



Meeting note

File reference	TR020001
Status	Final
Author	The Planning Inspectorate
Date	16 December 2019
Meeting with	London Luton Airport Limited
Venue	Teleconference
Meeting objectives	Post-Scoping and project update meeting
Circulation	All attendees

Summary of key points discussed and advice given:

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Project update

The Applicant explained that for the last few months it had been concentrating on the 35 consultation events scheduled as part of its Statutory Consultation exercise, the last of which was held on 7 December 2019. The Applicant's Statutory Consultation exercise was due to close on 16 December 2019.

The Inspectorate queried whether the Applicant planned to hold further or targeted Statutory Consultation exercises before submission. The Applicant confirmed that no further exercises were planned but noted minor changes to its red line boundary may warrant targeted consultation for additional Affected Persons.

The Applicant identified that a key theme raised at the events was climate change. The main themes raised during previous non-statutory consultations had been noise, air quality and traffic. The Applicant noted that it would begin to review the written responses as soon as the consultation closed.

The Applicant explained that its technical stakeholder engagement programme had resumed after the break for the general election and noted that the four host local authorities were in the process of appointing a technical representative to begin engagement in the New Year.

The Applicant confirmed the air traffic movement forecasting set out in its Preliminary Environmental Information Report (PEIR) remained unchanged after a recent review and noted it would be commencing surface access modelling to inform the Environmental Statement (ES) next year.

The Applicant confirmed that it believed the proposed works to Junction 10 did not constitute a standalone Nationally Significant Infrastructure Project (NSIP) and that the National Networks National Policy Statement did not apply to the Proposed Development.

The Applicant will provide an update on the anticipated application submission date in due course. The Inspectorate enquired as to whether the Applicant wished to take advantage of its service of reviewing draft documents before formal submission and outlined the suite of documents it could review: draft Development Consent Order (DCO); Explanatory Memorandum, Statement of Reasons, Consultation Report, the ES approach, draft Habitat Regulations Assessment (HRA) and sample Works plans and Land plans. The Applicant confirmed it planned to submit a suite of draft documents, although there maybe cause to stagger submitting the documents. The Inspectorate recommended that the Applicant provide a note with the draft documents to identify any particular areas on which they would like feedback.

Post-Scoping update

Following the adoption of the Scoping Opinion¹ by the Secretary of State on 9 May 2019, the Applicant provided an update on matters relating to biodiversity, landscape, noise, health and climate change.

Biodiversity

The Applicant explained it is updating its impact assessment for biodiversity in light of the matters raised in the Scoping Opinion and acknowledged that further discussion with the relevant local authorities and wildlife trusts had been planned. The Applicant provided an update on the ecology surveys and bird-strike and lighting assessments; further completed otter and water vole surveys were also noted. The Applicant confirmed they are drafting a Landscape and Biodiversity Management Plan to be submitted with the application. The Inspectorate emphasised that it is for applicants to determine whether an HRA is required and where relevant, provide the necessary information with the DCO application. The Applicant confirmed that an HRA screening exercise had been undertaken and it has been determined that there would be no likely significant effects on any European sites as a result of the Proposed Development.

Landscaping

The Applicant noted the comments relating to landscaping matters in the Scoping Opinion, which it was in the process of working through. The Applicant highlighted planned meetings and meetings undertaken to date with key stakeholders, including the Chilterns Conservation Board, to look at resolving some of the issues raised.

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020001/TR020001-000043-LUTN%20-%20Scoping%20Opinion.pdf>

The Applicant explained that there is no standard or accepted methodology to be able to undertake a standalone 'Tranquillity Assessment'. However, tranquillity is a consideration within the assessment of landscape impacts in line with the Landscape Institute methodology employed. The Inspectorate advised that, as recommended in the Scoping Opinion, the Applicant should include a table within the ES documentation to explain how the Applicant has responded to the Opinion.

Noise

The Applicant explained that it was inputting the Scoping responses into its Noise Assessment and that it has set up a Noise Envelope Design Group, which includes the host local authorities, the airport operator, NATS and pressure groups.

The Applicant noted that the Scoping Opinion recommended that an assessment of operational vibration and road traffic vibration be included in the ES, where likely significant effects could occur; however, as any receptors were located away from the potential source, the Applicant would not be including these in the assessment as likely significant effects would not occur. The Inspectorate advised that it is for applicants to determine how to carry out their assessments and noted that reasonable justification for their approach should be clearly set out within the ES.

Health

The Applicant explained that it is considering whether or not to include air quality-related health and electromagnetic interference effects assessment and queried whether further explanation is required. The Inspectorate advised the Applicant to be precautionary; the ES must fully provide justification for the approach taken.

Climate Change

The Applicant set out that it will have two separate chapters within the ES, one for Greenhouse Gases and one addressing Climate Change Resilience. The Applicant explained that it was reviewing the criteria for climate change assessment contained within the Airports National Policy Statement and considering the latest policies relating to climate change. The Applicant confirmed that it will be including a cumulative assessment in the ES.

The Applicant provided an update on its engagement with climate change related stakeholders.

Other matters

The Applicant confirmed ongoing engagement with the Environment Agency with regards to ground investigation, water discharge, and waste permits. The Applicant is undertaking further hedgerow surveys and trial trenching and is meeting with landowners to discuss the Landscape and Biodiversity Management plan.

The Inspectorate advised that point 4.16.11 of the Scoping Opinion suggested that cumulative impacts with other airports for each relevant aspect in the ES, where likely significant effects could occur, should be considered in the ES. The Applicant should justify the zones of influence in the aspect chapters of the ES with reference to effect pathways.

Specific decisions / follow up required?

It was agreed that a meeting should be held in the New Year to discuss timelines for reviewing the suite of draft documents.