

August 2023

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.25 Applicant's Post Hearing Submission - Open Floor
Hearing 1 and 2**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.25

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.25 Applicant's Post Hearing Submission - Open Floor Hearing 1
and 2**

Deadline:	Deadline 1
Planning Inspectorate Scheme Reference:	TR020001
Document Reference:	TR020001/APP/8.25
Author:	Luton Rising

Version	Date	Status of Version
Issue 1	August 2023	Additional Submission - Deadline 1

Contents

1	Introduction	1
2	Open Floor Hearing 1	1
3	Open Floor Hearing 2	2

1 INTRODUCTION

1.1 This document summarises the submissions made by Luton Rising (the Applicant), at Open Floor Hearing 1 (OFH1) which took place at Venue 360 on 10 August 2023 and Open Floor Hearing 2 (OFH2) which took place at Venue 360 on 11 August.

1.2 Whilst the primary purpose of OFH1 and OFH2 was for parties to make oral representations to the Examining Authority (ExA) about the Proposed Development, at the request of the ExA, the Applicant was invited to reply before OFH1 and OFH2 were closed by the ExA.

1.3 Tom Henderson (TH), Partner at BDB Pitmans LLP, represented the Applicant.

2 OPEN FLOOR HEARING 1

2.1 TH thanked, on behalf of the Applicant, the various speakers who had taken the time to appear in person or online to articulate their comments on the Proposed Development.

2.2 TH confirmed that it was not the Applicant's intention to present its case at the OFH1, rather to provide points of clarification where considered to be appropriate. It was explained the Applicant would make three relatively short points, two which were substantive, and one which was procedural.

2.3 Firstly, it was noted that there had been several comments raised about airspace change. It was clarified that airspace change is not part of the application for development consent being examined by the ExA, and there is no proposal in the application for consent to change airspace routes. Airspace change is subject to a separate consenting process. [Post hearing comment – the Applicant addressed the ExA's preliminary meeting action on this subject in a document submitted at Deadline 1].

2.4 It was noted that several parties had commented that they had noticed changes to existing flightpaths at certain locations close to London Luton Airport. TH commented that it was the Applicant's understanding that there had been no changes to the flightpath in the locations mentioned by interested parties at the hearing. [*Post hearing comment – the Applicant addressed the ExA's OFH1 action point on this subject*] in the covering letter submitted at Deadline 1].

2.5 Secondly, in response to the submission of Helen Redcliffe (on behalf of Debbie Parkinson) relating to the application affecting Strawberry Star development, TH advised that the Applicant's DCO application did not affect this development but

requested that the interested party clarify this in writing so it could be considered further.

2.6 Thirdly, it was explained that the Applicant had received over 1,600 relevant representations and that responses to these relevant representations were in the process of being prepared for submission at Deadline 1 in accordance with the draft examination timetable. It was explained that the response will be a combination of some direct responses to detailed points raised in certain relevant representations (e.g., statutory parties), with the large number of responses from the public, in the main, responded to on a thematic basis.

2.7 It was the Applicant's expectation that the submissions made by interested parties at OFH1 would be answered in the response to the relevant representations document submitted at Deadline 1.

2.8 It was noted that participants at OFH1 had been encouraged by the ExA to submit to the Planning Inspectorate at Deadline 1 a written statement confirming the points they had raised orally. The Applicant proposed that it could then consider a response to those written submissions by Deadline 2. In particular, the Applicant envisaged that they would only respond to any new points raised at OFH1 that were not included in the original relevant representation and answered in the response submitted by the Applicant at Deadline 1.

3 OPEN FLOOR HEARING 2

3.1 TH again thanked, on behalf of the Applicant, the various speakers who had taken the time to appear in person or online to articulate their comments on the Proposed Development.

3.2 As had been explained at OFH1, it was reiterated that the Applicant's expectation was that many of the submissions made by interested parties at OFH2 would be answered in the response to relevant representations document submitted at Deadline 1 as is described above at paragraph 2.7.

3.3 Participants at OFH2 were also encouraged by the ExA to submit to the Planning Inspectorate at Deadline 1 a written statement confirming the points they had raised orally. It was explained that the Applicant proposed to follow the same approach as has been mentioned at OFH1 and submit a response to any written submissions by Deadline 2.

3.4 Several interested parties made submissions related to greenhouse gas emissions and the Climate Change Committee (CCC). TH responded that, whilst the Applicant recognises this will be the subject of detailed examination

later in the process, the following comments were made to briefly address some of these submissions:

- 3.4.1 In terms of where to locate assessments, the Applicant directed interested parties to Environmental Statement – Chapter 12 – Greenhouse Gases [APP-038]. TH noted that given this is a technical report, members of the public were also directed to the Environmental Statement Non-Technical Summary [APP-165], in particular, pages 35-37 where there is information which summarises the Applicant's assessments and conclusions on greenhouse gas emissions.
- 3.4.2 Regarding comments on the CCC, it was acknowledged that the CCC is a statutory advisor to government, and that its announcements carry weight in shaping government policy on climate change. However, it was important to note that CCC reports do not represent government policy. Government policy in relation to aviation based carbon emissions, applicable to this planning process, is set out in the Jet Zero Strategy document.
- 3.4.3 The CCC's June 2023 report advises the Government puts in place a capacity management framework, to which a Government response is expected in due course. It is, however, notable that in the CCC's 2022 progress report, it was recommended that development of a demand management framework should be considered by the Government. In March 2023, the Government responded to that report confirming that its policy position is that the aviation sector can achieve Net Zero carbon emissions without the need to limit aviation growth.