

August 2023

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

8.31 Applicant's Response to Relevant Representations - Part 3 of 4 (Affected Persons)

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.31

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

**London Luton Airport Expansion Development Consent
Order 202x**

**8.31 APPLICANT'S RESPONSE TO RELEVANT REPRESENTATIONS
PART 3 OF 4 (AFFECTED PERSONS)**

Deadline:	Deadline 1
Planning Inspectorate Scheme Reference:	TR020001
Document Reference:	TR020001/APP/8.31
Author:	Luton Rising

Version	Date	Status of Version
Issue	August 2023	Deadline 1 submission

Contents

	Page
4 Response to Relevant Representations made by Affected Persons	1
4.1 Introduction	1
References	70

Tables

Table 4.1 Response to Relevant Representations submitted by Affected Persons

4 RESPONSE TO RELEVANT REPRESENTATIONS MADE BY AFFECTED PERSONS

4.1 Introduction

- 4.1.1 This section provides a response to the matters raised by Affected Persons. An Affected Person is defined in Rule 2(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 as meaning a person who has been included in a notice under section 59 of the Planning Act 2008 (notice of persons interested in land to which compulsory acquisition request relates).
- 4.1.2 Whilst some of the matters raised by Affected Persons may have been considered in the common topics discussed in Part 2 of this document, the Applicant considers that the Relevant Representations submitted by Category 1 and 2 Affected Persons require a specific response. The Applicant will continue to engage on these matters throughout the course of the Examination.
- 4.1.3 The Applicant's response to Interested Parties that fall under Category 3 are provided in sections 2 and 3 of the report.
- 4.1.4 The Applicant has used its best endeavours to identify all Affected Persons. Should it transpire that an Affected Person has been overlooked then a response will be provided if required.
- 4.1.5 The Relevant Representation reference, Affected Person(s) names and the Applicant's response is set out in Table 4.1.

Table 4.1: Response to Relevant Representations submitted by Affected Persons

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Bloor Homes RR-0153	Planning	Bloor Homes support the Luton Airport expansion proposals subject to confirmation that the housing growth promoted for delivery under Policy SP8 of the NHDC Local Plan 2011-2031 is now deemed to be forthcoming as per paragraph 14.10.3 of ES Chapter 14, given the adoption of the North Hertfordshire Local Plan and Bloor Homes existing planning application, so that there is clarity that the works will not need to be delivered.	<p>The future delivery of the North Hertfordshire Local Plan 2011-2031 is outside of the Applicant's control.</p> <p>In relation to the Proposed Development, as stated in Chapter 14 Landscape and Visual [AS-079] of the Environmental Statement, the additional hedgerow and hedgerow tree planting/restoration to the south side of public footpaths Offley 001, 002 and 003 will not be delivered should the proposed housing development come forward in the location identified in the North Hertfordshire Local Plan 2011-2031 as the housing will screen views from the Public Right of Way.</p>
Bloor Homes RR-0153	Land and property	<p>In the unlikely event that the works are required then Bloor Homes Limited would wish to seek the following assurances:</p> <p>(a) agreement with the Applicant that to the extent the landowners (and Bloor where it has become a landowner) agree to grant a licence for the purpose of</p>	<p>(a) The Applicant is in communication with Bloor Homes and has discussed the lack of suitability of a licence for the purpose of undertaking the works and has suggested a lease. Solicitors acting for Bloor</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		<p>undertaking the works that the Applicant will not exercise compulsory acquisition powers to undertake the hedgerow works and agreement that nothing in that licence should affect Bloor's/Landowner's right to claim compensation in connection with the use of the relevant property or in relation to the loss of land over which the works are to be undertaken in accordance with the Compensation Code;</p> <p>(b) Provision for consulting the landowners and Bloor Homes on the detailed specification of the hedgerow works and a requirement to take any representations into account. Such specification to minimise the land used for the restoration;</p>	<p>Homes have undertaken to consider further whether a lease can be agreed, noting that nothing in the lease will affect rights for Bloor Homes to claim compensation in accordance with the Compensation Code.</p> <p>(b) The Applicant is already engaged in consulting Bloor Homes on the specification of the hedgerow works, recognising that the purpose for which the hedgerow is required must be capable of being met.</p>
Bloor Homes RR-0153	Natural environment and landscape	<p>(c) Clarity within the DCO or otherwise that the hedgerow works are limited to existing hedgerows with no creation of new hedgerows;</p> <p>(d) agreement as to on-going maintenance and whether rights or a licence are to be granted for that purpose or whether any on-going maintenance will become the responsibility of the landowners/Bloor and arrangements for removal of hedgerows where required in connection with the Strategic Housing Site development or access and egress for the Strategic Housing Site.</p>	<p>c) Chapter 14 Landscape and Visual [AS-079] sections 14.8 and 14.10 of the ES set out the proposed mitigation in relation to hedgerows. The majority are restoration to existing hedgerows; however, Point k. of paragraph 14.10.2 identifies new hedgerow and hedgerow tree planting to the south side of the track leading into Tankards Farm and public footpath Offley 004 (shown on Figure 14.6), where identified in Figure 14.10 of the ES [AS-102].</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			d) the Applicant is consulting with Bloor Homes on this issue
Donlon Family RR-0383	Noise	Wandon End is a beautiful place to live. We have always lived close to airport & made a balanced decision that noise would be a factor living here.	Noted.
Donlon Family RR-0383	Air Quality/ Noise/ Traffic	The growth of the airport already has provided challenger, increased noise, light & pollution. However the current expansion plans are EXTREME. The local population will be subject to noise without gaps, constant pollution, and traffic will make the area project unsuccessful. Luton is an airport on top of a densely populated town. Growth in recent years is sufficient for holiday/commuter needs.	<p>The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the Environmental Statement [AS-080].</p> <p>Chapter 7 Air Quality [AS-076] has provided an assessment of air quality following the methodology agreed with the local Councils. No significant impacts are predicted to occur.</p> <p>The growth of the airport is in line with forecast demand as described in the Need Case [AS-125].</p>
Donlon Family RR-0383	Transport and Traffic	The local population will be subject to noise without gaps, constant pollution, and traffic will make the area project unsuccessful. Luton is an airport on top of a	National, regional and sub-regional economic strategy is strongly focussed on building economic growth around linkages with the global economy.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		densely populated town. Growth in recent years is sufficient for holiday/commuter needs.	<p>Build Back Better provides explicit direction for the future and identifies as a core pillar the Global Britain policy agenda, which requires enhanced international connectivity. This is reinforced by the Oxford-Cambridge Arc (the Arc) initiative, which is seeking to build on the world class academic and economic assets that are housed within it. As the only major airport within the Arc, a growing London Luton Airport will be central to achieving these aspirations through its ability to facilitate trade, investment and tourism. The airport's role is also vital in the context of the 'levelling up' agenda. Stakeholders in the airport's surrounding areas have identified that, despite apparent high levels of prosperity, there remain substantial and persistent pockets of deprivation. Luton itself is identified as a highest priority area for the Levelling Up Fund and has recently been awarded £20m from the fund. The role of the airport in supporting regeneration in many of these areas is already recognised and future growth in line with Proposed</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>Development will substantially increase this role.</p> <p>These wider economic impacts strongly support the aspirations of stakeholders across the airport's catchment area to drive the international economy to increase productivity, grow prosperity and, ultimately, improve quality of life for the population in Luton, the Three Counties, Six Counties and across the Arc.</p> <p>Analysis of the impact on socio-economic welfare effects suggests that, in Luton, the proposed development results in a £232 million benefit to users over the 60 year appraisal period. This grows to around £1.6 billion across the Three Counties and to £1.3 billion across the Six Counties. More details around the case for the Proposed Development is provided in the Need Case [AS-125].</p> <p>Airports do much that is good, as set out above. However, it is also acknowledged that Airports can also generate negative environmental effects that, unless controlled and</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>managed, can impact on surrounding communities. As such the Green Controlled Growth (GCG) Framework [APP-218] has been developed as a key part of the Applicant's ambition for the sustainable expansion of Luton Airport. This unique GCG Framework has been established make sure that airport growth takes place within defined environmental Limits, which aligns with the Governments Jet Zero (Ref 1) Strategy. Crucially, these Limits are not vague aspirations – they will be legally binding, overseen by an independent body called the Environmental Scrutiny Group (ESG). The GCG Framework was submitted in support of the application for development consent and sets out the necessary processes required for the functioning of the GCG approach and the values of the Limits and Thresholds.</p> <p>The GCG will place controls on four key categories of environmental effect: air quality, greenhouse gas emissions, aircraft noise, and surface access.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>These topics have been selected as the areas where environmental effects will continue to change over time, as passenger numbers grow and technology improves. Limits that are not to be exceeded have been defined, based on the following environmental effects:</p> <ul style="list-style-type: none"> - aircraft noise – by the total area of land experiencing noise above a certain threshold; - air quality – by the concentrations in the air of the pollutants most relevant to human health; - greenhouse gas emissions – by emissions from airport operations and surface access; and - surface access – by percentage of passengers and staff travelling by unsustainable modes of transport. <p>These limits will be regularly monitored and if monitoring were to indicate at any point that a Limit was in danger of being breached, then plans must be produced by the airport operator to set out how that breach will be avoided.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>If any one of the environmental Limits were breached (unless for reasons outside the airport operator's control), further growth will be stopped, mitigation will need to be implemented if required, and ultimately, airport capacity would be constrained until environmental performance returned below the Limits.</p>
Donlon Family RR-0383	Climate change	We do not believe Luton /UK Gov can go ahead with expansion and have a Carbon Reduction mindset."	<p>A lifecycle GHG impact assessment has been undertaken in line with the principles for environmental impact assessment and compliance in the Airports National Policy Statement, as presented in Chapter 12 Greenhouse Gases of the ES [APP-038].</p> <p>GHG Limits for airport operations and surface access emissions are included within the Applicant's Green Controlled Growth (GCG) Framework [APP-218], which are aligned to the Government's ambition for airport operations emissions set out within the Jet Zero Strategy, and Luton Rising's own Net Zero Strategy for carbon neutral surface access emissions by</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>2040. The legally binding GCG Framework therefore requires a reduction in GHG emissions over time as the airport expands towards the maximum consented capacity, and where a Limit is breached, growth cannot continue until a Mitigation Plan is approved by the independent Environmental Scrutiny Group (ESG), established through the Development Consent Order.</p> <p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>Government policy as set out in the Jet Zero Strategy is that there is no need to restrict growth in air transport demand to enable the Government's climate change targets to be met, albeit there will be higher costs associated with decarbonisation. These costs are taken into account in the demand forecasts for the Proposed</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>Development as set out in the Need Case [AS-125].</p> <p>Carbon emissions for aviation in the ES are modelled on the Jet Zero Strategy High Ambition scenario that represents current UK Government policy on aviation. Ultimately the greenhouse gas emissions from aviation at Luton airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p>
Jamie Matthew Pridmore RR-0614	Traffic and Transport/ Road Safety	My objection is regarding 10-07, a505 roundabout in hitchin. Having lived in close proximity to this roundabout for over 20 years I have seen many incidents and accidents and these proposals will make an already dangerous roundabout even worse. Firstly the proposal is a waste of time and money, if they could be bothered to do a traffic survey they	The proposed highway mitigation measures in Hitchin have been designed to reduce queuing and congestion, with the designs taking into account relevant local and national design guidance. Improved lane markings and widened entries will

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		would see that traffic luton bound from hitchin rarely has to wait at this roundabout, so making it a two lane approach is pointless. This makes anyone approaching this roundabout from wratten road west very dangerous as they will have to give way to two lanes of traffic, it is already difficult enough trying to get out of this road as it is.	increase capacity at this location whilst clarifying movements through the roundabout itself.
Savills on behalf of GKN Aerospace Services Limited RR-0514	Economics and Employment	GKN Aerospace is broadly supportive of the Luton Rising proposals to expand London Luton Airport and recognises the potential for an expansion to improve the prosperity and economic strength of the town. However, the specific Airport Access Road (AAR) proposals directly impact our operational site, and would result in the loss of a tranche of land bounding Percival Way, which houses an essential aerospace manufacturing facility. Losing this building will damage our ability to deliver an important and long standing customer contract from the site. As such, we believe we are a directly affected party and GKN Aerospace needs to protect its commercial position.	The Applicant is in discussion with GKN Aerospace Services Limited and a draft proposal for dealing with the loss of the facility is in circulation. The parties have identified a series of dates in September when the proposal will be further considered.
Savills on behalf of GKN Aerospace Services Limited RR-0514	Compensation	We request further information on how the loss of the facility from our operational site will be addressed and compensated for by Luton Rising, in order to understand the full impact on our operations. We would request an ongoing dialogue with Luton Rising to assist the Examination of the application and ensure suitable provisions are in place in the DCO to protect our interests going forwards and ensure that	The Applicant is in discussion with GKN Aerospace Services Limited and a draft proposal for dealing with the loss of the facility is in circulation. The parties have identified a series of dates in September when the proposal will be further considered.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		the proposals do not negatively affect our business. Given the voluminous nature of the documentation that accompanies the application we would be grateful for assistance from Luton Rising to facilitate this process. We are happy to enter into dialogue directly with Luton Rising on this matter."	
Keith Murray Consultants on behalf of Jaison Property Development Company Ltd RR-0603	Compensation	The Order as proposed provides for an inadequate period of time in which to reinvest the compensation monies therefore an undertaking is sought from the promotor to make adequate provision to do so. The Order seeks to acquire/take temporary possession of all areas of car parking and amenity land thereby leaving the building itself in isolation and of no practical use to the occupants therefore an undertaking is sought from the promotor to acquire the entirety of the interest.	<p>The Compensation Code makes provision for an Investment Owner to claim for costs of reinvestment if the reinvestment is made by the same legal entity into UK property within 12 months of the compulsory acquisition. Compensation matters such as reinvestment costs are outside of the scope of the examination of the DCO.</p> <p>The powers sought in the Order are limited to what the Applicant can justify for the purposes of delivering the scheme. The scheme has been designed to maintain the ability to occupy and access the property such that acquisition of the entirety of the interest should not be necessary. The Applicant will make sure that access to the building is maintained at all times and that temporary parking will</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			be provided whilst the works affecting the current parking are carried out. The Applicant will however engage with the owners and occupiers to try and resolve these concerns.
Keith Murray Consultants on behalf of John Andrew and Jana Ninot Jason RR-0691	Compensation	The Order as proposed provides for an inadequate period of time in which to reinvest the compensation monies therefore an undertaking is sought from the promotor to make adequate provision to do so.	The Compensation Code makes provision for an Investment Owner to claim for costs of reinvestment if the reinvestment is made by the same legal entity into UK property within 12 months of the compulsory acquisition. Compensation matters such as this are outside of the scope of the examination of the DCO.
Harriot Pleydell-Bouverie RR-0531	Design	The proposed landscaping and access plot 6-06 is situated on my land ownership. This access route could be accommodated on the adjacent existing right of way, which is situated on plots 6-07 and 6-05. By using the pre-existing track and route it would mean an additional field parcel does not need to be adversely affected by the scheme.	Noted. Plot 6-06 is proposed to be used to plant new hedgerows and to provide access for maintenance of those hedgerows in the future. This in addition to similar rights over plots 6-07 and 6-05. The Proposed Hedgerows/ Existing Hedgerow enhancements are proposed to field boundaries and are therefore on the land ownership boundary which requires access from both sides for planting and establishment of the

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			hedgerow. Works will be very local to the line of the hedgerow and existing access tracks will be used where possible.
The Trustees of the Paul Tompkins Will Trust RR-1517	Design/Landscape and visual	Hedgerow restoration and screening needs to be compatible with the landowners ongoing use of the land and not affect its development potential.	Noted. Hedgerow restoration and planting is limited to existing boundaries and does not preclude the use of the land.
Alice Morton RR-0042	Climate Change	I am very concerned about the recent application by Luton Rising to nearly double the capacity of Luton Airport, accommodating up to 32 million passengers. This is particularly worrisome considering that in 2012, Luton Airport had expressed that achieving a growth of 18 million passengers by 2028 would be sufficient to benefit local employment and boost the regional economy. I strongly oppose this sudden shift towards such a substantial expansion, as it would undoubtedly result in severe negative consequences. One of my primary concerns is the significant increase in carbon emissions associated with a larger airport capacity. If the proposed expansion were to be approved, it is estimated that carbon emissions from Luton Airport would surge by approximately 60%.	<p>A lifecycle GHG impact assessment has been undertaken in line with the principles for environmental impact assessment and compliance in the Airports National Policy Statement, as presented in Chapter 12 Greenhouse Gases of the Environmental Statement [APP-038].</p> <p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>The government has introduced a range of measures to control carbon.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>For example, the Jet Zero Strategy is the government strategy on how aviation will contribute to meeting the UK's climate change commitments. Paragraph 3.57 sets out that "we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth" (Ref 1). The modelling behind the Jet Zero Strategy (and the update) incorporated growth at Luton in its assumptions at the same level as that proposed by the Application.</p> <p>The Jet Zero Strategy acknowledges there will be higher costs associated with decarbonisation. These costs are taken into account in the demand forecasts for the Proposed Development as set out in the Need Case [AS-125].</p> <p>Carbon emissions for aviation in the ES are modelled on the Jet Zero Strategy High Ambition scenario that represents current UK Government policy on aviation. Ultimately the greenhouse gas emissions from aviation at Luton airport</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p>
Alice Morton RR-0042	Climate Change/Air Quality	<p>This alarming rise in emissions would not only worsen local air quality but also contribute to the global issue of climate change, further exacerbating the environmental challenges faced by our planet. The consequences of intensified climate change are already being felt worldwide, manifesting in rising temperatures, extreme weather events, sea-level rise, and the loss of biodiversity. Adding to the already substantial carbon emissions from aviation, the proposed expansion of Luton Airport would further accelerate climate change, intensifying these environmental problems and placing an even greater burden on future generations.</p>	<p>A lifecycle GHG impact assessment has been undertaken in line with the principles for environmental impact assessment and compliance in the Airports National Policy Statement, as presented in Chapter 12 Greenhouse Gases of the ES [APP-038].</p> <p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>The government has introduced a range of measures to control carbon. For example, the Jet Zero Strategy is the government strategy on how aviation will contribute to meeting the UK's climate change commitments. Paragraph 3.57 sets out that "we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth" (Ref 1). The modelling behind the Jet Zero Strategy (and the update) incorporated growth at Luton in its assumptions at the same level as that proposed by the Application.</p> <p>The Jet Zero Strategy acknowledges there will be higher costs associated with decarbonisation. These costs are taken into account in the demand forecasts for the Proposed Development as set out in the Need Case [AS-125].</p> <p>Carbon emissions for aviation in the ES are modelled on the Jet Zero Strategy High Ambition scenario that represents current UK Government policy on</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>aviation. Ultimately the greenhouse gas emissions from aviation at Luton airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p> <p>Chapter 7 Air Quality [APP-034] of the ES has provided an assessment of air quality following the methodology agreed with the local councils. No significant impacts are predicted to occur.</p> <p>The benefits and adverse impacts associated with the Proposed Development, including any environmental and social benefits/impacts, will be taken into</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			account by the Examining Authority (ExA) in making a recommendation to the Secretary of State (SoS), who will make a decision in relation to the application for development consent.
Alice Morton RR-0042	Noise	Another significant concern I have is the substantial increase in noise pollution resulting from the increase in air traffic. The quality of life for residents in the vicinity would be significantly impacted by the constant increase in airplane noise. The peacefulness and tranquillity of the surrounding rural environment would be further diminished.	The impact of noise due to increased aircraft movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [APP-042].
Alice Morton RR-0042	Traffic and Transport	Additionally, the proposed expansion would place an immense strain on local transportation infrastructure, leading to congestion on roads and railways. The existing services would be overwhelmed by the influx of passengers, causing disruptions and inconveniences for both commuters and residents alike. In summary, the sudden shift towards seeking a much larger expansion of Luton Airport is deeply concerning. The potential increase in carbon emissions, exacerbation of climate change, heightened noise pollution, and strain on local transportation infrastructure highlight the negative consequences associated with such a significant expansion. It is crucial to carefully consider the long-	<p>The traffic modelling undertaken as part of the Transport Assessment demonstrates that the proposed highway improvements would mitigate the traffic impacts from the Proposed Development. There would not therefore be a worsening of the existing traffic conditions.</p> <p>The Applicant is supportive of sustainable transport and is seeking to increase the use of sustainable transport modes to access the airport. To support this, the airport expansion</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		term environmental and social implications before proceeding with this expansion plan"	<p>includes a tripling of the bus and coach interchange facilities at the airport, along with extending the Luton DART to the proposed Terminal 2. As a consequence of the new staff and passenger demand for travel to the airport, it would be expected that bus services would increase to support that demand as they create additional revenue for the bus operators. Improvements to buses could include new routes or increased frequencies on existing routes, which could be beneficial to the local community.</p> <p>A lifecycle greenhouse gases impact assessment has been undertaken in line with the principles for environmental impact assessment and compliance in the Airports National Policy Statement, as presented in Chapter 12 Greenhouse Gases of the ES [APP-038]. An assessment of the noise impacts of the Proposed Development has been undertaken and reported in Chapter 16 Noise and Vibration of the ES [AS-080]. These assessments clearly set out the likely</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			significant environmental effects (or lack thereof) and proposed mitigation (where required) for the Proposed Development in these areas.
Kerry Toyer RR-0800	Landscape and Visual	The proposed expansion of Luton Airport, will devastate some of the most beautiful countryside and wildlife in this part of the UK. The destruction that it will cause to these rural areas, is a COMPLETE contradiction to the so called "Save the Planet / Green Agenda" that is currently being pushed on us - such as discouraging flying, reducing emissions, etc, etc. Once the countryside has been ripped up and bulldozed over, that will be it - gone for ever - replaced by yet another expanse of "concrete jungle" and no turning back. Having lived in this area for 50 years, the prospect of this going ahead, actually does not bear thinking about. It will be a devastating!	<p>A full Environmental Impact Assessment has been undertaken and the findings reported the Environmental Statement submitted as part of the application for development consent.</p> <p>Therefore, environmental effects will be considered by Inspectors appointed by the Planning Inspectorate when examining this application for development consent.</p> <p>This includes Chapter 14 Landscape and Visual effects [AS-079], Chapter 8 on Biodiversity [AS-027], and Chapter 12 on Greenhouse gas emissions [APP-038] of the Environmental Statement.</p> <p>The Need Case [AS-125] and Planning Statement [AS-112] discuss</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			aviation demand and planning policy respectively.
Robin Ashcroft RR-1280	Climate Change	In 2019 the requirement for the UK to achieve net zero emissions by 2050 (with all emissions by that date needing to be balanced by greenhouse gas removals) became law. In April 2021, the Government announced it would accept the advice of its expert climate advisory body, the CCC, that the sixth carbon budget (covering years 2033-37) should deliver a 78% reduction in emissions below 1990 levels and, for the first time, should include international aviation and shipping emissions.	<p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>It has introduced a range of measures to control carbon. For example, the Jet Zero Strategy is the government strategy on how aviation will contribute to meeting the UK's climate change commitments. Paragraph 3.57 sets out that "we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth". The modelling behind the Jet Zero Strategy (and the update) incorporated growth at Luton in its assumptions at the same level as that proposed by the Application.</p> <p>Government policy as set out in the Jet Zero Strategy is that there is no need to restrict growth in air transport demand</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>to enable the Government's climate change targets to be met, albeit there will be higher costs associated with decarbonisation. These costs are taken into account in the demand forecasts for the Proposed Development as set out in the Need Case [AS-125].</p> <p>Carbon emissions for aviation in the ES are modelled on the Jet Zero Strategy High Ambition scenario that represents current UK Government policy on aviation. Ultimately the greenhouse gas emissions from aviation at Luton airport will be managed and capped by the UK Emissions Trading Scheme (UK ETS) within the European Economic Area, and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>A lifecycle GHG impact assessment has been undertaken in line with the principles for environmental impact assessment and compliance in the Airports National Policy Statement, as presented in Chapter 12 greenhouse Gases of the Environmental Statement [APP-038].</p>
John Michael Humphreys RR-0717	Landscape and Visual	<p>The V shaped hedge between 7.32 and 7.44 on our land in Tea Green is not necessary as the Airport cannot be seen here due to rising ground. The hedge 7.39 in front of our house will block excellent views over the countryside. There is only a distant view of the end of the runway. The hedge 7.39 to 7.45 does not screen views of the airport as it is at the wrong angle. It also blocks views from our garden.</p>	<p>The hedgerow mitigation has been proposed following extensive surveys and the Landscape and Visual Impact Assessment (including the collection of photography and photomontage showing representative at viewpoints) reported in Chapter 14 Landscape and Visual [APP-040] of the Environmental Statement.</p> <p>The assessment identified significant effects which could be mitigated by this visual screening. These are not new hedgerows but restoration and enhancement of existing rows. Sensitive receptors which could be impacted by the Proposed</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>Development include the landscape character and users of public rights of way, such as the Chiltern Cycle Way Route and footpaths in this area and the effects are mitigated by the proposed screening.</p> <p>Screening mitigation in this area will be reviewed as other development proposals in this area progress through the planning system.</p>
John Michael Humphreys RR-0717	Traffic and Transport	I am very concerned that the proposals will bring about an increase in pollution, an increase in noise and an increase in traffic volume on the already overcrowded country lanes, some of which are already used as "rat runs" by commuters and some of which are single lane.	<p>There is the potential for some redistribution of vehicular trips around the local highway network (aka rat-running) as a result of the Proposed Development, however any impacts that have been identified through detailed modelled assessments have been considered and where appropriate mitigation proposed, more details are provided in the Transport Assessment [APP-203 to APP-206].</p> <p>The inclusion of proposed traffic management measures in rural areas is also designed to reduce the potential for rat-running, where the Applicant would continue to monitor traffic in</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			these areas and work with local authorities in developing schemes as necessary.
John Michael Humphreys RR-0717	Air Quality	I am very concerned that the proposals will bring about an increase in pollution, an increase in noise and an increase in traffic volume on the already overcrowded country lanes, some of which are already used as "rat runs" by commuters and some of which are single lane.	The air quality assessment (Chapter 7 [APP-034]) has provided an assessment of air quality following the methodology agreed with the local councils. No significant impacts are predicted to occur.
John Michael Humphreys RR-0717	Noise	I am very concerned that the proposals will bring about an increase in pollution, an increase in noise and an increase in traffic volume on the already overcrowded country lanes, some of which are already used as "rat runs" by commuters and some of which are single lane.	The impact of noise due to increased vehicular movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [APP-042] .
John Michael Humphreys RR-0717	Design	Has there been any liaison between Luton Rising with their proposals. Evolution Power with their planning application for the Wandon End Solar Farm and the Developers currently working on prospective plans for the East of Luton? All three proposals on some of the same land ?	It is recognised that the Wandon End Solar Farm was not included in the cumulative assessment (as described in Chapter 21 In-combination and Cumulative Effects [AS-032] of the ES) as the application was added to the North Hertfordshire Council planning portal after the screening search freeze date (three months ahead of

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>submission) as described in paragraph 21.3.23 of the ES.</p> <p>Engagement has been undertaken with the developers of Wandon End Solar Farm. Design has been reviewed and the Proposed Development in these areas is compatible with the solar farm development. An agreement is under development to determine shared responsibilities of design and implementation.</p> <p>There is also ongoing engagement with Bloor Homes who are the housebuilders promoting East of Luton.</p>
Luton Airport Operations Limited RR-0873	Economics	<p>London Luton Airport Operations Limited ("LLAOL") (Registration Number: 03491213) confirms its support for the Development Consent Order (DCO) application to expand London Luton Airport to 32 million passengers per annum (the "Application") submitted by Luton Rising (the "Applicant"). The Applicant's plans align with our ambition as the Airport Operator to grow the supply of airport capacity at Luton to help satisfy growth in aviation demand across the London market. The success and growth of London Luton Airport is essential to 'levelling up' a region that relies on the airport's success to fund vital</p>	Noted.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		public services, and the expansion will also support the UK's broader economic growth agenda.	
Luton Airport Operations Limited RR-0873	Environment/ Sustainability	Since we provided our feedback on the Statutory Consultation in April 2022, we have continued to work closely with the Applicant to assist their development of the DCO scheme that enables growth, in a sustainable way. This has resulted in what we consider to be the most sustainable airport expansion plan ever proposed in the UK. In particular: • Green Controlled Growth (GCG) Framework – This framework ensures that growth at the airport will be conditional on compliance with strict environmental limits, ensuring such growth is sustainable.	Noted.
Luton Airport Operations Limited RR-0873	Economics	• Managing growth – Airlines operating at London Luton Airport are ambitious to expand and to bring new jobs and new opportunities to the region. Airlines are currently working with LLAOL to deliver the next generation of quieter aircraft into Luton, which will ensure our noise impacts are sustainably managed in line with the GCG framework. • Terminal capacity build out – Expanding capacity is critical to growing the airport and we are pleased the Applicant has taken on board our ideas and approach to how the existing operational terminal can be expanded. This approach will minimise disruption to the airport and local community (re: construction impact), whilst allowing for more passengers to use the airport.	Noted.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Luton Airport Operations Limited RR-0873	Climate Change	<ul style="list-style-type: none"> • Acting responsibly – A core tenet of the way we operate the airport is to ensure we continuously review our environmental impacts and implement plans that will reduce our carbon footprint as well as that of our service partners. The DCO builds on this commitment. Our excellent track record for creating a sustainable airport is a matter of public record, where we are committed to achieving carbon neutrality by 2026 or sooner and net zero by 2040 for airport operations. The Environmental Scrutiny Group and increased public engagement will provide further opportunity to strengthen the airports' credentials in this area. 	Noted.
Luton Airport Operations Limited RR-0873	Noise	<ul style="list-style-type: none"> • Enhanced Noise Insulation Scheme – as part of the DCO plans we agree that it is vital to reduce the adverse impacts of growth on those most affected, particularly by noise. We are therefore supportive of, and committed to, delivering the proposed Noise Insulation Programme (which has been significantly enhanced versus the current scheme) in conjunction with the Applicant. LLAOL recognises that in seeking approval for the DCO it is important for the Applicant to demonstrate adequate financial resources are in place, both in relation to any land acquisition proposed and the wider implementation of the project. Subject to approval being obtained and subject to suitable commercial arrangements being agreed with the Applicant, LLAOL is committed to the 	Noted.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		<p>development and growth of the airport. Negotiations are ongoing to reach a suitable commercial agreement with The Applicant, which need to be in place prior to development commencing. Nevertheless, LLAOL may wish to make representations during examination including but not limited to: • Matters concerning airport operations; • Matters concerning the extant Concession Agreement; • Developments to the DCO Drafting and S.106 Agreement; • The extant planning position at the airport. LLAOL recognises the critical position we maintain in running the UK's fifth largest airport. A successful London Luton Airport creates economic growth, jobs and new opportunities through the local economy that in turn helps to improve the lives of residents in the local area. Expanding the airport in a long-term sustainable way that is underpinned by net zero operations by 2040 and other environmentally driven Limits to growth is innovative and presents an exciting future for the airport. We are therefore supportive of this Application and to working with the Applicant to deliver it post approval, subject to reaching commercial agreement."</p>	
Brown & Co on behalf of Eldridge Family	Design	<p>Our clients are the owners of [Redacted] which is a detached residential property sitting in grounds of approximately 5 acres. The property is located approximately 550m north-east of the airport runway and around 3.3 acres of the property (6-04) has been</p>	<p>In the design of the project the Applicant has sought to minimise the land and rights required from third parties to deliver the proposed Development. The new fuel pipeline is</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
RR-0410		identified in the draft DCO as being required for permanent rights and restrictive covenants to construct, protect, operate, access renew and maintain a new fuel pipeline and associated installations. Further permanent rights and restrictive covenants are sought to construct, operate, access, protect and maintain a habitat mitigation area. The rights and restrictions are not accompanied by sufficient detail to be able to understand the extent of rights, works and ongoing restrictions that would be imposed on our client's property and subsequently the impact of these on the property and our clients.	<p>3232 part of the proposed Development and has been routed to minimise impact.</p> <p>The location of the proposed pipeline is indicated on General Arrangement Drawings Part 2 of 3 [AS-019]. It will take a route across the land in Plot 6.04 in a location still to be fixed but that will only impose restrictions on a corridor 6 metres wide, crossing the land on an angle from north to south (so as to maintain the screening benefit of the woodland).</p> <p>Once designed the remainder of the land will be returned to the owner. The Applicant will work with the owner to achieve this, and arrangements will be made at the beginning of September to hold a meeting.</p> <p>The land parcel referred to is identified as Woodland 4 in the Outline Landscape and Biodiversity Management Plan [AS-029] (Figure 3 of this plan showing the location of Woodland 4 was removed from the</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>published version as it contained other information that is confidential). As part of the biodiversity mitigation, management, and net gain proposals this woodland would be subject to long term management to improve its biodiversity value.</p> <p>Woodland 4 (mixed plantation) will be enhanced to become broadleaved woodland. A staged felling will occur within these woodlands retaining any broadleaved trees, subject to condition surveys for diseases such as ash dieback, while removing non-native coniferous trees. Coniferous trees will be slowly removed in three stages over a period of 10 years and replaced with suitable native broadleaf species. Approximately a third of the coniferous species will be removed in years 1, 5 and 10 starting in assessment Phase 1; as described in section 4 of the Outline Landscape and Biodiversity Management Plan [AS-029].</p>
Brown & Co on behalf of	Design	This has been a complete change in direction from the previous dialogue where our clients were advised	The land and property identified in the draft Development Consent Order

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Eldridge Family RR-0410		the intention had been to acquire the whole of their property if the scheme were to go ahead. The taking of rights is a new proposal and needs to be better detailed and considered. The 4c(02) works are copied below and I have made notes of queries next to each item.	where powers of compulsory acquisition are sought have been limited to what is necessary and proportionate to deliver the Proposed Development. The whole of this property is not required and is therefore not included in the plans. There has been an ongoing dialogue with the owner about the purchase of the property and our rationale for excluding it from the draft DCO has been explained at a meeting on 27 October 2022 and subsequently in writing by letter dated 24 November 2022.
Brown & Co on behalf of Eldridge Family RR-0410	Design	The works 4c(02) also cross over other Plots in addition to our client's so it is not clear to the extent some or all of these rights will be exercised and/or impact on our client's land.	Details can be found in the General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) .
Brown & Co on behalf of Eldridge Family RR-0410	Design	Earthworks to provide site levels – It is not clear the extent of earthworks required on our client's land and finished levels.	The pipeline will be laid underground and the land reinstated on the same profiles as existing and landscape reinstated as existing.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Brown & Co on behalf of Eldridge Family RR-0410	Design	Pipework monitoring systems – It is not clear where these will be located on our clients land. Will they be above/below ground, what size will they be (including any ancillary infrastructure)? Will this have potential to generate noise or light?	Details can be found in the General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) . There is an above ground installation shown. This will not be on the Eldridge land, will not be lit and is not expected to make any noise that would be audible from the property. Pipework monitoring will be undertaken by overhead inspection of the route via helicopter (marker posts will be provided at field boundaries to enable such inspections - see response below) and by sending devices through the pipeline.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Fuel pumps – It is not clear where these will be located on our clients land. Will they be above/below ground, what size will they be (including any ancillary infrastructure)? Will this have potential to generate noise or light?	Details can be found in the General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) . The above ground installation, where the pumps are located, is in Plot 6-11 which is on land owned by the Applicant. The fuel pumps will not therefore be located on the owners land.
Brown & Co on behalf of	Design	Landscaping – The landscape documents identify our client's land as existing woodland but there is no detail over any proposed works.	The location of the proposed fuel pipeline is shown on General

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
<p>Eldridge Family</p> <p>RR-0410</p>			<p>Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22).</p> <p>This existing woodland is identified as Woodland 4 in the Outline Landscape and Biodiversity Management Plan [AS-029] (Figure 3 of this plan showing the location of Woodland 4 was removed from the published version as it contained other information that is confidential). As part of the biodiversity mitigation, management, and net gain proposals this woodland would be subject to long term management to improve its biodiversity value.</p> <p>Woodland 4 (mixed plantation) would be enhanced to become broadleaved woodland. A staged felling would occur within these woodlands retaining any broadleaved trees, subject to condition surveys for diseases such as ash dieback, while removing non-native coniferous trees. Coniferous trees would be slowly removed in three stages over a period of 10 years and replaced with suitable native broadleaf species.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>Approximately a third of the coniferous species would be removed in years 1, 5 and 10 starting in assessment Phase 1; as described in section 4 of the Outline Landscape and Biodiversity Management Plan [AS-029].</p>
Brown & Co on behalf of Eldridge Family RR-0410	Design	Security fencing, gates and monitoring systems – It is unclear if fencing will be located on or adjacent to our clients land. With regard to the monitoring systems it is unclear if these will be above/below ground, their size including any ancillary infrastructure and noise or light generation.	<p>See drawing included in General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) which shows security fencing to the perimeter of the Above Ground Installation which is located only on the Applicant's land.</p> <p>There is no permanent fencing proposed to be installed on this property. The details of the installation on neighbouring property are shown on the drawing reference above. It would not be lit and not expected to make any noise that would be audible from the property</p>
Brown & Co on behalf of Eldridge Family	Design	Vehicle access track from highway to provide access and parking and loading area adjacent to national pipeline connection – We believe the connection to the national pipeline is on neighboring land to the north-east of our client's property but have sought	See General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) . The proposed access track is on land to the north of this property and would not impact this property.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
RR-0410		confirmation. It is not known where the proposed trackway, parking, loading area is intended to be located and therefore to consider and establish if they will have an impact on our client's property.	
Brown & Co on behalf of Eldridge Family RR-0410	Design	Additional Queries: Depth of pipe, width of pipe and width of excavation for construction? Width or working corridor and extent of any compound areas required during construction (presumably this is not over the whole of 6-04)?	The final details of the connection are subject to detailed design, however, the indicative route of the proposed fuel pipe line is shown on General Arrangement Drawings Part 2 of 3 Revision 1 [AS-019] (page 10 of 22) .. The pipe is expected to be approximately 10 inches in diameter and installed in an open trench up to 3m deep in this section. It is anticipated compounds will be outside this plot and the work will be within approximately 10m either side of the centreline of the pipeline to allow for the removal of trees (see below).
Brown & Co on behalf of Eldridge Family RR-0410	Design	Time period for completion of construction works on our clients land?	It is anticipated that the work may take approximately six months to allow for the necessary clearance of trees (see below), installation of the pipeline and reinstatement works.
Brown & Co on behalf of	Design	Width of corridor over which ongoing rights required for protection, operation, access, renewal and	It is anticipated that the corridor required would be six metres wide,

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Eldridge Family RR-0410		maintenance for the pipeline and associated installations (presumably not over the whole of 6-04)?	being 3 metres either side of the centreline of the new pipe.
Brown & Co on behalf of Eldridge Family RR-0410	Design	The detail of “associated installations” as this is vague and leaves significant uncertainty. Presumably there will need to be removal of trees on our client’s land but there is not information provided on this.	The pipeline would be laid within the limits of the draft DCO and efforts made to minimise requirement to remove existing trees. The 6 metre easement width would need to be maintained and cleared of trees.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Post construction the frequency of access requirements onto our client’s land? Under Schedule 5 of the Draft DCO (Acquired Rights) 6-04 – “The rights and restrictive covenants to construct, protect, operate, access, renew and maintain a new fuel pipeline and associated installations.” 6-04 & 6-03 – “The rights and restrictive covenants to construct, operate, access, protect, and maintain a habitat mitigation area” There is no information on the rights and restrictive covenants that are required and this is left widely open. Depending on the covenants sought this could have a significant impact on our client’s and their property.	Inspection of the pipeline will occur periodically but it is not envisaged that this should disturb or inconvenience the property owner as inspections would be predominantly undertaken via helicopter (marker posts would be provided to indicate the location of the fuel pipeline at field boundaries) and by sending monitoring devices through the pipeline. The easement would permit inspection, maintenance, repair and replacement as a matter of good practice for the owner of the apparatus but the frequency of such events is expected to be low.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>This existing woodland is identified as Woodland 4 in the Outline Landscape and Biodiversity Management Plan [AS-029] (Figure 3 of this plan showing the location of Woodland 4 was removed from the published version as it contained other information that is confidential). As part of the biodiversity mitigation, management, and net gain proposals this woodland would be subject to long term management to improve its biodiversity value.</p> <p>Woodland 4 (mixed plantation) would be enhanced to become broadleaved woodland. A staged felling would occur within these woodlands retaining any broadleaved trees, subject to condition surveys for diseases such as ash dieback, while removing non-native coniferous trees. Coniferous trees would be slowly removed in three stages over a period of 10 years and replaced with suitable native broadleaf species. Approximately a third of the coniferous species would be removed in years 1, 5 and 10 starting in</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			assessment Phase 1; as described in section 4 of the Outline Landscape and Biodiversity Management Plan [AS-029] .
Brown & Co on behalf of Eldridge Family RR-0410	Design	In terms of "protection" provisions these could be particularly significant and could depending on the detail severely restrict or sterilise our client's land. Without any detail it is not possible to understand what is proposed and consider.	The oil pipeline would be protected through use of an industry standard easement deed of grant or subterranean lease.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Building Plots – Plot 6-04 abuts an existing outbuilding which has the benefit of planning permission (permission in principle) for conversion into two dwellings. The garden for one of the dwellings is within plot 6-04 and this creates significant uncertainty. This links to the lack of detail over restrictive covenants but placing any constraints on the garden area and including it in Plot 6-04 has a particular impact and it is not clear why this is necessary. It may be that there was no knowledge of the planning permission when the plan was drawn up and so we would draw attention to that.	<p>The Applicant took the opportunity to consult the planning application made for these properties, has reviewed but made no comments on the basis the development at least 50m from the proposed fuel pipeline and therefore does not raise any concerns for the pipeline or wider proposed Development.</p> <p>Given the above, the Applicant's view is that the Proposed Development doesn't affect the planning permission and shouldn't have any negative impact upon it.</p> <p>This existing woodland is identified as Woodland 4 in the Outline Landscape</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>and Biodiversity Management Plan [AS-029] (Figure 3 of this plan showing the location of Woodland 4 was removed from the published version as it contained other information that is confidential). As part of the biodiversity mitigation, management, and net gain proposals this woodland would be subject to long term management to improve its biodiversity value. Therefore' the Proposed Development would only affect the woodland and not the dwellings. If the proposed garden requires the removal of existing woodland, the management and biodiversity calculations can be reviewed however this is unlikely to alter the overall conclusion of the impact assessment [AS-027] or Biodiversity Net Gain target [APP-067].</p>
Brown & Co on behalf of Eldridge Family RR-0410	Design	Water and services – our clients have rights for a private water supply pipe and we believe possibly other services over adjoining land which is within the draft DCO. This is over land plots 5-03, 5-13 and 6-18 and these rights are proposed to be brought to an end through the DCO if required. We would ask that this is considered and provision made for re-providing the rights lost.	<p>The detail of the water supply route will be requested at the next engagement meeting with the owner and the plans reviewed by the project design engineers.</p> <p>The draft DCO will only disapply existing land rights where there is an</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			interference with the Proposed Development. The Applicant will commit to maintain existing services to the property.
TBrown & Co on behalf of Eldridge Family RR-0410	Design	Our clients are concerned about the safeguarding and continuation of services to their property. The Land Registry do not hold a copy of the relevant conveyance documenting these rights so we are waiting to receive a copy to understand the full extent of rights.	Noted. The Applicant will commit to maintain existing services to the property.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Background & Impact Our clients have had a dialogue with the airport over a long period of time during which they have been advised they will be included within any CPO proposals and their property would be acquired if the scheme goes ahead. Although some early discussions took place about a private treaty purchase, terms were not agreed.	The Applicant will meet with the property owner to go through the details of the proposed development, consider how it impacts the property and work to resolve concerns raised. The Applicant does not have grounds to include the entire property in the land identified for compulsory acquisition and this will be explained further in the proposed meeting.
Brown & Co on behalf of Eldridge Family RR-0410	Design	The project halted during Covid which left our clients in further uncertainty. They continued to be advised during this time that the intention was to acquire their property but that airport activity was "catastrophically" effected and the CPO process was not at a stage where a purchase of their property could be considered. Contact was established again in 2022 where our clients were again advised the intention	The Applicant wrote to the property owner following a meeting at the property on 27 October 2022. The letter explained why the property was not included for compulsory acquisition in the draft DCO and explained that on account of its proximity to the runway the property may qualify for purchase

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		would be to acquire their property and that the project was moving forward. However, in December 2022 our clients were then advised there was no longer an intention to acquire their property and that permanent rights would instead be required.	by the Applicant subject to the terms of its Hardship Policy set out in Draft Compensation Policies, Measures and Community First [AS-128] . This remains the position.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Our client's property continued to be shown on the draft compulsory purchase plans until the submitted draft DCO and documents were provided to our clients in May 2023. This has as a result caused a considerable amount of uncertainty and stress. They have dealt with the uncertainty of not knowing if they would be able to stay in their home longer term and equally not knowing whether to consider and make alternative plans.	The Applicant met the owner on 27 October 2022 and explained the position. That was followed up in writing on 24 November 2022.
Brown & Co on behalf of Eldridge Family RR-0410	Design	Our client would like to build two new dwellings on their property for their children and their families to live in for which they have planning permission. They have continued to progress these plan in absence of any certainty that the airport expansion would go ahead, but this has understandably caused them considerable difficulty planning for the family's future. The new proposal of permanent rights is a complete change in direction and has created a number of new unknowns. As explained the lack of detail that is included in the new documents to be able to understand what is actually being proposed is causing considerable uncertainty.	The Applicant will work with the property owner to provide the information and detail required in order to remove uncertainty about the proposed Development. The restrictions in the draft DCO mean that rights only can be secured by the Applicant over this property, not any compulsory acquisition of land. These rights will not affect the ability for the owner to develop the property or have any effect on the properties should they be built.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Brown & Co on behalf of Eldridge Family RR-0410	Design	Pipe Route & Habitat Requirement Finally, we would question why the pipe route and habitat creation for which rights are sought is planned through and on our client's property and not on the extensive land ownership held by Luton airport surrounding our client's property. Our client is the only private property owner in the vicinity and are a relatively very small area on the edge of the scheme. It would seem routing the pipe around our client's property would be quite possible alternatives and we would question why this is not the case.	Alternatives for the pipeline route were examined and overall, the route chosen was considered the best taking into account all the factors which included the siting of the Above Ground Installation on the pipeline to maintain the openness of the Greenbelt, distance of the installations from the extended runway centreline and occupied property, security of the pipeline, provision of access using existing tracks as far as possible and length of the pipeline.
Brown & Co on behalf of Eldridge Family RR-0410	Design	In terms of habitat, again the airport already owns significant land for landscaping and habitat creation opportunities. We therefore query why Plot 6-04 is required with rights sought which impose potentially significant restrictions on the only private residence in the vicinity.	<p>There is no intention to impose any significant restrictions on the owner's ability to use and develop the property in the future.</p> <p>This existing woodland is identified as Woodland 4 in the Outline Landscape and Biodiversity Management Plan [AS-029] (Figure 3 of this plan showing the location of Woodland 4 was removed from the published version as it contained other information that is confidential). As part of the biodiversity mitigation, management, and net gain proposals this woodland would be</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>subject to long term management to improve its biodiversity value. This enhancement of existing habitats reduces the need for additional land take and allows the landscape scheme to improve biodiversity, whilst maintaining space, a mix of habitats and uses, and in keeping with the existing landscape character. Woodland 4 (mixed plantation) will be enhanced to become broadleaved woodland. A staged felling will occur within these woodlands retaining any broadleaved trees, subject to condition surveys for diseases such as ash dieback, while removing non-native coniferous trees. Coniferous trees will be slowly removed in three stages over a period of 10 years and replaced with suitable native broadleaf species. Approximately a third of the coniferous species will be removed in years 1, 5 and 10 starting in assessment Phase 1; as described in section 4 of the Outline Landscape and Biodiversity Management Plan [AS-029].</p>
Ian Stewart	Landscape and Visual	Destruction of well established green space. Unnecessary expansion as capacity in the SE is	The demand forecasts, as set out in the Need Case [APP-213] demonstrate

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		sufficient especially as demand will flatline In the future.	<p>that there is clear demand for growth at London Luton Airport having taken into account current and planned capacity at the other London airports.</p> <p>The open space and habitat impacted by the proposal have been extensively surveyed and assessed as described in Chapter 8 Biodiversity [AS-027], Appendix 8.1 on Ecology Baseline [AS-033 and 034], and Chapter [14 Landscape and Visual [AS-079] of the Environmental Statement. Larger and better quality replacement open space and habitats have been designed and are provided as part of the Proposed Development as described in the Strategic Landscape Masterplan [APP-172].</p>
Ian Stewart	Transport and Traffic	Impact on local roads is all theoretical and decided by people who do not know the area. Naïve to think people will follow signs, they will still go on residential streets to get to the airport.	There is the potential for some redistribution of vehicular trips around the local highway network (aka rat-running) as a result of the Proposed Development, however any impacts that have been identified through detailed modelling assessments have been considered and where

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>appropriate mitigation proposed, more details are provided in the Transport Assessment [APP-203 to APP-206].</p> <p>The inclusion of proposed traffic management measures in rural areas is also designed to reduce the potential for rat-running, where the Applicant would continue to monitor traffic in these areas and work with local authorities in developing schemes as necessary.</p>
Mary Stewart	Noise	"The Airport Expansion is going to effect our mental health from the constant noise	The impact of noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [APP-042] .
Mary Stewart	Air Quality	as well as our physical health by added amounts of pollution, which is already pretty-bad - some days the smell of the fumes is overwhelming).	The air quality assessment (Chapter 7 [APP-034]) has provided an assessment of air quality following the methodology agreed with the local councils, including an assessment of odour impacts. No significant impacts are predicted to occur.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Mary Stewart	Landscape and Visual	<p>Destroying Wigmore Park is only going to exacerbate the pollution situation, added to the hundreds/thousands of cars which will be coming to Luton Airport which is like coming to a Cul-de-sac!!!! Most of the people making these crazy decisions about the Airport live nowhere near here"!!!!"</p>	<p>Wigmore Park has been extensively surveyed and assessed as described in Chapter 8 Biodiversity [AS-027], Appendix 8.1 on Ecology Baseline [AS-033 and 034], and Chapter [14 Landscape and Visual [AS-079] and Chapter 13 on Health and Community [AS-078] of the Environmental Statement.</p> <p>Larger and better quality replacement open space and habitats have been designed and are provided as part of the Proposed Development as described in the Strategic Landscape Masterplan [APP-172] to mitigate and compensate for the loss of part of the park.</p> <p>Cars and other forms of transport for passengers accessing the airport are considered in the Surface Access Strategy [APP-228] and Transport Assessment [APP-195 to APP-206].</p>
Mary Stewart	Transport and Traffic	<p>Destroying Wigmore Park is only going to exacerbate the pollution situation, added to the hundreds/thousands of cars which will be coming to Luton Airport which is like coming to a Cul-de-sac!!!!</p>	<p>A detailed Transport Assessment [APP-203 to APP-206] has been produced to support the application for development consent. This assessment</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		Most of the people making these crazy decisions about the Airport live nowhere near here"!!!!"	<p>has carefully and robustly assessed the forecasted impact and effects of surface access related travel to and from the airport and where relevant and necessary has proposed measures to mitigate against any significant impacts that are forecasted to occur.</p> <p>A Framework Travel Plan (FTP) [AS-131] has also been prepared, which sets out the structure and approach for Travel Plans (TPs) that will be produced in accordance with the requirements of the Draft Development Consent Order (DCO) [AS-005], to deliver upon the vision and objectives for surface access as the airport expands. This will seek to maximise the opportunities for people to travel to and from the airport by non-car, sustainable means.</p> <p>Whilst the Surface Access Strategy (SAS) [APP-228] covers a 20-year period and guides the long-term growth of the airport, the TPs are the 'implementation' of this strategy. TPs will be produced every five years, with</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>specific time-bound Targets for surface access during that shorter time period, supported by a package of interventions and measures to achieve them.</p> <p>Airports do much that is good, however, it is also acknowledged that airports can also generate negative environmental effects that, unless controlled and managed, can impact on surrounding communities.</p> <p>As such the Green Controlled Growth (GCG) Framework [APP-218] approach that has been developed is key for the ambition for Luton Airport to enable sustainable expansion.</p> <p>This unique GCG Framework has been established make sure that airport growth takes place within environmental Limits, which aligns with the Governments Jet Zero Strategy. Crucially, these Limits are not vague aspirations – they will overseen by an independent body called the Environmental Scrutiny Group (ESG)</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>and compliance with the GCG Framework will be a legal requirement. This Green Controlled Growth Framework [APP-217] was submitted in support of the application for development consent and sets out the necessary processes required for the functioning of the GCG approach and the values of the Limits and Thresholds.</p> <p>The GCG will place controls on four key categories of environmental effect: air quality, greenhouse gas emissions, aircraft noise, and surface access. These topics have been selected as the areas where environmental effects will continue to change over time, as passenger numbers grow and technology improves.</p> <p>Limits that are not to be exceeded have been defined, based on the following environmental effects:</p> <ul style="list-style-type: none"> - aircraft noise – by the total area of land experiencing noise above a certain threshold;

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<ul style="list-style-type: none"> - air quality – by the concentrations in the air of the pollutants most relevant to human health; - greenhouse gas emissions – by emissions from airport operations and surface access; and - surface access – by percentage of passengers and staff travelling by unsustainable modes of transport. <p>These limits will be regularly monitored and if monitoring were to indicate at any point that a Limit was in danger of being breached, then plans must be produced by the airport operator to set out how that breach will be avoided. If any one of the environmental Limits were breached (unless for reasons outside the airport operator's control), further growth will be stopped, mitigation will need to be implemented if required, and ultimately, airport capacity would be constrained until environmental performance returned below the Limits.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Ryebridge Construction	Economics and Employment	We are fully behind the expansion of the Airport. The Airport is already an essential employer and generates jobs and opportunities for suppliers like us in the local community. As a business over 90% of our employees are local and the Airport has been at the centre of our growth. We have employed a local supply chain and again this spend is within the community. The Airport has shown already that growth brings opportunities, and this will undoubtedly be utilised within the proposed expansion. The proposed airport redevelopment and expansion plans - while managed under the ethos of Green Controlled Growth - are both exciting and essential for the future of Luton. We believe that Luton Rising's vision will facilitate economic growth and opportunities for the region.	Noted.
Keith Murray Consultants on behalf of Follett Property Holdings Ltd	Compensation	The Order as proposed provides for an inadequate period of time in which to reinvest the compensation monies therefore an undertaking is sought from the promotor to make adequate provision to do so. The Order seeks to acquire/take temporary possession of all areas of car parking and amenity land thereby leaving the building itself in isolation and of no practical use to the occupants therefore an undertaking is sought from the promotor to acquire the entirety of the interest.	<p>The Compensation Code makes provision for an Investment Owner to claim for costs of reinvestment if the reinvestment is made by the same legal entity into UK property within 12 months of the compulsory acquisition.</p> <p>Compensation matters such as this are outside of the scope of the examination of the DCO.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			<p>The powers sought in the Order are limited to what the Applicant is able to justify for the purposes of delivering the scheme. The scheme has been designed to maintain the ability to occupy and access the property such that acquisition of the entirety of the interest should not be necessary. The Applicant will however engage with the owners and occupiers in an attempt to resolve these concerns.</p>
<p>Eastern Power Networks Plc and UK Power Networks Operations Ltd RR-0404</p>	<p>General</p>	<p>Dear Sirs, Fisher German act as agents for and on behalf of UK Power Networks (Operations) Limited and its subsidiary companies that operate the electricity distribution network within this area through its subsidiary Eastern Power Networks Plc. Eastern Power Networks plc owns and operates Electric Lines and/or Electrical Plant (as those terms are defined in Section 64(1) of the Electricity Act 1989) in, on, over or under the land to be acquired and/or temporarily used under the proposed Development Consent Order ("the Order"). These rights and apparatus have been acquired and are used for the purposes of its statutory undertaking.</p>	<p>Noted.</p>
<p>Eastern Power Networks Plc and UK</p>	<p>Land and property</p>	<p>Eastern Power Networks plc objects to the making and confirmation of the Order unless at the cost of the acquiring authority there are first provided to it on no less favourable tenure suitable alternative sites and</p>	<p>The Applicant is in discussion with EPN/UKPN to address matters raised in its Relevant Representation, including as regards a form of</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Power Networks Operations Ltd RR-0404		suitable alternative rights in, on, over or under land in substitution to those to be acquired and/or temporarily used under the proposed Order and in, on over or under which there are first installed and commissioned Electric Lines and Electrical Plant in substitution for those in the land to be acquired and/or temporarily used under the above Order, before that land is acquired and/or temporarily used so that my client can carry out its statutory functions and contractual obligations no less efficiently than previously.	protective provisions for EPN/UKPN's benefit.
Eastern Power Networks Plc and UK Power Networks Operations Ltd RR-0404	Land and property	Currently no protective provisions have been provided by the Acquiring Authority for review or discussion however we note that a set of provisions has been made in the draft Order. Therefore in absent of protective provisions being agreed please treat this letter as an objection by Eastern Power Networks plc to the relocation and/or extinguishment of rights and apparatus mentioned above because their relocation will be detrimental to the carrying on of its undertaking.	The Applicant is in discussion with EPN/UKPN to address matters raised in its Relevant Representation, including as regards a form of protective provisions for EPN/UKPN's benefit.
Eastern Power Networks Plc and UK Power Networks	Land and property	No alternative land, rights and apparatus for those proposed to be acquired under the above Order are in place. We hope that these discussions can begin as soon as possible so that a satisfactory arrangement can be reached during the examination. Eastern Power Networks plc reserves the right to amend or supplement its objections in the light of any	The Applicant is in discussion with EPN/UKPN to address matters raised in its Relevant Representation, including as regards a form of protective provisions for EPN/UKPN's benefit.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Operations Ltd RR-0404		information that later becomes available. The above objection(s) will be deemed to be withdrawn upon signature of an appropriate deed of Undertaking by an authorised signatory of the Acquiring Authority.	
Phillips Planning Services Limited on behalf of London Luton Hotel BPRA Property Fund LLP RR-0856	Economics and Employment	We write on behalf of our clients, London Luton Hotel BPRA Property Fund LLP, the owners of the Holiday Inn Hotel located on Airport Way, Luton to register them as an Interested Party to the London Luton Airport Expansion Development Consent Order (DCO) application. The Holiday Inn Hotel is located on Airport Way and its demise is excluded from the red line boundary of the DCO. It is located directly to the north east of the proposed Airport Access Road (AAR) included in the DCO application. Prior to the submission of the DCO application, the Airport previously sought planning permission from Luton Borough Council which included full permission for provision of new road in the same location (in so far as it relates to the Holiday Inn) as the now proposed Airport Access Road (Local Planning Authority Reference Number 17/02300/EIA. Our clients engaged with consultations on the application for planning permission, highlighting that the road would stand less than 10 metres from the windows which serve hotel bedrooms, and that there would therefore be significant concerns regarding the adverse impact this would have on the amenity of the hotel.	<p>Chapter 11 Economics and Employment of the ES [APP-042] assessed that there would be no significant effects on the amenity of businesses including the hotel. This is based on the findings of the noise and vibration, visual, air quality and transport assessment, summarised below.</p> <p>Chapter 16 Noise and Vibration assessed that there would be no significant effect on the hotel. Chapter 14 Landscape and Visual, Chapter 7 Air Quality [APP-034] and the Transport Assessment [APP-203 to APP-206] of the ES did not identify that there would be any significant effects on the hotel or its users.</p> <p>Whilst no adverse likely significant effects have been identified for the Holiday Inn that would require additional mitigation, it is acknowledged</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			that a Commitment was made to provide an acoustic screen between the road and the Holiday Inn through Condition 23 of approved planning permission 17/02300/EIA. This was unintentionally omitted from the Proposed Development and the Applicant can confirm that it will be included.
Phillips Planning Services Limited on behalf of London Luton Hotel BPRA Property Fund LLP RR-0856	Noise	Most specifically the: Increased noise and disturbance from vehicles in very close proximity to bedrooms	The impact of noise due to increased vehicular movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [AS-080] .
Phillips Planning Services Limited on behalf of London Luton	Air Quality	Fumes and odours released from vehicles impacting the air quality within the bedrooms	The air quality assessment (Chapter 7 [APP-034]) has provided an assessment of air quality following the methodology agreed with the local councils, including an assessment of

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Hotel BPRA Property Fund LLP RR-0856			odour impacts. No significant impacts are predicted to occur.
Phillips Planning Services Limited on behalf of London Luton Hotel BPRA Property Fund LLP RR-0856	Landscape and Visual	The unsightly nature of a raised roadway directly in front of the windows impacting the quality of the bedrooms	<p>A Landscape and Visual Impact Assessment follow methodology agreed through EIA Scoping, best practice, and engagement with local authorities has been undertaken and is reported in Chapter 14 of the Environmental Statement [APP-040] (and supporting appendices and representative viewpoints) submitted as part of the application for development consent.</p> <p>The assessment did not identify that there would be any significant effects on the hotel or its users.</p>
Phillips Planning Services Limited on behalf of London Luton	Consultation	The application was granted planning permission on the 29th June 2021 subject to conditions. This included Condition 23 which was specifically provided to protect the amenity of the Holiday Inn. It stated that: "No development shall commence until details of the acoustic screen associated with the proposed New	The new Airport Access Road included in the Proposed Development would replace the New Century Park Access Road currently permitted by the planning permission 17/02300/EIA.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Hotel BPRA Property Fund LLP RR-0856		<p>Century Park Access Road to the west of the Holiday Inn hotel (illustrated on drawing D-Q30131-H-0101) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include acoustic reduction properties, height, materials and colour. The scheme shall be implemented in accordance with the approved plans and thereafter permanently retained and maintained" It is trusted the assessment of the DCO will similarly take into account the amenity of the hotel. Further to this, it is respectfully requested that the London Luton Hotel BPRA Property Fund LLP is confirmed as an 'Interested Party' in the DCO allowing and preserving their opportunity to make further comments on the application as relevant and appropriate."</p>	<p>The impact of noise due to increased vehicular movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts.</p> <p>Further details can be found in Chapter 16 Noise and Vibration of the ES [AS-080]. For example, the Airport Access Road would be constructed with a low noise, thin surface course system to reduce noise levels.</p> <p>Whilst no adverse likely significant effects have been identified for the Holiday Inn that would require additional mitigation, it is acknowledged that a Commitment was made to provide an acoustic screen between the road and the Holiday Inn through Condition 23 of approved planning permission 17/02300/EIA. This was unintentionally omitted from the Proposed Development and the Applicant can confirm that it will be included.</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
Phillips Planning Services Limited on behalf of London Luton Hotel BPRA Property Fund LLP RR-0856	General	Further to this, it is respectfully requested that the London Luton Hotel BPRA Property Fund LLP is confirmed as an 'Interested Party' in the DCO allowing and preserving their opportunity to make further comments on the application as relevant and appropriate."	Through submitting a Relevant Representation, London Luton Hotel BPRA Property Fund LLP becomes an Interested Party.
Harrods Aviation Limited RR-0532	Land and property	Impact on the ability of airport tenants to use and enjoy the assets they lease from the airport concession holder/Luton Rising.	The Applicant is in dialogue with the landowner and will continue to work with them to address the concerns raised. It is not intended for any of the works to deliver the Proposed Development to cause impact on the leasehold interests held by this owner.
A.T.O. Holdings Ltd RR-0002	Land and property	A.T.O. Holdings are the owners of plot 7-44 comprising 15,271m2. In addition our client owns plots 7-18 and 7-20 and has an interest as Tenant in plots 7-28,7-33,7-34,7-35,7-30,7-37,7-45 and 7-46. Our client understands that several parties will be objecting to the DCO on a variety of specific grounds such as noise, pollution and has no wish to replicate/duplicate those objections, suffice that it supports many.	Noted.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
A.T.O. Holdings Ltd RR-0002	Land and property	These objections relate to the following :- Plot 7-44 The plot surrounds the edge and traverses a field used for agriculture with a cereal crop rotation. It is a single field. Crossing the field is a PROW, but this footpath does not prevent or hinder agricultural cultivations and harvesting. The land forms part of a Green Belt release for housing and is allocated in the adopted N.H.D.C Local Plan for residential development.	Noted. The Applicant is in dialogue with the housebuilder who has an option over this land. The dialogue will continue to achieve a mutually workable scheme between the Proposed Development and the Green Belt release for housing.
A.T.O. Holdings Ltd RR-0002	Land and property	The DCO plans "Land and Crown Land Plans-Reg 5(2)(i) and 5(2)(n) sheets 3 and 7 of 10 shows hedging retained and being reinforced /augmented together with new hedge planting. The new hedge planting (parallel with the footpath) will sever the existing field, preventing access and creating 2 field parcels. The documents accompanying the DCO indicate that permanent rights are required in respect of this plot. These rights/works (work No 5e) are intended to be exercised between 2025 and 2027. As far as our client has been able to ascertain these permanent rights will comprise the imposition of Restrictive Covenants.	The Applicant is applying for powers of compulsory acquisition including the ability to impose restrictive covenants to secure the retention and maintenance of new hedge planting. The Applicant will continue to work with landowners to reach agreement on these matters and only seek to rely on compulsory acquisition as a last resort.
A.T.O. Holdings Ltd RR-0002	Land and property	We have not seen a draft of the Covenants, or whether in reality they may be enforced as Positive Covenants by a Deed of Covenant to be entered into by successors in title. The permanent rights effectively provide a degree and level of control over the land which is tantamount to freehold ownership. For that	The Applicant has offered to meet with the landowner and agent to discuss these matters in more detail. Whilst this initial request to meet was declined we will repeat the offer and engage in

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		reason, our client seeks an amendment to the permanent rights and requires the freehold acquisition with reserved rights for the claimant and successors in title to enter the land to construct and thereafter maintain vehicular, pedestrian, cycle access and to lay and maintain services, so that it does not impede the use of the retained land for agriculture or sterilize development for much needed housing.	discussions to try to resolve the concerns raised.
A.T.O. Holdings Ltd RR-0002	Land and property	Plots 7-17,7-18,7-20 Our client is the owner of plots 7-18 and 7-20 and may have an interest in plot 7-17. Our client objects on the grounds that the land is not required for the purposes identified in the DCO. The rights over plot 7-20 and parts of 7-21 will serve no visual benefit as the views are screened by buildings.	The hedgerow improvements and restoration proposed to the north east of the airport, including the plots identified are required to mitigate landscape and visual effects as identified by the landscape and visual impact assessment reported in Chapter 14 of the ES [AS-079]. The effects identified include views from the area across to the Proposed Development, which affect users of Public Rights of way, and the landscape character in the area.
A.T.O. Holdings Ltd RR-0002	Land and property	Plots 7-28,7-33,7-34,7-35,7-30,7-37,7-45,7-46 As noted above our clients interest is one of an agricultural tenant.. The acquisition and taking of rights over Tankards Farm will impede the agricultural operations on the holding, reducing the extent of cropped land and the new hedge planting will sever fields creating access issues and additional	The Applicant does not expect the landscaping interventions to cause the problems outlined by the landowner. The Applicant has offered to meet with the landowner and agent to discuss these matters in more detail. Whilst this initial request to meet was declined we

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		headlands. Our clients objections extend to all plots and references in which they have an interest whether or not specifically referred to above. We reserve the right to make further representations/objections.	will repeat the offer and engage in discussions to try to resolve the concerns raised.
Cella UK Property Unit Trust 1 RR-0209	Land and property	Preservation House is a stand-alone industrial warehouse of 54,887 sqft with ground and first floor offices extending to 5,821 sqft. There is a secure yard and gate house. There is an HGV yard with loading bays on the North East elevation along with parking for 12 HGV's. On the South Eastern side of the building is carparking space for 60 cars. In all the site extends to 3.41 acres. Luton Borough Council is the tenant having taken an assignment of the lease from the original tenant. The draft Development Consent Order identifies plots 1-74a (230sqm) 1-86 (1,844sqm), 1-79 (5sqm) and 1-77 (75sqm) for Permanent Acquisition, in total 2,154sqm (0.532acres). The area of this permanent acquisition encompasses the road access, the gate lodge, all of the HGV parking and access to the loading bays.	Noted.
Cella UK Property Unit Trust 1 RR-0209	Land and property	The draft Development Consent Order also identifies plots 1-77a (3 sqm, 1-81 (22sqm), 1-74 (8,317sqm) and 1-88 (636 sqm) for "Temporary possession" an area in total of 8,978sqm (2.22ac). Crucially plot 1-74 includes the entire building, Preservation House and all of its carparking spaces. The draft order describes the work to be carried out on these plots as "Works in connection with Airport Access Road, associated	Noted. The powers of compulsory acquisition are limited to only include land and rights required to construct and operate the proposed Development. In light of the impacts on this property the Applicant has indicated willingness to acquire the whole of this property

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		laydown areas, access, working space to support construction" In aggregate the draft Order is proposing to take powers of permanent and temporary rights over 2.75 acres or 81% of the land area. What is more the land excluded from the Order is not only isolated it is mostly the marginal and amenity areas of the site.	and is currently waiting for the landowner to respond. The Applicant will continue to offer to engage with the landowner.
Cella UK Property Unit Trust 1 RR-0209	Land and property	At this stage Cella identifies the following issues and objections:- 1. The permanent land take (which is required for a new road) removes the access from the property. There does not appear to be provision made for the remaining property to have a functioning access to the new highway network.	A revised means of access for this property from the public highway could be provided if the owner wishes to retain ownership of the land identified for temporary occupation. The Applicant will continue to engage with the owner on this issue.
Cella UK Property Unit Trust 1 RR-0209	Land and property	2. Cella has not been provided with any proposals for accommodation works which would deal with a building which will have lost its vital loading bays and HGV parking. There is significant severance matters which have not been addressed.	The Applicant is in dialogue with the owner about the extent of land to be acquired including whether accommodation works are required for any retained land.
Cella UK Property Unit Trust 1 RR-0209	Land and property	3. The temporary use of the building and carpark for "laydown areas, access, working space to support construction" is of particular concern. No details of the use or time period have been provided. In the draft Order the rights proposed for temporary use are extensive including authorisation firstly for the "removal of any building" (33(1)(b) of draft Order) and secondly when giving up possession the draft Order	The Applicant will further engage with the owner to address these issues should it be relevant to do so when a decision has been made as to whether the whole or any part of the property is going to be acquired for the Proposed Development.

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		does not require the undertaker to “replace a building removed under this article” (33(4)(a) of the draft Order). Such extensive powers impose an unacceptable risk upon the landowner.	
Cella UK Property Unit Trust 1 RR-0209	Land and property	4. The draft Order provides a 10 year period following the grant of the DCO for the authority to exercise compulsory purchase powers. Such a time limit would provide an unacceptably long period of blight during which time the ability for Cella to sell, let or otherwise develop the property would be significantly restricted.	The scale and duration of the Proposed Development justifies the 10 year period requested for authority to exercise compulsory acquisition powers. The leasehold interest of this property is already held by Luton Borough Council which will protect the investment value and remove risk of blight. The Applicant is currently in dialogue with the landowner about the acquisition of the property and these discussions will continue.
Cella UK Property Unit Trust 1 RR-0209	Land and property	5. Cella suggests together the permanent and temporary acquisitions is an unacceptable injury to their property for which a full and early acquisition may be the only acceptable method of compensating their interest.	The Applicant will continue to engage with the landowner to agree the nature and extent of the acquisition of the property. Compensation will then be assessed in accordance with the Compensation Code.
Cella UK Property Unit Trust 1 RR-0209	Land and property	6. There has been limited attempts by the authority to negotiate compensation in advance of seeking the Development Consent Order. It is considered that the authority has so far failed to take “reasonable steps to acquire all of the land and rights included in the Order	Luton Borough Council has already taken an assignment of the leasehold interest in this property, and together with the Applicant, has been in dialogue with the owner since 2018. Efforts to

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		by agreement", as required by Guidance on Compulsory purchase process and The Crichel Down Rules The above issues are not an encompassing list of concerns or objections. Cella reserves the right to amend add and otherwise raise other issues of concern at the Public Inquiry stage of the Development Consent Order process.	acquire the property interests required by agreement will continue and use of compulsory acquisition powers only taken as a last resort.
Roebuck Land and Planning Ltd RR-1288	Land and property	<p>Offley Chase Estates Ltd is the freehold owner in all or part of plots 3.40, 3.41, 3.42, 7.40, 7.44 and 7.46 (subject to final verification on larger scale plans than those provided).</p> <p>The Works proposed comprise No Se off-site hedgerow restoration and screening secured by rights and restrictive covenants.</p> <p>The plots (land) above form part of and are within, land allocated for residential development in the recently adopted North Hertfordshire Local Plan for 2,100 houses East of Luton. Furthermore, the plots are within an outline planning application by Bloor Homes which is currently scheduled to be determined by the end of 2023. Paragraph 14.10.3 of ES Chapter 14 states that the hedgerow planting and restoration would not be delivered (required?) should housing growth promoted for delivery under Policy SP8 of the NHDC Local Plan 2011- 31 be forthcoming, as</p>	<p>The future delivery of the North Hertfordshire Local Plan 2011-2031 is outside of the Applicant's control.</p> <p>In relation to the Proposed Development, as stated in ES Chapter 14 Landscape and Visual [APP-040], the additional hedgerow and hedgerow tree planting/restoration to the south side of public footpaths Offley 001, 002 and 003 will not be delivered should the proposed housing development come forward in the location identified in the North Hertfordshire Local Plan as the housing will screen views from the Public Right of Way.</p> <p>The Applicant is in communication with Bloor Homes and has discussed the lack of suitability of a licence for the purpose of undertaking the works and has suggested a lease. Solicitors acting for Bloor Homes have undertaken to</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
		<p>development of this land is judged to screen the Proposed Development. Bearing in mind the Local Plan allocation and current planning application coupled with the timing for the off-site hedgerow works suggested to commence in 2025, we assume a decision can be made now that the hedgerow works are not required?</p> <p>If the works are still required, we are not sure how the proposed works are secured by rights and restrictive covenants but if this is the case an injurious affection claim would be appropriate. What is suggested (the extent of the works) is arguably more akin to a freehold purchase. The works would certainly impede future farming operations and probably sterilize areas of the future residential development site.</p> <p>We would appreciate a dialogue or meeting to cover the precise ownership, necessity, timing and legal structure for the works and access rights. And subsequently how the ongoing maintenance is dealt with, including funding?</p>	<p>consider further whether a lease can be agreed, noting that nothing in the lease will affect rights for Bloor Homes to claim compensation in accordance with the Compensation Code.</p> <p>The Applicant is already engaged in consulting Bloor Homes on the specification of the hedgerow works, recognising that the purpose for which the hedgerow is required must be capable of being met.</p> <p>ES Chapter 14 Landscape and Visual [APP-040] section 14.8 and 14.10 set out the proposed mitigation in relation to hedgerows. The majority are restoration to existing hedgerows; however, Point k. of paragraph 14.10.2 identifies new hedgerow and hedgerow tree planting to the south side of the track leading into Tankards Farm and public footpath Offley 004 (shown on Figure 14.6), where identified in Figure 14.10 of the ES [APP-152].</p> <p>The Applicant is open to discussion with Roebuck Land and Planning Ltd will make contact to further discuss the nature of rights required and the possible ways in which those rights can</p>

Affected Person and Examination Library Reference	Topic	Matters Raised in relevant Representation (Verbatim)	Luton Rising's Response
			be secured to meet the objectives of both developments.

REFERENCES

Ref 1 Department for Transport (2022) Jet Zero Strategy: Delivering net zero aviation by 2050 [Accessed 16 August 2023]