



Department for Levelling Up,  
Housing & Communities

David Gurtler  
Planning  
Luton Borough Council

Sent via email only:  
[David.Gurtler@luton.gov.uk](mailto:David.Gurtler@luton.gov.uk)

**Please ask for:** Maria Bowen  
**Tel:** 0303 44 48050  
**Email:** [Maria.Bowen@levellingup.gov.uk](mailto:Maria.Bowen@levellingup.gov.uk)

**Your ref:** 21/00031/VARCON  
**Our ref:** PCU/RTI/B0230/3269175

**Date:** 6 April 2022

Dear Mr Gurtler

**Town and Country Planning Act 1990 – Section 77**  
**Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**  
**Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

**Application by London Luton Airport Operations Limited for the 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. (Application number: 21/00031/VARCON)**

1. I am directed by the Secretary of State to refer to the above named planning application.
2. In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This gives examples of the types of issues which may lead him to conclude, in his opinion, that the application should be called-in. In the light of his policy, the Secretary of State has decided to call-in this application. He accordingly directs, under his powers in section 77 of the 1990 Act, that the application shall be referred to him instead of being dealt with by the Local Planning Authority.
3. To consider all the relevant aspects of the proposed development, the Secretary of State has decided to hold a local inquiry. For the purposes of the 2000 Rules this letter is the “relevant notice” that an inquiry is to be held and the date of this letter is the “starting date”. All the arrangements for holding the inquiry will be made by the Planning Inspectorate in Bristol.

4. The Planning Inspectorate will write to you shortly about the procedure for determining the called-in application.
5. The original application, together with any plans and other documents accompanying it which have not already been supplied to this Office (including any related certificates and correspondence), should now be sent to the following address:

The Planning Inspectorate  
c/o Mark Boulton  
Rm 3/J Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

6. Should you have any questions please contact the Planning Inspectorate (email [Mark.Boulton@planninginspectorate.gov.uk](mailto:Mark.Boulton@planninginspectorate.gov.uk) or telephone 0303 444 5239).
7. On the information so far available to the Secretary of State, the matters which he particularly wishes to be informed about for the purposes of his consideration of the application are:
  - a) The extent to which the proposed development is consistent with Government policies for meeting the challenge of climate change, flooding and coastal change (NPPF Chapter 14).
  - b) The extent to which the proposed development is consistent with Government policies for conserving and enhancing the natural environment (NPPF Chapter 15).
  - c) The extent to which the proposed development is consistent with the development plan for the area; and
  - d) any other matters the Inspector considers relevant.
8. This is to be taken as the Secretary of State's statement under rule 6(12) of the 2000 Rules.
9. In accordance with rule 6(1) and (2), the local planning authority shall ensure that two copies of a statement of case are received by the Secretary of State, and one copy has been received by any statutory party as defined in rule 2 within six weeks of the starting date (unless the Planning Inspectorate notifies you otherwise - you may wish to contact them). Your attention is drawn to rule 6(11). The Secretary of State will comply with rule 6(4).
10. You will be required to submit a statement of case, and the Planning Inspectorate will write to you about this. The statement of case should contain the full particulars of the case which you propose to put forward at

the inquiry and a list of any documents to which you intend to refer or put in as evidence. If you are proposing to give evidence, or call another person to give evidence, at the inquiry by reading a written statement (i.e. proof of evidence), your attention is drawn to rule 13.

11. Your attention is drawn to rules 4 and 6(2), in particular to the requirement upon your Council to inform forthwith the Secretary of State of the names and addresses of any statutory parties.
12. Your attention is also drawn to the provisions in rule 14 of the 2000 Rules that the local planning authority and the applicant shall together prepare an agreed statement of common ground and ensure that a copy is received by the Secretary of State and by any statutory party within 6 weeks of the starting date (unless the Planning Inspectorate notifies you otherwise – you may wish to contact them).
13. In pursuance of Article 31 of the 2015 Order, the Secretary of State hereby directs the Council not to grant planning permission, without specific authorisation, for any development which is the same kind as that which is the subject of the application referred to above on any land which forms part of, or includes, the site to which the application relates until the Secretary of State has issued his decision on this application.

Yours sincerely

*Emma Keefe*

Emma Keefe  
Head of General Casework

This decision was made by the Minister of State for Housing, Stuart Andrew MP, on behalf of the Secretary of State, and signed on his behalf.