Development Management

Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ
www.centralbedfordshire.gov.uk

The Planning Inspectorate
Room 3/J Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Contact Caroline Macrdechian
Direct Dial 0300 300 5693
Email caroline.macrdechian@centralbedfordshire.gov.uk
Your Ref
Date 23 May 2022

Dear Ms Dutton,

PINS Ref.: **APP/B0230/V/22/3296455**
Location: **London Luton Airport, Airport Way, Luton**
Proposal: **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.**

Central Bedfordshire Council (CBC) have been formally notified by Luton Borough Council (LBC) that the above application has been called in by the Secretary of State under the powers in section 77 of the 1990 Act. This letter sets out the Council's written response to be considered at the inquiry.

On 19 January 2021 CBC were consulted by LBC on the proposed variation of conditions relating to application 15/00950/VARCON. The proposed variations would enable passenger throughput to be increased from 18 to 19 million per annum, which would be achieved through operational changes, including changes to noise contours, but no physical infrastructure was proposed.

As set out in CBCs response dated 16 April 2021 there are significant concerns that the proposed increase in passenger numbers would negatively impact on CBC residents. A copy of the letter is appended to this response (Appendix A). CBC asked Luton Borough Council to reject the application due to the negative impact on residents. The key areas of concern for CBC are noise and highway impacts but there are also other concerns as set out in this letter.

Noise

Following the submission of CBCs original consultation response dated 16 April 2021, it is noted that additional information was submitted by Wood Group on behalf of the applicant in response to LBCs Regulation 25 consultation.

Whilst the additional information has addressed some of the previous issues raised regarding lack of information, it remains that the increase in noise levels would have a detrimental impact. It is noted that all properties that would experience a significant noise effect would now be eligible for the Sound Insultation Grant Scheme, a point that is welcomed by CBC. However, it is unlikely all properties will be insulated in advance of the significant adverse effects occurring and this is an issue. It is also noted, as documented in paragraph 136 of the LBC Committee report that 3 schools in Central Bedfordshire are included on the list of

adversely affected non-residential institutions. Whilst it is a concern that Central Bedfordshire schools would be affected, the provision of a funding grant for insulation would assist in mitigating against the impact. The committee report further states that the non-residential institutions can apply for an insulation grant. CBC would expect the applicant to actively encourage engagement.

Overall, CBC have significant concern that extending the noise contours would have a detrimental impact on local communities in respect to health and wellbeing. Proposed mitigation can assist in reducing the impact within buildings, but noise would impact on enjoyment of open space, including residential gardens. Notwithstanding the submission of additional information, noise is an area of significant concern.

Highway Matters

CBC raised concern regarding traffic and transport impacts on the local road network and these concerns remain. The application was supported by a Transport Assessment, which included a Car Parking Strategy. CBCs response was informed by comments provided by CBCs Highway Development Management Team. It was considered that there was insufficient information to determine the likely impacts on the local road network in Central Bedfordshire.

Parking remains a significant concern. Opportunistic parking by passengers takes place, namely in Slip End, resulting in disturbance, inconvenience to residents and highway safety issues. The Car Parking Strategy provided a summary of total capacity within the Airport but lacked information to quantify the potential impact that additional car trips would have on parking demands. CBC remain concerned that an increase in passenger numbers, without appropriate mitigation measures, could result in opportunistic parking in local villages.

The supporting documents place significant emphasis on sustainable transport modes being necessary to reduce vehicle trips. However, the specific sustainable travel commitments are limited. There needs to be a breakdown of staff and passenger trip origins and destinations by Local Authority, to ensure trips can be catered for in Central Bedfordshire. This would assist in determining whether sufficient sustainable transport options are available.

Paragraph 152 of the LBC Development Management Committee report highlights that CBC sought contributions towards resident parking controls in Slip End. For clarification, CBC sought a minimum fund of £10k to enable consultation with residents to determine whether parking controls should be introduced. LBC considered that this request would fail to meet the tests set out in paragraph 57 of the National Planning Policy Framework (NPPF). However, CBC remain of the view that such a contribution is appropriate. As previously stated, CBC consider that the car parking strategy provides no reassurance that there is sufficient on-site parking to manage the growth in staff and passenger numbers proposed, with the related potential for overspill and nuisance parking in locations such as Slip End. A contribution towards monitoring parking in Slip End, with a scheme to be implemented, if necessary, would meet the tests set out in paragraph 57 of the NPPF.

A detailed response from the CBC Highway Development Management Team is appended to this letter and forms part of CBCs written representation (Appendix B).

Climate Change

CBC remain concerned that the proposed expansion would conflict with national and local policy objectives and targets seeking to achieve net zero emissions. Paragraph 107 of the LBC committee report recommends a condition to secure the production, implementation, and review of a carbon strategy, along with securing monitoring through the Section 106 legal agreement. In September 2020 CBC adopted the Sustainability Plan outlining steps to become carbon neutral by 2030. Notwithstanding the intention to monitor through conditions and the Section 106 legal agreement, concern remains that expansion proposals would

conflict with CBCs objectives and overarching national targets.

Tranquillity

The issue of tranquillity on the South Bedfordshire Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB) was raised as a concern. It is noted that paragraph 144 of the LBC committee report discusses this matter and indicates that there would be a limited increase in flights, namely less than 1% above the total movements in 2019 and is therefore unlikely to change the character of the areas overflown. CBC acknowledge this point but concern remains that the proposal would impact on the peaceful and tranquil nature of the countryside.

Socio-economic benefits

CBC acknowledge the important economic role that the airport plays and the benefits arising from this. However, concern remains due to the lack of information to understand the economic benefit for CBC residents, ensuring that the gains are spread rather than limited to Luton.

Conclusion

CBC remain concerned that the proposals would have an adverse impact on CBC residents. Insufficient information has been provided in respect to highway matters and noise. It is requested that full consideration is given to the points raised in this written representation.

In any event, any mitigation measures should be appropriately controlled and enforced with robust monitoring to ensure successful mitigation.

Yours sincerely,

Andrew Davie

Andrew Davie
Assistant Director - Development Infrastructure

Development Management

Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ
www.centralbedfordshire.gov.uk

Central Bedfordshire

Mr D Gurtler
Luton Council
2nd Floor
Town Hall
George Street
Luton
LU1 2BQ

Contact Caroline Macrdechian
Direct Dial 0300 300 5693
Email caroline.macrdechian@centralbedfordshire.gov.uk
Your Ref
Date 16 April 2021

Dear Mr Gurtler

Application No: **CB/21/00188/OAC (Your ref. 21/00031/VARCON**
Location: **London Luton Airport, Airport Way, Luton**
Proposal: **Other Authority Consultation.**

Thank you for consulting Central Bedfordshire Council (CBC) on the above application, which seeks to vary conditions 8 (passenger cap), 10 (noise contours), 22 (Car Parking Management), 24 (Travel Plan) and 28 (approved plans and specifications) of Planning Permission 15/00950/VARCON to enable passenger throughput to be increased from 18 to 19 million passengers per annum.

The purpose of imposing a cap on passenger numbers was to safeguard the amenities of the surrounding area and to accord with the objectives of the National Planning Policy Framework. Consent granted in 2014 (ref. 12/01400/FUL) enabled the passenger throughput to be increased from 12 to 18mppa. It was forecast that the 18mppa would be reached around 2028. Having reviewed the supporting Planning Statement it is understood that the increase in passenger numbers will be achieved through operational changes, including changes to noise contours, but no physical infrastructure is proposed. The use of larger aircraft and increasing passenger numbers during times of low utilisation through the year would enable the additional 1 mppa to be achieved.

Increasing passenger throughput via this variation of condition is one aspect of the future development plans for London Luton Airport and has been submitted by London Luton Airport Operations Limited (LLAOL). This application is separate to the proposed expansion of the airport to increase passenger numbers to 32mppa, which is being developed by London Luton Airport Limited (LALL) as a forthcoming Development Consent Order (DCO) submission and CBC have been involved as a host authority in the pre-submission stages of the DCO process.

There is some concern that the application is premature and there is limited need to increase passenger numbers as a result of the COVID-19 pandemic. CBC have previously commented on proposals to alter noise contours and an objection was raised due to concerns regarding the impact on CBC residents (ref: 19/00428/EIA), which was withdrawn. During statutory consultation for the DCO, concern has also been raised regarding the impact on CBC residents. There is significant concern in respect to this application and the key issues for CBC are set out below.

Traffic and Transport

CBC has concern regarding the traffic and transport impacts of the proposed expansion on the local road network and the implications this would have for CBC residents.

The application is supported by a Transport Assessment and Travel Plan, which have been assessed by the Council's Highway Development Management Team with input from Travel Plan, Public Transport and Traffic Management Teams. The detailed response is appended to this letter but the key points are summarised below.

It is noted that the applicants have established with Highways England that no further assessment is needed and whilst it is recognised that in terms of the strategic road network utilised to access the airport, namely the M1, there would be limited impact, local roads within Central Bedfordshire are likely to be affected. However, the assessment undertaken by CBC Highways has highlighted that the trip generation modelling lacks information to understand the potential overall transport demand resulting from the cap increase. The limited extent of trip generation and distribution information, and lack of baseline assessment of the junctions in the study area means it is not possible to determine the likely impacts on junctions that fall within the responsibility of CBC.

In terms of sustainable transport connections, it would be beneficial for the information to be broken down by local authority as this would assist in determining whether sufficient and appropriate sustainable travel options are in place to cater for passenger and staff demand. An existing 24-hour bus service operations from Dunstable to the Airport but other urban areas would benefit from increased frequency and duration of service to promote appropriate sustainable travel options.

Car parking is an aspect that has scope to further impact on parishes within CBC due to the proximity to the airport and readily available public transport, leading to opportunistic parking on residential roads. A matter that causes disturbance, inconvenience to residents and poses a potential safety hazard. It is imperative that the Travel Plan is effectively monitored to assist in limiting the impact on residents in Central Bedfordshire.

In light of the issues set out above, CBC Highways have requested a fund is made available, a minimum of £10,000, to enable CBC to undertake consultation with residents in affected areas to determine whether the introduction of parking controls would be required within the Parish to protect local highway safety and residential amenity. This fund should be separate to the grant referred to in paragraph 6.4.4, Planning Statement and an undertaking to underwrite any mitigation identified as a result of the consultation should also be provided.

Noise

It is considered that the proposals to extend the noise contours over Central Bedfordshire would have a detrimental impact on existing residents and communities, particularly within the southern part of Central Bedfordshire. This has implications in terms of sleep deprivation, health, and wellbeing. Most flights departing from London Luton Airport follow a flight path that already has a significant impact on residents in Central Bedfordshire.

The ES and Noise Review memorandum by Vernon Cole dated 25th February 2021 (ref. VC 20-07/M1-0) have been reviewed by CBCs Public Protection Team.

The ES assesses the impacts of noise on the community and concludes that if granted approval as set out 1877 dwellings would experience a noise level above the SOAEL (equating to an increase of 1.0-1.9 dB above the existing condition 10 level). It is not possible to determine the number of dwellings in Central Bedfordshire that this equates to as this spatial data is not presented, there is only an indication of this on the contour plots (which is large scale and difficult to quantify).

Current Government policy on aircraft noise is to '*minimise and, where possible, reduce the number of people significantly affected*'. Policy LLP6 of the Luton Local Plan (2011-2031) supports operational changes subject to set criteria being met and this includes the need to achieve further noise reduction or no material increase in day or night time noise (LLP6 (v)). This application would fail to meet these requirements and would increase the number of residents affected by noise. A previous application (subsequently withdrawn) sought to temporarily adjust noise contours. This application appears to be an increase in noise up to 2028 and beyond. The amendments are to increase the contour area for the short term (2020-2027) 57dB16hr LAeq from 19.4 to 21.6km2 and the 48dB 8hr LAeq from 37.2 to 42.9 km2 and the long term (2028 and beyond) 57 16hr LAeq from 15.2 to 15.5 km2 and the 48 dB 8hr LAeq from 31.6 to 35.5 km2. This would appear to go against current Government and local policy.

It is disappointing that the supporting information lacks detail on the number of dwellings in Central Bedfordshire that would be significantly adversely affected and there are no projections for 2025, 2026 and 2027. There is also no data beyond 2028 and given Government policy it would be beneficial to see when predicted noise levels are to be below the limits set in the existing condition 10. The information contained in the ES is too vague and does not provide any clear indication that the proposed mitigation i.e. insultation for the worst affected homes, would be available for CBC residents. The information, based on forecasts, indicates that 2022 is expected to be the worst year and therefore it is feasible that mitigation may not be in place to protect against the worst of the noise.

In addition to the above, there is also concern that the proposals to extend the noise contours would impact on future residents and communities that will arise result from the significant level of proposed growth within the current local plan. Such proposals could also detrimentally impact upon the delivery of sites and the successful take up of properties. The local plan is currently at Examination and due for adoption in Summer 2021. The Council will be commencing a partial review of the local plan within 6 months of adoption, during which we will likely need to plan for further growth within the area. The extension of the noise contours as a result of the planned expansion of passengers using the airport by 1 million, could have a detrimental impact on the ability of the Council to identify and deliver suitable, sustainable locations for further growth within the southern part of Central Bedfordshire, particularly around, or within close proximity to the Luton/Dunstable/Houghton Regis conurbation. There is significant pressure for housing within this area, particularly in relation to the delivery of affordable homes and the proposals could detrimentally impact upon the ability to provide for and meet housing where the needs arise.

Climate Change

CBC adopted its Sustainability Plan in September 2020 which is aimed at making the council carbon neutral by 2030. It is unclear how the proposals would be compatible with CBCs pledge and the pledge of Central Government to reach the target of net zero emissions by 2050. This aspect needs further assessment to inform the establishment of appropriate mitigation measures.

Socio-economic Benefits

It is also noted that the Planning Statement submitted with the application sets out the socio-economic impacts of the proposed expansion. However, despite identifying the current number of jobs associated with the airport (both direct and indirect) and that the expansion to accommodate a further 1 million passengers would deliver more economic benefits, the supporting information provides little detail or clarity about what the economic benefits would be and there is no indication that any additional direct jobs would be created as part of the proposals. It is therefore unclear what the economic benefits would be and who would potentially benefit from them, including in relation to Central Bedfordshire residents and

businesses. It would be helpful if further information could be provided in this regard. It is important that the economic benefits of the airport are not limited to Luton, but that benefits are also clear for those in the surrounding areas that are heavily impacted by such developments.

CBC welcomes a one-off grant of between £12,000 to £15,000 to local councils to be used to provide community improvements (para 6.4.4, Planning Statement) but there is insufficient detail as to the mechanism for benefiting and securing this grant. Further clarification is required.

A further consideration in terms of social aspects, is the impact of expansion on the recreational use of the countryside in Central Bedfordshire. To the south and west of Luton are areas of the South Bedfordshire Green Belt and to the west is the Chilterns Area of Outstanding Natural Beauty. Whilst no additional infrastructure is proposed, increased aircraft noise would have a detrimental impact on tranquillity and the use of these sensitive landscape areas.

Consultation

On receipt of the consultation from LBC contact was made with relevant Parish Councils by CBC and whilst most were aware of the proposals, Kensworth Parish Council highlighted that they had not been formally consulted. This highlights a need for further consideration of the consultation process. Kensworth Parish Council were advised to issue their objection direct to LBC and it is noted that this has been registered on LBCs planning pages.

Conclusion

It is considered that the expansion of the airport should be considered and planned comprehensively as part of the wider DCO expansion proposals with the full impacts identified and mitigation proposed. Piecemeal expansion of the operations of the airport is not conducive with understanding the full impacts on the local road networks or local communities within closer proximity to the airport.

In summary CBC remain very concerned that the application if granted will result in adverse impact on CBC residents, negatively impacting on health and wellbeing and the environment, thereby contrary to national and local planning policy and guidance. The proposal fails to provide sufficient mitigation measures in respect to noise and there is lack of information in respect to other aspects as set out in the response. It is requested that due regard is given to the points contained in this letter and CBC ask that Luton Borough Council reject the application.

The Council reserves its position to submit a further response considering any further information that might be submitted in support of the application.

Yours sincerely,

Andrew Davie

Andrew Davie
Assistant Director - Development Infrastructure

London Luton 19MPPA application

Central Bedfordshire Council provided a formal consultation response to application reference 21/00031/VARCON, dated 16th April 2021, within which a number of highways and transport related queries and areas of concern were raised.

Trip Generation and Parking

The application was supported by an accompanying Transport Assessment ref. 41431MP17V2. This forecast that increasing the annual passenger cap from 18 to 19 million per annum could result in a potential daily increase in peak hour vehicle trip numbers of:

- Total AM peak – 81 Passenger + 38 Staff two-way trips = 116 total two-way trips.
- Total PM peak – 56 Passenger + 35 Staff two-way trips = 91 total two-way trips.

However, no information on the distribution or derivation of trip numbers was given, nor was there any further information on the numbers of peak hour non-car driver trips, or the profile of trips outside of the suggested network peak.

The Transport Assessment also states that the increase in the annual trip cap could result in a total passenger demand of 52,000 per day. The car parking strategy appended to the submitted Transport Assessment (as Appendix A) highlights the number of available car parking spaces within the Airport Estate compared to staff and passenger numbers. In particular:

- Staff parking provision is for 700 spaces, catering for 10,000 staff (with an increase of 375 staff detailed within the submitted Transport Assessment as a direct result of the increase in the annual passenger cap).
- Passenger parking provision is for 10,000 spaces, catering for 52,000 daily passengers (albeit the potential for cross over between passengers would have to be accounted for within any predicted cumulative parking demand).

Whilst the submitted information at the time of the application provided a summary of total capacity within the Airport owned and operated Car Parks, no quantitative assessment of the current use, and therefore an understanding of residual capacity (if any) within the existing car parks was provided. As such, based upon the information submitted at the time of the application it was not possible to quantify what the potential impacts of additional car trips might be on parking demands, either on, or off-site.

With regards to passenger demands, when considering the private car mode share detailed in Table 9.2 of the submitted Transport Assessment (39.8%), applying this to the predicted daily total of 52,000 passengers would equate to 20,696 passengers travelling by car. Whilst it is likely that a reasonable proportion of these would be multi-occupancy, the potential residual number of car trips is such that some passengers would be expected to park outside of the car parks identified in the Car Park Management Plan.

With regards to staff, Table 9.3 of the Transport Assessment referenced the findings of the 2019 staff travel survey, in which a staff car driver (single occupancy) mode share of 59.4% was identified. Applying this to the total number of staff (when excluding multi-occupancy car journeys) would equate to a potential demand for 5,940 staff parking spaces, albeit staggered across a number of shift periods. As such it appears that a reasonable proportion of staff may be selecting to park outside of the designated staff car parks.

The area of car parking is one of particular interest to Central Bedfordshire Council as an immediately adjacent authority, due to the potential for impact upon the parishes to the immediate south of the M1. Concerns have previously been raised that the proximity of these areas to the airport, in combination with the availability of public transport connecting with the Luton Parkway Station, can lead to opportunistic parking, with the potential to cause disruption, inconvenience, and potential hazard to residents. Central Bedfordshire therefore have concerns that an increase in the passenger cap, without an appropriate mitigation package in place, could result in a related increase in opportunistic parking in areas such as Slip End.

Sustainable Travel

The documents submitted in support of the application place a considerable reliance upon the use of sustainable modes being necessary to reduce car driver trips and therefore help manage levels of demand for on-site parking. Reference was made to the opening of the DART connection, and it is acknowledged that this would provide a positive additional sustainable connection. However, the specific commitments to sustainable travel infrastructure directly tied to the application appear to be limited, with references to exploring future measures rather than providing specific undertakings.

Whilst Table 9.1 of the submitted Transport Assessment provides a breakdown of trip origins and destinations by region, a more detailed breakdown by Local Authority would provide a more meaningful set of data when considering the potential requirements to cater for trips originating from within the Central Bedfordshire local authority area.

In particular, CBC is of the view that further information on the origin of staff trips, including those falling within Central Bedfordshire, would assist in determining whether sufficient and appropriate sustainable travel options are in place to both cater for existing staff and accommodate any uplift in staff required to facilitate the increase in passenger numbers detailed. There are a number of services which connect Central Bedfordshire with the Airport and the authority would welcome opportunities to maximise the potential access opportunities these services, either in their existing or enhanced form.

When considering residual highways impacts, whilst the junction of the A1081 / B653 and Gipsy Lane was included within the scoped assessment area (Figure 2.2 of the submitted Transport Assessment), no quantified assessment of the operation of the junction, or the expected impact of development on the B653 corridor has been included. Both this junction, and the junction of the A1081 with London Road fall within the responsibilities of Central Bedfordshire Council, as does a proportion of the B653 and the A1081 itself. Whilst the traffic impact appears likely to be relatively limited during peak periods, (when based upon the total additional peak hour trip numbers detailed in the Transport Assessment), due to the limited extent of trip generation and distribution information submitted with the application, and the lack of quantitative baseline assessment of the junctions in the study area, it was not possible to determine the likely impacts of any additional traffic on these junctions.

Summary of Comments

Based upon the above, Central Bedfordshire would summarise the main highways and transportation areas of interest that we would seek to see addressed as follows:

1. That the authority would be seeking a greater depth of supporting information to allow for a more detailed forecasting of future demands for travel by all modes.

2. That further clarity is provided with regards to the headroom within existing car parking and the related ability for this to accommodate any predicted increases in demand.
3. That where demands for sustainable travel to and from areas within Central Bedfordshire are predicted to increase, that a subsequent assessment of the potential for service enhancements is carried out and that resulting identified enhancements, if found to be necessary, are secured by appropriate agreements.
4. That, in light of the potential impacts of overspill parking upon surrounding parishes, a suitable process and supporting monetary fund is put in place to monitor and manage these effects, to include:
    a. Monitoring car parking within the impacted parish/es.
    b. Consulting with local residents on parking controls, such as time limited parking or resident parking schemes.
    c. Funding delivery of the identified schemes.

Central Bedfordshire Council are of the view that this would represent a reasonable and proportional level of assessment and a means of identifying a suitable level of mitigation to address the most reasonably foreseeable cross-boundary transport impacts.