

**Development Control**

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Neil Thompson
Operations Director
London Luton Airport
Navigation House
Airport Way, Luton
Bedfordshire LU2 9LY

Date 16 February 2018

Reference: 12/01400/FUL and 15/00950/VARCON

Dear Mr Thompson,

Re: Breach of Night Noise Condition at London Luton Airport

I am writing further to Laura Church's email of 14 February 2018 following the meeting that was held at Hart House with representatives of the neighbouring authorities on Friday 9 February 2018 in relation to the breach of the night noise condition at the airport.

The relevant planning condition that has been breached is condition 10 of application 15/00950/VARCON (formerly condition 12 of the original planning permission granted in 2014 [ref: 12/01400/FUL]). The condition 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 or 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 15.2sq 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."

The planning condition was imposed in order to safeguard residential amenity.

The information required pursuant to the noise report mentioned in the first



paragraph of the condition was provided to the Local Planning Authority (LPA) on 30 November 2017 by cover of an email from James Dontas. This information included the noise exposure contours for the past year (2017), both for the daytime and night time periods. The past year's contours showed that the area within the 48dB L_{Aeq8hr} contour had been exceeded by 1.5km², and that it was forecast that there would be a further increase within the area enclosed by the 48dB contour in 2018 (up to 39.6km²). There had not been a breach with regard to the 57dB $L_{Aeq16hr}$ daytime contour in 2017 and it was forecast that for 2018 the area enclosed within the 57dB contour would be 19.4km², which would not breach the condition.

Accordingly could you provide a detailed Action Plan setting out how the Airport Operator proposes to remedy the breach of this condition. Specifically the LPA requires the Action Plan to set out, in the short term, how and when the breach of condition can be remedied, together with a timetable for implementation of actions to address the breach and mitigate any harm. Over the longer term the Action Plan should set out the strategy for the future. Although I note that the period specified in the condition for the production of a strategy was 'within five years of the commencement of development' (i.e. by 1 January 2021), at that time it was not anticipated that the airport would grow so rapidly. With the breach of the condition arising from the rapid growth of the airport, it is imperative that the production of this strategy be brought forward.

As you are aware from the meeting with adjoining authorities, the Council as LPA is facing considerable pressure from neighbouring Councils and local residents to address this issue. In the circumstances I am sure that you will appreciate that in line with the Government's Planning Practice Guidance, 'Ensuring Effective Enforcement', consideration has to be given by the LPA to the various options that are open to us to remedy the breach.

I look forward to receiving your reply and an indication of when we can expect to receive the Action Plan.

Yours sincerely



Jackie Barnell
Service Manager – Development Management