

6th September 2024



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Dear Sir / Madam,

**Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010
Application by London Luton Airport Limited (“the Applicant”) Seeking Development
Consent for the Proposed London Luton Airport Expansion (“the Proposed
Development”)**

**CONSULTATION SEEKING COMMENTS FROM THE APPLICANT and ALL INTERESTED
PARTIES**

We are writing on behalf of our client Legal and General (L&G) to submit further comments to the further representations received in relation to the Proposed London Luton Airport Expansion (“the Proposed Development”) and as an Interested Party.

Background

The red line title plan indicating the full extent of all of L&G’s landholdings is found at **Appendix 1** attached to this letter. We have specifically reviewed the document entitled, “*London Luton Airport Expansion, Volume 4, Plans and Sections Land Plans, Revision 2*” dated August 2024. Specifically, we refer to Sheet 4 and Sheet 8 of this document which impacts on our client’s landholdings which we explain below.

The Representations

Land Immediately South of the Airport

L&G own circa 298 ha of land adjacent to the southern boundary of the Airport. They have farm tenancies operating across all its landholdings, including Copt Hall and Someries Farm, which operates on land south of the Airport up to the Airport’s southern boundary.



The airport expansion plans include a proposal for permanent acquisition of rights relating to about 1km of hedgerow on land owned by L&G south of the Airport. The hedgerow is part of a network of about 7km located off airport proposed for habitat creation/restoration and new planting of hedgerow trees. The hedgerow is shown on the Revised Land Plans (Sheet 4 of 10). From the plan, it appears that the hedgerow is required to provide mitigation in relation to: (1) providing habitat creation to secure net biodiversity gain and, (2) mitigate significant environment effects on views and visual amenity experienced by people living or using the rights of way in the surrounding area as a result of a PV panel facility at the southern perimeter of the airport.

It is unclear why such landscape/biodiversity mitigation cannot be addressed within the Airport's expanded operational area, or through offsetting the impacts on other land within the Airport's ownership. It is also not clear from the draft Order Book of Reference (Revision 3) what exact form of tenure is proposed to be acquired or when the process of acquisition by agreement may commence. The mitigation proposals include a requirement for ongoing habitat / vegetation management, but the management period is not specified, or if it would be in-perpetuity. L&G have had engagement with the Airport's advisers in April 2023 although none of these issues were addressed and concluded.

L&G acquired the land south of the Airport as a long term investment based on its potential to accommodate essential transport infrastructure and/or airport-related development. Any habitat creation in this area could prejudice those long term investment aims. The compulsory acquisition of an interest in the land that accommodates the hedgerow can only be acceptable if it passes the test that there must be a compelling case in the public interest.

Further, an acquiring authority should be sure that the purposes for which the compulsory purchase order is made justifies interfering with the human rights of those with an interest in the land affected. These are strict tests and place to justify the acquisition of any of L&G's land for any landscape/biodiversity mitigation purpose. Further alternatives do not appear to have been assessed as part of the Applicant's further representations in relation to buffer / screening. If any such buffer would be required on L&G's land, then such would need to be acquired on commercial terms. L&G therefore request that the Applicant provides evidence to demonstrate whether any adverse effects could occur and how any mitigation if required is to be achieved.

Land at Junction 10 and Slip End

As identified at Appendix 1, L&G also own further areas of land around Junction 10 and 10a of the M1 and Slip End to the south west of Luton (63 ha).

L&G continues to support the expansion of the Airport in principle, but there remain significant concerns that the proposals would prejudice their ability to optimise the potential of its landholdings in terms of land use and development. This remains the case in the context of temporary possession of highway extents around the junction and potentially slightly beyond to include any possible impact on future development related access points.

L&G has long standing intentions to actively promote and develop the two land parcels with development potential which relate to: 1) circa 18 ha of land adjacent to Slip End currently being promoted for residential development and 2) circa 44 ha of land east of the M1 at J10/10a currently being promoted for strategic distribution and logistics uses, immediately to the south of Newlands Park. Proposals relate to circa 100,000sqm of high specification logistics and storage and distribution uses (including ancillary offices and related uses) of a range of unit sizes to meet a diverse market demand.

To note the previous Local Plan Inspector on the now adopted local plan recommended at the time an immediate review to identify additional housing and employment sites to meet pressing development needs and demands. It specifically cited that Central Beds as being ideally located to capitalise on existing and future logistics and distribution demand, with demand being considered to be "*largely infinite.*" Both sites therefore represent genuine and very realistic development opportunities. Any impacts on development potential of either of these strategic development opportunity sites will require compensation on commercial terms to include any



impacts on existing positions to include, for example, utility easements. None of these aspects have been explored in detail or presented to L&G from the Airport in relation to the specifics of these sites.

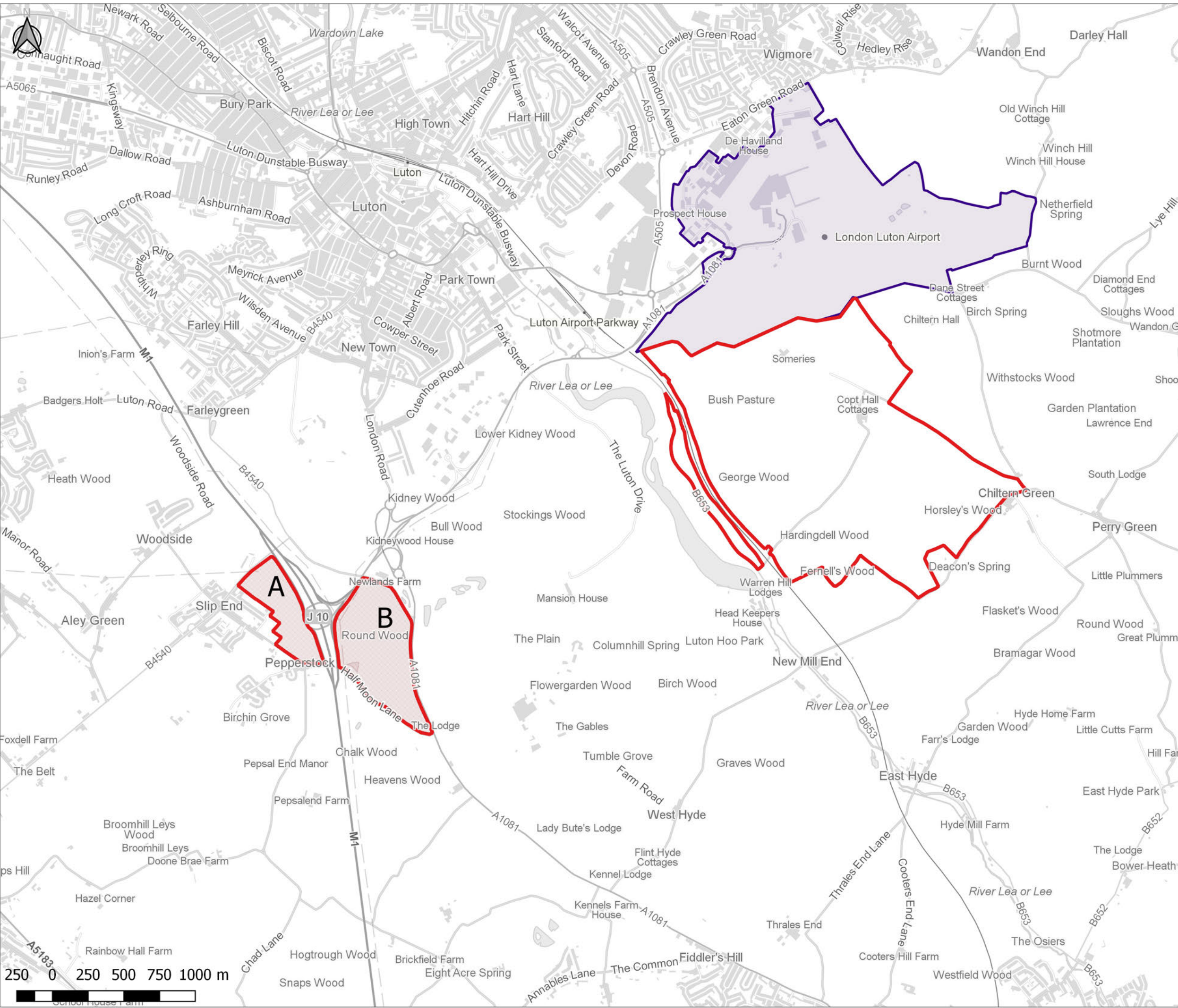
L&G continue to support the expansion of the Airport in principle. However, there are outstanding concerns raised within this representation which must be addressed in order to make the detailed aspects of the Airport expansion proposals acceptable and sustainable. Further, detailed dialogue and engagement would be welcomed with the Airport to ensure these aspects are addressed robustly, prior to the grant of the Order.

We trust we have provided sufficient information as part of these representations and we look forward to hearing on the next imminent stages of the process.

Kind regards,

Jane Barnett
Planning
Director

Enc: Appendix 1



**Land owned by
Legal & General Capital
and Luton Airport
operational area**

Ref:	---
Date:	16-12-2019
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Drawn by:	HB

**Figure 1
Site Plan**

- A - Land at Slip End
- B - Land at J10/10 a M1
- Land within L&G ownership South of Luton Airport / Luton
- Luton Airport operational area

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