

AMENDMENT SHEET

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Committee:	Development Management			
Date of Meeting:	30 November 2021			
Application Ref:	21/00031/VARCON			
Subject:	Variation of Conditions 8 (passenger throughput cap), 10 (noise contours), 22 (car parking management), 24 (travel plan) and 28 (approved plans and documents) to Planning Permission 15/00950/VARCON (dated 13th October 2017) to accommodate 19 million passengers per annum and to amend the day and night noise contours.			
Address:	London Luton Airport, Airport Way, Luton			
Applicant:	London Luton Airport Operations Limited (LLAOL)			
Report Author:	Head of Development Management			
Contact Officer:	Clive Inwards			
Implications:	Legal	<input checked="" type="checkbox"/>	Community Safety	<input checked="" type="checkbox"/>
	Equalities	<input checked="" type="checkbox"/>	Environment	<input checked="" type="checkbox"/>
	Financial	<input type="checkbox"/>	Consultations	<input checked="" type="checkbox"/>
	Staffing	<input type="checkbox"/>	Other	<input checked="" type="checkbox"/>
Wards Affected:	Wigmore			

Purpose

1. To update members on development since the Development Management Committee report was drafted.

Overview and Scrutiny Board and Executive

2. The Airport Master Plan, produced by London Luton Airport Operations Limited (LLAOL), was reported to the Overview and Scrutiny Board on 22 November 2021 in order for the OSB to provide feedback to the Executive. Following this the Airport Master Plan was reported to the Executive on 23 November 2021, where the Executive voted unanimously to adopt the use of the Airport Master Plan for the purposes of policy LLP6 B(iii) of the Local Plan.

Additional representations

3. There have been further representations received since the report to committee was published.
4. Three additional responses have been received in support of the planning application from: Wizz Air: Bedfordshire and Luton Community Foundation, together with a joint letter from the Confederation of British Industry, Federation of Small Businesses and the East of England Chamber of Commerce. These letters have been placed on the Council's planning portal, but in summary, the responses emphasise the importance of the airport to the local economy of Bedfordshire, Hertfordshire and Buckinghamshire as well as the importance of the airport operator's community trust fund in supporting small charities in the three counties.

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5. In addition three further representations opposing the proposed development have been received. One raising objections in relation to noise, climate change and air pollution (already addressed in the committee report), whilst the other two (from Birketts solicitors and Hertfordshire County Council) have been uploaded to the Council's planning portal and are addressed in more detail below.

Birketts solicitors

6. Birketts solicitors wrote on behalf of LADACAN, STAND, STAQs, SLFFL and SLAE advising that they considered the committee report to be either misleading or to have deficiencies. The specific points are addressed below.
7. **Lack of clarity:** The criticism is that the 'with' and 'without development' is not clear. This criticism is not accepted. Paragraphs 80 to 82 of the committee report specifically address this point.
8. The letter also criticises the Council for not having obtained their own independent advice on the noise impact derivation in the environmental statement. The Council also refutes this criticism. Vernon Cole BSc, MSME, MBA, CEng, MIOA, FIMechE, IIAV has provided acoustic advice to the Council on noise aspects associated with the airport. On the current application it can be seen from the Council's planning portal that there has been detailed assessment and critique of the noise implications of the proposed development by the Council's noise consultant resulting in a Regulation 25 request for further information and seeking further clarification on information within the planning application (memos dated 21.2.2021, 19.7.2021, 2.9.2021).
9. The additional noise impact has been set out in the environmental statement with the committee report summarising the position (paragraphs 108 to 144).
10. **Policy:** National and local policy in relation to noise has been extensively covered in the report. The report also identifies the number of properties that are likely to be exposed to increases in noise levels not only above the Significantly Observed Adverse Effect Level (SOAEL) but also those experiencing increases above the Lowest Observable Adverse Effects Level (LOAEL).
11. The comment that the figure could be "grossly misleading if the contouring and modelling is inaccurate" seeks to call into question the competence and integrity of those who undertook the environmental impact assessment and those who reviewed it. The assessment in the environmental statement that identifies the numbers that will be exposed to the noise level increases was undertaken by Bickerdike and Allen Partnership (who have worked at the airport for years and report to the Noise and Track Sub-Committee of the London Luton Airport Consultative Committee) as well as the Wood Group (a member of the Institute of Environmental Management and Assessment [IEMA] with the IEMA quality mark, with the professional qualifications and competencies of those who contributed to the acoustic work being set out in Appendix 1D of Volume 3 of the environmental statement), and reviewed by the Council's noise consultant.
12. The planning application and committee report are clear that permission is being sought to increase the area covered by the noise contour limits up to 2028 and that permission is sought to achieve the reduced contours by 2031 rather than the current requirement

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of 2028. This will achieve the “significant diminution and betterment of the effects on the local amenity of local residents” that were to be secured by the original application.

13. There is criticism that policies LLP37 (climate change, carbon and waste reduction and sustainable energy) and LLP38 (pollution and contamination) have not been adequately addressed in the report. There is a whole section on climate change within the report (paragraphs 90 to 107) and pollution in terms of this development predominantly relates to emissions and noise which are also addressed throughout the report (particularly paragraphs 154 to 160 and paragraphs 108 to 144).
14. The letter criticises the committee report for being silent as to whether additional jobs will be created. By itself the proposal does not create a significant number of jobs (as stated in paragraph 169 of the committee report), however, as set out in the planning application and the committee report, the airport is an important source of employment and makes a significant contribution to the local and regional economy, and the proposed development supports the airport and the economy and protects jobs.
15. In relation to the criticism of the “casual dismissal by the planning officer of the 1dB impact”, the LAeq daytime and night-time average measurement of noise is the primary metric for assessing noise associated with airports and the statements in the committee report are appropriate in terms of reporting the environmental assessment that informed the planning application. The committee report does refer to the fact that supplementary metrics were used (paragraph 116). The Council’s noise consultant had suggested supplementary assessments should be undertaken, which included the ‘over flown’ metric, and the environmental statement records these, noting however that they were presented as additional information. It is considered that the committee report appropriately addresses the issues related to noise associated with this application.
16. **Other observations:** There is a suggestion that the letter reported from LLAL (now Luton Rising) on the last page of the report could unduly influence the committee. That letter is reported in much the same way as representations from other organisations have been reported. There is no suggestion in the report that members should take into account money that the Council receives from the airport in the determination of this application.
17. **Conclusion:** Birketts suggest that the committee report should be withdrawn “so that its inaccuracies and inadequacies are fully assessed” again emphasising that the “noise modelling and baselining undertaken for the Environmental Statement need specifically to be reviewed by an independent expert and where necessary revised.” As set out in the report officers are satisfied that the environmental statement has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and that the findings of the assessment have been appropriately scrutinised by competent independent consultants, which has resulted in further information and updates being provided to address the issues identified, such that officers are able to recommend this application for approval.

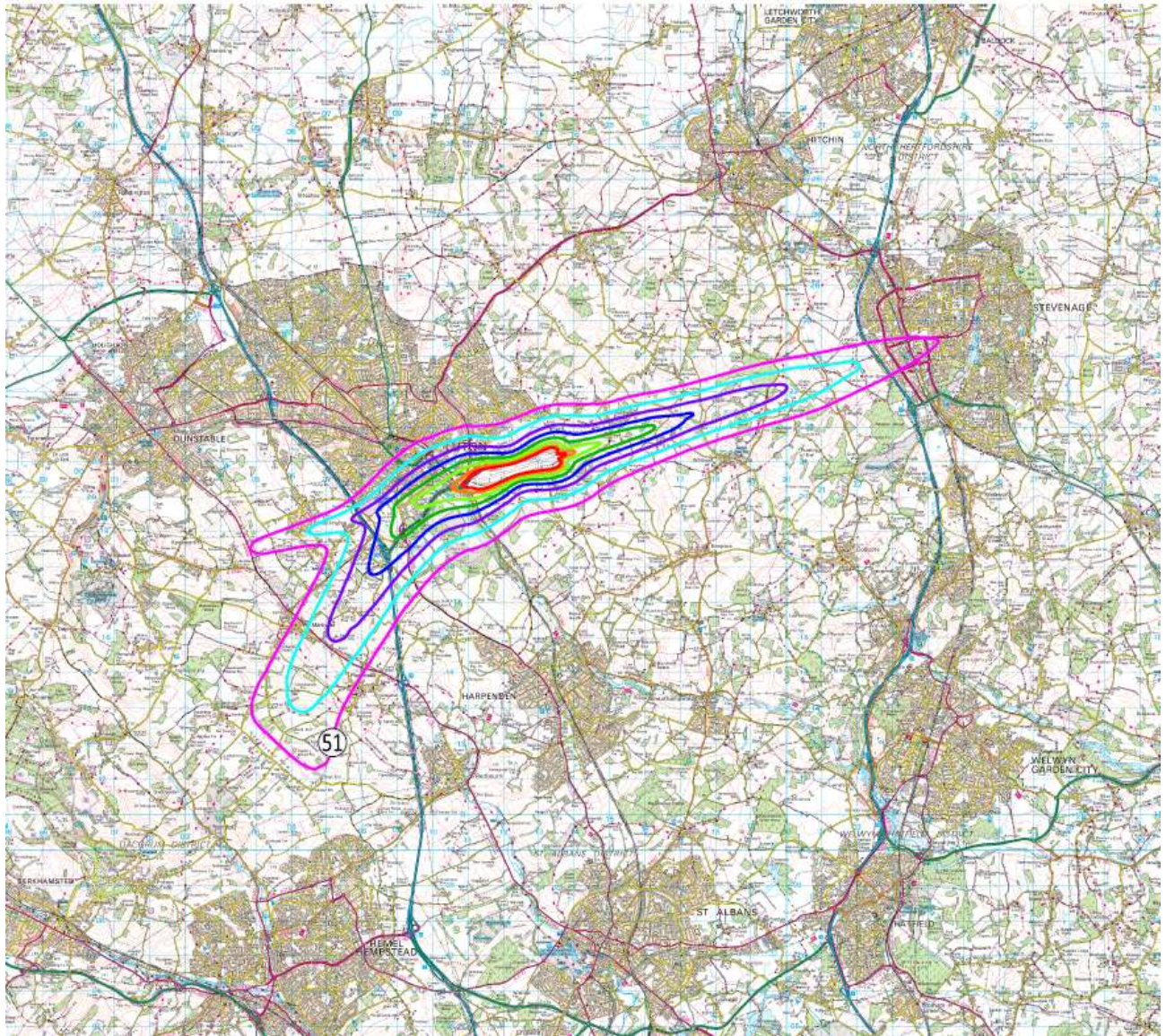
Hertfordshire County Council

18. Hertfordshire County Council (HCC) in their latest letter consider that the committee report is not sufficiently robust in the following areas:

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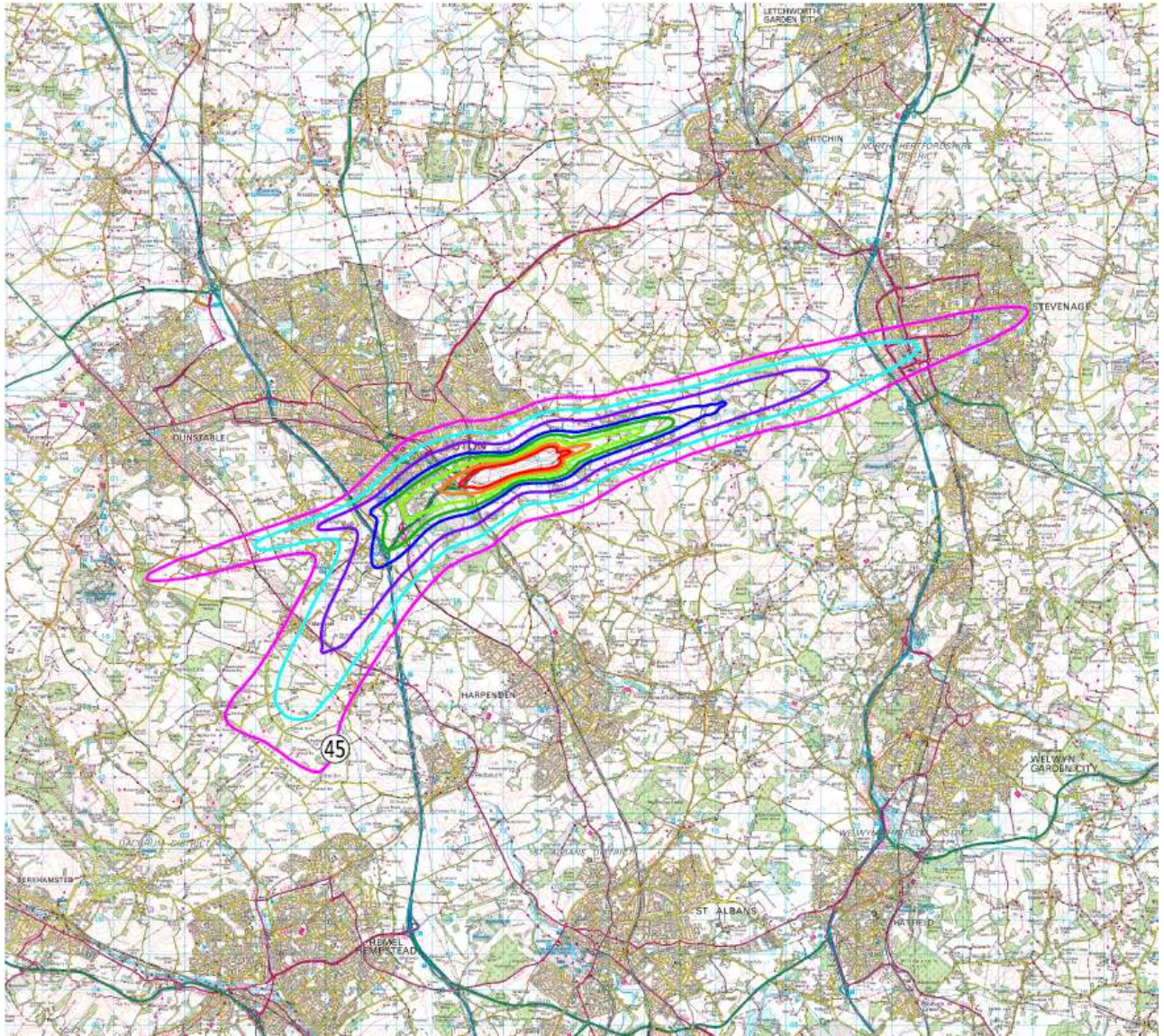
19. **With/without development:** this is similar to the point raised by Birketts solicitors, though HCC do suggest that the reference to the commitment of airlines to the acquisition of the new generation aircraft does not provide the clarity that the committee would require in order to make an informed decision. HCC, like Birketts, call for the Council to commission independent advice associated with the modelling of the noise contours. As noted above, external consultants have advised the Council as local planning authority and have scrutinised the environmental statement, identifying shortcomings and/or areas in need of clarification, which has resulted in updates upon which re-consultation has taken place on a number of occasions. The consultants are fully cognisant of the report to Committee and the recommendation for approval.
20. In relation to the fleet mix and the contour calculation, at the time of the original application (2012) there were no new generation aircraft at Luton, with the forecast for the first to be added to the fleet being 2017 (belonging to easyJet). That was based on the airlines published forecasts and business plans and has proved to be accurate. The forecasts in the current application takes the same approach, as recorded in paragraph 123 of the Committee report, and the reference to Appendix 1B that was submitted with the revised noise chapter to the environmental statement, is to the various scenarios covering the forecasts for 2021, 2022, 2023, 2024 and 2028 (with around 30 aircraft types feeding in to these forecasts).
21. **Master Plan:** As reported to both the OSB and the Executive, the Airport Master Plan was produced by the airport operator following non-statutory public consultation undertaken by LLAOL in late 2020.
22. The Airport Master Plan covers the five core areas identified in the Aviation Policy Framework (APF), considering past trends and forecasts, potential impacts on people and the natural environment, and identifying proposals to minimise and mitigate those impacts. The Airport Master Plan accords with government guidance and it is not clear why HCC consider that it is not fit for purpose.
23. The Airport Master Plan was submitted with the planning application, though clearly the application has provided much greater detail and assessment, since the environmental statement considers in detail the impacts associated with the proposed development and the measures to mitigate and minimise those impacts (such detail not having been included in the Airport Master Plan). As such the planning application is consistent with the Airport Master Plan.
24. **Scale of economic benefits:** HCC criticise the committee report for not defining the scale of the economic benefits associated with the development. As noted above in relation to the similar criticism from Birketts solicitors, the proposed additional 1mppa will not of itself create a significant number of jobs, however, the planning application and paragraphs 168 to 177 set out the importance of the airport to Luton and the sub-region, and the proposal will protect jobs and support the airport and the local economy.
25. **Drafting observations:** under this heading HCC list a number of points re text in the committee report, these are addressed below:
 - i. HCC consider the description of 'the site' should have been broader to reflect the area affected by the contour changes. Members can refer to the contour maps below (taken from the environmental statement) showing the predicted extent of the area covered by the daytime and night-time contours for 2022:

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2022 forecast daytime contour with development

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2022 forecast night-time contour

- ii. HCC consider that the planning history should have set out the reason the previous application to amend the contours (ref: 18/00428/EIA) was submitted and subsequently withdrawn. The reason for submission and withdrawal is not of material importance to this planning application, though one reason the current application was submitted is that condition 8 (capping the numbers of passengers) would need to be varied if the quieter new generation aircraft (which have a larger seating capacity) are to be introduced to secure the noise reductions.
- iii. HCC's comments re the findings of the Council's noise consultants are noted. The committee report does summarise the position appropriately, but in addition a further note from the noise consultant is attached (Attachment 1), as is the presentation that will be made to Committee on 30 November (Attachment 2).
- iv. HCC's amplification of text in Aviation 2050, the government's Green Paper from 2018, is helpful.

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- v. Whilst HCC consider that paragraph 60 of the committee report does not provide “a very comprehensive summary” of policy LLP6 B, the policy is referenced throughout the report. However, to put the matter beyond doubt, the policy and supporting text from the Local Plan is attached in full to this amendment sheet (Attachment 3).
- vi. HCC consider that the committee report needs to clarify that the noise reductions are only equivalent to those that are required by the existing consent. The application and committee report are clear that this is the case. The point is made in the report that overall there will be a continuing reduction in noise on the basis of the future fleet mix. The presentation from the Council's noise consultant (Attachment 2) also sets this position out.
- vii. HCC are critical that the section on health fails to provide details of the numbers expected to experience noise-induced health impacts. The noise assessment clearly indicates the numbers of households that will be significantly adversely affected (both during the day and at night-time), whilst the health impacts relate to a minority of the population, which the report did reference against the health benefits identified in the original environmental statement. The wider health benefits identified in the original environmental are clearly relevant since the expansion is a continuation of the growth and furthers the benefits and attainment identified. It would be difficult to separate out precise consequences due to the 18mppa and 19mppa scenarios.
- viii. HCC are correct, it is right that the planning balance should include the health implications of the development which had been identified earlier in the committee report. There are wider population benefits, such as those associated with increased connectivity and travel (identified in national aviation policy), benefits to the workforce and economy, whilst also adverse impacts to some in the local area from increased exposure to noise (though the increase associated with the application is only for a temporary period).
- ix. HCC criticise the fact that the planning balance section did not refer to the Airport Master Plan and whether the planning application is consistent with the Airport Master Plan. As stated previously, the planning application is consistent with the Airport Master Plan.
- x. There is criticism from HCC that the conditions within Appendix 1 of the committee report do not appear to have been varied from those attached to the previous planning permission. There are two approaches with Section 73 applications:
 - a) Re-impose in full the conditions from the existing planning permission; or
 - b) Alternatively attach new or amended conditions.

In this particular case the original conditions were re-imposed with the delegation of authority to the Head of Planning (in consultation with the Council's Senior Solicitor [Planning]) to add any further conditions as considered necessary and to finalise the terms of the conditions. However, if it is of assistance to HCC, a full set of conditions is set out as a further attachment (Attachment 4).

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26. **Way forward:** HCC recommend that independent advice should be sought re the 'with/without development' scenarios, that the economic benefits need to be quantified and that drafting improvements should be made to the report "taking into account legal advice if this has not already happened". As such they recommend that the Committee postpone any decision.
27. In preparing the report officers have taken on board the advice from independent consultants and had the report reviewed by an eminent barrister. The report is clear on the scale of the noise impacts, their temporary nature and the steps that are proposed to minimise and mitigate those impacts. The report also details the limited extent of the increase in aircraft movements and sets out the economic importance of the airport to employment and the economy in Luton and the sub-region. Whilst HCC consider the benefits identified from the original planning application not to be material, this application is a variation to that permission and as such they are a relevant consideration.

Further Comment from LBC's Noise Consultant

28. In accordance with the current planning conditions the airport operator is required to submit details of the 57dB daytime noise contour and 48dB night-time noise contour for the summer period to the Council by 1 December of each year.
29. Having received the report from the airport operator for the 2021 summer period – prepared by Bickerdike Allen (ref: A11060-N63-DR_1.0) – it is clear that the pandemic has again suppressed aircraft movements, as was the case for 2020, and consequently the noise contours for the summer period in 2021 are significantly lower than those predicted in the environmental statement. The environmental statement assumed that 2021 would result in the greatest extent of the area covered by the contours, and this was then reflected in the change to condition 10 that was sought in the planning application.
30. Following a review of the Bickerdike Allen report, the Council's noise consultant advises that instead of the change originally sought by LLAOL for condition 10, this should now be altered to reflect the slightly smaller area associated with the 2022 projected movements and contours. The noise consultant's report is attached, with the Bickerdike and Allen report appended for ease (Attachment 1).
31. It is recommended that condition 10 be varied to read:

*"The area enclosed by the 57dB LAeq(16hr) (0700-2300hrs) contour shall not exceed ~~21.6 sq km~~ **21.1 sq km** for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed ~~42.9 sq km~~ **42.1 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.*

Within 12 months of 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 15.5 sq km for the area exposed to 57dB LAeq(16hr) (0700-2300hrs) and above and for night-time noise to 35.5 sq km for the area exposed to 48dB LAeq(8hr) (2300-0700) and above.

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Post 31 December 2027 the area enclosed by the 57dB LAeq16hr (0700-2300hrs) contour shall not exceed 15.5 sq km for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed 35.5 sq km for night-time noise.

Post 31 December 2030 the area enclosed by the 57dB LAeq16hr (0700-2300) contour shall not exceed 15.1 sq km for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed 31.6 sq km for night-time noise.

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

Amendment to Heads of Terms

- 32.** The recommendation included within the proposed heads of terms for the variation to the Section 106 legal agreement the recommendation that there should be included the “provision of one-off grants between £12,000 and £15,000 to local Councils to be used to provide community facilities where community facilities are exposed to noise levels above the significance thresholds.”
- 33.** Whilst this provision is welcomed by neighbouring authorities and the airport operator proposes to provide these contributions, the contributions are not compliant with Regulation 123 of the Community Infrastructure Levy Regulations and so cannot be required. It is therefore necessary to amend the recommendation to take out this reference.

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Attachment 1: Additional Note from Noise Consultant re Condition 10

Note

Title	ES Noise Clarifications		
Project	Luton Airport 19mmpa ES		
Reference	271E.NT4.1	Author(s)	VC
Date	23 November 2021	Reviewer	BH

Introduction

1.1 This note describes a variation to proposed revised Condition 10. The variation is considered appropriate since the current proposed revised condition relies on forecast contour areas for 2021 which have not materialised. The actual summer period 2021 noise contours are now available in BAP Report A11060 N63 DR 1.0 2021 Summer Contours.

ES Proposed Variation

1.2 The proposed Condition 10 set out in the Revised ES includes:

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

1.3 These limits were based on forecasts of aircraft operations in the summer period for 2021 that did not materialise, principally due to the COVID induced industry wide turn down in operations. In contrast the actual areas of the noise contours were, according to BAP Report A11060 N63 DR 1.0 2021 Summer Contours:

- Daytime 57dB(A) Leq16hr (0700-2300) = 10.9 sq km
- Night-time 48dB(A) Leq8hr (2300-0700) = 23.9 sq km

1.4 As things stand, therefore, the Revised ES is not able to justify the extent of the short-term daytime and night-time noise contour limits currently requested.

Revised Variation

1.5 Based on information set out in the revised ES, it would be more appropriate to assume that while 2021 noise contours were not as extensive as forecast, based upon all available information including recently published 2021 actual contours, the 2022 contours will closely match those forecast as worst case for the 19mmpa scenario. In this case it is advised that the revised Condition 10 wording should be amended to read as follows:

*The area enclosed by the 57dB(A) Leq16hr (0700-2300) contour shall not exceed **21.1** sq km for daytime noise, and the area enclosed by the 48dB(A) Leq8hr (2300-0700) contour shall not exceed **42.1** sq km for night-time noise, when calculated by the Federal Aviation Integrated Noise Model version 7.0-d (or as may be updated and amended) for the period up to the end of 2027.*



LONDON LUTON AIRPORT

A11060-N63-DR_1.0

26 October 2021

ACTUAL 2021 SUMMER NOISE CONTOURS

1.0 INTRODUCTION

When planning permission was given in 2014 for development at Luton Airport (Application No: 12/01400/FUL) a number of conditions were imposed. Condition 12 required that daytime and night-time contours are produced on an annual basis, for the previous summer period based on actual ATM data, and for the following summer period based on predicted ATM data. The areas of these contours are to be compared to the limits contained in Condition 12.

London Luton Airport Operations Limited (LLAOL) have retained Bickerdike Allen Partners LLP (BAP) to produce airborne aircraft noise contours for the 92 day summer period based on the actual movements for 2021.

The contours for 2021 provide part of the information that would be required to comply with Condition 12. Also required are forecast contours for 2022, and information on the current QC Annual Budget for 2021 which will be determined once the year is complete.

2.0 CONTOUR PRODUCTION

Aircraft movement data for use in the contour production has been supplied by LLAOL. Twelve night-time flights associated with the Euro 2020 football tournament were subject to a dispensation and have therefore not been included in the summer contours. The 2021 contour production methodology has been updated from that used for the 2020 contours. It retains the inclusion of terrain, and the use of the INM software (Version 7.0d), but the validation has been updated. The validation is now based on measured results in 2020 at the fixed noise monitors. This update to the contour prediction methodology is described in the BAP note A11060-N62-DR, dated 12th August 2021. The effect of the update, when tested on the 2021 Q1 night contours, was a small increase in contour area of between 2% and 4%.

The 2021 contours are based on the actual runway usage in 2021, which is shown in Table 1 below. The 2020 contours which are included for comparison are based on the actual runway usage in 2020.

Year	% of Summer Movements	
	Runway 07	Runway 25
2020 Actual	22%	78%
2021 Actual	49%	51%

Table 1: 2020, 2021 Summer Modal Split

3.0 NOISE CONTOUR RESULTS

The noise contours for 2021 are shown in the attached Figures A11060-N63-01 and A11060-N63-02. They are presented at values from 57 to 72 dB $L_{Aeq,16h}$ (daytime) and 48 to 69 dB $L_{Aeq,8h}$ (night-time). The area of each contour is given in Table 2 (daytime) and Table 3 (night-time), and compared with the corresponding 2020 contour.

Contour Value (dB $L_{Aeq,16h}$)	Contour Area (km ²)	
	2020	2021
57	12.2	10.9
60	7.3	6.3
63	4.0	3.3
66	2.0	1.7
69	1.2	1.1
72	0.7	0.7

Table 2: Area of Daytime Summer Noise Contours, 2020 and 2021

Contour Value (dB $L_{Aeq,8h}$)	Contour Area (km ²)	
	2020	2021
48	28.8	23.9
51	16.3	13.7
54	9.3	8.1
57	5.4	4.4
60	2.7	2.2
63	1.5	1.3
66	0.9	0.8
69	0.6	0.5

Table 3: Area of Night-Time Summer Noise Contours, 2020 and 2021

The 57 dB $L_{Aeq,16h}$ (daytime) noise contours for 2020 and 2021 are compared in Figure A11060-N63-03. The 48 dB $L_{Aeq,8h}$ (night-time) noise contours for 2020 and 2021 are compared in Figure A11060-N63-04.

The 2021 57 dB daytime contour is around 11% smaller than the equivalent 2020 contour. The number of daytime movements in 2021 remained similar to 2020, however the number of movements by passenger turbofan aircraft types has reduced by around 7%, which have been replaced with movements by quieter turboprop and business aviation aircraft. There was also an increase in the proportion of flights by the quieter modernised aircraft types.

The 2021 48 dB night-time contour is around 17% smaller than the equivalent 2020 contour. The number of night-time movements in 2021 was around 21% lower than in 2020. The overall fleet mix remained similar, subject to an increase in the proportion of flights by the quieter modernised aircraft types.

Around 19% of all movements in 2021 were by quieter modernised aircraft compared to around 12% in 2020. There was a particularly large increase in the proportion of movements by the Airbus A321neo.

The daytime and night-time contours for 2021 are a different shape than the 2020 contours, largely due to a change in the runway modal split. 49% of movements conducted easterly operations (used Runway 07) in summer 2021 compared to 22% in summer 2020. Compared to the 2020 contours, the 2021 57 dB daytime and 48 dB night-time contours are longer in relation to Caddington, but are narrower to the west of the airport, and much smaller to the south-west. The 2021 57 dB daytime contour is wider to the east and a similar length compared to 2020. The 2021 48 dB night-time contour is also wider to the east, but shorter than the equivalent 2020 contour.

4.0 DWELLING AND POPULATION COUNTS

An assessment has been carried out of the number of dwellings and the population within the noise contours produced for 2021. This has utilised a postcode database supplied by CACI Ltd, specifically the 2021 iteration of the database. Each postcode in the database is described by a single geographical point, and if this point is within a given contour then all of the dwellings and population in the postcode are counted as within the contour.

The dwelling and population counts are given for the 2020 and 2021 daytime and night-time contours in Table 4 and Table 5 respectively. The values in these tables have been rounded to the nearest 50, except where less than 50 when the actual value is given. The 2020 counts given here have been updated to utilise the latest postcode database, and so may differ from those previously reported.

Contour Value (dB L _{Aeq,16h})	2020		2021	
	Dwellings	Population	Dwellings	Population
57	2,550	6,200	1,250	3,300
60	750	2,000	450	1,150
63	100	350	8	20
66	0	0	0	0
69	0	0	0	0
72	0	0	0	0

Table 4: Dwelling and Population Counts for Daytime Summer Noise Contours, 2020-2021

Contour Value (dB L _{Aeq,8h})	2020		2021	
	Dwellings	Population	Dwellings	Population
48	6,450	14,800	4,550	10,400
51	3,750	8,700	2,000	5,100
54	1,550	3,950	750	2,050
57	400	1,100	150	400
60	7	16	3	6
63	0	0	0	0
66	0	0	0	0
69	0	0	0	0

Table 5: Dwelling and Population Counts for Night-Time Summer Noise Contours, 2020-2021

5.0 SUMMARY

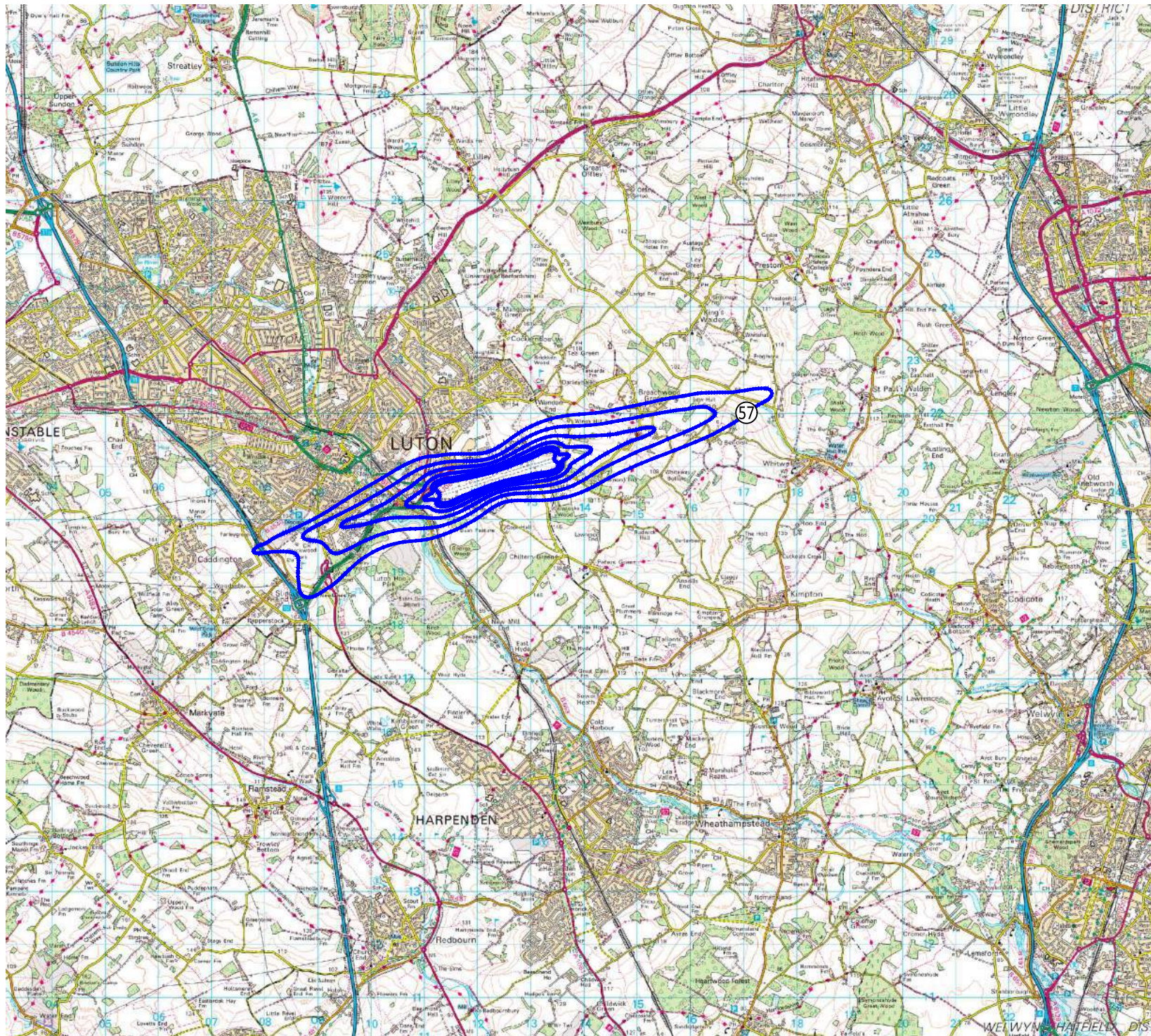
As can be seen in Table 2 and Table 3, the contours for 2021 are smaller than those for 2020. This is due to a reduction in the proportion of daytime movements by passenger turbofan aircraft types and a reduction in overall night-time movements, as well as an increase in the proportion of movements by quieter modernised aircraft types.

There has been a change in the shape of the 2021 noise contours compared to 2020, due to a higher proportion of movements conducting easterly operations (using Runway 07).

Dwelling and population counts for the daytime and night-time contours for both 2020 and 2021 have been determined based on a 2021 postcode database.

Duncan Rogers
for Bickerdike Allen Partners

David Charles
Partner



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LEGEND:

Noise Contours,

— 57 to 72 dB Laeq,16h in 3 dB steps

REVISIONS

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London Luton Airport
Regular Contouring

Airborne Aircraft Noise Contours
2021 Summer Actual Daytime

DRAWN: DR

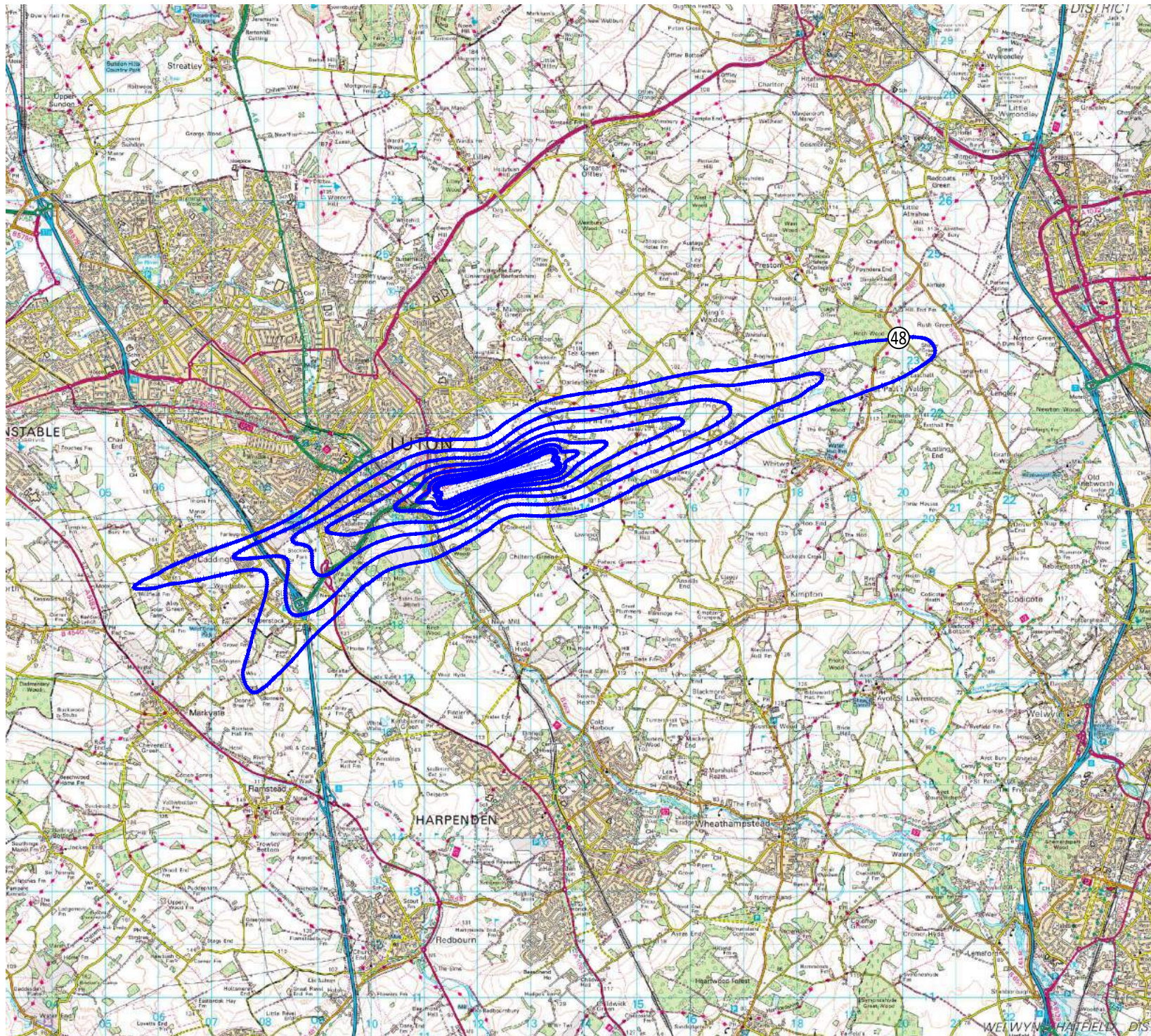
CHECKED: DC

DATE: October 2021

SCALE: 1:100000@A4

FIGURE No:

A11060-N63-01_1.0



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LEGEND:

Noise Contours,

— 48 to 69 dB Laeq,8h in 3 dB steps

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London Luton Airport
Regular Contouring

Airborne Aircraft Noise Contours
2021 Summer Actual Night-time

DRAWN: DR

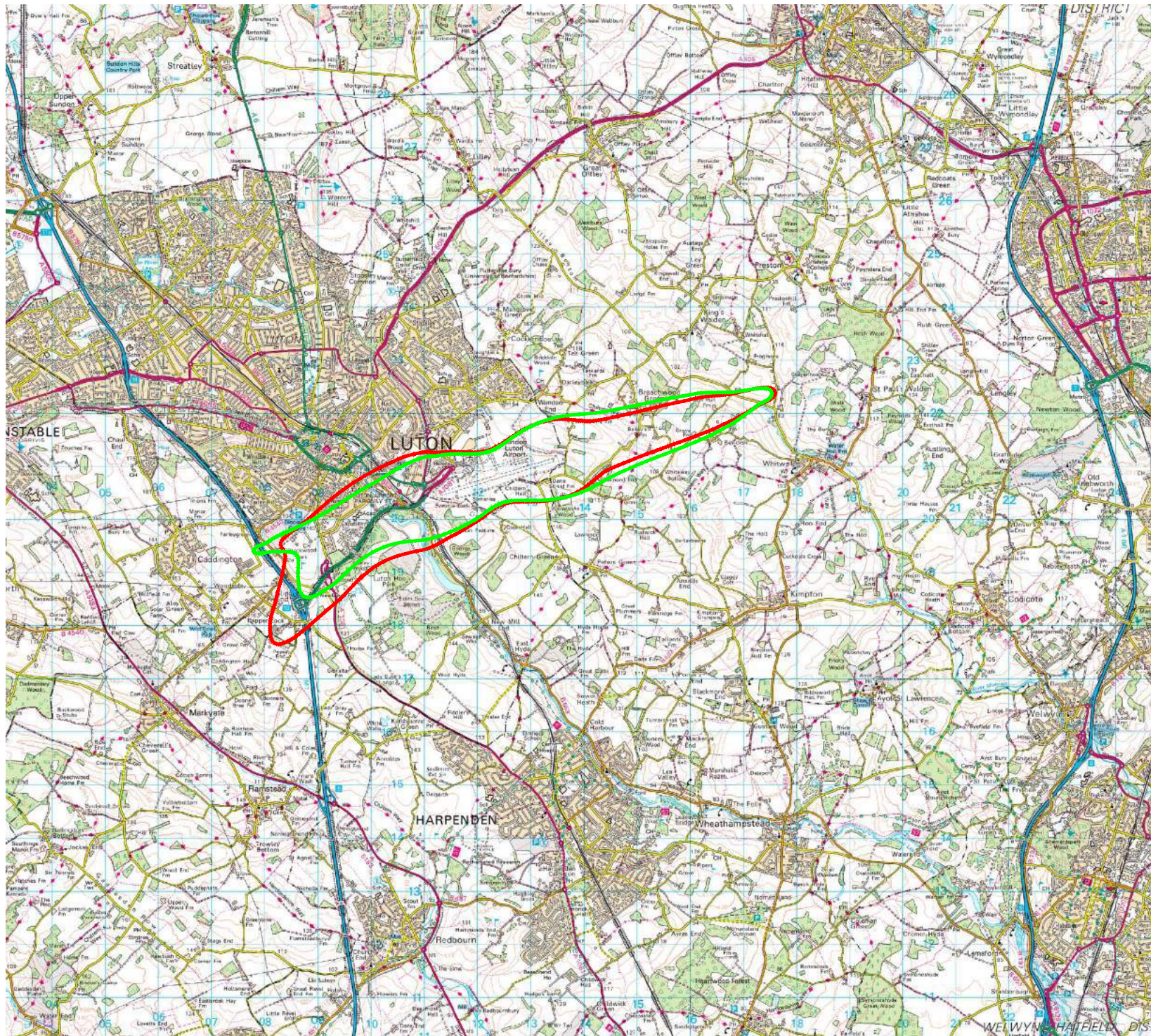
CHECKED: DC

DATE: October 2021

SCALE: 1:100000@A4

FIGURE No:

A11060-N63-02_1.0



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LEGEND:

57 dB LAeq,16h Noise Contours

— 2020 Actual

— 2021 Actual

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**London Luton Airport
Regular Contouring**

**Airborne Aircraft Noise Contours
Summer Daytime Comparison
2020 and 2021**

DRAWN: DR

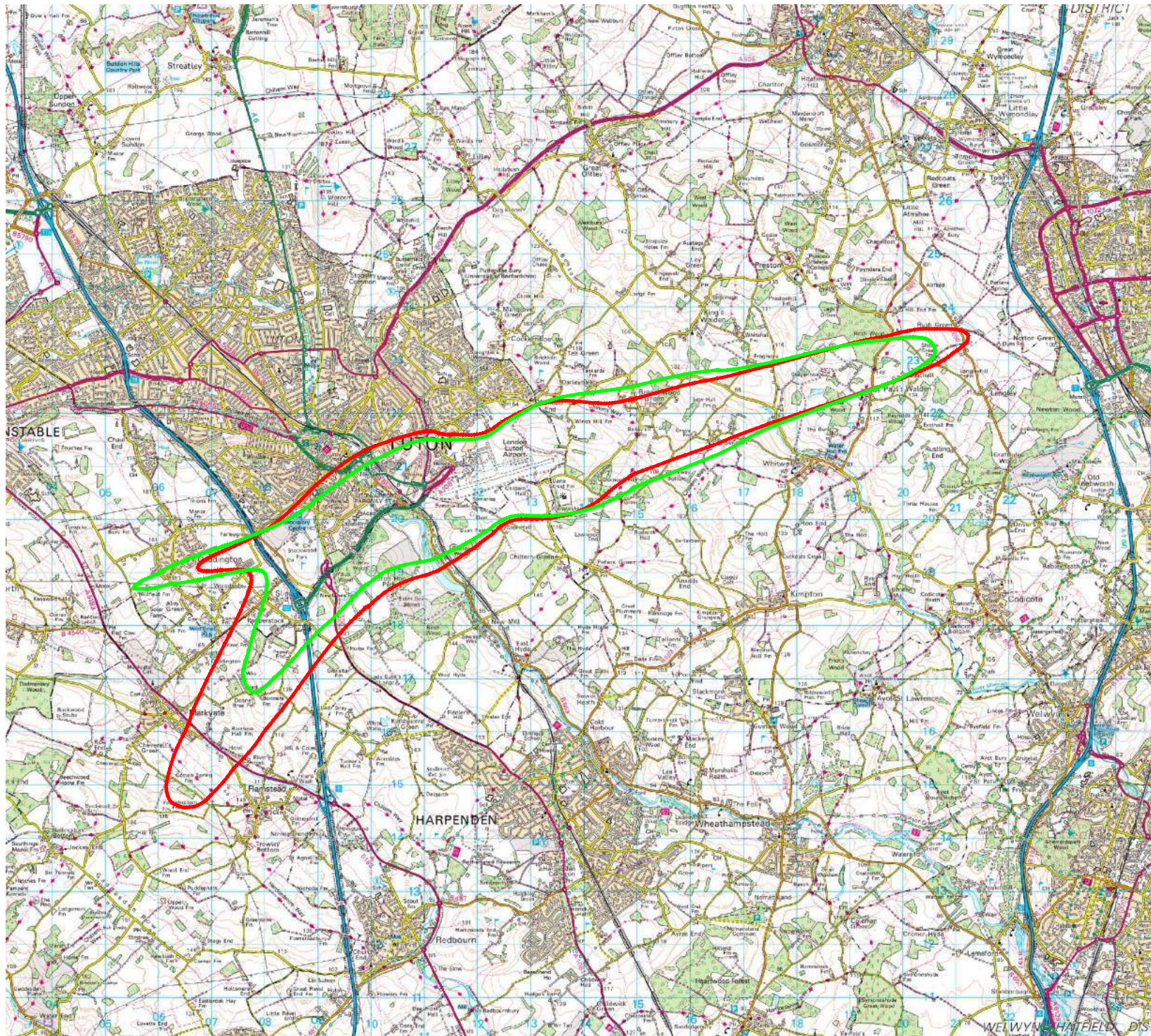
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DATE: October 2021

SCALE: 1:100000@A4

FIGURE No:

A11060-N63-03_1.0



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LEGEND:

48 dB Laeq,8h Noise Contours

— 2020 Actual

— 2021 Actual

REVISIONS

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**London Luton Airport
Regular Contouring**

**Airborne Aircraft Noise Contours
Summer Night-time Comparison
2020 and 2021**

DRAWN: DR

CHECKED: DC

DATE: October 2021

SCALE: 1:100000@A4

FIGURE No:

A11060-N63-04_1.0

AMENDMENT SHEET

Attachment 2: Noise Consultant's Presentation to Committee



Luton Airport 19mppa Noise

December 1st 2021

Luton Borough Council Committee Meeting

19mppa are forecast to be carried by 142,566 ATMs

18mppa, the passenger throughput, reached in 2019 required 141,481 ATMs

Put another way, the application is for an increase in ATMs of 0.7%

- Assuming no change in the aircraft mix this is equivalent to change in noise level of +0.03dB: effectively no change

In 2011 (2012 ES Baseline Year) there were 99,298 ATMS: 19mppa requires 43.5% increase in movements over this figure

- Assuming no change in the aircraft mix this is equivalent to change in noise level of +1.57dB: this is a minor change and, on its own, would not normally be considered to give rise to a significant impact.

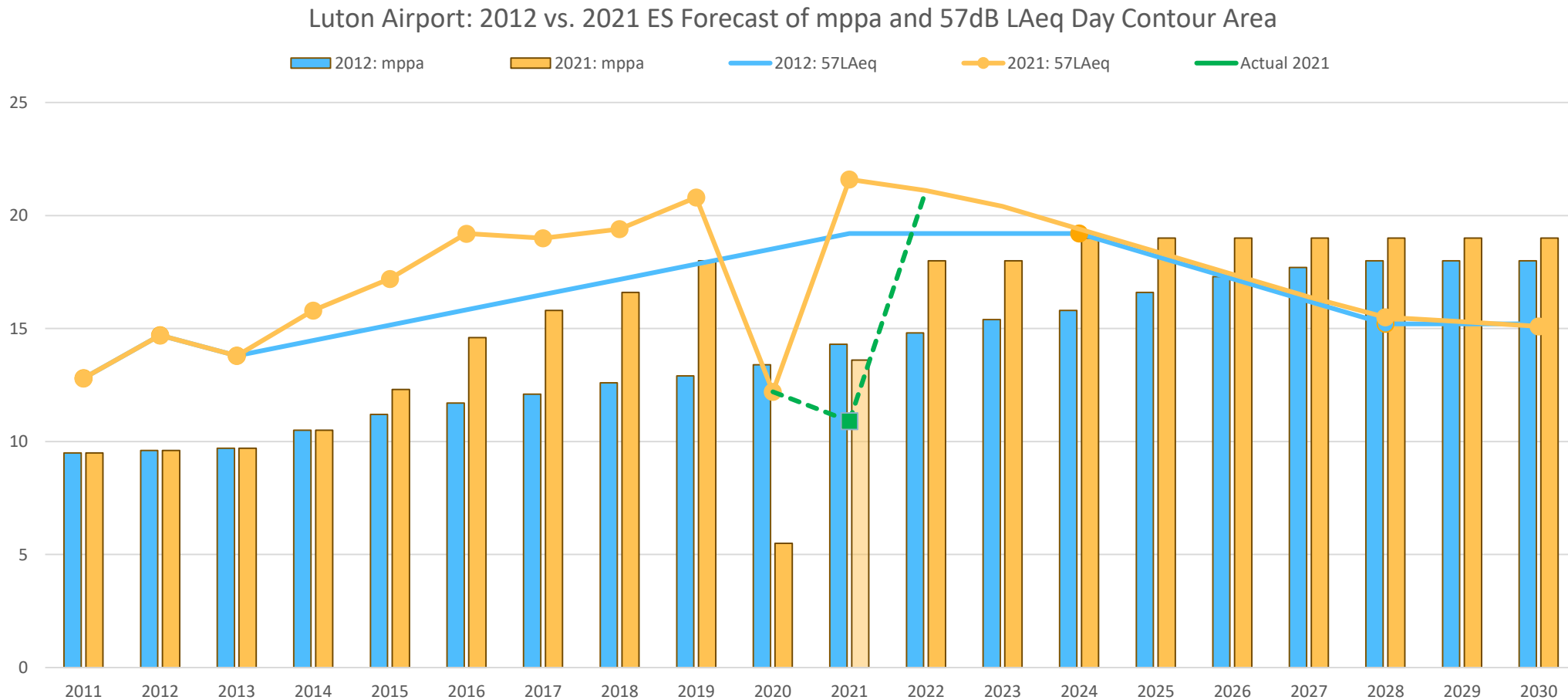
2012 ES forecast that 18mppa would require 156,840 ATMs (by 2028) : 19mppa requires fewer movements, a 9% decrease over this figure

- Assuming no change in the aircraft mix this is equivalent to change in noise level of -0.4dB: this is a minor positive change and, on its own, would not be considered to give rise to a significant impact

19mppa

Noise Timeline: Daytime

Showing passenger throughput and 57dB $L_{Aeq,16h}$ contour area: comparing the 2012ES forecasts to the 19mppa application

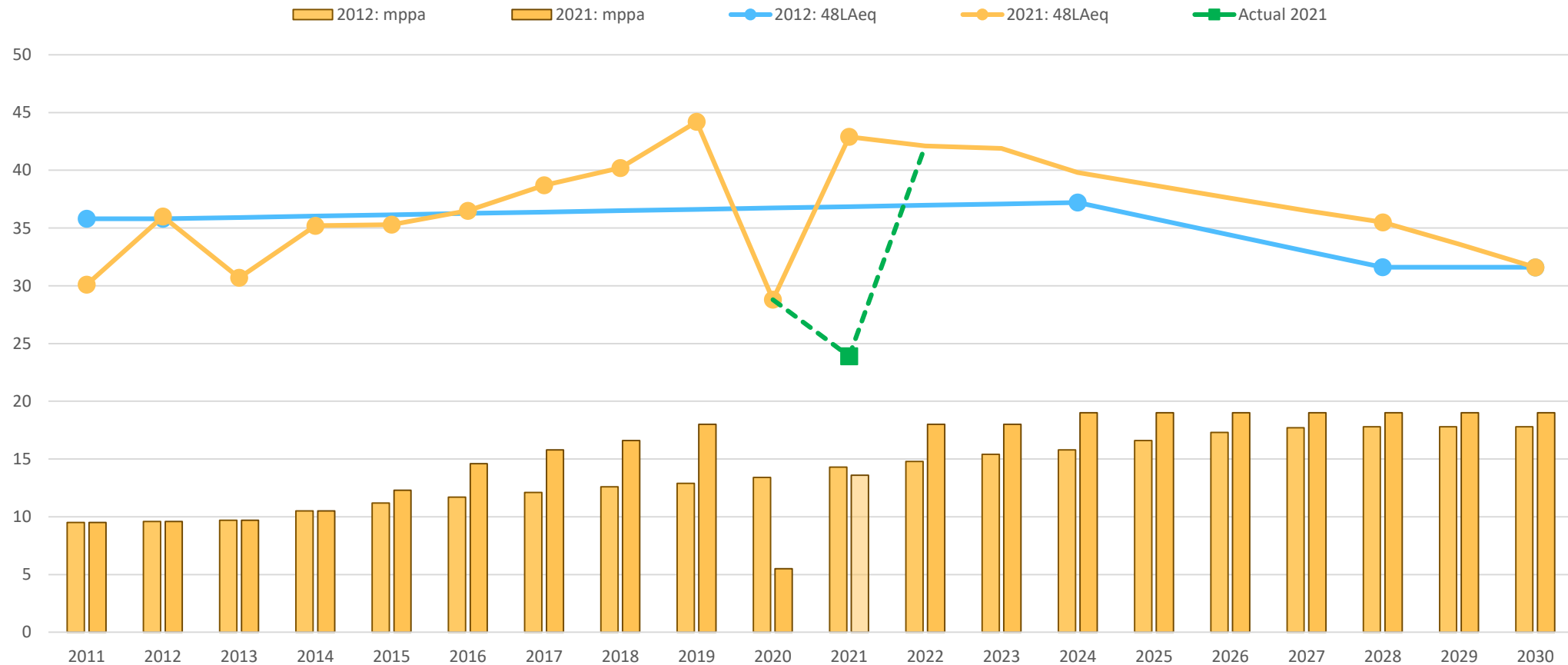


19mppa

Noise Timeline: Night-time

Showing passenger throughput and 48dB L_{Aeq,8h} contour area: comparing the 2012ES forecasts to the 19mppa application

Luton Airport: 2012 vs. 2021 ES Forecast of mppa and 48dB LAeq Night Contour Area



- The growth in passenger numbers and, therefore, ATMs has been much quicker than anticipated
- As a result, noise levels and associated contour areas have been higher than forecast between 2013 and 2019
- 18mppa was achieved in 2019, 9 years ahead of the originally forecast 2028
- 2019 noise levels were higher, even with a lower ATM figure, than forecast for 2028 and the contour limits set out in Planning Condition 10 have been exceeded in the years 2017 to 2019
- The principle reason for this is that new, lower noise aircraft have not been introduced at a rate that has kept pace with the rate of increase in ATMs
- These facts were known before the 19mppa application was made
- The effects of Covid 19 on the passenger numbers in 2020 and 2021 can clearly be seen
- The rebound suggested for 2021 according to the 19mppa ES forecasts has not materialised, so the projected passenger and noise figures in the following years may be different to what is shown
- However, the commitment for the reduced contour limits to be achieved still holds, albeit 3 years after the originally forecast 2028, the delay being principally due to Covid 19 effects
- Meeting the lower noise contour limits is a vital commitment if the application is to meet government policy aspirations

- The revised ES indicates that noise levels differences in the worst case year between the 'with development' (19mppa) case and 'without development' (18mppa Condition 10 limits) case are less than 3dB
- For daytime operations, noise level differences are less than 1dB for all assessment years. For night-time operations noise level increases are up to 1.9dB from 2021 onwards, dropping to less than 1dB by 2028
- Judged by this standard in isolation, noise effects are not significant. The Stansted Airport 35+ application assessed similar noise level changes and came to the same conclusion. This was accepted by the Inspector Panel and the SoS in granting consent for the application.
- By the applicant's own definition, however, significant noise effects are assessed due to additional dwellings being exposed to noise levels above the SOAEL at night (55dB $L_{Aeq,8h}$) while also experiencing a noise level increase of 1dB or more. The highest number is 1,877, forecast to occur in 2022
- These significant effects must be mitigated in order for the application to be acceptable in noise terms
- Note: the extent of the day and night noise contours was larger in 2019 than originally forecast in 2012 for 2028, even though for both years the passenger throughput is 18mppa. Had the 2019 noise conditions been used as the 'without development' case for the noise assessment, as opposed to the 18mppa Condition 10 limits, forecast noise effects would have been smaller

- **Forecasts:** the year-on-year operating forecasts used for the noise modelling do not reflect the actual speed of recovery from Covid 19. Future noise levels were forecast in the ES to be highest in 2021, but in actuality they were lower than in 2020. Therefore, there is a question mark as to the forecast operating numbers and attendant noise effects in future years. The extent of the change requested for the noise contours, day and night, is not justified by the analysis in the ES. As a result, it is recommended that the requested variation to the condition is altered to reflect the predicted contours for 2022
- **Aircraft Noise Levels:** The 19mppa noise analysis used more realistic noise corrections for new generation, low noise aircraft compared to the variants they are replacing. However, there are still question marks regarding the noise data used for the A321Neo.
- **Mitigation:** enhanced sound insulation is proposed as a response to significant adverse effects, and the assessment identifies the number of properties expected to qualify. A concern is that many dwellings may not benefit from the enhanced sound insulation required to mitigate significant effects in time to prevent those effects from occurring.
- **Condition 10 contour limits:** although significant noise effects associated with the 19mppa application are limited and mitigation is proposed, there have been, and will continue to be, several years in which the Condition 10 noise contour limits are exceeded. These have not been mitigated and no compensation has been offered.

- The structure and content of the ES noise chapter, although modified since the first submission, still does not present the noise case in a manner that is clearly understandable to all readers. The use of aircraft movement forecasts which do not seem to match reasonable short term expectations is not helpful
- The application offers no remedy for the excess noise experienced in the community since 2017, and expected to continue for some years in the future, arising from the much more rapid growth in ATMs than originally forecast (in the 2012ES). This had led to the Condition 10 contour limits being breached for a number of years
- Now that the analysis has been extended beyond 2028 and the noise contour limits originally applicable to that year are demonstrated as being achievable approximately 3 years later, I believe that the application is in line with government policy for airport operators to share the benefits of technological enhancements in noise reduction with affected communities
- On balance, therefore, while significant noise effects are forecast to arise, they are not sufficient in scale or extent to warrant refusal of the 19mppa application purely on noise grounds
- This is contingent on mitigation in the form of enhanced sound insulation being provided for the affected dwellings on a scale and timeline commensurate that minimises the occurrence of significant effects

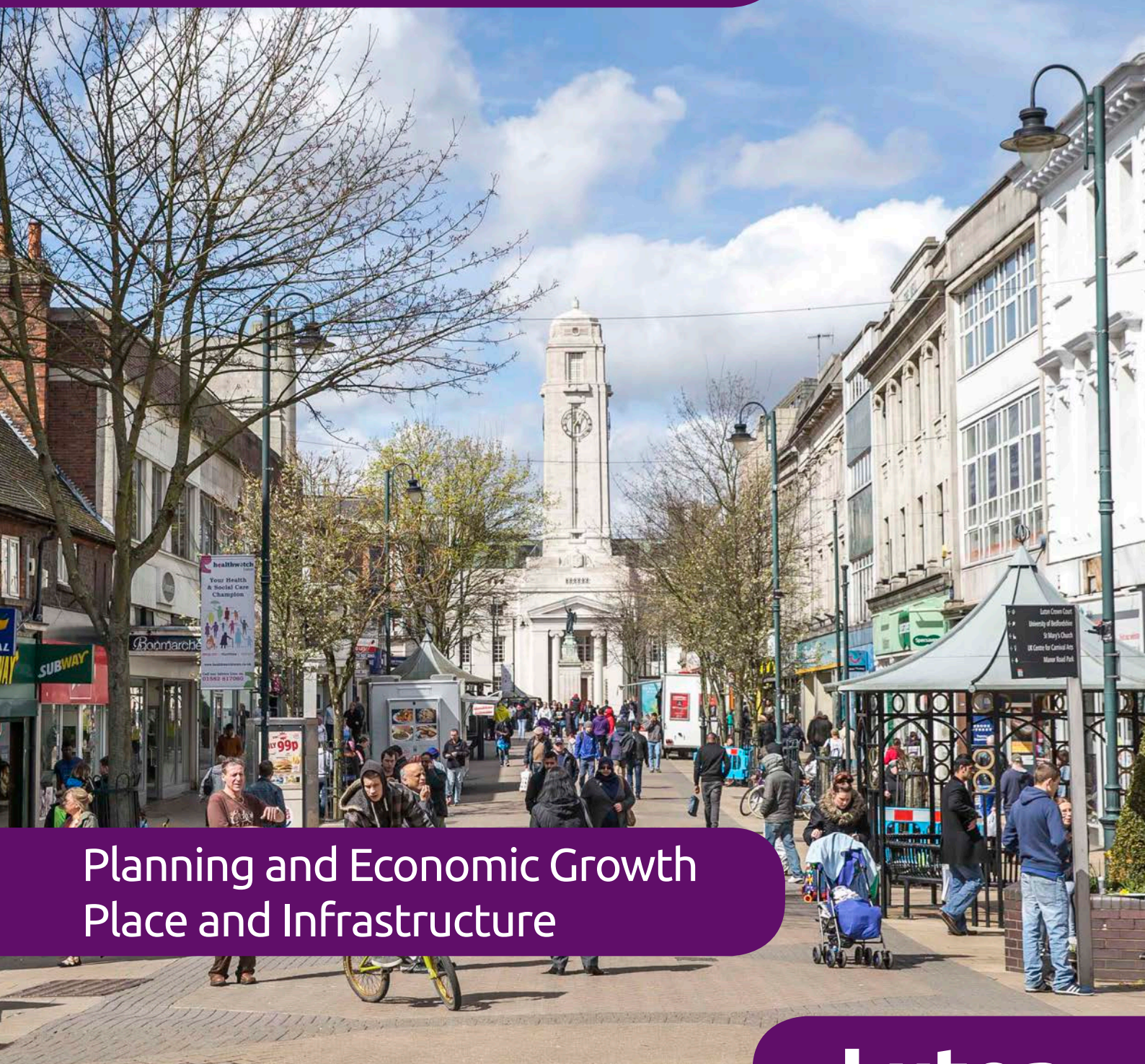
AMENDMENT SHEET

Attachment 3: Extract from Local Plan – Policy LLP6 and supporting text



Luton Local Plan 2011–2031

November 2017



Planning and Economic Growth
Place and Infrastructure

www.luton.gov.uk

Luton

4.42 The majority of the strategic allocation sites are rolled forward and updated from the previous Local Plan as in the case of Butterfield Technology Park, Land South of Stockwood Park and Century Park (now combined with the London Luton Airport Strategic Allocation) and these represent the last remaining suitable greenfield sites for strategic development. Strategic Allocations at Napier Park, Power Court, Creative Quarter, High Town and Marsh Farm are all previously developed sites that are in need of redevelopment and improvement. Given the economic viability issues in the borough, as explained previously, coupled with the extent of environmental remediation required at a number of the sites, particularly Napier Park and Power Court, the quantum, mix of uses and phasing of allocations on previously developed land will need to be carefully considered to reflect the outcome of more detailed evidence that is currently being prepared on economic viability and remediation costs and consultation with landowners and stakeholders.

4.43 There are 8 strategic allocations proposed for designation in this Plan:

- Land South of Stockwood Park
- London Luton Airport (includes Century Park)
- Butterfield Green Technology Park
- Napier Park
- Power Court (Town Centre)
- High Town
- Creative Quarter (Town Centre)
- Marsh Farm

Land South of Stockwood Park

4.44 Land south of Stockwood Park, bounded by the M1 motorway to the east and M1 spur to Junction 10a in the west, is allocated as a prestige gateway business development. Regard will need to be had to the plan policies as a whole and, in particular because of the chalk aquifer, sustainable drainage and pollution matters in policies LLP36 and LLP38 and the adjacent landscape and heritage assets, which will need to be considered with regard to the matters in

policies LLP29 and LLP30. The proposed site is accessible to the strategic road network (e.g. Junction 10a and New Airport Way) and also offers opportunities for improved public transport links to the town centre and Luton Airport Parkway railway stations. This will be achieved by safeguarding 2 ha of land for the provision of a Park and Ride facility. The provision of the Park and Ride is not a requirement of the proposed B1 business use. Parking provision will accord with Policy LLP32 (Parking) and the character and form of development will respect relevant requirements set out in Policy LLP25 (High Quality Design). The B1 office use on the site will accommodate a shortfall in provision to meet an identified need for B1 office accommodation over the plan period⁽⁹⁾. Following the public examination of the plan, the relocation of Luton Town Football Club and uses and policies relating to the strategic allocation at Land South of Stockwood Park, including the provision of a Park and Ride facility will be considered in the early review of the local plan.

Policy LLP5 - Land South of Stockwood Park Strategic Allocation

- A. Land identified on the Policies Map south of Stockwood Park adjacent to Junction 10a of the M1 is allocated for a 14 ha prestige gateway development according to the following scales:
- i. B1 business use on 9.5 ha of land to meet an identified shortfall of office employment space over the plan period; and
 - ii. the safeguarding of 2 ha of land for a park and ride facility which will allow scope to secure enhanced public transport to the town centre.

B. Subject to the following:

4 . Spatial Strategy

- i. development proposals should be accompanied by a comprehensive masterplan for approval, which includes an indicative layout and phasing plan, sustainable construction method and materials, landscape and biodiversity schemes and includes an analysis of impacts from and on the surrounding landscape and heritage assets and sets out details of how the Master Plan will be implemented and any identified impacts be mitigated;
- ii. the development will not take place until Highways England is satisfied the proposals do not have an unacceptable impact on Junction 10a improvements and upon the M1 motorway, and shall not compromise the safety of road users;
- iii. public transport services are secured to meet the expected demand arising from the development;
- iv. the development will provide a high quality southern gateway to the town and will use public art, green space, built design, lighting and topography to conserve and enhance the appearance of the adjoining Green Belt, Area of Great Landscape Value, County Wildlife Site, QE II playing fields, the Registered Park and Garden of Luton Hoo and the Chilterns AONB;
- v. the development will be of a height and with lighting that does not compromise the safety of the operations of London Luton Airport;
- vi. the development will protect features of nature conservation interest and heritage assets; and
- vii. improving connectivity to nearby cycle and footpaths and existing public rights of

way and the rights of public utility providers will be safeguarded.



London Luton Airport

4.45 London Luton Airport is a busy, growing airport currently operating at around 10 million passengers per annum with a capacity to manage up to 12.4mppa, and with the planning consent 12/01400/FUL allowing the airport to grow to an operating capacity of 18mppa. This is supported by Policy LLP6, which includes criteria to allow additional proposals to be considered in accordance with the most up-to-date Master Plan (i.e. that Master Plan which is applicable at the time of determining any planning application). The airport provides infrastructure and services for commercial and business-related aviation (in 2012 nearly 17% of airport passenger was for business travel) as well as air cargo/freight and generates significant employment for residents of the town and surrounding areas. This includes aviation-related engineering and services and other aviation-related jobs. The airport also provides and underpins employment for a pool of workers and businesses that use and rely on the airport from neighbouring local authorities' areas, in particular Bedfordshire, Hertfordshire and Buckinghamshire.

4.46 Luton lies within an airport safeguarding area. Certain planning applications will be the subject of consultation with the airport operator and there may be restrictions on the height or detailed design of buildings and operation

of cranes that impact on the flight path or radar or on development that could create a bird hazard as described in ODPM Circular 1/2003.

4.47 Further guidance on safeguarding issues, can be obtained from documents including the following published by the Civil Aviation Authority:

- CAP738 Safeguarding of Aerodromes
- CAP764 Policy and Guidelines on Wind Turbines
- CAP772 Wildlife Hazard Management at Aerodromes

4.48 In addition, Department for Transport Circular 01/2010 relates to the Control of Development in Public Safety Zones (PSZ). PSZs are areas at either end of the runway, within which development is restricted in order to control the number of people living, working or congregating on the ground in that area in order to minimise the risk in the event of an accident on take-off or landing.

4.49 Safeguarding maps and maps showing the PSZs are held by the Local Planning Authority and the airport operator and are available for reference. More complex proposals may require modelling to be carried out by the airport operator to establish the impact of a development on the airport operations.

4.50 Whilst growth at London Luton Airport is acknowledged, Policy LLP6 seeks to encourage the use of sustainable transport measures in accordance with the airport's own Surface Access Strategy, in preference to the use of private motor vehicles. Whilst it is recognised that there is a need for airport car parking, future growth does not necessarily require significant off-site car parking provision. The on-site car parking provision may provide adequate supply in the short term. The policy does not preclude further off-site provision, but applicants will be required to justify proposals in terms of need (taking into account existing capacity and occupancy). This approach has been supported by the Court of Appeal (GPS v Secretary of State for Communities and Local Government C1/20014/1264 11th February 2015).

4.51 Policy LLP6 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. Century Park is included within the strategic allocation for a range of Use Class B employment development with particular support for a range of aviation and automotive manufacturing-related uses to be delivered adjacent to the airport and including hotel provision. The Hotels Study 2015 concludes that there will be a need for extra hotel room provision of 1,030 rooms by 2020, growing to potentially 1,830 rooms by 2030 and generated mostly by aviation-related and business travel in the vicinity of the airport. Given the strategic relationship between Century Park, the airport (and their substantial inclusion within the Luton Airport Enterprise Zone designation - see Appendix 13), the sub-regional economy and local transport network with connections to M1 Junction 10a via New Airport Way, it is proposed that the Century Park site and Wigmore Valley Park, as allocated in the previous Local Plan, are integrated together with the London Luton Airport Strategic Allocation as a single strategic allocation.

Policy LLP6 - London Luton Airport Strategic Allocation

The London Luton Airport Strategic Allocation (approximately 325 hectares) includes land within the airport boundary, Century Park and Wigmore Valley Park (as identified on the Policies Map). The allocation serves the strategic role of London Luton Airport 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.

Airport Safeguarding

- Development that would adversely affect the operational integrity or safety of London Luton Airport will

not be permitted. With respect to operational and national security considerations, this includes (but is not limited to) concerns over the height of buildings, lighting, bird activity, and proximity to Public Safety Zones. Refer to Policy LLP34 for the Local Plan policy for the Public Safety Zones.

Airport Expansion

- B. Proposals for expansion of the airport and its operation, together with any associated surface access improvements, will be assessed against the Local Plan policies as a whole taking account of the wider sub-regional impact of the airport. Proposals for development will only be supported where the following criteria are met, where applicable/ appropriate having regard to the nature and scale of such proposals:
- i. they are directly related to airport use or 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 London Luton Airport and adopted by the Borough Council;
 - 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;
 - 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.

Airport-related Car Parking

- C. Proposals for airport-related car parking should be located within the Airport Strategic Allocation, as shown on the proposals plan (excluding Century Park and Wigmore Valley Park) 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. Proposals for airport-related car parking outside this area will only be permitted where: there is demonstrated to be a long-term car parking need that cannot be met at the airport; they accord with the sustainable development principles as defined by the plan as a whole; they relate well to the strategic road network and do not exacerbate traffic congestion; they do not have an adverse impact on amenity; and are in accordance with the most recently approved London Luton Airport Surface Access Strategy.

Century Park

- D. Development of Century Park will be supported where proposals make provision for office, manufacturing and distribution employment. Particular support will be given and provision made for engineering and manufacturing for both aerospace and automotive purposes that demonstrate a need to locate close to the airport. In addition, a range of accommodation types, including small scale affordable B2 units to facilitate the expansion and relocation of existing Luton-based businesses, new business start-ups as well as significant inward investments, will be allowed provided that it does not generate bad neighbour issues. Warehousing-only developments must demonstrate a need to co-locate near the airport. Small scale retail, related services and leisure (as defined in Use Classes A1 to A3 and D2) will be permitted in order to serve the needs, primarily, of employees in the area, as well as a hotel (Use Class C1). The Council will require proposals to be subject to a comprehensive development brief or Master Plan, which shall set out

the proportion and phases of development and which shall include the following:

- i. details of the proposed access, which shall be via the extension of New Airport Way (which connects the airport to M1 J10A) and shall link Percival Way through to Century Park (as shown by the arrow on the Policies Map), such access shall be designed so as to ensure that no use is made of Eaton Green Road to provide access to Century Park or the Airport, except for public transport, cyclists, pedestrians and in case of emergency; and
- ii. secure opportunities to link site access via walking, cycling and bridleways to the wider network of routes via Wigmore Valley Park and access to the countryside to the east and south.

Wigmore Valley Park

- E. Wigmore Valley Park is integral to the London Luton Airport Strategic Allocation. In delivering development and access under clause D (i.e. Century Park) above, including any reconfiguration of the land uses that may be necessary, the following criteria will need to be satisfied:
- i. provision will be made to ensure that the scale and quality of open space and landscaping in the area is maintained and, if feasible, ensure that there is a net increase in open space provision;
 - ii. bio-diversity will be enhanced and improved within the Borough;
 - iii. that the new open space to replace Wigmore Valley Park offers facilities of at least

- equal quality and is available and accessible before any development takes place on the existing Wigmore Valley Park;
- iv. the long term management of open space, landscaping and bio-diversity interest is compatible with that for safe airport operations and will be of a high quality and secured through a legal agreement establishing long term funding.

Design and Drainage

- F. Development proposals for the London Luton Airport Strategic Allocation will ensure:
 - i. appropriate strategic landscaping to be provided both on and off-site, which shall have regard to the potential for significant visual prominence within the wider area of built development at Century Park and which does not increase risk to aviation operations arising from structures, lighting, bird strike or open water and having regard to operational and national security considerations;
 - ii. the height and design of buildings will reflect the site's rural fringe setting, its high visibility from surrounding countryside and its proximity to London Luton Airport;
 - iii. 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; and
 - iv. that development proposals, where applicable / appropriate will fully assess the impacts upon heritage

assets and their setting, and should be designed to avoid harm to the setting of any heritage assets. Proposals will be considered in line with Policy LLP30 (historic environment).

Butterfield Green Technology Park

4.52 The site contains high value, knowledge-based businesses such as Hitech Instruments and MTL Instruments, as well as some University of Bedfordshire uses, the Enterprise Hub and the Basepoint Innovation Centre. 40% of the overall developable site has been developed to date and provides the only credible and available land within Luton to attract knowledge-based activities, including advanced manufacturing (such the arrival of MTL Instruments in 2008).

4.53 The site has been assessed against uses other than employment due to its long-term vacancy (Employment Land Review). The study concluded that Butterfield Green Technology Park is, and should remain, a good quality employment site.

4.54 The analysis indicates that Luton will have a shortage of land for B1 office premises, which often also accommodates R&D activities. This may include applied research and development involving product innovation and advanced manufacturing processes requiring B1c light industry facilities to be provided. In addition, the retention of land at Napier Park by Vauxhall has increased pressure to secure alternative opportunities for other B Class uses, especially B2.

Issues to address during the plan:

4.55 The majority of the site has been undeveloped for a long period of time arising from the subdued national economy.

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Attachment 4: Updated planning conditions

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- (01) *Phase 1 of the development shall be carried out in accordance with the Phasing Scheme approved on 23 April 2015 (ref: 15/00159/DOC) and Phases 2 and 3 shall be carried out in accordance with the Phasing Scheme approved on 28 October 2016 (ref: 16/01484/DOC). Otherwise no development of any phases shall take place until a scheme for the Phasing of Development shall be submitted to the Local Planning Authority. The scheme as submitted shall include the timescales for commencement of each of the phases. The scheme as approved shall be implemented in full and in accordance with the agreed timescales.*

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.

- (02) *The landscaping scheme shall be carried out in accordance with details approved on 21 May 2015 (ref: 15/00449/DOC). Within one month of the completion of the landscaping scheme written confirmation of the completion date shall be submitted to the Local Planning Authority. If within a period of five years from the initial date of planting of any tree or shrub, any such plant is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority, damaged, diseased or defective, another tree or shrub of the same species and size as that originally planted shall be replanted in the same location or as otherwise detailed in the scheme. The scheme as approved shall be implemented in full within the first planting season following completion of each of the agreed phases within Condition 1.*

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.

- (03) *The buildings shall be constructed in accordance with the details and samples approved on 12 November 2015 (ref: 15/00160/DOC).*

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.

- (04) *Phase 1 of the development shall be carried out in accordance with the details contained in the Protected Species Management Plan approved on 28 January 2015 (ref: 14/01471/DOC) and Phases 2 and 3 shall be carried out in accordance with the details contained in the Protected Species Management Plan approved on 8 May 2017 (ref: 17/00459/DOC).*

Reason: To safeguard any populations of these protected species on the application site.

- (05) *Lighting associated with Phases 1 and 2 of the development shall be carried out in accordance with the details approved on 25 September 2019 (ref: 19/00954/DOC) ~~4 June 2015 (ref: 15/00451/DOC).~~ No external lighting shall be installed within any subsequent phase of the development, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority. The scheme as approved shall be implemented in full and shall be subject to review in accordance with such agreed scheme.*

Reason: In the interests of amenity, aircraft and public safety.

- (06) *Phase 1 of the development shall be carried out in accordance with the Construction Environmental Management Plan approved on 14 August 2015 (ref: 15/00452/DOC) and Phases 2 and 3 shall be carried out in accordance with the Construction Environmental Management Plan approved on 8 May 2017 (ref: 17/00460/DOC).*

AMENDMENT SHEET

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development.

- (07) *The development shall be carried out in accordance with the archaeological Written Scheme of Investigation approved on 24 December 2014 (ref: 14/01496/DOC).*

Reason: To ensure that the development allows for the recording of potential archaeological information.

- (08) *At no time shall the commercial passenger throughput of the airport exceed 19 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.*

Reason: To enable the Local Planning Authority to exercise proper control over the development, in the interests of securing a satisfactory operation of the development and to safeguard the amenities of the surrounding area.

- (09) *Within three months of the date of this permission ~~The development shall be operated in accordance with the Noise Control Scheme approved on 2 March 2015 (ref: 14/01519/DOC)~~ shall be amended and submitted to the Local Planning Authority for approval in writing. The revised scheme shall be implemented and maintained.*

For the avoidance of doubt the controls within that scheme include:

- i) Measures with the purpose of phasing out of night time (2300 to 0700) operations by aircraft with a QC value of greater than 1 on either departure or arrival.*
- ii) Monitoring and review of the scheme not later than the 1st and 4th year after its introduction and every subsequent five years.*
- iii) Limits during the night time period (2330 to 0600) of:*
 - a) Total annual movements by aircraft (per 12 month period) of no more than 9,650 movements; and*
 - b) Total annual noise quota movements of no more than 3,500 which, using all reasonable endeavours, shall be reduced at each review until it reaches a point where it does not exceed 2,800 by 2028.*
- iv) Limits for the Early Morning Shoulder Period (0600 to 0700) of not more than 7,000 movements in any 12 month period.*
- v) Reporting of the actual and forecast total number of aircraft movements for the preceding and next 12 months to the Local Planning Authority every three months.*
- vi) Within six months of the commencement of the development, a progressive reduction in the night-time (2300-0700) maximum Noise Violation Limits (NVL) by the noisiest aircraft shall be implemented, as follows:*
 - o 80dB(A) the date hereof*
 - o 79dB(A) from 1st January 2020*
 - o 77dB(A) from 1st January 2028*
- vii) Within six months of the commencement of the development, a progressive reduction in the daytime (0700 - 2300) maximum NVL by the noisiest aircraft shall be implemented, as follows:*
 - o 82 dB(A) the date hereof*

AMENDMENT SHEET

o 80 dB(A) from 1st January 2020.

Reason: To safeguard residential amenity.

- (10) *The area enclosed by the 57dB LAeq(16hr) (0700-2300hrs) contour shall not exceed 21.1 sq km for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed 42.1 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 or amended) for the period up to the end of 2027.*

Within 12 months of 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 15.5 sq km for the area exposed to 57dB LAeq16(hr) (0700-2300hrs) and above and for night-time noise to 35.5 sq km for the area exposed to 48dB LAeq8(hr) (2300-0700hrs) and above.

Post 31 December 2027 the area enclosed by the 57dB LAeq(16hr) (0700-2300 hrs) contour shall not exceed 15.5 sq km for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed 35.5 sq km for night-time noise.

Post 31 December 2030 the area enclosed by the 57dB LAeq(16hr) (0700-2300 hrs) contour shall not exceed 15.1 sq km for daytime noise, and the area enclosed by the 48dB LAeq(8hr) (2300-0700hrs) contour shall not exceed 31.6 sq km for night-time noise.

A report on the actual and forecast aircraft movements and consequential noise contours (Day, Night and Quota Periods) for the preceding and forthcoming calendar year shall be reported on the 1st December each year to the Local Planning Authority, which shall utilise the standard 92 day summer contour.

Reason: To safeguard residential amenity.

- (11) *The development shall be operated in accordance with the Noise Control Monitoring Scheme as approved on 2 March 2015 (ref: 14/01519/DOC).*

For the avoidance of doubt the controls include:

- i) Fixed noise monitoring terminals and track keeping system (vertical and horizontal)*
- ii) Complaint handling system*
- iii) Sanctions to be imposed on infringement by aircraft in respect of track keeping and noise violation limits in accordance with condition 9 (parts vi and vii) of this permission*
- iv) Arrangements for the verification of the submitted information*

A review shall take place not later than the 1st and 4th year after introduction and every subsequent 5 years.

Reason: To safeguard residential amenity.

- (12) *The development shall be operated in accordance with the scheme to control ground noise approved on 2 March 2015 (ref: 14/01519/DOC).*

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Reason: To safeguard residential amenity.

- (13) *The development shall be implemented in accordance with the Comprehensive Surface Water Management Strategy approved on 18 May 2015 (ref: 15/00187/DOC).*

Reason: To prevent surface and groundwater pollution.

- (14) *The detailed surface water drainage scheme for Phase 1 shall be carried out in accordance with the details approved on 8 December 2015 (ref: 15/00291/DOC) and the detailed surface water drainage scheme for Phase 2 shall be carried out in accordance with the details approved on 21 January 2019 (ref: 18/01463/DOC). No subsequent phase of development shall begin until a detailed surface water drainage scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be generally in accordance with the Flood Risk Assessment (FRA) prepared by Jacobs, reference B1074100/22.2, issue 3, dated November 2012,(within Technical Appendix J of the Environmental Statement submitted with application 12/01400) and the scheme shall include details of soakaways and a restriction in run-off and surface water storage on site. The scheme as approved shall be implemented in full before completion of the relevant phase.*

Reason: To prevent the increased risk of flooding and to improve and protect water quality, habitat and amenity.

- (15) *Phase 1 of the development shall be carried out in accordance with the details approved on 24 March 2016 in relation to measures to deal with contamination (ref: 15/00756/DOC) and Phases 2 and 3 shall be carried out in accordance with the Contamination Risk Assessment Report approved on 7 April 2017 (ref: 17/00173/DOC)..*

Reason: The site is located in a sensitive groundwater area over a Principal Chalk Aquifer within a source protection zone 3.

- (16) *No phase of the development shall be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that phase has first been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.*

Reason: To protect groundwater.

- (17) *If, contamination not previously identified is found to be present at the site during the construction of a phase of development, no further development of the phase shall be carried out until the developer has first submitted a remediation strategy for approval to the Local Planning Authority and that such a strategy shall have been approved in writing. The remediation strategy shall be implemented as approved.*

Reason: Intrusive investigations will not necessarily capture all contaminants present, hence the need to appropriately address any new source discovered during excavation and development.

- (18) *No infiltration of surface water drainage into the ground shall take place other than with the express written consent of the Local Planning Authority first having been obtained. The development shall*

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be carried out in accordance with the approved details in accordance with an agreed timescale and phasing as applicable.

Reason: To protect groundwater.

- (19) *Phase 1 of the development shall be carried out in accordance with the details approved on 18 December 2015 in relation to piling (ref: 15/00756/DOC). No subsequent phase of the development which involves piling or other penetrative methods of forming foundations shall take place other than in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.*

Reason: To protect groundwater.

- (20) *Phase 1 of the development shall be implemented in accordance with the measures to protect existing monitoring boreholes approved on 11 May 2015 (ref: 15/00454/DOC) and phases 2 and 3 shall be carried out in accordance with the Borehole Protection Report approved on 28 March 2017 (17/00176/DOC)..*

Reason: To safeguard the existing monitoring arrangements in the interests of the proper planning of the area.

- (21) *Phase 1 of the development shall be carried out in accordance with the foul drainage details approved on 14 August 2015 (ref: 15/00188/DOC).*

Before the commencement of each subsequent phase, full details of the proposed means of foul drainage shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to each phase coming into operation.

Reason: To prevent pollution of the water environment and to ensure a satisfactory form of development.

- (22) *The car parking areas ~~within Phase 1~~ shall be ~~constructed and~~ managed in accordance with details submitted in the Car Parking Management Plan (Appendix B to the Transport Assessment dated December 2020, document reference 41431MP17V2)~~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.

Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety and to prevent unacceptable environmental impact on neighbouring residential areas.

- (23) *The surfacing and drainage of car parking areas shall be carried out in accordance with the details approved on 22 September 2015 (ref: 15/00455/DOC).*

Reason:

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- (24) *The development hereby permitted shall be operated in full accordance with the Travel Plan dated December 2020 (document reference 41431MP18V2) for as long as the development remains in existence ~~Passenger and Staff Travel Plan shall be implemented in accordance with the details approved on 23 September 2015 (ref: 15/00761/DOC).~~*

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.

- (25) *The Highway Improvement Schemes (comprising [i] improvements to the airport access road and [ii] improvements to the Percival Way roundabout) shall be carried out in accordance with the details approved on 8 May 2015 (ref: 15/00456/DOC) or otherwise in accordance with the provisions of the agreement dated 11 November 2015 under Section 278 of the Highways Act 1980 (or any variation to or replacement of such agreement)..*

Reason: To seek to reduce single occupancy vehicle trips to the site.

- (26) *The extensions to the passenger terminal hereby permitted shall not be brought into use for passengers unless and until either the approved highway improvement schemes referred to in Condition 25 have been carried out and completed by the applicant in accordance with the approved details or the applicant's obligations have fallen due under the agreement referred to in Condition 25 have been fully complied with..*

Reason: To seek to reduce single occupancy vehicle trips to the site.

- (27) *The development shall be carried out in accordance with the Renewable Energy Strategy approved on 23 September 2015 (ref: 15/00734/DOC).*

Reason: In the interests of sustainability and to reduce adverse environmental and energy impacts of the development.

- (28) *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 30th November and 14th December 2012 submitted with application 12/01400/FUL and with the following documents:.*

*Environmental Statement Addendum
Revised Chapter 8 of Environmental Statement Addendum
Transport Assessment
Travel Plan
Car Parking Management Plan
Site Waste Management Plan
Drainage and Water Supply Infrastructure Appraisal
Carbon Reduction Plan*

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.

- (29) *Within twelve months of the date of this permission, a Carbon Reduction Strategy shall be submitted to the Local Planning Authority for approval.*

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The Carbon Reduction Strategy and its outcomes will be subject to the following reviews:

- i. Annually: independent verification by the Airports Carbon Accreditation Scheme with the results being made available to the Local Planning Authority.*
- ii. Annually: publication as part of the Airport's Annual Monitoring Report, available for review by all stakeholders, including the Local Planning Authority.*
- iii. Every three years: independent audit and inspection by the Airports Carbon Accreditation Scheme with the results being made available to the Local Planning Authority.*
- iv. Every five years: the airport operator review and update, including consultation with the Local Planning Authority and other stakeholders.*

All approved measures in the Carbon Reduction Strategy (and subsequent updates) shall be implemented and complied with.

Reason: To ensure that the development mitigates, and is resilient to, the effects of climate change and ensure consistency with NPPF paragraph 148 to drive 'radical reductions' in carbon dioxide emissions.