

Written Representation summary for Hertfordshire County Council, Dacorum Borough Council and North Herts Council

As the combined written submission from the host authorities for the London Luton Airport Expansion Development Consent Order (DCO) exceeds 1500 words, this document provides a summary of the Written Representations for Deadline 1 of the Examination, submitted 22 August 2023.

The Proposed Development is being progressed by an application for Development Consent by Luton Rising that was accepted for Examination by the Planning Inspectorate on 27 March 2023. If granted, the DCO will permit consent for the Expansion of London Luton Airport from its current permitted cap of 18 million passengers per annum (mppa) up to 32 mppa.

The Councils have engaged with the Applicant and have made comments at each stage of public consultation, have attended technical workshops, engaged in the Statement of Common Ground (SoCG), the Principal Areas of Disagreement Summary Statement (PADSS) [PINS Ref: AS-057] and have submitted Relevant Representations for Dacorum Borough Council [PINS Ref: RR-0297], Hertfordshire County Council [PINS Ref: RR-0558] and North Herts Council [PINS Ref: RR-1119].

The Written Representation expands upon some of those issues identified in the Local Impact Report which will be submitted at Deadline 1a of the examination.

The Written Representation only considers those topics which have identified key issues; therefore, the following topic: Climate Change Resilience will not be considered further, as no key issues were identified.

The key issues faced by the Councils as a result of the Proposed Development are summarised below.

Need Case

- In relation to the need and demand forecasting and the impacts of forecasting of economic benefits, there remains considerable uncertainty, and considerable down-side risks that the economic forecasts are likely to be too high. The actual economic benefits for the Councils are also at risk of being over optimistic.

Community First

- The Proposed Development is considered to have a positive impact in terms of the requirements to contribute to the Community First Fund resulting in up to £14m per year by the time the airport reaches a throughput of 32 mppa.
- There remains some uncertainty as to the capability of eligible organisations to fully utilise the Fund in any one given year or on an ongoing basis, particularly given its narrow focus upon decarbonisation / deprivation. It would be helpful if the

Examination process might be provided with some historic patterns of grant funding to provide some context for the scale of historic take-up of community funding (some evidence for which was presented to participants at the Open Floor Hearings). Notwithstanding the commitment to regular review (not exceeding 5 years) in Section 11 of 7.10 Draft Compensation Policies, Measures and Community First Revision 1 [PINS Ref: AS-128], it might be advantageous if the Community First scheme could be designed for flexibility at the outset.

Air Quality

- With regard to the assessment of impacts on ammonia and nitrogen deposition levels at ecological receptors, the use of the National Highways' method of determining the impacts on ammonia and nitrogen deposition levels at designated habitat sites due to road traffic emissions, in-particular the lack of transparency of this method and the question of acceptance by Natural England is concerning. The Councils would like assurance that this method is acceptable to Natural England, and to see the evidence behind the method as part of the Applicant's submission.

Biodiversity and Habitats Regulations Assessment (HRA)

- With regard to Biodiversity and HRA mitigation, proposals for enhancement should be more accurately framed and provide compensation for loss of Wigmore Park County Wildlife Site.
- At present, accountability for monitoring of habitat sites has not been assigned. A clear process should be identified as to how monitoring resources will be secured.

Greenhouse Gas (GHG)

- With regard to scoping of potential significant impacts, there is potential that the assessment underestimates GHG emissions from aviation within Councils' boundaries.
- Clarity is required on determination of Minor Adverse effect rather than Moderate Adverse, given the predicted magnitude of carbon emission increase resulting from the Proposed Development.

Cultural Heritage

- With regard to the setting of designated heritage assets, clarity is required about the extent of setting and issue of 'quietness'.
- Concern is raised regarding the scoping out of non-designated heritage assets and that significant impacts on the historic environment are not yet fully understood particularly associated with the approach used for visual representations in the Environmental Statement.

Traffic and Transport

Several issues of concern are raised regarding Traffic and Transport, these include:

- The core scenario used for the traffic modelling;
- Insufficient baseline information;

- Insufficient detail regarding public transport links;
- Rail service capacity;
- Compliance of the Highway Improvements in Hertfordshire;
- Further detail required in the Transport Assessment;
- Pirton Road / A505 Mitigation Scheme;
- Construction traffic; and
- The Transport Related Impacts Monitoring and Mitigation Approach and Framework Travel Plan monitoring locations and methodology.

Landscape and Visual

- Effects on the Special Qualities of the Area of Outstanding Natural Beauty (AONB) are not fully assessed; and
- The visual impact resulting from introduction of large-scale buildings and structures on elevated landform which will be widely visible on the skyline.

Noise and Vibration

- The Proposed Development does not adhere to UK Aviation noise policy, exposing a considerable number of residents to increased noise levels across Hertfordshire; and
- The Applicant should provide a communication and engagement strategy regarding the noise insulation scheme to ensure that the Proposed Development is accessible and available to all those who qualify.

Water Resources and Flood Risk

- Detailed drainage design information of the wastewater infiltration basin has not yet been provided; and
- Similarly, highway drainage design information has not yet been provided, with detailed assessment and design proposed to be undertaken at detailed design phase.

Economics and Employment

- Policies referred to have been superseded by more recent iterations;
- Whilst the study area is considered appropriate and is clearly outlined and justified, the combined 'wider' study area of Luton Borough Council and the Councils does not allow a full appreciation of the effects;
- The opportunities for migration of minor adverse impacts identified during construction and operation could be explored more; and
- Employment displacement, and subsequent construction and operational employment generation.

Health and Community

- No mitigation has been identified to address the significant impact identified on the mental health of residents once the Proposed Development is operational;
- The Councils believe that there may be opportunities brought about by the

Community First Fund which could support the mitigation of impacts on mental wellbeing; and

- Engagement is currently taking place with York Aviation relating to forecasting underpinning the assessment.

Unforeseen Local Impact Management Strategy

- Given that implementation is over a long duration, the Unforeseen Local Impact Management Strategy would cover all significant environmental effects arising from the approved growth of London Luton through the DCO Application. The ULIMS is needed to address uncertain future significant environmental impacts that may not be covered by the Environmental Statement. The principal candidate topics for ULIMS are expected to be public transport links and traffic capacity, local air quality impacts, etc.

Surface Access Funding

- The Applicant is to clarify whether it intends to bring forward funding proposals to deliver transport-related projects and schemes. There are no transport related obligations, other than for the specific off-site highways works, proposed in the current Application at London Luton Airport.

Green Controlled Growth Framework

The key issues regarding the Green Controlled Growth Framework relate to the following:

- Planning Processes and Procedures;
- To include a range of metrics for Aircraft Noise Thresholds and Limits;
- Confirmation that GHG Thresholds Limits will not be increased;
- Air Quality Thresholds and Limits relating to monitoring is inadequate as it does not enable proactive emissions management or address risk of acute health impacts; and
- Surface Access Thresholds and Limits in relation to:
 - Time lag to action change and impact;
 - Data collection for monitoring; and
 - The commitment to localised mitigation improvements through the Transport Related Impacts Monitoring and Mitigation Approach and Framework Travel Plan monitoring is unclear, will the Airport Operator still be committed to providing local mitigation and improvements if the GCG Thresholds and Limits are not being exceeded.

Comments on the draft DCO

- The Councils have several concerns with the draft DCO as it stands, particularly around the control mechanisms during both construction and operation of the Proposed Development.
- The Councils acknowledge outline plans referred in the draft DCO are available and content for the Councils to be engaged in agreeing final plans in writing in due course, for example the Outline Construction Worker Travel Plan.