for planning permission for DART – a fully automated ‘people mover’ – that would connect the airport terminal and Luton Airport Parkway station in under 4 minutes. This application was approved in June 2017 and construction is currently ongoing. The DART is scheduled to open in 2021.

### 3.7 17/00004/GPDOPD (Multi-Storey Car Park 2 and Drop Off Zone)

- 3.7.1 In September 2017, consultation was carried out under Schedule 2, Part F of the Town and Country Planning (General Permitted Development) (England) Order 2015 as a pre-condition of exercising permitted development rights for the construction of multi-storey car park 2 (known as MSCP2) and a new drop off zone directly adjacent to MSCP1. LC confirmed no objection in January 2018 and the development has since been constructed under permitted development rights.

### 3.8 18/00994/AMEND (Section 96A to 2014 Planning Permission)

- 3.8.1 In June 2018, a planning application was made under Section 96A of the Town and Country Planning Act 1990 for a non-material amendment to the ongoing airport expansion works. The proposed amendments were to regularise changes made to the permitted scheme during construction. The proposed amendments related to:
- Alterations to the front of the terminal (including bringing the building forward at ground and first floor level by 17.5m).
  - Removal of the large canopy over the forecourt to the coach interchange.
  - Reduction in floorspace on Pier B.
  - Internal alterations to baggage reclaim and central search areas.
  - Alteration to the north stands to retain building 104 and use of apron for general aviation.
- 3.8.2 This amendment was granted in August 2018.

### 3.9 19/00428/EIA (Section 73 to 15/00950/VARCON permission)

- 3.9.1 The noise monitoring by LLAOL revealed that the summer night-time contour as set out in Condition 10 (Noise contours) of the 15/00950/VARCON permission was exceeded in 2017 for the first time. The summer night-time contour was exceeded again for the second time in 2018. In March 2019, a Section 73 application was submitted to temporarily enlarge the noise contours to the end of 2024 whilst the development of newer, quieter aircraft progresses and comes into operation.

### 3.10 19/01683/GPDOPD (South East Apron)

- 3.10.1 In December 2019, consultation was carried out under Schedule 2, Part F of the Town and Country Planning (General Permitted Development) (England) Order 2015 as a pre-condition to exercising a permitted development right for 8 new commercial aircraft stands to be known as the South East Apron. LC confirmed on 29 January 2020 that it had no objection to this development being carried out. Construction in relation to the South East Apron has not yet begun.

### 3.11 Conclusion

- 3.11.1 The successful operation of a large-scale live commercial airport requires sufficient flexibility to enable it to respond to changes in the way in which airlines and passengers operate. At the same time, LLAOL are aware of the positive and negative effects upon local communities which can arise as operational changes and passenger growth take place.
- 3.11.2 LLAOL has a record of working closely with LC as the Local Planning Authority (LPA) to identify the nature of changes required and the requirements for consent. Each of the submitted applications referred to in this Section has followed a substantial period of pre-application consultation and discussion. Local communities were also consulted during the determination of the applications.

## 4. Proposed Amendments

### 4.1 Introduction

- 4.1.1 The present planning application, submitted under Section 73 of the Town and Country Planning Act 1990 seeks approval for an increase in the passenger throughput cap at LLA to 19 mppa, allowing the airport to accommodate passenger demand without the need for additional built infrastructure. This would be achieved through the variation of five conditions attached to the Original Planning Permission as follows:

### 4.2 Variation of Condition 8 (Passenger throughput cap)

- 4.2.1 Condition 8 states that:

*“At no time shall the commercial passenger throughput of the airport exceed 18 million passengers in any twelve month period. From the date of this permission the applicant shall every quarter report in writing to the Local Planning Authority the moving annual total numbers of passengers through the airport (arrivals plus departures). The report shall be made no later than 28 days after the end of each quarter to which the data relates.”*

- 4.2.2 LLAOL is seeking to modify this condition to allow the airport to continue to operate and expand viably in the short to medium term. The proposed modification would simply be the substitution of the figure for passengers in any twelve-month period from 18 to 19 million. All other wording in the condition would remain as existing.

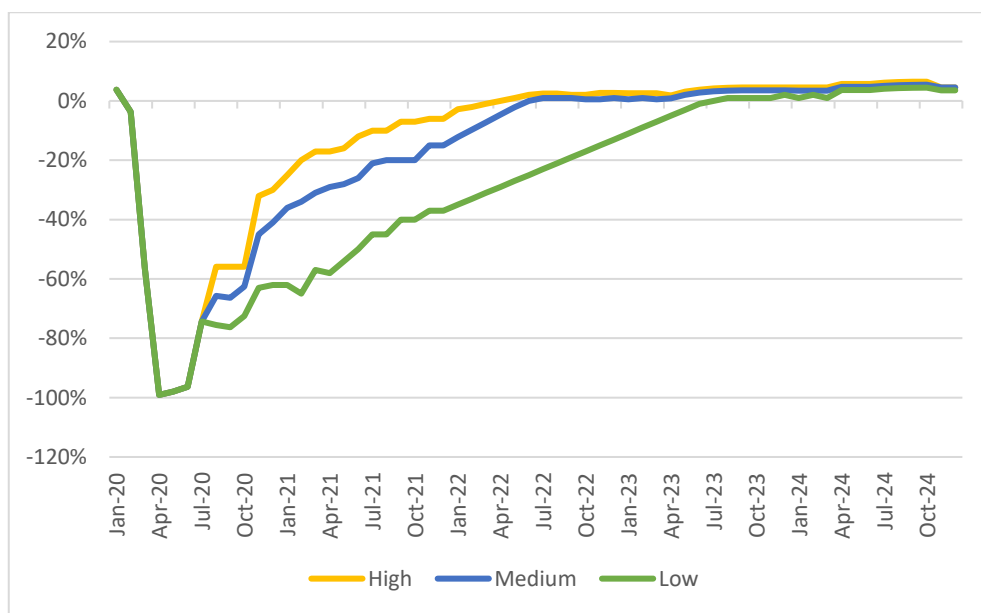
#### Rationale

- 4.2.3 LLA is one the busiest airports in the UK and one that has experienced steady growth over the last decade. The passenger level reached the 18 mppa cap in 2019, almost a decade earlier than originally anticipated in the original permission. The rising consumer demand in the aviation sector has been explosive over the last decade in the UK but particularly so at LLA. From 2010 to 2019, the passenger levels in the UK as a whole increased by circa 41% but LLA experienced an increase of circa 105% during the same decade<sup>6</sup>. This growth rate at LLA was far stronger than other major London airports at Heathrow (23% increase), Gatwick (48% increase), Stansted (51% increase) and City (84% increase).
- 4.2.4 The passenger numbers at LLA increased by more than 1 mppa each year on average over the last 3 years from 2017 to 2019, reaching 18 mppa in 2019. Based on this continued rate of growth, passenger demand at LLA would reach 19 mppa a year after reaching 18 mppa. However, due to the temporary implications of COVID-19 on travel restrictions, LLAOL is forecasting to serve far fewer passengers in 2020 than originally anticipated; a range as low as circa 5.8 mppa and as high as circa 7.5 mppa.
- 4.2.5 It is anticipated that LLA will recover relatively swiftly from the temporary COVID-19 implications, having been the second busiest airport in the UK by passenger numbers during the travel restrictions (e.g. May and June 2020) after Heathrow. LLAOL expects passenger volumes to recover to 18 mppa by 2023 and could grow beyond 18 mppa in 2024. Therefore the 19 mppa proposal is likely to be realised in 2024.

<sup>6</sup> <https://www.caa.co.uk/Data-and-analysis/UK-aviation-market/Airports/Datasets/UK-airport-data/>

- 4.2.6 LLAOL's passenger recovery forecast is based on the industry-wide research and forecast by Airports Council International (ACI). ACI are an industry body representing airports throughout the world, including LLA. As well as representing airports' views and interests, they provide analysis and forecasts of airport performance drawing on industry experts to provide a view of future industry demand.
- 4.2.7 A panel of air traffic forecasting experts has been polled by ACI and the results aggregated to provide a consensus view of the likely recovery of passenger demand to/from and within Europe in 2020 and 2021. LLAOL have further extrapolated those recovery rates beyond December 2021 to the end of 2024 as shown Figure 4.1 below.

Figure 4.1 Recovery Rates



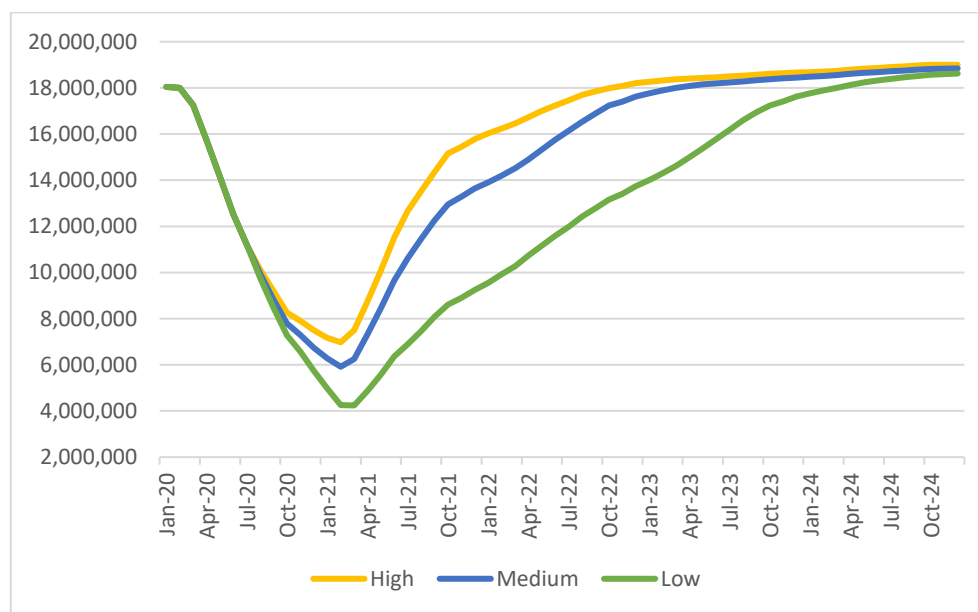
- 4.2.8 As part of the survey, ACI also asked the industry experts to answer specific questions related to the recovery as detailed in Figure 4.2 below. Considering LLA's heavy reliance on Low Cost Carriers (LCCs), the answers from the industry experts support the view that LLA would recover at a faster rate than other major London airports such as Heathrow or Gatwick.

Figure 4.2 Recovery Questions

Questions	Yes
Will full-year traffic levels in 2022 exceed full-year 2019?	6%
Will full-year traffic levels in 2023 exceed full-year 2019?	53%
Will full-year traffic levels in 2024 exceed full-year 2019?	88%
Do you expect LCCs to recover passengers' volumes more quickly?	94%
Do you expect LCCs to increase market share by end of 2021?	88%
Do you expect the share of departing seats at your airport held by the largest carrier to increase by end of 2021?	59%

- 4.2.9 LLAOL have applied the ACI research and industry consensus on passenger recovery to LLA passenger levels up to 2024 as shown in Figure 4.3 below. In the 'high' recovery scenario, it is reasonable to expect passenger volumes at LLA to return to 18 mppa in 2022. In the 'medium' recovery scenario, the passenger volumes at LLA are expected to return to 18 mppa in 2023 with the 'low' recovery scenario seeing the passenger volumes at LLA recover to 18 mppa early in 2024. However, it is noteworthy that only 12% of the ACI contributors believe the 'low' recovery scenario is a likely scenario. Furthermore, the ACI forecast reflects Europe as a whole and LLA's location as part of the London Aviation System and its preponderance of LCCs would suggest that the passenger recovery at LLA should be faster than the average of all European airports reflected in the ACI aggregated consensus.

Figure 4.3 Recovery Rates for LLA



- 4.2.10 Based on the ACI's industry insight, it is reasonable to believe that LLA will recover to 18 mppa somewhere between the 'medium' and 'high' recovery scenarios. This means that LLA could realistically be back at 18 mppa sometime in 2023 and be growing beyond 18 mppa in 2024. As such, the 19 mppa proposal is likely to be realised in 2024.
- 4.2.11 The growth in capacity is to be accommodated without the need for any operational development. While minor physical interior refurbishment works necessary to facilitate the increased capacity being proposed, such as the reorganisation of check-in and security areas (some of which may be as a consequence of the COVID-19 pandemic) may be required, this would not constitute development in planning terms.
- 4.2.12 Although in determining the 2014 Planning Permission LC determined that an 18 million cap on annual passenger numbers should be put in place, it also accepted that passenger capacity is not a rigid number as it can only be based on a forecast using contemporary data. The decision notice acknowledged (within the reasons for granting planning permission) that airport capacity assessments use a range rather than a single figure in order to reflect uncertainties, for example whether patterns of traffic continue at the same level or return to peak historic ratios. It was accepted that the capacity range at LLA as a result of the development consented by the 2014 Planning Permission would be between 18 and 20 mppa.

- 4.2.13 LLAOL has since carried out further capacity analysis through the airport masterplan (submitted to accompany this planning application) which confirms that the existing landside and airside facilities at LLA have more than sufficient capacity to accommodate the additional 1 mppa to reach 19 mppa.
- 4.2.14 Only minor operational changes to aircraft movements would be required to accommodate the additional 1 mppa. However, given the history of increasing aircraft capacities and greater utilisation of available aircraft seats with an increasing average number of passengers per flight, LLAOL's aircraft movement forecasts for 19 mppa are not significantly different to the forecasts for 18 mppa. The ES Addendum accompanying this application details the aircraft forecasts for busy day, 92-day summer period and annual period for future years.

## 4.3 Variation of Condition 10 (Noise contours)

- 4.3.1 Condition 10 states that:

*"The development shall be operated in accordance with the Noise report approved on 2 March 2015 (ref: 14/01519/DOC), including providing details of forecast aircraft movements and consequential noise contours as set out in that report.*

*The area enclosed by the 57dB(A) Leq16hr (0700-2300) contour shall not exceed 19.4 sq km for daytime noise, and the area enclosed by the 48dB(A) Leq8hr (2300-0700) contour shall not exceed 37.2 sq km for night-time noise, when calculated by the Federal Aviation Authority Integrated Noise Model version 7.0-d (or as may be updated and amended).*

*Within five years of the commencement of development a strategy shall be submitted to the Local Planning Authority for their approval which defines the methods to be used by LLAOL or any successor or airport operator to reduce the area of the noise contours by 2028 for daytime noise to 15.2 sq km for the area exposed to 57dB(A) Leq16hr (0700-2300) and above and for night-time noise to 31.6 sq km for the area exposed to 48dB(A) Leq8hr (2300-0700) and above."*

- 4.3.2 LLAOL is seeking to modify the wording of the condition such that it provides for a less restrictive day and night contour than that currently set out, through adjustments to the area enclosed by both the daytime and night-time contours. The amendments are considered by LLAOL to provide an appropriate balance between environmental protection and growth. As detailed in Section 3.9, when the airport was operating at its existing capacity of 18mppa there were breaches of the noise contours due to the higher than predicted growth in passenger demand, the delay in delivery of modernised aircraft (e.g. Airbus Neo and grounded B737 MAX) and disruption in European Air Traffic Control from significant weather events and industrial action resulting in flight delays. Therefore the need to enlarge the noise contour exists independently of the proposed increase of the 18 mppa cap to 19 mppa. The noise contours required for the 19 mppa would not be significantly different to the enlarged contours that would have been needed to operate at 18 mppa.
- 4.3.3 The proposed enlargement would apply until 2028, by when it is anticipated that the introduction of newer, quieter aircraft fleet mix would enable LLAOL to comply with a smaller contour albeit not as small as the contours under the existing condition. The improvements in noise reduction facilitated by new aircraft will bring forward opportunities to reduce the areas covered by the noise contours in the future.

#### 4.3.4 The proposed variation would read:

*~~"The development shall be operated in accordance with the Noise report approved on 2 March 2015 (ref: 14/01519/DOC), including providing details of forecast aircraft movements and consequential noise contours as set out in that report."~~*

*The area enclosed by the 57dB(A) Leq16hr (0700-2300) contour shall not exceed ~~19.4 sq km~~ **21.6 sq km** for daytime noise, and the area enclosed by the 48dB(A) Leq8hr (2300-0700) contour shall not exceed ~~37.2 sq km~~ **42.9 sq km** for night-time noise, when calculated by the Federal Aviation Authority Integrated Noise Model version 7.0-d (or as may be updated and amended) **for the period up to the end of 2027. Post 2027 the area enclosed by the 57dB(A) Leq16hr (0700-2300) contour shall not exceed 15.5 sq km for daytime noise, and the area enclosed by the 48dB(A) Leq8hr (2300-0700) contour shall not exceed 35.5 sq km for night-time noise.***

*Within ~~five years~~ **12 months** of the commencement of development ~~the date of this permission~~ a strategy shall be submitted to the Local Planning Authority for their approval which defines the methods to be used by LLAOL or any successor or airport operator to reduce the area of the noise contours by 2028 for daytime noise to ~~15.2 sq km~~ **15.5 sq km** for the area exposed to 57dB(A) Leq16hr (0700-2300) and above and for night-time noise to ~~37.6 sq km~~ **35.5 sq km** for the area exposed to 48dB(A) Leq8hr (2300-0700) and above.*

***Forecast aircraft movements and consequential noise contours (Day, Night and Quota Periods) for the forthcoming calendar year shall be reported on the 1st December each year to the LPA, which shall utilise the standard 92 day summer contour.***

### Rationale

- 4.3.5 The modification to Condition 10 is required in order to account for the fact that the introduction of new quieter aircraft has not kept pace with the unprecedented growth in passenger demand. The passenger level at LLA reached the 18 mppa cap in 2019, almost a decade earlier than originally anticipated in the 2014 Planning Permission. An amended condition is necessary in order to safeguard against factors that are beyond the airport's direct control, including delays to the technological aircraft development and delays to flying times due to European Air Traffic Control disruptions and extreme weather events.
- 4.3.6 Scheduling and other wider considerations beyond LLA dictate to airlines which aircraft are used for particular flights, although LLA is able to offer incentives to airlines for the introduction of the next generation aircraft operating out of Luton. Nevertheless, airlines at LLA have placed orders for these modern aircraft and continue to do so, and it is anticipated that these aircraft would be delivered between 2021 and 2028.
- 4.3.7 It is noteworthy that whilst passenger forecasts are reduced due to the temporary implications of COVID-19, LLAOL are still forecasting the summer aircraft movements (i.e. the movements that the contours are based on) to remain as originally forecasted. This is principally due to the fact that the European Commission is expected to retain the 'Use-it-or-lose-it' slot rules for airlines.
- 4.3.8 The European Commission announced that the airport slot requirements which oblige airlines to use their allocated take-off and landing slots in order to keep them the following year is temporarily suspended until March 2021. This means that airlines retain slots secured in 2019 (i.e. when LLA operated at 18 mppa) to operate in 2021 regardless of whether they used the slots in 2020.

- 4.3.9 LLAOL cannot directly predict airlines behaviours in the future but the fundamental pressure on the London Aviation System remains, and slots at LLA have become increasingly valuable to the point where they are now traded for significant consideration. LLA is the third airport in the country to witness slots trades after Heathrow and Gatwick, so it can be expected that airlines will seek to retain those slots at LLA that are deemed to hold value.
- 4.3.10 Unless the European Commission continues the alleviation on slot rules from summer 2021 into summer 2022, it is reasonable to assume that the slots seen in 2019 will recur in 2021 and onwards. If the airlines did not use their slots in 2021, then they would lose their slots for 2022 at a time when passenger demand is expected to return and approach the pre-pandemic levels. Airlines at LLA are likely to want to avoid this situation and are therefore likely to continue using their slots in 2021. This means that airlines may fly their aircraft with reduced passenger loads but the overall summer aircraft movements at LLA in 2021 and onwards remain as originally forecasted by LLAOL.
- 4.3.11 Data from the noise monitoring that LLAOL carry out (and published as part of LLAOL's annual monitoring reports) revealed that the contours as set in Condition 10 were exceeded since 2017 but only in the summer. LLAOL have looked extensively at their operations to ascertain why the contour was breached and what measures it could reasonably take to guard against further breaches (see below under the heading 'mitigation' for further information).
- 4.3.12 A series of severe weather events, combined with European Air Traffic Control disruption, resulted in flights that were scheduled to arrive in the daytime period actually arriving in the night-time period. The additional unplanned night-time flights contributed to Condition 10 being exceeded, and there is no mechanism to permit the exclusion of these movements from the assessment as there is with the movement and Quota Count (QC) limits.
- 4.3.13 Following the exceedance of the night-time contour limit in 2017 the airport put in place a suite of operational restrictions to curb the number of movements during the night-time period to safeguard against a further exceedance of the limit. This included rejecting any applications for additional scheduled night-time movements. However, due to circumstances outside of LLAOL's control (namely continued disruption of European Air Traffic Control, for reasons such as industrial actions and weather events) meant that the contour was breached again in the following years.
- 4.3.14 In summary, the number of passengers using LLA has grown more quickly than that forecast at the time of the 2014 Planning Permission, but the introduction of the new generation aircraft has not kept pace. These factors, combined with unforeseen delays arising from European industrial issues and severe weather events, have resulted in a situation whereby the airport cannot operate to its full permitted 18 mppa capacity nor can it sustainably grow to 19 mppa whilst being confident that the restrictions of Condition 10 can be met.
- 4.3.15 Late running aircraft is something that impacts the aviation industry regularly. As a result, LLAOL is working on various projects to assist in minimising and where possible reducing this impact. Two such work streams are:
- Members of the Voluntary Industry Resilience Group:
    - ▶ LLAOL together with five other major UK airports and four of the UK's largest airlines, the Department for Transport, NATS and the Met Office are reviewing forecasts to identify areas of concern in the industry. LLAOL and these organisations are working together to create tactical plans which will help to reduce the impact that capacity and weather issues may have on the UK airspace, and ultimately the traffic that operates in it.

- Airspace change:

- ▶ LLAOL is working with NATS to bring forward an airspace change that will look to decouple the arrival routing that Luton and Stansted share. Whilst the airspace change's primary driver is to resolve issues in the TC ESSEX sector, there are benefits to LLA in that additional capacity will be created in the TC ESSEX sector resulting in Stansted and Luton traffic no longer impacting on each other. This airspace change for LLA should mean a reduction in the number of late arriving aircraft as there will be no need for arriving flow regulations which ultimately create airborne delay. Also, LLAOL is directly responsible for airspace changes up to an altitude of 7,000ft as noise is given priority below 7,000 ft, whilst NATS design the airspace changes above 7,000 ft to prioritise emissions and overall efficiency. As such, LLAOL has direct control over airspace change proposals insofar as noise reduction is concerned and it is working with all stakeholders to reduce noise through airspace change.

4.3.16 Nevertheless, looking towards the future, the airport cannot continue to operate on its current trajectory without an increase in the noise contour limit. Therefore, a variation to Condition 10 is requested.

## Mitigation

4.3.17 Following the breach in 2017, LLAOL took immediate action to reduce the number of flights and attempt to stay within the remit of Condition 10. These mitigations are set out below and LLAOL also produced an Action Plan in March 2018 setting out these mitigations. The degree of seriousness with which LLAOL take any breach of their obligations is demonstrated by the wide-ranging restrictions implemented.

### *Removal of ad-hoc slot applications between 22:00-05:59 GMT 1st June and 30th September*

4.3.18 The movements occurring in the night-time period can increase due to off-schedule activity such as late arriving aircraft caused by industrial disputes in mainland Europe, staff shortages, capacity issues and severe weather events. These additional movements can contribute to the exceedance of the night-time contour. LLAOL have therefore removed the ad-hoc slot applications during this period. This provides a proportionate buffer for any late arrivals in the summer period to guard against contour breaches. Late arrivals due to weather disruption are beyond the airport's control.

### *No further night slots to be allocated to series flights between 22:00-05:59 GMT 1st June and 30th September*

4.3.19 No further growth to scheduled night-time traffic, commercial or cargo will be permitted. Whilst capacity is available in this period, LLAOL have placed this restriction to prevent any further growth ahead of aircraft fleet modernisation. LLAOL have taken this step, as noise modelling suggests that any increase in movements in the night-time period without aircraft modernisation may contribute to further breaches of the condition.

### *No rescheduling of existing allocated slots from the day-time (06:00-21:59 GMT) into the night-time (22:00-05:59 GMT) between 1st June and 30th September*

4.3.20 This particularly refers to the early morning shoulder period which is currently full. This restriction means that operators will not be able to move existing slots from post 06:00 GMT to before 06:00 GMT thereby ensuring no further increase in night-time movements.

*No non-emergency diverted flights accepted during daytime (06:00-21:59 GMT) and night-time (22:00-05:59 GMT) between 1st June and 30th September*

- 4.3.21 This ensures that LLAOL minimise any additional unplanned movements that could affect the noise contour and that airlines do not use LLA as a diversion airport in the event that they cannot land at the original port of destination. However, LLA will remain available to emergency divers and life critical movements.

*Zero flow rate between 05:00-05:59 GMT 1st June and 30th September*

- 4.3.22 This will ensure that aircraft scheduled for arrival in the day-time period close to the early morning shoulder threshold do not actually arrive in the night-time period.

*QC2 aircraft ban<sup>7</sup>*

- 4.3.23 QC2 aircraft will no longer be permitted to operate at night-time to or from the airport.

*No aircraft with a value greater than QC1 permitted to operate in the night-time period (22:00-05:59 GMT) / No further day-time (06:00-21:59 GMT) slot to be allocated to aircraft greater than QC1 between 1st June and 30th September*

- 4.3.24 Condition 9(i) of the Original Planning Permission requires the voluntary phase out of these aircraft by 2028. However, LLAOL has decided to meet the standards set out in this condition in relation to the night-time period from summer 2019 and for all subsequent seasons, removing the noisiest aircraft from the night-time period.

*No equipment changes on existing allocated slots that would involve replacing an aircraft with a QC value of 1 or less with an aircraft with a QC value greater than 1 between 06:00-21:59 GMT 1st June and 30th September*

- 4.3.25 This will stop airlines from changing aircraft after slots have been approved. The intention is that this will provide greater assurance between the noise modelling forecast and actual noise through fewer changes that generate additional noise.

*Incentivise aircraft fleet modernisation with differential charging*

- 4.3.26 Differential charging was implemented from 2019 to incentivise the rapid modernisation of fleet. The intention is to structure the charging mechanism in such a way that incentivises fleet modernisation and use of next generation aircraft as part of the LLA operation.

*Increased frequency and detailed cooperation between the Flight Operations Department and the Business Development Department in LLAOL*

- 4.3.27 This ensures that the Flight Operations Department works closely with the Business Development Department to ensure that passenger growth is managed more effectively in line with noise limitations.

<sup>7</sup> A quota count (QC) is a value assigned to an aircraft type based on the amount of noise it generates under controlled certification conditions. The quieter the aircraft the smaller the QC value. Aircraft are classified separately for landing and take-off.

## 4.4 Variation of Condition 22 (Car parking management)

4.4.1 Condition 22 states that:

*"The car parking areas within Phase 1 shall be constructed and managed in accordance with details approved on 21 January 2016 (ref: 15/00659).*

*The scheme as approved shall be implemented in full prior to that phase coming into operation. The areas within the application site which are shown to be in use for car parking in the application details shall not be used for any other purpose other than the parking of vehicles by passengers, staff and contractors servicing the airport."*

4.4.2 The 2014 Planning Permission sought permission to physically extend the car parking facilities as part of Phase 1 of the development (out of the total 3 phases of development). The Proposed Amendments do not seek any physical changes to the airport's existing car parking facilities which have been constructed pursuant to the 2014 Planning Permission. However, an updated car parking management plan is being provided to support the Proposed Amendments, and therefore there is a need to vary Condition 22.

4.4.3 The proposed variation would read:

~~*"The car parking areas within Phase 1 shall be constructed and managed in accordance with details approved on 21 January 2016 (ref: 15/00659.)"*~~

~~*"The scheme as approved shall be implemented in full prior to that phase coming into operation. The areas within the application site which are shown to be in use for car parking in the application details shall not be used for any other purpose other than the parking of vehicles by passengers, staff and contractors servicing the airport."*~~

*"The car parking areas within the application site shall be managed in accordance with details provided in the Car Parking Management Plan (document reference 41431MP18V2) to accommodate up to 19 million passengers per annum."*

## 4.5 Variation of Condition 24 (Travel plan)

4.5.1 Condition 24 states that:

*"The Passenger and Staff Travel Plan shall be implemented in accordance with the details approved on 23 September 2015 (ref: 15/00761/DOC)."*

4.5.2 The Proposed Amendments are accompanied by a new Travel Plan and therefore there is a need to vary Condition 24.

4.5.3 The proposed variation would read:

~~*"The Passenger and Staff Travel Plan shall be implemented in accordance with the details approved on 23 September 2015 (re: 15/00761/DOC)"*~~

*"The Travel Plan (document reference 41431MP18V2) shall be complied with to accommodate up to 19 million passengers per annum."*

## 4.6 Variation of Condition 28 (Approved plans and documents)

### 4.6.1 Condition 28 states that:

*"The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as set out in the schedule of documents and the Environmental Statement contained in the Terence O'Rourke letters dated 30<sup>th</sup> November and 14<sup>th</sup> December 2012 submitted with application 12/01400/FUL and with the following documents:*

- *Noise Impact Assessment, Bickerdike Allen Partners dated 15 May 2015.*
- *Contour Methodology Update, Bickerdike Allen Partners dated 14 August 2015.*
- *Environmental Statement Addendum, Terence O'Rourke dated July 2015".*

### 4.6.2 The proposal for 19 mppa is being accompanied by updated submissions across a suite of technical evidence-based assessments which would necessitate the variation of Condition 28 as it sets out the approved documentation in support of planning permission.

### 4.6.3 The proposed variation would read:

*"To accommodate up to 19 million passengers per annum, the development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as set out in the schedule of documents and the Environmental Statement contained in the Terence O'Rourke letters dated 30<sup>th</sup> November and 14<sup>th</sup> December 2012 submitted with application 12/01400/FUL and with the following documents:*

- *Noise Impact Assessment, Bickerdike Allen Partners dated 15 May 2015.*
- *Contour Methodology Update, Bickerdike Allen Partners dated 14 August 2015.*
- *Environmental Statement Addendum, Terence O'Rourke dated July 2015.*
- *Environmental Impact Assessment Volume 1: Non-Technical Statement of Environmental Statement Addendum, Wood (document reference 4143119V3).*
- *Environmental Impact Assessment Volume 2: Environmental Statement Addendum, Wood (document reference 4143120V3).*
- *Environmental Impact Assessment Volume 3: Environmental Statement Addendum, Wood Appendices (document reference 4143121V3).*
- *London Luton Airport Master Plan 19 MPPA, IDOM (document reference: Version 2.6. January 2021).*
- *Drainage and Water Supply Infrastructure Appraisal, Wood (document reference: 41431JG22V2).*
- *Site Waste Management Plan, Wood (document reference: 41431BN6V3).*
- *Site Location Plan, Wood (document reference: As-Built Master Plan).*
- *Terminal Floorplans, Wood (drawing references):*
  - *As Built Masterplan Passenger Access Areas Level 00;*
  - *As Built Masterplan Passenger Access Areas Level 10; and*
  - *As Built Masterplan Passenger Access Areas Level 20 + Mezzanine Level. .*

- *Transport Assessment, Wood (document reference: 41431MP17V2).*
- *Travel Plan, Wood (document reference: 41431MP18V2).*

## 4.7 Conclusion

- 4.7.1 LLA has experienced an unprecedented level of growth in passenger demand over recent years as the demand in the UK aviation industry continues to grow. The passenger level at LLA reached the 18 million cap in 2019, almost a decade earlier than originally anticipated in the 2014 Planning Permission. The COVID-19 pandemic has resulted in a significant reduction of passenger demand at LLA for 2020. However, it is anticipated that LLA would recover relatively swiftly from the temporary implications of COVID-19, having been the second busiest airport in the UK by passenger numbers during the travel restrictions. LLAOL expects passenger volumes to recover to 18 mppa by 2023 and could grow beyond 18 mppa in 2024. Therefore, LLAOL is seeking to lift the passenger cap from 18 mppa to 19 mppa.
- 4.7.2 LLAOL is also seeking an enlargement of noise contours which would have been needed in any event regardless of the growth up to 19 mppa. The purpose of the enlargement is to allow LLA to continue to operate viably whilst the development of newer, quieter aircraft progresses and comes into operation. The noise contours required for the 19 mppa would not be significantly different to the enlarged contours that would have been needed to operate at 18 mppa in any event.
- 4.7.3 LLAOL has prepared a suite of technical evidence-based assessments to demonstrate the impacts of its proposals to increase the passenger cap to 19 mppa alongside the enlargement of noise contours. The assessments have been produced in consultation with key stakeholders including LLAL, LC and the surrounding local communities.

## 5. Planning policy

### 5.1 Introduction

- 5.1.1 The planning laws in England require applications for planning permissions to be determined in accordance with the development plan, unless material considerations indicate otherwise. This section of the statement sets out the relevant development plan for LC in the context of national policy frameworks across aviation and planning; all of which are material considerations relevant to the consideration of this planning application.

### 5.2 National policy frameworks

- 5.2.1 It is important to set out the Government's current and emerging aviation policy relating to the future of the UK aviation sector, before setting out the planning policy context in relation to the Proposed Amendments.

#### Aviation Policy Framework (APF)

- 5.2.2 The APF was published in 2013. It outlines objectives and principles to guide plans and decisions on airport developments, bringing together many related and discreet policies. By defining the Government's objectives and policies on the impacts of aviation, the APF sets out the framework within which decisions on aviation ought to be made to deliver a balanced approach to securing the benefits of aviation and to support economic growth.
- 5.2.3 The APF acknowledges the significant market demands in the global aviation market and the important economic contributions that the aviation sector makes to the UK economy. It supports the growth of regional airports across the UK highlighting that *"new or more frequent international connections attract business activity, boosting the economy of the region and providing new opportunities and better access to new markets for existing businesses"* and the need for growth beyond South East England. A key objective of this framework is to encourage the aviation sector to make the best use of existing runway capacity at all UK airports.
- 5.2.4 The APF states that the Government wants to see the best use of existing airport capacity (Paragraph 1.24) and that in the short term, a key priority for the Government is to continue to work with the aviation industry and other stakeholders to make better use of existing runways at all UK airports to improve performance, resilience and the passenger experience (Paragraph 1.60).

#### Beyond the Horizon: The Future of UK Aviation

- 5.2.5 The APF provided policy support for airports outside the South East of England to make best use of their existing airport capacity whilst the future of airports within South East England were considered by the Airports Commission. The Airports Commission concluded that an additional runway in South East England would be needed by 2030 but also noted that there would be a need for other airports to make more intensive use of their existing infrastructure. The Government agreed to support an additional runway at Heathrow through an Airports National Policy Statement and also published the Beyond the Horizon: The Future of UK Aviation document in 2018 to provide policy support for all airports who wish to make best use of their existing runways, including those in South East England, subject to environmental issues being addressed.

- 5.2.6 In essence, the Beyond the Horizon: The Future of UK Aviation established the Government's support for the Making Best Use (MBU) policy for all airports in the UK. It has also forecasted an accelerated growth in passenger demand in the London area at Heathrow, Gatwick, Stansted, Luton and City. As such, the MBU policy is particularly encouraged at all London airports and Heathrow is envisaged by the Government to develop an additional runway on top of the MBU policy.
- 5.2.7 The Beyond the Horizon: The Future of UK Aviation nevertheless acknowledges that the MBU policy can have negative as well as positive local impacts, including on noise levels. The Government therefore considers that any proposals for MBU should be judged by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts and proposed mitigations (Paragraph 1.27).

### Airports National Policy Statement (ANPS)

- 5.2.8 The ANPS was designated in 2018. It provides the policy framework and primary basis for decision making on development consent order (DCO) applications for nationally significant aviation-related development and, specifically, a north-west runway at Heathrow Airport (Heathrow Runway 3). The ANPS is an important and relevant consideration in respect of applications for new runway capacity and other airport infrastructure in London and the South East of England.
- 5.2.9 National Policy Statements can be material planning consideration when considering an application submitted under the Town and Country Planning Act 1990. The ANPS includes national policy guidance across a range of environmental impacts which, whilst focussed upon Heathrow Runway 3, may have some relevance for other airports in the South East.
- 5.2.10 In February 2020, the Court of Appeal ruled that in designating the ANPS the Government had failed to have regard to the Paris Agreement which sets out a global framework to avoid harmful climate change by limiting global warming, and therefore was unlawful. In December 2020, this decision was reversed by the Supreme Court and the ANPS was reinstated.

### Aviation 2050: The Future of UK Aviation

- 5.2.11 The Government is currently preparing an updated aviation strategy that will set out the long-term direction for aviation policy to 2050 and beyond. In December 2018, the Government published Aviation 2050: The Future of UK Aviation – A consultation document seeking views until April 2019. Recognising the strong and continuing growth in demand for air services, the strategy will look to address what should constitute a framework for future sustainable growth and consider how the UK can balance environmental costs with the economic benefits of aviation.
- 5.2.12 The consultation document notes on page 8 that it aims to achieve a safe, secure and sustainable aviation sector that meets the needs of consumers and of a global, outward-looking Britain. This aim is underpinned by the following six objectives:
- Help the aviation industry work for its customers.
  - Ensure a safe and secure way to travel.
  - Build a global and connected Britain.
  - Encourage competitive markets.
  - Support growth while tackling environmental impacts.
  - Develop innovation, technology and skills.

- 5.2.13 The 'Increasing demand' section (Paragraphs 1.17-1.21) of the consultation document clearly acknowledges the significantly increasing demand for flying in terms of transporting both passengers and freight. The need for further aviation capacity is highlighted and the Government is supportive of a new runway at Heathrow as well as other airports throughout the UK making best use of their existing runways.
- 5.2.14 The Government essentially encourages making best use of existing runways throughout the UK and acknowledges the important role of airports beyond Heathrow. In particular, the Government recognises the economic benefits that airports can have on the local area and that airports can act as catalysts to encourage economic growth and development in the region. It is therefore evident that the MBU policy will continue into the Government's future aviation policy. However, the Government also recognises the importance of appropriately managing the environmental impacts that airports could cause on surroundings particularly in relation to pollution.

### National Planning Policy Framework (NPPF)

- 5.2.15 Having set out the Government's aviation policy, this section of the statement moves on to set out the Government's planning policy.
- 5.2.16 In 2019, the Government published the revised National Planning Policy Framework (NPPF). This set out the Government's planning policies for England and it is a material consideration in determining planning applications.

### Achieving sustainable development

- 5.2.17 The framework states that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). Paragraph 8 notes that there are three overarching objectives in achieving sustainable development. These are an economic objective, a social objective and an environmental objective which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.
- 5.2.18 However, the framework does note that these objectives are not criteria against which every decision can or should be judged. It is noted that whilst planning policies and decisions should play an active role in guiding development towards sustainable solutions, they should do so taking into account local circumstances that may reflect the character, needs and opportunities of each area (Paragraph 9). At the heart of the framework is a presumption in favour of sustainable development. For decision-taking, this means:
- a) *Approving development proposals that accord with an up-to-date development plan without delay; or*
  - b) *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
    - i. *The application of policies in the framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
    - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework as a whole.*

### Building a strong, competitive economy

- 5.2.19 Paragraph 80 establishes the Government's commitment to securing economic growth stating that *"planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt"*. It states that *"significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future"*.
- 5.2.20 The framework highlights in Paragraph 81 that planning policies should be *"flexible enough to accommodate needs not anticipated in the plan and enable a rapid response to changes in economic circumstances"*. It is also noted in Paragraph 82 that *"planning policies and decisions should recognise and address the specific locational requirements of different sectors"*.

### Promoting sustainable transport

- 5.2.21 Paragraph 104 states that planning policies should *"provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy"*. The framework clearly acknowledges the economic benefit that expansion of a large scale transport facility, such as an airport expansion, can generate.
- 5.2.22 The same paragraph goes on to highlight aviation facilities specifically. It notes that planning policies should *"recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy"*.
- 5.2.23 Paragraph 109 states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

### Meeting the challenge of climate change, flooding and coastal change

- 5.2.24 Paragraph 148 encourages the planning system to *support the transition to a low carbon future in a changing climate* and *"help to shape places in ways that contribute to radical reductions in greenhouse gases emissions"*. Paragraph 150 states that *"new development should be planned in ways that a) avoid increased vulnerability to the range of impacts arising from climate change" and that "b) can help to reduce greenhouse gas emissions"*.

### Conserving and enhancing the natural environment

- 5.2.25 Paragraph 170 notes *"that planning policies and decisions should contribute to and enhance the natural and local environment by e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of "soil, air, water or noise pollution or land instability.""*. It encourages development to improve local environmental conditions such as air quality wherever possible.
- 5.2.26 Paragraph 180 states that *"planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new*

*development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”.*

- 5.2.27 Paragraph 181 states that *“planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement”.*

#### NPPF conclusion

- 5.2.28 The presumption in favour of sustainable development recognises the need to balance social, economic and environment objectives but is sufficiently pragmatic to recognise that for some types of development there is a need to take into account the specific local opportunities that may present themselves. There is strong policy support for businesses to develop and a recognition in the case of aviation that needs may not be fixed but may change over time. Nevertheless, aviation development should be environmentally appropriate and should undertake measures to mitigate potential adverse impacts from pollution recognising that they could potentially give rise to significant adverse impacts upon health and quality of life.

#### National Planning Practice Guidance

- 5.2.29 On 6 March 2014, the Department for Communities and Local Government (DCGL, now MHCLG) launched the National Planning Practice Guidance (PPG), a web-based resource. Together with the NPPF, this sets out the Government’s overall planning policy framework. With specific regard to aviation and airport planning, the PPG does not introduce any additional guidance beyond that which is already captured by the NPPF.

## 5.3 The development plan

- 5.3.1 Moving on from the national level policy frameworks to the local level context, the development plan is the Luton Local Plan 2011-2031 which was adopted by the Council in 2017.

#### Luton Local Plan 2011-2031

- 5.3.2 The Local Plan contains 11 strategic objectives across different topics which are supported by specific planning policies. The following three of these objectives are particularly relevant to this planning application.
- *Strategic Objective 1: To retain and enhance Luton’s important sub-regional role as a place for economic growth and opportunity. This includes the safeguarding of LLA’s existing operations and supporting its sustainable growth based on its strategic importance.*
  - *Strategic Objective 6: To reduce social, economic and environmental deprivation. This is to be achieved by taking measures to reduce unemployment, improve skills and environmental conditions.*
  - *Strategic Objective 11: To safeguard and ensure the prudent use of natural resources, increase energy and water efficiency and encourage and promote the use of renewable energy sources to help adapt to climate change, manage pollution, natural and land use operational hazards, avoid inappropriate development in areas at risk of flooding, secure improvements in air and water quality and ensure effective waste management.*

### Policy LLP1 – Presumption in Favour of Sustainable Development

- 5.3.3 The policy states that *"a presumption in favour of sustainable development will be applied to development management decisions. Wherever possible, the Council will work proactively and positively with all applicants to help shape development proposals to deliver growth and sustainable development that can be approved without delay"*.

### Policy LLP2 – Spatial Development Strategy

- 5.3.4 This policy sets out the Council's wider strategy for developing Luton. Part B of the policy notes that employment will be delivered through development on strategic employment locations which include LLA and immediate surroundings. Part D of the policy goes on to show that *"increased capacity at LLA alongside transport access improvements"* will be required to support the Spatial Development Strategy.

### Policy LLP6 – London Luton Airport Strategic Allocation

- 5.3.5 There is a dedicated planning policy for LLA. The London Luton Airport Strategic Allocation (approximately 325 hectares) includes land within the airport boundary, Century Park and Wigmore Valley Park. The allocation serves the strategic role of LLA and associated growth of business and industry, including aviation engineering, distribution and service sectors that are important for Luton, the sub-regional economy, and for regenerating the wider conurbation.
- 5.3.6 The policy has provisions for matters such as airport safeguarding to protect operational integrity, development of Century Park and Wigmore Valley Park. However, the most relevant parts of the policy for the Proposed Amendments are relating to airport expansion, car parking and drainage which are set out below.
- 5.3.7 Part B of the policy sets out the provisions for airport expansion. It states that proposals for development will only be supported where the following criteria are met, where applicable having regard to the nature and scale of such proposals:
- i. *They are directly related to airport use of development;*
  - ii. *They contribute to achieving national aviation policies;*
  - iii. *Are in accordance with an up-to-date Airport Master Plan published by the operators of LLA and adopted by the Borough Council;*
  - iv. *They fully assess the impacts of any increase in Air Traffic Movements on surrounding occupiers and/or local environment (in terms of noise, disturbance, air quality and climate change impacts), and identify appropriate forms of mitigation in the event significant adverse effects are identified;*
  - v. *Achieve further noise reduction or no material increase in day or night-time noise or otherwise cause excessive noise including ground noise at any time of the day or night and in accordance with the airport's most recent Airport Noise Action Plan;*
  - vi. *Include an effective noise control, monitoring and management scheme that ensures that current and future operations at the airport are fully in accordance with the policies of this Plan and any planning permission which has been granted;*
  - vii. *Include proposals that will, over time, result in a significant diminution and betterment of the effects of aircraft operations on the amenity of local residents, occupiers and users of sensitive premises in the area, through measures to be taken to secure fleet modernisation or otherwise;*

- viii. *Incorporate sustainable transportation and surface access measures that, in particular, minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Luton Airport Surface Access Strategy;*
- ix. *Incorporate suitable road access for vehicles including any necessary improvements required as a result of the development.*

5.3.8 Part C of the policy sets out the provisions for airport-related car parking. It notes that *"proposals for airport-related car parking should be located within the Airport Strategic Allocation" and will "need to demonstrate that the proposals: meet an objectively assessed need; do not adversely affect the adjoining highway network; and will not lead to the detriment of the amenity of the area and neighbouring occupiers".*

5.3.9 Part F of the policy sets out the provisions for drainage. It states that development proposals for the London Luton Airport Strategic Allocation will ensure *"provision is made for sustainable drainage and the disposal of surface water in order to ensure protection of the underlying aquifer and prevent any harm occurring to neighbouring and lower land".*

#### Policy LLP13 – Economic Strategy

5.3.10 Part A of this policy states that *"planning applications will be granted where they deliver sustainable economic growth and prosperity to serve the needs of Luton and the wider sub region".* Part E of the policy further indicates that *"planning permission for proposals that would increase and improve tourism and visitor attractions will be granted, provided that it does not cause an adverse impact on the road network... and is in conformity with the policies in the Local Plan".*

#### Policy LLP31 – Sustainable Transport Strategy

5.3.11 The strategy for sustainable transport in Luton is to ensure that an integrated, safe, accessible, and more sustainable transport system supports the economic regeneration and prosperity of the town. Part D of the policy specifically provides *"support for the continued economic success of LLA as a transport hub which will be delivered through:*

- *Measures to ensure there is capacity at strategically important junctions.*
- *Continued enhancement of sustainable modes of transport via the Airport Surface Access Strategy".*

#### Policy LLP32 – Parking

5.3.12 The policy notes that *"parking provision will be stringently controlled at London Luton Airport (in line with Policy LLP6C".*

#### Policy LLP36 – Flood Risk

5.3.13 Part D of the policy notes that *"all new development shall be required to provide a drainage strategy".* It goes on to say that *"developments will be expected to incorporate multi-functional sustainable drainage systems which, where feasible, should address water efficiency and rainwater harvesting".*

### Policy LLP37 – Climate Change, Carbon and Waste Reduction and Sustainable Energy

- 5.3.14 The policy states that *"the Council will support development proposals that contribute towards mitigation, and adaptation to climate change through energy use reduction, efficiency, and renewable, and decentralised energy"*.
- 5.3.15 The policy also states that *"the Council encourages an overall reduction in the amount of waste generated, treated and disposed of to reduce the need for land for waste management. Proposals that are likely to generate significant volumes of waste through development or operational phases will be required to include a waste audit as part of the application"*.

### Policy LLP38 – Pollution and Contamination

- 5.3.16 This policy requires *"evidence on the impacts of development to demonstrate whether the scheme (individually or cumulatively with other proposals) will result in any significantly adverse effects with regard to air, land or water on neighbouring development, adjoining land, or the wider environment. Where adverse impacts are identified, appropriate mitigation will be required. This policy covers chemical, biological, and radiological contamination and the effects of noise, vibration, light, heat, fluid leakage, dust, fumes, smoke, gaseous emissions, odour, explosion, litter and pests"*.
- 5.3.17 Part A of the policy further states that *"development should provide for the satisfactory disposal of surface water to deliver water quality improvements to receiving water courses and aquifers where feasible and, together with waste water disposal, should not be detrimental to the management and protection of water resources. In all cases, development must be carefully built, operated, and closed in such a manner so as to ensure there are no long-term pollution problems"*.

### Policy LLP39 – Infrastructure and Developer Contributions

- 5.3.18 The LPA *"will support development proposals that provide or adequately contribute towards the infrastructure and services needed to support them, including off-site measures to mitigate the impacts."*

## 5.4 Policy conclusions

- 5.4.1 The development plan recognises that LLA is one of the key economic drivers for the borough and the wider regions. It is critical to the achievement of jobs and prosperity which the plan seeks to deliver. Policy support is therefore provided to support LLA's growth provided that the associated increase in operational activities such as passenger and aircraft movements do not adversely affect the amenities of surrounding occupiers and the environment.
- 5.4.2 Such policy support accords with the Government's overarching planning and aviation policy frameworks to balance the three interdependent objectives of economic, social and environmental prosperities by encouraging the MBU policy in the aviation sector. The assessment of the impacts arising from the Proposed Amendments is set out within the following section.

## 6. Planning assessment

### 6.1 Introduction

- 6.1.1 Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 set out that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.1.2 Based on the review of the development plan, national planning policy, aviation policy and other material considerations presented in Section 5 of this Statement, a number of topics have been identified that are deemed to represent the key planning considerations relevant to the determination of the planning application for the Proposed Amendments. These topics are as follows:
- Principle of development.
  - Capacity:
    - ▶ Airport masterplan.
    - ▶ Drainage and water infrastructure.
    - ▶ Waste management.
  - Socioeconomic impacts.
  - Environmental impacts:
    - ▶ Air quality.
    - ▶ Climate change.
    - ▶ Health.
    - ▶ Noise.
    - ▶ Transport.
- 6.1.3 The following sections assess the Proposed Amendments against each of the topics listed above in turn, drawing on the ES Addendum and other information prepared in support of the planning application where appropriate.

### 6.2 Principle of development

- 6.2.1 The proposed increase in passenger capacity at LLA would help achieve the national MBU aviation policy goal, as the airport would grow and deliver the benefits of growth by making best use of its existing runway. The Government is explicitly supportive of airports beyond Heathrow making best use of their existing runways as noted in the Beyond the Horizon: The Future of UK Aviation – Making Best Use of Existing Runways (2018). In that document, the Government recognises an accelerated growth in UK demand for flying particularly around London and forecasts how airports making best use of their existing runway alongside the new Northwest Runway at Heathrow (Runway 3) could lead to accommodating the increasing demand as shown Figure 6.1 below (in a table extracted from the document). The Proposed Amendments at LLA would aid this goal.

Figure 6.1 Accommodating Increased Demand by Making Best Use of Existing Runways (taken from Beyond the Horizon: The Future of UK Aviation – Making Best Use of Existing Runways (2018))

	Baseline	Baseline + best use	LHR NWR base	LHR NWR + best use
2016	266.6	266.6	266.6	266.6
2030	313.4	314.8	342.5	341.9
2040	359.8	365.9	387.4	388.8
2050	409.5	421.3	435.3	444.2

Table 1: Terminal Passengers at UK airports, million passengers per annum

6.2.2

At a local level, Strategic Objective 1 of the Luton Local Plan confirms development plan support in principle for the further growth of LLA. Policy LLP6 is the principal policy within the development plan that relates to the expansion of LLA. The policy sets out a list of criteria that must be met for proposals for development to be supported (where applicable/ appropriate and having regard to the nature and scale of such proposals). These provide a useful basis for a policy-based assessment as summarised in the Table 6.1 below, and in the following commentary.

Table 6.1 Assessment against Policy LLP6

Policy LLP6 criteria	Assessment of Proposed Amendments
<b>i. they are directly related to airport use of development;</b>	The Proposed Amendments will increase the passenger capacity of LLA from 18 to 19 mppa. It therefore complies with this criterion.
<b>ii. they contribute to achieving national aviation policies;</b>	The Proposed Amendments are in accordance with the APF which supports the growth of regional airports across the UK and making better use of existing runways at all UK airports to improve performance, resilience and passenger experience,
<b>iii. are in accordance with an up-to-date Airport Master Plan published by the operators of London Luton Airport and adopted by the Borough Council;</b>	An up-to-date Masterplan produced by LLAOL for 19 mppa is submitted as part of the accompanying application and the Proposed Amendments are in accordance with this document.
<b>iv. they fully assess the impacts of any increase in Air Transport Movements on surrounding occupiers and/or local environment (in terms of noise, disturbance, air quality and climate change impacts), and identify appropriate forms of mitigation in the event significant adverse effects are identified;</b>	The supporting ES Addendum assesses the environmental impacts of the Proposed Amendments. The ES Addendum found that there would be significant adverse effects in relation to noise and health. Noise insulation would be offered to minimise the effects of noise to those properties above the SOAEL. . In terms of air quality and climate change the ES Addendum found there would be no unacceptable impacts. The Proposed Amendments therefore complies with this criterion. The environmental impacts of the Proposed Amendments are considered further in this Planning Statement in section 6 below.
<b>v. achieve further noise reduction or no material increase in day or night time noise or otherwise cause excessive noise including ground noise at any time of the day or night and in accordance with the airport's</b>	The supporting ES Addendum assesses the noise effects of the Proposed Amendments. It concludes that the Proposed Amendments will not cause unacceptable adverse noise effect for any properties. However, expansion will result in significant noise effects above 1dB at night-time compared to the existing situation. Therefore these are considered to have the potential significant effects. Whilst 1,877 dwellings will experience noise levels that

Policy LLP6 criteria	Assessment of Proposed Amendments
<b>most recent Airport Noise Action Plan;</b>	are considered significant, all of those properties will be offered mitigation in the form of noise insulation to minimise the effects of noise. The Proposed Amendments therefore complies with this criterion.
<b>vi. include an effective noise control, monitoring and management scheme that ensures that current and future operations at the airport are fully in accordance with the policies of this Plan and any planning permission which has been granted;</b>	Luton Airport will continue to operate its noise control, monitoring and management scheme, in accordance with its Noise Action Plan and operational measures to minimise noise effects. The Proposed Amendments would therefore continue to comply with this criterion
<b>vii. include proposals that will, over time, result in a significant diminution and betterment of the effects of aircraft operations on the amenity of local residents, occupiers and users of sensitive premises in the area, through measures to be taken to secure fleet modernisation or otherwise;</b>	The ES Addendum explains that noise levels will reduce by 2028. Properties that experience an increase in noise above the SOAEL will be offered mitigation in the form of noise insulation to minimise the effects of noise. With this mitigation, the Proposed Amendments therefore comply with this criterion.
<b>viii. incorporate sustainable transportation and surface access measures that, in particular, minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Luton Airport Surface Access Strategy;</b>	The accompanying Transport Assessment concludes that expansion can occur without causing any significant negative impacts in terms of the capacity of the existing transport network. The accompanying Travel Plan explains that there has been a positive evidence based history of sustainable mode shift at the airport. As a result more ambitious sustainable mode share targets have been set, as set out in detail in the Travel Plan. The introduction of the Direct Air-Rail Transit (DART) in 2021 will further increase mode shift. The Proposed Amendments therefore complies with this criterion.
<b>ix. incorporate suitable road access for vehicles including any necessary improvements required as a result of the development.</b>	No physical access works are required to enable the Proposed Amendments as outlined in the Transport Assessment.

## 6.3 Capacity

- 6.3.1 In order to achieve the MBU policy goal, it is necessary to establish that LLA has the capacity available to increase the passenger cap from 18 to 19 mppa. The capacity of airport facilities across landside and airside have been assessed through the airport masterplan, drainage and water infrastructure assessment and site waste management plan.

### Airport masterplan

- 6.3.2 The 19 mppa airport masterplan by IDOM assesses the capacity requirements for the terminal building across check-in, boarding pass control, security screening, waiting lounge, boarding gates, immigration, baggage reclaim, customs, and arrivals hall. It also assesses the airfield facilities across aprons, taxiways and the runway.
- 6.3.3 It identifies that there are sufficient existing runway, taxiways and aprons capacity, with 43 Code C commercial stands currently available at LLA. The existing airfield facilities are therefore wholly capable of accommodating 19 mppa.

- 6.3.4 Whilst most of the landside facilities also have sufficient capacity for 19 mppa, some minor capacity shortfalls have been identified for landside facilities. These areas are across self-service kiosks, waiting lounge the immigration hall. However, these facilities can increase their capacity through minor internal refurbishment works, which would not constitute development requiring planning permission as defined by the Town and Country Planning Act 1990.
- 6.3.5 The installation of 27 self-service kiosks covering an area of 183m<sup>2</sup> in front of the check-in counters would be sufficient to accommodate the additional 1 mppa to reach the 19 mppa within the Proposed Amendments.
- 6.3.6 The minor shortfall of 23 public seats in the waiting lounge needed for 19 mppa would be compensated by the 120 seats located in the food and beverage facilities which are currently in excess of requirements. As such no additional public seats are anticipated to be needed in the waiting lounge to accommodate 19 mppa.
- 6.3.7 The minor capacity shortfall in the immigration hall derives from the current queuing layout. The capacity needed for 19 mppa can be achieved by reconfiguring the existing queuing area distribution and introducing one additional manual passport control booth.
- 6.3.8 As such, it is evident that LLA has sufficient landside and airside capacity (with minor internal refurbishment works) available to accommodate 19 mppa.

### Drainage and water infrastructure

- 6.3.9 A Drainage and Water Supply Infrastructure Appraisal is submitted in support of the Proposed Amendments. An assessment has been made of the existing surrounding public infrastructure conveying contaminated surface and foul water as well as the incoming water supply.
- 6.3.10 The proposal to increase capacity to 19 mppa is likely to cause an increase in volumetric discharge of foul water from the terminal building and incoming aircraft as well as volumetric demand on the incoming water supply.
- 6.3.11 There is very limited processing capacity at the downstream East Hyde sewage treatment works, therefore, an increase in the peak discharge of foul effluent from the airport would not be acceptable. To ensure additional pressures are not placed on the East Hyde sewage treatment works, LLAOL have agreed to restrict the peak passenger throughput to the current levels in effect under 18 mppa via a planning condition to be attached to the planning permission. The proposed condition will restrict the hourly and two hourly declared terminal passenger flow capacity of the airport to the levels declared to the independent statutory aircraft slot coordinator (Airport Coordination Limited). The proposed wording of the condition is as follows:
- "The hourly and two hourly declared terminal passenger flow capacity of the airport shall not exceed the maximum terminal flow capacity levels declared in Summer 2019 (as defined by rolling two hour time slots for all arriving and departing international and domestic passengers), as publicly declared to the independent statutory aircraft slot coordinator. The schedule will be coordinated by the airport slot coordinator, in line with International Air Transport Association Slot Guidelines, other national, and local regulations as agreed by the LLA Coordination committee, and all live season capacity declarations must be available on the airport's public website at all times."*
- 6.3.12 Contaminated surface water should not increase in volume or flow rate due to the increase in passengers as this is a direct product of rainfall. A small increase in de-icer concentration within contaminated surface water has been assessed as negligible given implementation of improved operational techniques and the additional aircraft movements occurring during non-winter months.

- 6.3.13 Assurances were sought from Thames Water and Affinity Water that the effect of the extra 1 mppa could be accommodated in their local networks. Confirmation of consent, based on no additional infrastructure and no increase in peak flows (demand and discharge), was received.
- 6.3.14 As such, it is evident that LLA has adequate drainage and water infrastructure available in place to accommodate 19 mppa so long as the peak hour passenger throughput remains the same as that of the existing 18 mppa scenario.

### Waste management

- 6.3.15 A Site Waste Management Plan (SWMP) has been prepared and is submitted to support the Proposed Amendments. The SWMP assessment estimates that based on the most recent annual waste data available, calculated for 18 mppa in 2019 (0.138 kg of waste/PAX), an additional 1 mppa would result in an increase in operational waste arisings of 138 tonnes/annum (6%), or, an increase of 56 tonnes/annum (2%), based on waste generation rates that applied in 2011 (0.143 kg of waste/PAX), at the time of the 2014 Planning Permission. The evaluation indicates a moderate impact on total waste arisings as a result of the Proposed Amendments, and minimal impact on the day-to-day management of operational waste. Strategies for improved management and minimisation of waste at the airport are outlined in the SWMP, with targets to reduce passenger waste rates that should further reduce the impact of Proposed Amendments on waste arisings.
- 6.3.16 LLAOL has determined that for an increase to 19 mppa there is sufficient capacity within the airport's existing infrastructure for routine operational waste arisings. The planning application does not include any physical changes to the airport terminal building and surrounding infrastructure; therefore, no waste is expected to be generated by construction, demolition or excavation activities.
- 6.3.17 The SWMP demonstrates that existing procedures for management of waste generated by the airport's operations have delivered a reduction in passenger waste rates and are consistent with the principles of the waste hierarchy; these will continue to be applied to operations under the Proposed Amendments. The actions proposed within the SWMP reinforce existing waste management procedures at LLA, ensuring the airport will continue to achieve targets for recycling and diverting waste from landfill, and providing the basis for the effective management of operational waste arising under the Proposed Amendments.
- 6.3.18 As such, it is evident that LLA has adequate waste management capacity and waste management procedures to accommodate the Proposed Amendments.

## 6.4 Socioeconomic impacts

- 6.4.1 Access to air services provides global connectivity which creates economic and social benefits. Aviation is a significant industrial sector in its own right; LLA contributed £1.8 billion to the UK GDP and 28,200 jobs across the UK. This comprises of 10,900 "direct" jobs at firms which form an integral part of the airport's operations, 8,500 jobs within firms in the supply chain, and 8,800 induced jobs supported by workers spending. Regional airports are a significant component of the wider UK aviation sector. The APF states that *"new or more frequent international connections attract business activity, boosting the economy of the region and providing new opportunities and better access to new markets for existing businesses"*.
- 6.4.2 In this context, LLA is a key economic driver within the region, delivering significant GVA and employment and providing substantial benefits to the wider economy by facilitating travel for business passengers and for inbound visitors. The connectivity provided by the airport enables the flow of trade, investment, people and knowledge that are central to globally successful regions. LLA

also plays a vital role in supporting the tourism sector, providing easy access to overseas markets, including 40 countries and 143 destinations throughout Europe, the Middle East and Africa.

- 6.4.3 The Proposed Amendments would deliver more economic benefits than the 'do-nothing' scenario (i.e. maintaining operations under the Original Planning Permission).
- 6.4.4 LLA intends to provide one-off grants between £12,000 and £15,000 to local councils to be used to provide community improvements.

## 6.5 Environmental Impacts

- 6.5.1 An ES Addendum has been prepared to support this planning application. The topics for inclusion in the ES Addendum were agreed with LC in September 2020. The five topics agreed for inclusion ('scoped in') are:

- Air Quality.
- Climate Change.
- Health.
- Noise.
- Transport.

### Air quality

#### Planning Policy

- 6.5.2 Policy LLP6 requires that expansion at the airport must fully assess the impacts of any increase in Air Traffic Movements on air quality. Policy LLP38 requires that evidence is produced to demonstrate whether the development will have an adverse impact on air quality.

#### Types of Pollutants

- 6.5.3 Air quality refers to the concentrations of pollutants in the air that people breathe. Poor air quality is associated with a number of health problems, especially respiratory conditions; it can also affect vegetation and sensitive ecosystems. The main pollutants of concern for the Proposed Amendments include:
- Gases, oxides of nitrogen (NOX) and nitrogen dioxide (NO<sub>2</sub>).
  - Fine particulate matter (PM10 and PM2.5) in relation to concentrations in air.
  - Nutrient nitrogen and acidity in relation to deposition.
- 6.5.4 NO<sub>2</sub> and NOX are produced by burning fuel. This includes aircraft engines, vehicle engines, road transport, and boilers for heating homes and offices.
- 6.5.5 PM10 and PM2.5 are produced by the same processes in addition to wear from tyres and brakes on road vehicles and aircraft.
- 6.5.6 Legally binding limits on key pollutants are established in European and UK law for the protection of human health and ecosystems; the planning policy context pertaining to air quality, meanwhile, is set out in Policy LLP38 of the development plan and paragraph 181 of the NPPF. Together, this legislative and policy framework seeks to mitigate air pollution arising from development and

sustain and contribute towards compliance with relevant limit values or national objectives for pollutants.

### Geographic Extent

- 6.5.7 Previous studies have shown that pollutant concentrations around airports approach background levels on a distance scale of a few kilometres (km) or less from key airport sources. This sets the spatial scale of the area over which airport-related effects on local air quality have been assessed. Aircraft in the air have a limited impact on ground-level pollutant concentrations, with off-airport concentrations being dominated by emissions on the ground being blown horizontally, rather than dispersing downwards from overhead aircraft.
- 6.5.8 Consideration of the principal routes used by airport-related traffic suggests that for air quality purposes, it is sufficient to consider traffic on the A1081, the A505, and selected other roads within a few kilometres of the site. The M1 motorway between Junctions 9 and 11A have also been considered.

### Existing Concentrations

- 6.5.9 Existing concentrations of NO<sub>2</sub>, NO<sub>x</sub>, PM10 and PM2.5 around London Luton Airport are typical of urban background locations in England and all fall below the Air Quality Objectives. At roadside and kerbside locations, concentrations of NO<sub>2</sub> are higher depending on local traffic conditions, and the exact location of the monitor relative to the road.

### Predicted Concentrations in relation to the Proposed Amendments

- 6.5.10 The ES Addendum concludes that the Proposed Amendments will cause a small increase in NO<sub>2</sub>, PM2.5 and PM10 concentrations at some locations where there may be short-term exposure over the course of a year. There will also be a small increase close to the M1 near Junction 11. However, all concentrations will remain comfortably within legal limits and any breaches of these limits are predicted to be very unlikely. A contour plot of total annual mean NO<sub>2</sub> for the Proposed Amendments is shown in Figure 6.1 of the Environmental Impact Assessment Volume 1: Non-Technical Statement of Environmental Statement Addendum, and a contour plot of the emissions, showing the increase due to the Proposed Amendments, relative to the existing position is shown in Figure 6.2 of the Environmental Impact Assessment Volume 1: Non-Technical Statement of Environmental Statement Addendum.
- 6.5.11 The ES also concludes that impacts from NO<sub>x</sub>, nitrogen build-up and acid build-up, at all ecological sites are not predicted to be significant.

### Summary

- 6.5.12 Overall, in respect of air quality, the Proposed Amendments will not have any unacceptable impact on air quality and is therefore compliant with Policy LLP6 and LLP38 of the development plan and the NPPF.

## Climate change

### Types of Pollutants

- 6.5.13 The effect of the increase in Green House Gas (GHG) emissions from the Proposed Amendments on the environment is considered in the ES Addendum. It identifies the extent to which the magnitude of emissions from the 'with development' case (representative of a 19 mppa airport) compared to

'without development' case (representative of 18 mppa) affects the ability to meet national budgets and targets for climate change.

### Legislative Position

- 6.5.14 The core legislation that is of relevance to the assessment is the Climate Change Act 2008, as amended in 2019. The Act commits the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline ('the UK carbon target'). The UK carbon target is now often referred to as 'net zero'. The Act also requires the Secretary of State to set successive five-year carbon budgets ('the UK carbon budgets') to meet the UK carbon target for 2050.
- 6.5.15 International aviation is not part of the 'net UK carbon account' and so is not included in the UK carbon target or the UK carbon budgets, but the UK carbon budgets are to be set 'having regard to' international aviation. In practice, successive carbon budgets have been set allowing for 'headroom' for what is sometimes referred to as the 'planning assumption' (also referred to as the 'aviation target'). The 'planning assumption' that has been allowed for in all carbon budgets in the UK to date is 37.5Mt CO<sub>2</sub>e.
- 6.5.16 At a local level there are no binding GHG targets, although the LC Climate Change Action Plan, published in 2019, sets out a commitment that Luton will aim *"for net zero carbon in advance of the national target in 2050"*. LC has an aim for the borough to be carbon neutral by 2040, but the Action Plan *"does not describe how the borough as a whole will reach carbon neutrality"*. As a result, the climate assessment considers the non-aviation GHG emissions which would result from the Proposed Amendments within the context of a 2040 carbon neutral Luton Borough, with an acknowledgement that the policy landscape may evolve significantly.
- 6.5.17 The planning policy context pertaining to climate change is set out in Policy LLP37 and LLP38 of the development plan and paragraph 150 of the NPPF. Together, this legislative and policy framework seeks to mitigate air pollution arising from development and sustain and contribute towards compliance with relevant limit values or national objectives for pollutants to minimise climate change.

### Geographic Extent

- 6.5.18 The ES Addendum considers GHG emission sources for operational activities associated with the Proposed Amendments. This includes:
- The GHG emissions resulting from activities within the application site (e.g. buildings and airside operations).
  - Activities outside of the application site that are emitted as a direct result of the Proposed Amendments (e.g. aviation emissions and surface access emissions).
- 6.5.19 It should be noted that there are there are no construction activities associated with the Proposed Amendments.
- 6.5.20 The receptor for each GHG emissions source is the global climate. Given the global impacts of climate change and the globally-recognised requirement to limit GHG emissions to maintain global average temperature increase below 2°C, as laid out in the Paris Agreement, the receptor is considered highly sensitive to emissions. GHG emissions to the receptor are considered direct and negative, and the effects on the receptor are permanent.

### Concentrations predicted as a result of the Proposed Amendments

- 6.5.21 The ES Addendum starts from a baseline of GHG emission in 2019. It then compares a 'without development' case (representative of an 18 mppa airport) against the 'with development' case (i.e. the proposed 19 mppa airport).
- 6.5.22 To represent projected market and policy trends, improvement factors for carbon emission reductions in the future have been embedded into the GHG assessment. The climate assessment has therefore been based on a range of scenarios to reflect the uncertainties in projections:
- Upper emission scenario: This scenario assumes a relatively small amount of GHG emissions reductions in the areas listed above, and thus represents a conservative projection.
  - Central emission scenario: This scenario aligns with current or anticipated policy and market trends in the majority of areas listed above. In some cases, a central point between the upper and lower scenario is used.
  - Lower emission scenario: this scenario assumes more substantial improvements in GHG emissions reductions in the areas listed above, and thus represents an optimistic projection.
- 6.5.23 The emissions are then calculated for a range of years from 2024 to 2050. It shows that relative to the 2019 baseline, total GHG emissions in the 'with development' case decrease in all future scenarios.
- 6.5.24 GHG emissions in the 'with development' case peak in the 2024 assessment year in all future scenarios. This is primarily due to fact that passenger forecasts for the Proposed Amendments are assumed to be constant beyond 2024 while efficiency improvements continue.
- 6.5.25 In 2050, total GHG emissions in the 'with development' case are below 2019 baseline values in all scenarios.
- 6.5.26 The findings of the assessment of projected GHG emissions associated with the Proposed Amendments against the key tests can be summarised as follows:
- For international aviation emissions, the 'with development' case represents 1.85 – 2.18% of the planning assumption of 37.5 MtCO<sub>2</sub>/yr in 2050. This is less than LLA's share of actual baseline international aviation GHG emissions from flights departing the UK in 2019 (2.82%). The GHG emissions associated with the proposal itself are 0.05 – 0.06% of the 37.5 MtCO<sub>2</sub>/yr planning assumption in 2050.
  - For all other GHG emissions, residual emissions associated with the Proposed Amendments (i.e. the increase in emissions between the 'with development' and 'without development' case), once offsetting commitments have been considered, are 1.99-52.64 ktCO<sub>2</sub>e/yr.

### Mitigations

- 6.5.27 The adoption of mitigation measures (as set out in the Carbon Reduction Plan) to reduce airport building and ground operation emissions, and the Travel Plan to reduce surface access emissions, would enable the GHG emissions associated with the Proposal to be mitigated where possible.
- 6.5.28 LLAOL has also committed to produce a Carbon Reduction Plan. This will set out the roadmap for achieving a net zero airport for Scope 1 and 2 emissions, as well as indicating the approaches by which LLAOL can influence Scope 3 emissions. An outline version of the Carbon Reduction Plan will be produced during the consideration of this ES, and ahead of the determination of the planning application. The three categories (Scope) of emissions are as follows:

- Scope 1 emissions relate to gas use, diesel for fleet vehicles, heating/red diesels and refrigerants.
- Scope 2 emissions relate to grid electricity.
- Scope 3 relate to other indirect emissions from third party diesel usage for vehicles.

6.5.29 LLAOL has also committed to annually report GHG emissions through annual carbon footprinting, which will be publicly available.

### Summary

6.5.30 The proposed scheme:

- Is very unlikely to materially affect the ability of the UK Government to meet the 37.5 MtCO<sub>2</sub>/yr 'planning assumption' for UK international aviation GHG emissions in 2050.
- Is unlikely to materially affect the ability of the UK Government to meet its carbon targets for net zero in 2050, on the basis that a Carbon Reduction Plan is produced.
- Is unlikely to materially affect the ability of LC to meet its carbon neutral borough by 2040 aim, on the basis that a Carbon Reduction Plan is produced.
- Is consistent with the NPPF requirement for developments to 'support the transition to a low carbon future in a changing climate', on the basis that a Carbon Reduction Plan is produced.

6.5.31 The Proposed Amendments are considered to have a low GHG emissions magnitude, and the overall effect of projected GHGs associated with the Proposed Amendments on the global climate is considered minor adverse, and therefore not significant based on the commitment for further mitigations. The proposal is therefore considered to be in compliance with Policy LLP37 and LLP38 of the development plan and the NPPF.

## Health

### Planning Policy

6.5.32 The NPPF recognises the role of the planning system in creating healthy communities and in this regard, the policies of the Development Plan seek to promote health and well-being.

### Key Issue

6.5.33 As the proposed application seeks a variation to condition 10 which relates to noise contours, the health chapter of the ES Addendum focuses on the noise implications on health.

### General Population

6.5.34 While the individual noise increase is small across the whole affected population, the change in magnitude is judged to be minor to moderate adverse due to the existing baseline conditions of LC. Residents are expected to be significantly affected by an increase in noise between 51 - 68 dB LAeq 16hr (daytime), and 45 - 62 dB LAeq 8hr (night-time), both through an increase in noise exposure indoors (including with windows open and closed) as well as outdoors (amenity value of public open and recreational green spaces). LLA will provide noise insulation to reduce noise exposure indoors to properties who would experience noise above the Significant Observed Adverse Effect Level (SOAEL) – more details on this definition is set out in the noise chapter of the

ES Addendum and the Noise section below – though this insulation will not reduce the noise exposure indoors with windows open and noise exposure outdoors.

### Workers and Visitors

- 6.5.35 The individual noise increase is small across the whole affected population, the change in magnitude is judged to be minor for workers and visitors because they have a specific reason to be in the area with immediate short-term benefits which make it easier for them to adapt to, or not discern, small increases in noise. Workers and visitors are expected not to be significantly affected by an increase in noise between 51 - 68 dB LAeq 16hr (daytime) and noise between 45 - 62 dB LAeq 8hr (night-time) due to noise associated with the Proposed Scheme.

### Hospitals, Nursing Homes and Schools

- 6.5.36 Users of hospitals and nursing homes are highly sensitive to noise. Schools could experience moderate change when taking account of children's activities outdoors in school playgrounds and playing fields. Noise-sensitive non-residential facilities are expected to potentially experience significant affects during daytime and night-time as a result of the Proposed Scheme.

### Public Open Spaces

- 6.5.37 Public open spaces and recreational green spaces have a moderate to high sensitivity when taking into account children and older people and those with pre-existing health conditions and disabilities who may use these spaces. When taking children and older people into account, public open spaces, and recreational green spaces nearer to the airport are expected to potentially experience significant affects during daytime and night-time as a result of the Proposed Scheme.

### Health Mitigation Measures

- 6.5.38 In order to minimise effects on health, LLAOL will increase contributions to the Noise Insulation Fund with an increased budget of £400,000 in 2021, £900,000 in 2022 and £700,000 in 2023.

### Summary

- 6.5.39 Overall, the ES Addendum demonstrates that the Proposed Amendments will have significant adverse effects on health due an increase in noise. In order to minimise this effect, all properties that will experience a level that is identified to have potential significant health effects will be eligible for noise insulation to minimise the effects of noise. In addition, the airport will continue to implement current noise mitigation measures. With this mitigation the Proposed Amendments are compliant with the NPPF and the development plan.

## Noise

- 6.5.40 In the ES the assessment of noise considers the effects on occupiers of residential properties and non-residential premises within the vicinity of the airport from changes in the noise environment as a result of the Proposed Amendments.

### Planning Policy

- 6.5.41 The planning policy context pertaining to noise is set out in Policy LLP6 of the development plan and paragraph 170 of the NPPF.

### Effect Levels

- 6.5.42 There are four 'Effect Levels' relevant to the assessment of noise. The three associated levels with the assessment are:
- **LOAEL:** Lowest Observed Adverse Effect Level – this is the level above which adverse effects on health and quality of life can be detected.
  - **SOAEL:** Significant Observed Adverse Effect Level – this is the level above which significant adverse effects on health and quality of life occur.
  - **UAEL:** Unacceptable Adverse Effect Level – this is the level above which extensive and regular changes in behaviour and/or an inability to mitigate the effect of noise leading to psychological stress or physical effects occurs.
- 6.5.43 For the purposes of the assessment a range of scenarios were considered for comparison for the period from 2021, the start of variation, to 2028, the year at which the noise contours in the proposed variation of condition 10 will be reduced to 15.5 sq km for daytime noise and 35.5 sq km for night-time noise.

### Assessment

- 6.5.44 When comparing all the assessment scenarios (2021 18 mppa, 2022 18 mppa, 2023 18 mppa, or 2024 19 mppa) against the noise levels allowed for in the existing condition 10, the difference in noise levels in the daytime would not be significant. However, at night-time it would be significant due to increases of 1 - 1.9 dB for: 144 dwellings (2021 18 mppa), 1,877 dwellings (2022 18 mppa), 1,877 dwellings (2023 18 mppa), 1,470 dwellings (2024 19 mppa), experiencing noise above SOAEL. When comparing 2028 19 mppa noise levels with the existing Condition 10 for that year, the results show that noise level differences during both the daytime and night-time in 2028 would not be significant.
- 6.5.45 When comparing 2028 19 mppa noise levels against the noise levels as would have been predicted in the 2012 ES (with 12.5 mppa flows, but taking into account updated methodologies), noise level differences during both the daytime and night-time in 2028 would not be significant.

### Summary

- 6.5.46 The ES concludes that more dwellings would be predicted to experience noise above the LOAEL, SOAEL, and the level identified with the onset of significant annoyance for most scenarios from the Proposed Scheme. The exception to this is less residents are predicted to experience noise above SOAEL during the night-time when compared with the 12.5 mppa 2028 future baseline updated scenario.
- 6.5.47 The worst case-year for the number of residences above SOAEL is 2022, when 1,877 dwellings would be predicted to experience noise above SOAEL with the Proposal in comparison with the existing Condition 10 limits. The number of additional residents above the night-time SOAEL remains constant to 2023 and then decreases thereafter. Properties that experience noise above SOAEL will be eligible to apply for noise insulation to minimise the effects of increased noise.
- 6.5.48 No dwellings are predicted to be within the noise contour for UAEL for either daytime or night-time in any scenario.
- 6.5.49 Overall, the ES identifies that no properties will experience unacceptable noise levels and no properties will experience a significant adverse effect from the Proposed Amendments in the day. However, the expansion will lead to significant noise effects at night-time because of an increase in noise compared to the existing situation above a level that is identified to have potential significant

health effects. In order to minimise this effect, all properties that will experience a level that is identified to have potential significant health effects will be eligible for noise insulation to minimise the effects of noise. In addition, the airport will continue to implement current noise mitigation measures.

- 6.5.50 With this mitigation the Proposed Amendments accords with Policy LLP6 of the Development Plan and the NPPF.

## Transport

### Planning Policy

- 6.5.51 The planning policy context pertaining to surface access is set out in Policy LLP6 and LLP31 of the development plan and paragraph 109 of the NPPF.

### Assessments

- 6.5.52 To carry out an assessment of the transport related impacts of an increase in passenger numbers, as a result of the Proposed Scheme three main documents have been prepared to support the Proposed Scheme. These are a Transport Assessment, a Travel Plan, and a Car Parking Management Plan.
- 6.5.53 The purpose of these documents was as follows:
- The Transport Assessment follows on from the June 2014 Planning Permission to allow capacity at London Luton Airport to increase to 18 mppa by 2026/27.
  - The Travel Plan was developed with the objective of reviewing the latest Airport Surface Access Strategy Report and updating objectives, targets and measures based on a policy appraisal and site assessment. This assessment has been translated into a concrete action plan to be monitored periodically.
  - The Car Parking Management Plan was produced to set out what parking supply will be available to the airport for 19 mppa and how the existing car parks would be managed to operate at this increased capacity. No further capacity increases in car parking are proposed from the Proposed Scheme.

### Summary

- 6.5.54 The estimated increase in passengers from 18 mppa to 19 mppa is likely to have a very minimal impact in traffic volumes. With less than a 4% worse case increase in both the morning and afternoon peaks, it has been established with the relevant authorities (Highways England and LC) that no further assessment is needed on the transport of the Proposed Scheme.
- 6.5.55 Passenger data shows a continuous increase in public transport modal share, and, as such, the volumes of car borne traffic are likely to be significantly less going forward. This is further substantiated by the introduction of the Direct Air-Rail Transit, which is expected to come into operation in 2021. This is likely to result in a higher volume of rail patronage in the future.
- 6.5.56 Through a combination of controlled car parking capacity and pricing (monitored through the new targets set out in the Travel Plan), car parking facilities are expected to be sufficient for Proposed Scheme.

- 6.5.57 The airport has already achieved several of the targets as set in their current Airport Surface Access Strategy ahead of schedule and continues to push further with new targets for 2024. These measures will encourage passengers to use public transport as an alternative to private and single occupancy vehicles.
- 6.5.58 It is therefore considered that the Proposal accords with Policy LLP6 of the development plan and the NPPF.

## 7. Section 106 deed of variation

- 7.1.1 LLA proposes to vary the existing Section 106 agreement dated 9 October 2017 and entered into between (1) London Luton Airport Operations Limited (2) London Luton Airport Limited (3) Royal Bank of Scotland Ltd and (4) Luton Borough Council, to allow for additional payments to be made to the Noise Insulation Fund as set out in the ES Addendum. This variation will be progressed ahead of determination of the planning application by LC.

## 8. Conclusion

- 8.1.1 This Planning Statement has set out the context for LLA's Proposed Amendments to accommodate 19 mppa and has assessed the compliance of the proposal with the relevant policies of the Development Plan, NPPF and other material considerations including national aviation policy. It has summarised the results of a number of assessments which have been undertaken to support the application and has also assessed the development proposal against relevant planning policy and other material considerations. Furthermore, the statement explains the economic benefits of approving an increase from 18 mppa to 19 mppa including the positive effects on UK GDP and local employment.
- 8.1.2 National aviation policy and the Development Plan support growth and development at Luton Airport, provided that environmental effects are controlled and noise effects are minimised. The NPPF also makes clear that significant weight should be placed on the need to support economic growth. The proposal will enable Luton Airport to grow beyond 18 mppa to 19 mppa thereby supporting the economy and local jobs. The Proposed Amendments will ensure that Luton Airport continues and enhances its role as the principal international gateway for the region and a significant economic driver.
- 8.1.3 Policy LLP6 is the dedicated planning policy for LLA. This policy "makes provision for the airport to respond positively to future growth helping to safeguard Luton's key sub-regional economic contribution to jobs and wealth creation while setting a clear environment and transport framework with which to regulate future growth".
- 8.1.4 In developing its proposals careful consideration has been given to the effects of the Proposed Amendments on local communities, the environment, the transport network, and the economy.
- 8.1.5 Section 6 of this Planning Statement (with reference to the ES which includes a full assessment of the likely significant effects on the Proposed Amendments) identifies that no properties will experience unacceptable noise levels and no properties will experience significant adverse effects in the day. However, the expansion will lead to significant noise effects at night-time because of an increase in noise compared to the existing situation above a level that is identified in planning policy to have potential significant effects on health and quality of life.
- 8.1.6 In order to minimise this effect, all properties that will experience a level that is identified in planning policy to have a significant observed adverse effect will be offered mitigation in the form of noise insulation to minimise the effects of noise. The Proposed Amendments therefore complies with this criterion.
- 8.1.7 For the other topics covered in the ES, the effects are not considered significant for the following reasons:
- Air Quality – concentrations of pollution will remain comfortably within legal limits and any breaches of these limits are predicted to be very unlikely.
  - Climate change – the overall effect of projected GHGs associated with the proposal on the global climate is considered minor adverse, and therefore not significant based on the commitment for further mitigations.
  - Transport – no physical access works are required to enable the increase from 18 mppa to 19 mppa at the airport. The expansion can occur without causing any significant negative impacts in terms of the capacity of the existing transport network or car parking.

- 8.1.8 On balance, the adverse effects associated with the proposal will not be unacceptable and overall the proposal therefore accords with Policy LLP1, LLP6, LLP13, LLP31 LLP32, LLP37 and LLP38 of the development plan.
- 8.1.9 In conclusion, whilst the Proposed Amendments will result in some adverse environmental effects, these have been mitigated so far as possible. Taking into account the significant economic benefits associated with expansion of the airport to 19 mppa and considering the existing and enhanced mitigation on balance it is considered that the Proposal is compliant with the Development Plan, national planning policy and other material considerations. In-line with the presumption in favour of sustainable development advanced in the NPPF, it is respectfully submitted that the proposal to increase the annual passenger cap from 18 mppa to 19 mppa be granted planning permission.

**wood.**