

Development Management

Central Bedfordshire Council

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Application by London Luton Airport Limited for an Order Granting Development
Consent for the London Luton Airport Expansion project

WRITTEN REPRESENTATION

Date – August 2023

Contents

- 1. Introduction**
- 2. Summary of Key Issues**
- 3. Conclusion**

1. Introduction

- 1.1 This document sets out Central Bedfordshire Council's (CBC) Written Representation (WR) on the application for a Development Consent Order (DCO) on land at London Luton Airport that would authorise the expansion of the airport to increase passenger numbers to 32 million per annum, provision of a second terminal and provision of associated infrastructure over a phased period.
- 1.2 Central Bedfordshire is a unitary authority and therefore performs functions as the local planning authority, local highway authority, waste planning authority and local lead flood authority. CBC are a host authority as part of the Order Limits fall within the administrative area of CBC.
- 1.3 The content and conclusions of the WR were presented to the Executive Member for Planning and Development in accordance with Central Bedfordshire Council's Constitution.
- 1.4 CBC have prepared a Local Impact Report (LIR), which is a detailed technical report focusing on the environmental, social and economic impacts raised by the proposed development and summarising the positive, neutral and negative impacts. The LIR should be read in conjunction with the WR. In addition, CBC have also prepared a Principle Areas of Disagreement Summary Statement (PADSS), a copy of which has already been submitted to the Examining Authority (ExA).
- 1.5 CBC have been in consultation with Luton Rising over the proposed scheme for a lengthy period, providing detailed responses to the statutory pre-application consultations. CBC are continuing to engage with the applicant to progress the Statement of Common Ground (SoCG). Further engagement on this will be undertaken throughout the DCO process.
- 1.6 Guidance contained within PINS Advice Note 2: The Role of Local Authorities in the Development Consent Process (February 2015) has been used to inform the WR. This states that '*a written representation is the most appropriate document for a local authority to set out its view on the application i.e., whether or not it supports the application and its reasons.*' It is noted that once a representation has been submitted it cannot be withdrawn, although CBC reserve the right to submit further representations during the examination process.

2. Summary of Key Issues

- 2.1 Based on the assessment in the LIR the proposals would have significant negative impacts in respect to air quality, cultural heritage, health and community, landscape and visual, noise and vibration and traffic and transport both during construction and operational phases.
- 2.2 It is acknowledged that positive benefits would arise, most notably in respect to employment opportunities, which is discussed in the LIR. Across some topic areas (biodiversity, greenhouse gas emissions, major accidents, soils and geology, water resources, and waste), due to suitable mitigation, the resultant impact for Central Bedfordshire would be neutral, as discussed in the LIR. Below is a summary of the key issues for Central Bedfordshire.

Air Quality

- 2.3 There is concern that local residents living in close proximity to the application site, particularly those near to the southern boundary would be adversely affected by dust and pollutants during the construction phase. Shortcomings have been identified in the Construction Code of Practice and further measures should be included in the Dust Monitoring Plan. Through amendments to these documents, it is likely that the resultant impacts could be reduced.
- 2.4 Air quality impacts during operational phases is the main area of concern. The extent of monitoring undertaken in Central Bedfordshire is limited and is a point raised within the LIR. This also applies to future monitoring as set out in the Green Controlled Growth (GCG) Framework.
- 2.5 Overall, there is concern regarding air quality and the impact on human health of residents in Central Bedfordshire.

Cultural Heritage

- 2.6 There are two key designated heritage assets, Someries Castle Scheduled Monument and Luton Hoo Registered Park and Garden within close proximity to the airport. Due to the scale and massing of development, close proximity, and intensity of operations, these assets will be impacted by both the construction and operation of the development, as discussed in detail within the LIR. Issues have been raised in the LIR regarding the robustness of the assessments that have been undertaken to date.

Health and Community

- 2.7 Owing to the nature of the application there is significant concern regarding the impact of the proposed development on public health and wellbeing of local residents. Health impacts, both physical and mental, would be influenced by air quality, noise, reduced tranquillity due to reduced enjoyment of the countryside. Shortcomings in the assessment have been identified, notably the omission of local data sources, which is discussed in detail in the

LIR. Based on the current information the Council consider that the health impacts would be significant.

Landscape and Visual

- 2.8 Due to the extensive scale of development proposed and its elevated position it is considered that the development would have significant impacts on the landscape setting of the area. This would be perceived from short distance views, notably the network of public footpaths and bridleways to the south of the site. Mitigation in the form of hedgerow and boundary treatment is proposed in these locations but there is lack of information to determine whether this is suitable in the context of the character of the area.
- 2.9 The development would also be visible from Luton Hoo RPG, Someries Castle and public rights of way to the west of the airport. Further afield there would be impacts, both during construction and operation, on the Chilterns Area of Outstanding Natural Beauty (AONB), which is valued for its scenic quality. Whilst mitigation measures such as material finishes, reduced lighting etc. can be implemented, it is difficult to fully determine the suitability given that the design is not finalised. The built form by virtue of its significant scale would be visually prominent and there are resultant adverse impacts on landscape character. The proposal would also impact on the landscape as a result of increased aircraft movements and resultant vapour trails and impacts on tranquillity. The robustness of the assessment has been raised as a concern in the LIR.
- 2.10 Overall, landscape harm is an area of significant concern due to the impact on the surrounding landscape including public footpaths, designated landscape, recreational routes, and designated heritage assets.

Noise and Vibration

- 2.11 Noise impacts would directly affect residents and businesses in Central Bedfordshire as a result of increased aircraft movements. Increased noise levels could have significant impacts on local residents leading to health issues as a result of sleep deprivation, lack of opportunity for peaceful enjoyment of the countryside leading to impacts on general well-being. The noise assessments are inadequate as they do not comply with UK aviation noise policy or emerging policy, use incorrect methodology and baseline data. A full assessment of the shortcomings is included in the LIR. The concerns regarding the assessment were raised during the statutory consultations in 2019 and 2022. The impact of noise is a significant concern.

Traffic and Transport

- 2.12 The proposed development will impact on the strategic and local highway network, notably the rural settlements to the west of the application site (Slip End, Caddington, Woodside, Aley Green, and Pepperstock). There are also concerns regarding the impact of inconsiderate and inappropriate parking by airport passengers who leave their vehicles on local roads. The robustness

of the Framework Travel Plan, and the assumptions that feed into the public transport provision for the development, with related concerns regarding the GCG Framework is also a concern. A detailed assessment of the highway matters has been undertaken by the Council's Highway Development Management Team and is included as Appendix A.

Other Considerations

- 2.13 The LIR includes an assessment of the GCG Framework, Community First Fund and adequacy of the Development Consent Order. It is unnecessary to replicate these points, but it should be noted that clarification is sought, and concerns have been raised.

3 Conclusion

- 3.1 Based on the foregoing and the information in the LIR it is concluded that the proposal would result in adverse impacts on landscape and visual receptors, cultural heritage, highways, health, noise and air quality. For each of these topic areas, concerns have been raised regarding the adequacy of the assessment. Mitigation measures have been identified but there are concerns regarding the suitability of these in light of the shortcomings of the assessments.
- 3.2 It is recognised that there would be benefits resulting from employment opportunities and some topic areas would have neutral impact. However, there are fundamental issues that weigh against the proposal. As such CBC cannot support the proposal due to the negative impact on the communities that live and work in the local area, which would be adversely affected by the proposed development.