

To Joanna Vincent

From Susan Wiseman

Date 19.08.2022

Appeal Ref APP/B0230/V/22/3296455
London Luton Airport Operations Limited
Luton Airport, Airport Way, Luton LU2 9LY

Dear Ms Vincent

Please find attached my response to the Non-Technical Environmental Statement Addendum. As an interested party, I would like the following to be considered as part of the Public Inquiry process.

This assessment of the non-technical ES Addendum is based on my personal views as a person with no technical expertise on the subject matter presented. I wish it to be noted that I have found the content of the document to be inaccurate and incomplete. I also feel that the information presented may be misleading, particularly in relation to fleet modernisation and the noise connected to ATMs. In the context that this is supposed to be a non-technical document, I have had to seek clarity from other sources of information that I have referenced within this document to support my understanding and I do not consider this acceptable in the context of what is presented as a non-technical document.

For clarity, text in blue italics is copied directly from the ESA or other documents that have been appropriately referenced.

ESA Point 2.2.1 (Scheme Description Proposed Variation to Condition 10)

Point 2.2.1 details the scheme description and proposed variation to condition 10 and includes the following "additional text sought by LBC"

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.

Reason: To safeguard residential amenity. To accord with the objectives of the Luton Local Plan and the National Planning Policy Framework."

The Luton Local Plan 2011-2031 published in November 2017 clearly states that Luton Airport should “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”.

The Luton Airport Noise Action Plan 2013-2018 point 27 states that it will “operate within planning limits” – The Noise Action Plan 2019-2023 point 2.4 also states that it will “operate within our agreed contour area limits”.

This Proposed Variation to Condition 10 is clearly outwith the democratically agreed Luton Local Plan and there is no evidence presented that confirms that Luton Borough Council are expressly entitled to unilaterally set aside the Plan.

ESA Point 2.2.4 (ATMs)

In the revised ES Addendum, point 2.2.4 appears to indicate that ATMs will increase to accommodate increased passenger numbers until larger aircraft are introduced. If larger aircraft are to be introduced, airlines are unlikely to want to fly them at below passenger capacity and there is no indication as to what steps will be taken to ensure compliance of either the 18mppa or 19mppa limit.

It further suggests that the forecast of fleet modernisation is based on current fleet replacement schemes of the airlines using LLA and an incentive scheme that is being provided to encourage fleet modernisation. There are no details provided in either context.

An airline's published fleet modernisation programme is surely open to interpretation since there can be no guarantee that the aircraft will be delivered in time to meet the forecast suggested within the ESA (particularly in relation to known post-pandemic supply chain issues) or that those modernised aircraft will actually operate from LLA as opposed to other airports that the airline may also fly from.

The information provided appears to be very contradictory since the claimed fleet modernisation that is deemed to be part of the answer to the noise contour problem is actually the very reason that a variation of Condition 10 is being sought for a less restrictive day and night contour:

“This adjustment is required for the Airport to reflect what has been a slower than anticipated introduction by airlines of the next generation of quieter aircraft. The modernisation of fleets by airlines has not kept pace with the unexpectedly steep rise in passenger demand over the same period.”

Whilst fleet modernisation and fuel efficient planes are to be applauded, there is also no guarantee that aircraft will perform as expected. The introduction of the A321Neo at Luton Airport is a case in point. As one of the new generation of supposedly quieter aircraft, this particular model does not appear to have performed as expected and despite repeated requests, there has been no satisfactory explanation as to why this might be.

The issue around modernised aircraft not being introduced quickly enough and the performance issue of the A321Neo were facts well known to LLAOL ahead of their submission of the planning application for 19mppa.

ESA Point 2.2.5 and 2.2.8 (ATMs)

Point 2.2.5 states:

“Table 2.2 has been updated to reflect that assessment years 2020, 2021, and 2022 have now passed. The table shows that during the 92-day peak period, accommodating 19 mppa in 2025 would result in an increase of 228 (0.65%) daytime ATMs over the 92-day period as compared with what is forecast for the 18mppa scenario in the year 2024, with an increase in the night-time ATMs of 10 (0.2%) and an increase in the daily total of 338 (0.8%). There would, however, be a corresponding reduction in ATMs outside of the 92-day peak period. It is these 92-day peak period forecasts that define the noise contour for each of the assessment years. These forecasts have therefore been used to underpin the assessments presented within the 2022 ES Addendum.”

Table 2.2 is reproduced below

	2019	2023	2024	2025	2028
Daytime	34,124	34,708	35,003	35,331	34,849
Night-time	5,398	4,994	4,997	5,007	5,002
Daily total	39,522	39,708	40,000	40,338	39,851
% modernised fleet	6%	32%	41%	48%	88%

There are inaccuracies in the information presented – the figures marked in red are not consistent with those presented in the Noise Contour Limits Table 2.3. Additionally, the figures marked in blue add up to 328 daytime - an increase of 0.94% not 0.65% plus 10 night time = 338. The fact that basic mathematical information is incorrect raises the question as to whether other information provided in the ESA, especially where background data has not been provided, can actually be relied upon as accurate.

I also consider it to be misleading to state that “there would be a corresponding reduction of ATMs outside of the 92 day peak period” Outside of the 92 day peak period the number of ATMs will revert only to the baseline figure - this statement could be interpreted to suggest that there will be a reduction below the baseline.

ESA Point 2.2.8 (ATMs)

Point 2.2.8 states that passenger levels could realistically reach 18 mppa in 2024. LLAOL acknowledge that more rapid growth in aircraft movements outpacing the deployment of next generation aircraft, aircraft noise reductions being less effective than anticipated for those aircraft that have been introduced, contributed to the breaches of the contour limits for 2017, 2018, and 2019. The point goes on to assert that if measures are not taken and growth continued then there could be further potential breaches.

It beggars belief that instead of developing a more sustainable business growth plan, LLAOL have decided that the best way to manage the catastrophic impact that the

excessive growth and noise has had on local communities is to submit a planning application to legitimise the breaches that they've made at the expense of the wellbeing of the local communities that are affected by their operations.

ESA Point 3.2.7 and 3.2.8 (Noise)

Point 3.2.7

The information presented in table 3.1 shows that noise contours will continue to be above those introduced under the current Condition 10 until at least 2025. There is also a three year gap in the forecast information so the 2025 night time contour of 39.8 could conceivably continue until 2028 when it is forecast to come down to 35.5. However, as these are forecasts based on what can only be regarded as a “fantasy” fleet mix that may or may not be introduced, the noise situation could in fact be far worse, but there is no worse-case scenario of what the noise levels might be if the fleet doesn't change as forecast.

Point 3.2.8

Second bullet point

The information presented suggest that 2019 actual movements have been used but with a “representative fleet mix” instead of the actual fleet mix, which is what caused the noise contour breach in this year – and presumably in 2017 and 2018 too. I would have expected to have been provided with the data used to calculate the baseline in order to understand this better.

Third bullet point

Noise impacts have been based on percentage modernisation of fleet with summer 22 expected to see a modernisation of fleet from 6% in 2019 to 20-25%. As of the publication date of the ES Addendum (July 2022) there is no information as to how this modernisation is progressing and given that the assertion is that this ESA has been prepared because 2022 is “no longer a relevant assessment year” one would have expected to have seen evidence that a modal change in aircraft fleet has occurred or is at least occurring – i.e. that there has been at least some movement towards the additional 14% minimum modernisation of fleet this year and the impact that this has had on noise.

Unfortunately, the information within the ESA presented about the rate of modernised fleet operations also appears to be at odds with the Luton Airport Annual Monitoring Report 2021, Page 34, which states:

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 number of movements by modernised aircraft is forecast to increase in 2022, however due to a greater increase in movements by non-modernised types, the proportion of flights by modernised aircraft is forecast to reduce to around 15%.

There is no explanation as to how the information of 20-25% fleet modernisation in Summer 22 has been arrived at within the ESA and why this differs significantly from the Annual Monitoring Report.

I believe that from my non-technical understanding that I have highlighted some issues with the ESA and I continue to object to this application to vary Conditions 8 and 10 for the following reasons:

- LLAOL operated in breach of planning conditions for three years, despite knowing that new generation aircraft could not be introduced quickly enough to prevent those continued breaches occurring. LLAOL has clearly stated within the ESA that they cannot operate within the contours as they are now and that future breaches may occur for exactly the same reasons, namely that ATMs are forecast to increase far more quickly than noise can be mitigated.

There appears to be evidence that the newer generation of aircraft are not performing as expected when operating out of Luton Airport and no satisfactory explanation has yet been given, therefore published noise metrics cannot be relied upon as accurate.

These facts were known to LLAOL before they submitted their application for a Variation to Condition 10 seeking an increase to 19mppa.

- Any reasonable person would assume that in the event of any breach of conditions occurring that robust steps would be taken to ensure future operations would protect those affected – i.e. that the same thing didn't happen again. Rather than paring back its operations after the first year's breach LLAOL continued to operate in such a way that has caused significant detriment to the local community, offering neither apology nor compensation. Had Covid not significantly impacted air travel, it is likely that these breaches would have continued to occur and as a result there is a resultant serious lack of trust and confidence between the local community and LLAOL/Luton Airport.
- What makes this application hard to accept is that Luton Borough are supporting a further three years of excessive noise, which demonstrates the clear conflict of interest that exists in the decision-making, since they are the only authority that could have protected and safeguarded residential amenity through enforcement. Instead, Luton Borough Council has actually been complicit in those breaches by incentivising rapid growth and thereby encouraging those violations.
- Rather than enforcing the existing planning conditions, the airport's owner – Luton Borough Council has chosen to do nothing – effectively sacrificing the safeguarding of residential amenity for the pursuit of profit. It is an absurd contradiction that the body that should be responsible for safeguarding residential amenity is actually seeking additional text that allows an increase in contour limits until the end of December 2031 yet still gives the reason for seeking this variation as being "to safeguard residential amenity".
- Luton Borough Council have chosen to support the proposed Variation to Condition 10, despite the fact that it is outwith the Luton Local Plan – something that one would assume to be a democratically agreed and binding document. There is no evidence presented that Luton Borough Council has consulted on this proposal and has the authority to unilaterally set aside the Local Plan.

- The forecasts for modernisation of the fleet of aircraft operating at LLA are just that – forecasts. There is no certainty or predictability that these new aircraft will materialise or at the rate predicted – and if they do, there is no certainty that they will actually be quieter. There is also no worst-case scenario of what the noise impact will be if fleet modernisation doesn't occur and the information presented in the ESA conflicts with information published in the Luton airport Monitoring Report 2021.
- Noise will continue to increase for a further 3 years and the impact of that increase in noise is regarded as moderately significant, knowingly affecting the health of local residents.
- The sound insulation scheme of secondary and double glazing and ventilators is unlikely to be rolled out sufficiently quickly to benefit the numbers affected.

The predicted impact of global warming leading to hotter summers is already being realised. To suggest that the local population impacted by LLAOL's operations can live with closed windows during future heatwaves is unrealistic and it is evident that the true noise effects emanating from operations at Luton Airport cannot be mitigated in any meaningful way.

- As a lay person, I have found and documented several instances of information being presented within the ESA as being contradictory and inaccurate, which raises the question as to how much of the information in relation to the proposed Variation can actually be relied upon as accurate.

Susan Wiseman
19.08.2022