

AGENDA ITEM

6

COMMITTEE: DEVELOPMENT CONTROL

DATE: 21 NOVEMBER 2013

SUBJECT: LONDON LUTON AIRPORT, AIRPORT WAY
PROPOSED ALTERATIONS TO AIRPORT WAY/AIRPORT APPROACH ROAD, INFILL
EXTENSIONS AND ALTERATIONS TO TERMINAL BUILDINGS, EXTENSIONS TO EXISTING MID
AND LONG TERM CAR PARKS, NEW TAXIWAY (FOXTROT), EXTENSIONS TO THE EXISTING
TAXIWAY (ALPHA) AND AIRCRAFT PARKING APRONS (INCLUDING 6 NEW STANDS) AND A
NEW MULTI-STOREY CAR PARK LINKED TO TERMINAL BUILDING.
APPLICANT: (LONDON LUTON AIRPORT OPERATIONS LIMITED)
(APPLICATION NO: 12/01400/FUL)

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICERS: JUNE KELLY / WENDY ROUSELL 546317

IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER

WARDS AFFECTED: SOUTH, WIGMORE

PURPOSE

1. To advise Members of a current application for planning permission and to seek their decision.

RECOMMENDATION(S)

2. **Development Control Committee is recommended –**

(A) To resolve that:-

- (01) **The requirements of Part II of Schedule 4 to the Environmental Impact Assessment Regulations 1999 are satisfied by reason of the Environmental Statement including the following information:-**

- (i) a description of development comprising information on the site, design and size of the development;
- (ii) a description of the measures required in order to avoid, reduce and, remedy significant adverse effects;
- (iii) the data required to identify and assess the main effects which the development is likely to have on the environment;
- (iv) an outline of the main alternatives studied by the applicants and an indication of the main reasons for their choice, taking into account the environmental effects;
- (v) a non-technical summary of the information under (i) to (iv) above.

- (02) **The implications of the development addressed in the Environmental Statement and the mitigation measures proposed do not amount to significant adverse effects or main effects.**

- (03) **That it be recorded that, in making the decision on the application, the Committee has taken into account the environmental information comprising the Environmental Statement and that this information meets the minimum requirements of Part II of Schedule 4 to the Environmental Impact Assessment Regulations 1999 and is sufficient having regard to Part I of Schedule 4 to those Regulations.**

- (04) **That the main reasons on which the reasons and considerations are based, are placed on deposit for public inspection at the appropriate time and an informative to this effect will be attached accordingly to any approval notice for which planning permission may be granted.**

- ### **(B) Subject to referral to the Secretary of State and the satisfactory completion of an Agreement under Section 106 of the Town and Country Planning Act with the following Heads of Terms :-**

- **The developer to make a financial contribution towards improvements to the highway infrastructure;**
- **Noise mitigation measures including noise controls, a noise management plan and a noise insulation scheme;**
- **Commitment to make reasonable endeavours to use suppliers of goods and services from the local area;**
- **Contribution to a Community Fund for the benefit of community projects;**
- **Safeguarding of a route to provide access to Century Park;**
- **Commitment to provide an annual monitoring report to include information on noise, traffic and local employment outcomes.**

That planning permission is granted subject to the following conditions:-

Standard conditions

- 1 In respect of the matters to be considered where full details have been submitted, the development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.

2. In the case of any matter hereinafter reserved for the subsequent approval of the Local Planning Authority relating to the multi-storey car park and pedestrian link, approval shall be made not later than the expiration of (5) years beginning with the date of this permission and the development hereby permitted shall be begun not later than whichever is the later of the following dates:

(a) The expiration of (7) years from the date of this permission

or

(b) The expiration of (2) years from final approval of the matters hereinafter for the subsequent approval of the Local Planning Authority or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.

3. Notwithstanding the submitted plans and drawings, full details and particulars of all buildings and other works hereby permitted in respect of the multi-storey car park and pedestrian link shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To enable the Local Planning Authority to exercise proper control over the details of development in the case of an outline planning permission granted under Article 3 (1) of the Town and Country Planning (General Development Procedure) Order, 1995.

4. The development shall be based on and set out in accordance with Phasing of Development as set out in Chapter 3 (Development Proposals) of the Environmental Statement submitted in support of application unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LP1, ENV9 and ENV10 of the Luton Local Plan and the National Planning Policy Framework.

5. No works or development shall take place until full details of a landscaping scheme to include all hard surfaces, grassed areas, tree and shrub plantings and the proposed times of planting, has been approved in writing by the Local Planning Authority, and all grassed areas shall be laid out and all tree and shrub planting shall be carried out in accordance with those details and at those times. Within one month of the completion of the landscaping scheme written confirmation of the completion date shall be submitted to the Local Planning Authority. If within a period of five years from the initial date of planting of any tree or shrub, any such plant is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LP1, ENV9 and ENV10 of the Luton Local Plan and the National Planning Policy Framework.

Design

6. Samples of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved by the Local Planning Authority before the development is commenced.

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LP1, ENV9 and ENV10 of the Luton Local Plan and the National Planning Policy Framework.

Environment

7. Before the development hereby permitted is commenced a scheme shall be submitted to and approved by the Local Planning Authority for (i) the carrying out of an ecological investigation of the application site for great crested newts, Bombardier Beetles, bats and badgers and (ii) the carrying out of any necessary mitigation measures.

Reason: To safeguard any populations of these protected species on the application site. To accord with the objectives of Policies LP1 and ENV5 of the Luton Local Plan and the National Planning Policy Framework.

8. No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of amenity and aircraft and public safety. To accord with the objectives of Policies LP1, ENV9 and ENV10 of the Luton Local Plan and the National Planning Policy Framework.

9. No development approved by this permission (including demolition) shall be commenced until a Construction Environmental Management Plan has been submitted to and approved by the local planning authority. The Plan shall include the following details:

- (a) Lorry routing and traffic management (including control of delivery of materials)
- (b) Control of noise
- (c) Control of dust
- (d) Site waste management
- (e) Working hours
- (f) Details of the local sourcing of materials
- (g) Measures to prevent pollution of ground and surface water
- (h) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works
- (i) Compliance with legal consents relating to nature conservation specifically protected species
- (j) Details of how the Construction Environmental Management Plan will be monitored on site

Development shall thereafter be carried out in accordance with the details approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with Policies LP1 and ENV5 of the Luton Local Plan. and the National Planning Policy Framework.

10. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in full accordance with the approved archaeological scheme.

Reason: To ensure that the development allows for the recording of potential archaeological information. To comply with Policy ENV6 of the Luton Local Plan and the National Planning Policy Framework.

11. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, to allow the observation of the taxiway extensions and other excavation works and the recording of any items of interest and finds within the sites.

Reason: To ensure that there is opportunity to record any archaeological items of interest and finds to comply with Policy ENV6 of the Luton Local Plan and the National Planning Policy Framework.

Controls over operations

12. At no time shall the passenger throughput of the airport exceed 18 million passengers per annum unless express consent is obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise proper control over the development, in the interests of securing a satisfactory operation of the development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan

Noise

13. Before the development hereby permitted is commenced details shall be submitted to and approved by the Local Planning Authority of a management scheme to restrict the level of noise generation arising from the night-time use of aircraft auxiliary power units on the proposed aircraft stands.

Reason: To safeguard the amenities of neighbouring residential occupiers. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

14. Before any part of the development hereby permitted is commenced an annual noise control scheme shall be submitted to and approved by the Local Planning Authority which identifies measures intended to ensure that the area of the noise contours at any time between now and 2028 and beyond exceed for daytime noise 19.5 km² for the area exposed to 57dB L_{Aeq, 16hr} and above and for night-time noise 40.4 km² for the area exposed to 48dB L_{Aeq, 8hr} and above. The submitted proposals shall include, but not shall be confined to, the following:- (i) Annually submitted daily movement register information, (ii) Leq noise contours for the preceding and current calendar year and forthcoming calendar year for both the daytime (0700 - 2300 hours) and night-time (2300 - 0700 hours) periods, (iii) Arrangements for the verification of the submitted information.

Reason: To safeguard residential amenity. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

15. Within five years of the commencement of development LLAOL will submit its strategy to Luton Borough Council identifying how it will seek continuing improvements in respect of fleet modernisation and will use reasonable endeavours to reduce the area of the noise contours by 2028 for daytime noise to 15.2km² for the area exposed to 57dB L_{Aeq, 16hr} and above and for night-time noise to 31.6 km² for the area exposed to 48dB L_{Aeq, 8hr} and above.

Reason: To safeguard residential amenity. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

16. Before any part of the development hereby permitted is commenced, a day to day noise control scheme shall be submitted to the Local Planning Authority which sets out the proposals for ensuring that individual aircraft noise impact from the Airport's operation is reduced as far as is practicable in the light of development to facilitate 18 mppa. The submitted proposals shall include, but shall be confined to, the following:- (i) Fixed point noise monitoring arrangements and a system of financial incentives to promote quietest operations. This shall include penalties for those creating greater noise than specified on the Section 106 Agreement at the agreed monitoring locations, and credits for those flying quietly. (ii) Daytime (0700 - 2300 hours) noise monitoring reporting procedure. (iii) Fixed point monitoring target noise levels for assessing individual aircraft noise. (iv) Night-time (2300 - 0700 hours) noise monitoring report procedure (v) Arrangements for the verification and periodic review of the submitted information.

Reason: To safeguard residential amenity. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

17. Within six months of either the commencement of development or approval of the QC system as agreed by LBC, LLAOL will not permit movements at night (23.00 to 07.00) by any aircraft with a QC value of more than 2.

To safeguard residential amenity. To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

- 18 Within two years of the commencement of development or approval of the QC system as agreed by LBC, whichever is the later, LLAOL will submit a scheme for encouraging the phasing out of night time (23.00 to 07.00) operations by aircraft with a QC value of greater than 1 on either departure or arrival

To safeguard residential amenity To accord with the objectives of Policy LP1 and LLA1 of the Luton Local Plan and the National Planning Policy Framework.

Drainage and contamination

19. The development hereby permitted shall not be commenced until such time as a Comprehensive surface water management strategy to outline the options for the monitoring and management of surface water runoff has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include:

- Methods to effectively manage acute and chronic pollution events.
- Requirements for additional storage or flow balancing to effectively deal with contaminated surface water runoff and provide information on effluent treatment infrastructure to handle effluent prior to disposal.
- Techniques to continuously monitor the quality and quantity of surface water runoff from all points of discharge to either groundwater or to surface waters.

The scheme shall be implemented as approved.

Reason: To prevent surface and groundwater pollution. Currently approximately 2/3 of the airfield discharges to chalk soakaways whilst the remainder is an unregulated discharge to a Thames Water sewer direct to Luton Hoo lakes. The increase in capacity this application will allow will have a correspondingly detrimental effect on the ground and surface water quality unless a plan is developed to address it. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

20. No phase of development shall begin until a detailed surface water drainage scheme for that phase, based on the agreed Flood Risk Assessment (FRA) prepared by Jacobs, reference B1074100/22.2, issue 3, dated November 2012, and which comprises Technical Appendix J of the Environmental Statement, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the phase is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, habitat and amenity. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

21. No phase of the development shall take place until a scheme has been agreed to ensure that the soakaways will effectively attenuate and discharge the surface water runoff from that phase of development for the lifetime of the development. Details of the following should be included:

1. An assessment of the existing soakaways to ensure they have sufficient capacity to attenuate the predicted volume of surface water.
2. An assessment of the current hydraulic performance of the soakaways, detailing any maintenance work required to ensure their effective working.
3. Details demonstrating how the soakaways will be managed/maintained over the longer term which are to be set out in a management plan.
4. Details of the phasing of these works, demonstrating that the necessary volume of attenuation can be provided during the construction works and thereafter.

Details shall be submitted and agreed in writing by the local planning authority. Thereafter any works required to improve the performance or increase their size shall be carried out in accordance with the agreed phasing details.

Reasons To ensure that surface water runoff from the new development can be effectively attenuated and disposed of, and to prevent the increased risk of flooding on and off-site. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

22. No phase of development approved by this planning permission, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of that phase shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason The site is located in a sensitive groundwater area over a Principal Chalk Aquifer within a source protection zone 3. Previous use of the site has led to contamination which needs to be addressed. To accord with the objectives of policy ENV14 of the Luton Local Plan and para. 109 of the National Planning Policy Framework

23. No phase of development shall be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect groundwater. This condition ensures that all contaminated material identified on site has been removed or remediated. To accord with the objectives of Policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

24. If, contamination not previously identified is found to be present at the site during the construction of a phase of development then no further development of the phase (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: Intrusive investigations will not necessarily capture all contaminants present, hence the need to appropriately address any new source discovered during excavation and development. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

25. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect groundwater, soakaways and infiltration features through contaminated soils are unacceptable as they create new pathways for pollutants to migrate into groundwater, mobilising contaminants already in the subsurface and causing further pollution. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

26. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater. Piling can create new pathways for pollutants and introduce new contaminants into the subsurface. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

27. Before the development hereby permitted is commenced a scheme for the protection of existing monitoring boreholes shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the existing monitoring arrangements in the interests of the proper planning of the area. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

28. Before the development hereby permitted is commenced, full details of the proposed means of foul and surface water drainage shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure a satisfactory form of development. To accord with the objectives of policy ENV14 of the Luton Local Plan and the National Planning Policy Framework.

Highways

29. The area to be used for car parking in connection with the development hereby permitted shall not be used for any purpose other than the parking of passengers and employees' cars and the standing of vehicles while servicing the premises and shall be ready for use prior to the occupation of the building(s) comprised in the development hereby permitted.

Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety and to prevent unacceptable environmental impact on neighbouring residential areas. To accord with the objectives of Policies T1 and T3 of the Luton Local Plan and the National Planning Policy Framework.

30. Details of the surfacing and drainage of any car parking area(s) provided in accordance with the requirements of this permission shall be submitted to and approved by the Local Planning Authority before the development hereby permitted is commenced.

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of policies ENV14 and T3 of the Luton Local Plan and the National Planning Policy Framework.

31. Within two years of Planning consent a review shall be undertaken of the approved Framework Employment Travel Plan prepared by URS supporting the planning application and any amendments required to reflect the changes in prevailing transport conditions shall be identified; incorporated within a Final Framework Employment travel plan and agreed in writing by the Local Planning Authority in consultation with the Highways Agency. The completed development shall then be occupied in accordance with the Final Framework Travel Plan.

Reason: To seek to reduce single occupancy vehicle trips to the site and to accord with the objectives of policy LP1 of the Luton Local Plan and the National Planning Policy Framework.

32. Within two years of the date of this consent, a review shall be undertaken of the Passenger Travel Plan supporting the planning application to monitor and reflect modal split.

Reason: To seek to reduce the need to travel to the site particularly by private car and to encourage the use of sustainable transport modes of travel. To accord with the objectives of Policies LP1, T1 and T3 of the Luton Local Plan and the National Planning Policy Framework.

33. No development hereby permitted shall take place within the site until detailed drawings for the construction of the following highway improvement schemes have been submitted to and approved in writing by the local planning authority:

1. Improvements to the airport access road
2. Improvements to the Percival Way roundabout;

Reason: To ensure that the public highway is not adversely affected by traffic arising from the development in accordance with Policies T1 and T3 of the Luton Local Plan and the National Planning Policy Framework.

34. The extensions to the passenger terminal hereby permitted shall not be brought into use for passengers until the approved highway improvement schemes referred to in Condition 30 have been carried out and completed in accordance with the approved details.

Reason: To ensure that the public highway is not adversely affected by traffic arising from the development in accordance with Policies T1 and T3 of the Luton Local Plan and the National Planning Policy Framework.

35. Prior to the commencement of development, details of a scheme for renewable energy production equipment to provide at least 10% of the predicted energy requirements of the development shall be submitted to and approved by the Local Planning Authority, unless it can be demonstrated that there are overwhelming practical reasons why this is not appropriate. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be used, retained and maintained thereafter for so long as the development remains in existence. For the avoidance of doubt, the details to be submitted in compliance with this condition shall include an investigation of the feasibility of importing waste and/or renewable resources from decentralised off-site sources.

Reason: In the interests of sustainability and to reduce adverse environmental and energy impacts of the development. To accord with the objectives of Policy(ies) LP1, ENV9 and U3 of the Luton Local Plan and the National Planning Policy Framework.

36. The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as set out on Luton Borough Council plan numbers 01 to 148

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) (LP1, LLA1, ENV9, ENV10, T1, T3, T6, T8) of the Luton Local Plan.

REPORT

The Site and Surroundings

3. The Airport occupies a 245 hectare site on the south eastern edge of Luton approximately 3km east of junction 10 of the M1 motorway. The airport is located on an elevated plateau approximately 150/160m above AOD. To the east and north east of the site the land uses are predominantly rural in character comprising a mix of farmland with villages and small settlements. To the north of the airport lies the land use is comprises predominantly residential areas. Immediately to the west is an area of commercial and industrial land uses and beyond are the Park Town area and the Town Centre of Luton. To the south the land is predominantly rural in character and includes the ancient monument Someries Castle and The Luton Hoo Estate.
4. The two principle strategic routes into the Airport are the M1 and the A1M via the A505 Hitchin Road. Rail passenger travel is via London Luton Parkway Station, served by East-Midlands trains and First Capital Connect and linked to the airport by a shuttle bus service.
5. The existing Airport terminal comprises two main buildings joined together by a two storey link. The buildings comprise arrivals and departures and comprise a floor area of approximately 53,700m² of usable space on all floors. The key features within the terminal include check-in, security, baggage handling, departure areas and routes to and from aircraft gates. In addition there are extensive passenger services including retail and catering, seating areas and restrooms.
6. The airport operates three passenger car parks, which provide a total of 6,719 spaces in the form of long and short term stay. In addition there are 3,835 staff car parking spaces on the Airport estate. There is also an extant permission for a further 980 long-term car parking spaces and three operators provide off-site parking totalling 7,500 spaces.
7. The existing runway is 2,160m long and 46m wide and runs east to west. There are four main apron areas with passenger stands predominantly arranged around the Central Terminal Area in addition there are four stands within the cargo centre. Five taxiways connect the apron areas to the runway and a parallel taxiway runs for part of the length of runway 08/26.
8. The Airport is licensed by the Civil Aviation Authority to operate on a 24 hour basis under its Public Use Aerodrome License issues in accordance with the Air Navigation Order 2009. The Airports terminals are therefore open on a 24 hours a day seven days a week and air transport movements occur both during the day and night.
9. There are also a number of associated buildings within the site that provide office accommodation, maintenance hangers and other service facilities which support airline operations.

Relevant Planning History

10. The application states *“Luton Airport was opened in 1938 by Luton Council to attract new industry to the town. It operated as a flight school for the RAF during World War 2. It grew sufficiently by 1959 to have a concrete runway installed and later extended to its present length.”*
11. The runway extension, to 2,160 metres, referred to above took place in 1964. At that time it was reported that a fifth of all holiday flights in the UK departed from Luton. By 1972, Luton Airport had become Britain’s most profitable airport.
12. The significant planning application of note was submitted in 1997 and comprised of the construction of alterations and extensions to the terminal building; aircraft stands; first phase of a parallel taxiway and remodelling of car park and drop off area. The application was approved on 5th February 1998.
13. Since this application an application was approved, the following applications have been approved;
 - 2003 - for the erection of a single storey extension to the terminal building, to form immigration hall;
 - 2004 - erection of a two storey link building required by the security services to allow for the separation of arriving and departing passengers;
14. Under Schedule 2 Part 18 Class A of the Town and Country Planning (General Permitted Development Order), Airport Operators are able to undertake certain works without the need for formal planning consent. Works that have been carried out since the application referred to above, include;
 - 2002 - Alteration to the fire training ground (airside);
 - 2002 – covered walkways (airside);
 - 2003 - Use of former Spectators Building (Building 33) as a fixed base operations facility;
 - 2004 – additional aircraft stands (airside);
 - 2007 - Additional walkways and access road alterations in the Central Terminal Area;
 - 2007 – replacement cargo stands, relocation of security gatehouse, provision of security screen/acoustic fencing and additional lighting (all works airside);
 - 2008 - Single storey modular building for use as a temporary fire station and emergency control centre (airside);
 - 2009 – extension to car park E (long stay passenger parking);
 - 2011 – relocation of a temporary office building adjacent to Navigation House;

The Proposal

15. The scheme involves the following works within the existing airport boundary:

- Dualling of the road from the Holiday Inn Roundabout to the Central Terminal Area;
- Improvements of public transport hub adjacent to the terminal
- Construction of a multi-storey car park and pedestrian link to the western side of the existing short-term car park;
- Extension to the mid-term car park and long-term car park;
- Improvements to the terminal building involving internal reorganisation and minor extensions and building works;
- Construction of a new pier (Pier B);
- Construction of a new taxiway parallel to Taxiway Delta;
- Taxiway extensions and rationalisation of aircraft parking area with new stands replacing and improving existing stands.

16. This application seeks to increase the capacity of London Luton Airport to 18 million passengers per annum (mppa) from a current capacity of approximately 12mppa.
17. The capacity of the airport is examined in more detail later in this report, but capacity relates to the potential maximum number of passengers that can be handled at the airport efficiently, which differs from throughput, which is the actual number of passengers who travel through the airport. In 2012 the throughput of the airport has been recorded as approximately 9.6mppa. Figures published to date indicate that the throughput for 2013 is likely to be a similar number of passengers.

Planning Policy

18. The Airport is designated within the Airport Action Area in the Luton Local Plan 2001-2011. The relevant policies and their assessment are dealt with in the Main Planning Considerations section of this report.

Publicity and Consultation Responses

19. A list of the technical consultees formally consulted on this application has been appended to this report at Appendix (3). This also includes a summary of the issues raised in the response.
20. Statutory Publicity: In an effort to advertise the proposal to as many members and representatives from the community as possible, the application has been publicised in a number of ways;
- 751 properties received a direct letter from LBC;
 - all Parish Councils in North Hertfordshire were notified of the application, by email via NHDC Committee Services;
 - London Luton Airport Consultative Committee (LLACC), which comprises 44 representatives from local authorities, local interest groups, airport services and the business community, received a direct email. Many of these forwarded the email to other contacts.
 - press notices were published in local newspapers
 - site notices were posted around the site
 - Whilst not a statutory requirement, the Council issued a press release regarding the submission of the application. This was covered by local and national media.
21. In terms of responses, 517 representations by either emails or letter have been received. Of these 455 were objections, 43 in support and 19 made general comments (in some cases relating to observations about current operations e.g. parking charges). The main issues raised related to:
- Procedure i.e. should LBC be the determining authority
 - Traffic
 - Night flights
 - Noise
 - Air quality
22. In addition two online petitions have been brought to our attention. The first was a Government e-petition organised by the Comet newspaper seeking the Secretary of State to call the application in for determination. This generated 3,870 signatures. This petition closed on 15th July 2013.
23. The second was organised by two local interest groups HALE (Hertfordshire Against Luton Expansion) and LADACAN (Luton and District Association for the Control of Aircraft Noise) and called for the number of night flights to be significantly reduced. The last update that was submitted to officers was in February 2013, indicated that 1000 signatures appeared on the petition.
24. A third Government e-petition, organised by The Herts Advertiser and Save Our Skies (another local interest group) also sought to have the application determined by the Secretary for State. This petition would have run until January 2014, but has been rejected as there has already been an e-petition about this issue.
25. The issues and concerns raised within consultation responses have been addressed in detail within Appendix (4) of this report.
26. Notwithstanding the statutory planning application consultation process, public consultation in respect of the proposals for London Luton Airport has been extensive. LLAOL first sought input from the community and key stakeholders in respect of its Masterplan development proposals between 14 March and 25 April 2012 and a pre- application public consultation was held over a six week period from 3 September to 12 October 2012. The consultation received 1,360 responses of which 65% were supportive, 28% were not supportive and 7% were undecided. In response to the comments received the Masterplan was amended to address the issues raised prior to submission of the application.

27. Additional Consultation and publicity of the additional information received from the applicant in respect of Capacity and Noise. The documents resulting from the Council's own independent assessment of both Existing and Future Capacity and Noise were advertised together with copies being made available to all of the adjoining local authorities and relevant organisations.

Policy Implications

National Planning Policy

28. The Localism Act 2011.

Section 143 of the Act inserts a new element into Section 70 (2) of the Town and Country Planning Act 1990 (as amended) and now reads:

'In determining planning applications the Local Planning Authority shall have regard to (a) the provisions of the development plan so far as material to the planning application; (b) any local finance considerations, so far as material to the application; (c) and to any other material considerations'

29. National Planning Policy Framework 2012

The NPPF places sustainable development at the heart of the document and includes the need to consider economic growth as a key part of the analysis. Para 33 states that:

'Where planning for ports, airports and airfields that are not subject to a separate national planning policy statement, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this framework as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.'

30. Future of Air Transport White Paper 2003

Although the 'White Paper' is due to be replaced it remains at present a relevant policy statement in terms of Air Transport. The White Paper supports development at Luton Airport provided that the overall environmental impacts are controlled and adequate mitigation is provided.

'The White Paper acknowledged that the Airport has the potential to play a key role in delivering employment led growth and provided forecasts indicating that there would be sufficient demand to justify expansion of the Airport to the full potential of a new runway, approximately 30mppa and 240,000 ATMs in the period up to 2030'

31. Draft Aviation Policy Framework July 2012

The Draft Aviation Policy Framework sets out the Governments objectives for aviation for the future, the final document will be a high level strategy that sets out the governments strategic aviation policies for the future.. Para 1.1 states that:

'the primary objective is to achieve long term economic growth. The aviation sector is a major contributor to the economy and we support its growth within a framework which maintains a balance between the benefits of aviation and its cost, particularly climate change and noise'

With regard to surface access the draft document sets out the Governments support to improving infrastructure. Para 2.81 states that:

'it is committed to working with airport operators...to improve surface access to airports across the country whilst taking into account the associated environmental impacts and are contributing funding to make this happen through the Regional Growth Fund'

32. Aviation Policy Framework March 2013

Following consultation on the Draft Aviation Policy Framework in July 2012, the Government replaced the 2003 Air Transport White Paper as the Governments policy on aviation, alongside any decisions Government makes following the recommendation of the independent Airports Commission.

The Aviation Policy Framework makes a number of references to the role that LLA plays in the UK.

In paragraph 1.41 it states *"The demand for aviation in the UK is concentrated in the South East, a densely populated region whose economy comprises multiple high-value sectors including finance, professional services, technology, media and fashion. This drives consistently high demand for aviation in the region, so that the five main South Eastern airports (Heathrow, Gatwick, Stansted, Luton and London City) account for nearly two-thirds of passengers at UK airports and nearly half of all air transport movements."*

In terms of the role that LLA could play in global connectivity paragraph 1.79 states *"To improve connectivity at an international level and to help make better use of existing infrastructure at London's congested airports, we announced in 2011 that we would consult on extending the UK's existing regional fifth freedoms policy to Gatwick, Stansted and Luton. The granting of fifth freedoms would allow a foreign airline to carry passengers between these three London airports and another country as part of a service that begins or ends in the airline's home country. For example, a Singaporean airline would be able to operate a service from Changi Airport in Singapore to Gatwick Airport and then on to JFK Airport in the US, picking up passengers at Gatwick Airport and carrying them to New York."*

The policy also considers access to airports and notes the investments that have been made to improving rail services to Luton and Gatwick and makes specific reference to the investment the Council is making to M1 Junction 10a.

The Airports Commission (also known as the Davis Commission) was established in September 2012 with the role of defining the Government's objectives and policies on the impacts of aviation. To date they have heard evidence from a number of parties and carried out a number of consultations on future capacity, climate change and the role of regional airports.

The Commission has provisionally concluded that additional runway capacity will be required in the south east of England in the coming decades. It also will be looking at a mechanism for managing the carbon impact of aviation.

33. National Infrastructure Plan 2011

The updated National Infrastructure Plan regarding airports refers to the Government forecasts that the number of air passengers using UK airports will recover from the recent downturn, rising from 211mppa in 2010 to 335mppa (within a range of 300-380mppa) in 2030 and 470mppa (within a range of 380-515mppa) in 2050. These forecasts are based on an assumption that there will be no new runways in the UK, with only incremental developments to terminals in order to make the maximum use of existing runways. The Davis Commission, which has been established to examine the UK's expansion plans, is expected to review these forecasts.

34. Local Plan Policy

35. Since the revocation of the East of England Regional Plan the relevant planning policies and material considerations are set out within the Luton Borough Local Plan (2001 – 2011) adopted in 2006.

36. The Airport estate (as defined in the Concession Agreement) is designated as the Airport Action Area in the Luton Local Plan 2001-2011.

37. Policy LLA1

38. This policy identifies the Airport as a specific Action Area and recognises that further to the content of the review of the Air transport White Paper there may be further growth. The policy states that:

'The Borough Council will grant planning permission for development at London Luton Airport provided that it:

- i) is airport related; and*
- ii) is not in conflict with national or regional aviation policies; and*
- iii) is in accordance with the most recent development agreed jointly by Luton Borough Council and London Luton Airport Operations Limited; and*
- iv) results in aircraft noise impact that is below the 1999 level; and*
- v) incorporated sustainable transport measures that will be likely to make an appropriate contribution to the achievement of the target for modal shift of passengers, visitors and staff travelling to the airport as set out in the most recent Surface Access Strategy with regard to:
 - a) the number and size of spaces; and*
 - b) the location and management of the car parks.'**

39. The London Luton Airport Development Brief

The development brief was adopted as Supplementary Planning Guidance in September 2001 with a view to guiding decision making for Airport related development. The coverage of the Development Brief is limited to the area of the existing airport that lies within Luton Borough. The status of the Development Brief as SPG means that it is a material planning consideration in the determination of any planning application and that development proposals complying with it will be supported subject to environmental impacts and mitigation.

40. Policy LP1 sets out a sustainable development strategy for development proposals within the borough.

41. Policy ENV9, amongst other things, expects proposals to respect the character and appearance, existing landforms and natural features, and the scale and proportion of existing buildings. It also seeks to minimise dependence on energy consumption and to utilise passive energy resources.

42. Policy ENV10 considers landscaping proposals for all new developments and states that development will not be approved unless adequate provision is made for landscaping.

43. Policy T1 seeks to promote development that seeks to reduce the need to travel particularly by private car and enables the use of sustainable transport.

44. Policy T3 is concerned with the traffic implications of development. Permission will only be granted if the proposal would not exacerbate road congestion; cause safety problems; or be likely to cause demonstrable harm to the quality of the environment.

45. Policy T6 requires that all major development proposals be designed to accommodate access by bus including appropriate infrastructure, traffic management and highway improvements and infrastructure for passenger information.

46. Policy T8 requires that developments take into account the needs of pedestrians and cyclists.

MAIN PLANNING CONSIDERATIONS

Principle of Development

47. The principle of development within the Airport has been established with the production of a Development Brief adopted by the Borough Council as Supplementary Planning Guidance in 2001. This sets out future developments at London Luton Airport and it is considered that as the proposal broadly complies with the development land use plans in the Development Brief this document is a material planning consideration in terms of supporting the expansion of the Airport operation.
48. The current plans for the next phase of the Airport's development will address the existing constraints and provide significant benefits to passengers, airport businesses, the local economy and provide for the development of the Airport for the future. The Government's 'The Plan for Growth' published in 2011, which recognises the need for improvements in the nation's infrastructure including the commitment to retaining the UK aviation hub status to facilitate economic growth, also supports the need to improve the existing operational capacity of the Airport.

Environmental Impact Issues

49. As an "Infrastructure Project", the planning application falls within Schedule 2(10)(e) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. As the area of the works exceed one hectare, the application requires the submission of an Environmental Statement (ES). The purpose of the ES is to ensure that the environmental effects of the proposed development are fully considered, together with the economic or social benefits, before the application is determined.
50. The Environmental Statement was submitted for formal determination as part of the application and it assesses the potential impacts under the following headings:
 - Environmental issued and methodology
 - Air quality and climate change
 - Cultural Heritage
 - Ecology and nature conservation
 - Community and economic
 - Ground Conditions
 - Landscape and visual impact
 - Noise and vibration
 - Traffic and transport
 - Water environment
51. A summary of each of these issues follows, with any proposals for mitigation and responses to points raised by Technical Consultees during the consultation process.
52. The measures in respect of required mitigation are proposed to be covered either by planning condition or within the S106 legal agreement.

Sustainability

53. A Key part of the Government's planning reforms is a new presumption in favour of sustainable development, which is defined in the NPPF. This emphasises that local authorities should proactively fulfil their planning role and actively support positive planning through a new presumption in favour of sustainable development. The NPPF identifies that there are three dimensions to sustainable development and they are economic, social and environment and these dimensions give rise to the need for the planning system to perform a number of roles:
 - An economic role –by contributing to building a strong, responsive and competitive economy; and by identifying and coordinating development requirements including the provision of infrastructure.
 - A social role – by supporting strong, vibrant and healthy communities.
 - An environmental role – by contributing to protecting and enhancing our natural, built and historical environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
54. The NPPF goes on to state that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly through the planning system. Examples of such changes identified in the NPPF include; making it easier for jobs to be created in cities, towns and villages; replacing poor design with better design; improving the conditions in which people live, work, travel and take leisure. The presumption in favour of sustainable development should form a golden thread that runs both plan making and decision taking.
55. The ES carried out an evaluation of the current and predicted sustainability performance of the Airport, using both qualitative and quantitative information. The issues were grouped together and analysed under the following key themes, based on key issues identified at the Airport and topics discussed in the Sustainable Aviation Progress Report 2011, to provide a focus for the Airports sustainability performance:
 - Contribution to the local economy
 - Addressing climate change
 - Managing noise
 - Addressing emissions to air
 - Reducing waste generation and water use

- Supporting the community

56. The conclusion of the assessment was that the development as proposed performed very well in relation to the economy and community, and will lead to a number of significant beneficial effects in these areas. However, it performed less well in relation to the environment, with adverse potential effects identified in areas such as noise, climate change waste generation and water use, although it should be noted that the majority of these effects would not be significant. These effects largely arise as a result of the increase in aircraft movements. However a range of recommendations have been presented to mitigate these potential adverse effects.
57. Overall it is considered that the proposed development performs well in the context of the sustainability requirements of the NPPF. The economic growth associated with the proposal will help secure higher social standards and improve the life of the local community. Opportunities to minimise the environmental effects have been identified that will seek to ensure that the gains are not at the expense of the environment. The proposed development will afford the opportunity to improve the Airport's operational efficiency, allowing its capacity to be optimised without significant physical expansion and so reducing the potential adverse environmental effects. The proposal is therefore considered to accord with the objectives of the NPPF in terms of sustainability.

Capacity

58. In considering the issue of existing and future capacity within the Airport operation as part of this application it is necessary to first set out the legislative context in terms of the establishing that Luton Borough Council as the Local Planning Authority is the determining Authority in respect of this application.
59. The Planning Act 2008 saw the introduction of the Infrastructure Planning Commission part of whose role was the authorisation of projects for the development of nationally significant infrastructure and town and country planning. Part 1 and 2 of the Act related to the terms of the commission and National Policy Statements, while part 3 set out the criteria threshold for determining what would constitute a Nationally Significant Infrastructure Project and would therefore fall to be determined by the Commission.
60. Section 23 relates to Airport – related development proposals and sets the following thresholds:
- (3) Services meet the requirements of this subsection if they are –
 - (a) *air passenger transport services for at least 10 million passengers per year,*
 - (4) Alteration of an Airport is within this subsection only if –
 - (b) *the alteration is expected to have the effect specified in subsection(5).*
 - (5) The effect is –
 - (a) *to increase by at least 10million per year the number of passengers for whom the airport is capable of providing air passenger transport services.*
61. The information provided within the ES in respect of the existing capacity did not provide sufficient detail to be able to carry out a full assessment and establish with any certainty that the proposed expansion would meet the required criteria. As such further information was requested because it was considered to be of critical importance to establish the existing operational capacity of the Airport, having regard to a number of initial consultation responses that raised concerns that this had not been fully established. The Council therefore carried out an independent assessment of the existing capacity prior to assessing the proposed expansion.
62. This assessment acknowledged that airport capacity is not a single rigid number, that there are different approaches to estimating capacity and that at best capacity determination is an approximate science.
63. One of the main causes of this is that annual capacity is determined by three main factors, the hourly capacity of the different elements of the airport involved in handling passengers; the service standards that are adopted in each of those elements; and the pattern and demand over the hours of the day and the days of the year which determines the overall use that is made of the available hourly capacity.
64. Aircraft load factors from day to day, variations in passenger behaviour and aircraft delays are handled by the concept of a "busy hour" (as distinct from the busiest or peak hour). There are several definitions of busy hour, but the one most commonly used in the UK is the "30th" busy hour, which is the 30th busiest hour of the year. The objective of terminal management should be that the 30th busy hour is less than or equal to the (IATA – derived hourly capacity. Achievement of this would mean that no more than 30 hours in a year are service standards worse than the desired level.
65. At a Level 3 co-ordinated airport, which LLA became in 2013, airlines require slots from an airport coordinator in order to be able to operate. The coordinator takes into account the difference capacity parameters discussed above, when deciding on the allocation of time slots for airline operators. The value of these capacities may vary from one year to the next and in particular the coordinator in conjunction with the airport operator may need to adjust the terminal capacities in order to ensure that the 30th busy hour is not greater than the hourly capacity of the critical terminal elements.
66. Based on observations and analysis, the flows experienced during the busiest period on 24 May 2013 of 2,740 departing passengers represents the maximum value of the 30th Busy Hour with current facilities and operating processes. The current capacity of the Airport is therefore concluded to be in the range of 10mppa to 12mppa. On that basis it was concluded that the application did not need to be referred to the National Infrastructure Commission for determination.
67. In considering the supporting information regarding the proposal to develop the Airport to facilitate an increase in capacity to 18mppa and thereby secure the future of the Airport, The Leigh Fisher (May 2012) report that accompanied the ES carried out a detailed assessment of the airspace, runway and taxiway, apron, passenger terminal and surface access capacity. It came to an overall conclusion that the constraint to the overall capacity caused by the individual capacities of Airport

operation were such that the levels of delay would in the longer term be unacceptable and that there was no short term solution available. This would support the view within the ES that the proposed expansion of the airport capacity is critical to the long term vitality and viability of the Airport.

68. The assessment of the ES in terms of the impact of the future capacity indicated that the Busy Day Flight Schedule developed by LLAOL acted as the basis for planning the individual aspects of the Planning Application. The schedule incorporates the 2012 schedule (which was near to actual) and adds flights with the intention of creating a Busy Day typical of the airport when handling around 18mppa. The extra flights are considered broadly sensible and reasonable, albeit representing just one set of a very large number of possibilities.
69. The major concern about the LLOAL Base Schedule is the very limited increase in passengers per movement which it assumes: less than 2% while passenger numbers increase by 81% from the 2012 schedule. This is a very small increase in passengers per movement, especially when the constraining feature of the Airport is expected to be its runway system. Since the development of the schedule by LLOAL, easyJet has announced a major order for A320 aircraft which have more seats than the current airlines mainstay, the A319 (180 seats vs 150 seats). Such a change would increase the Busy Day flight schedule. The proposed facilities have been tested with a schedule (referred to as the Enhanced Schedule) which assumes that easyJet's A319s are all replaced by A320 aircraft, but with no additional aircraft movements. The timescales for the introduction of new aircraft is to be secured within the S106 Agreement attached to any permission.
70. In the Base Schedule, waves of flights are added by LLOAL at different times of the day, and result in the peak for arrival passengers moving to the late evening (as they have in the past) and the busiest two-way flow of passengers occurring in the afternoon rather than the early morning. On the basis of the airport's profile over time of passenger traffic in 2008 and 2012 the schedule is compatible with an annual throughput of approximately 18mppa.
71. Nine individual elements of the 'capacity chain' have been investigated, and in general can handle the demand of the Busy Day schedules. The aircraft related elements of the apron and runway/taxiway systems are likely to be the most constraining features, with the latter having only 5%'spare' aircraft capacity with the LLOAL Busy Day schedule and reserve stands having to be used for any additional parking over and above that required by the Base Schedule. The area within the terminal under most pressure is predicted to be the main Departure Lounge, although the conditions experienced by passengers are likely to be significantly better than are currently being experienced during the busy periods, even with the Enhanced Schedule. This does not take into consideration the surface access system in terms of how the surrounding road network would cope with this demand.
72. The conclusion reached by the Council's consultant is that the capacity at the Airport with the proposed developments would be between 18mppa and 20mppa. The range reflects the many normal uncertainties in capacity assessments, with the greatest of these being whether the existing patterns of traffic will continue (the lower end of the range), or whether historic peak ratios will return (the higher end of the range). As previously stated the estimated range of the capacity of the existing facilities in use at the Airport of 10mppa to 12mppa reflects similar uncertainties in the future pattern.
73. While it is acknowledged that airport capacity is not a single rigid number, and that there are different approaches and variables to estimating capacity and that at best capacity determination is an approximate science, it is considered that the most effective way of introducing any form of limit on the annual passenger throughput would be best achieved through the imposition of a condition limiting the passenger numbers to 18mppa.
74. The applicant has raised some concerns regarding the methodology used by the Council's Consultant in assessing capacity. As mentioned above this is not an exact science and there are a range of methodologies that can be utilised. In this instance, there is difference of opinion of the outcomes, in terms of the final range of capacity for the existing and future operations. As the Local Planning Authority has come to a view that the proposal does not fall within the realms of an NSIP and as it is the intention to impose a condition restricting the throughput to 18mppa it is considered that the issues raised by the applicant, as contained in Appendix (5) have been addressed.

Noise and Vibration

75. The noise assessment within the ES examined the potential for noise effects during the construction of the proposed development; for increased noise during the operation from aircraft arriving and departing from the Airport; aircraft taxiing and manoeuvring on the ground and road traffic accessing the Airport.
76. The areas currently impacted by aircraft noise during the daytime (referred to as the 57decibel (dB) contour) range from the rural area near St Paul's Walden to the east to areas near the M1 in Slip End. The daytime aircraft noise contours include most of Breachwood Green and parts of south Luton. There were approximately 6,726 people resident in these areas in 2011. The area currently impacted by night time aircraft noise (referred to as the 48 dB contour) is greater than the day time area and stretches from Stevenage to south of Markyate. Approximately 16,347 people were resident within the contour area in 2011. The areas of the day time and night time contours are well within agreed contours from the 1999 contours that have been used for noise budgeting and the 2001- 2011 Local Plan Policy LLA1.
77. Within the ES the assessment of the predicted airborne aircraft noise has indicated that the increase in noise associated with the proposed development would be approximately 1 to 3 dB and as such the number of people within the daytime 57 dB contour and the 48 dB night time contour is predicted to increase compared to 2011. The assessment of ground noise predicted an overall increase in general ground noise levels of less than 2 dB as a result of the increased aircraft movements which would not significantly increase disturbance. No more than a 1.3 dB increase in road traffic noise was predicted and as such it was considered that there will be no significant effects on road traffic noise as a result of the proposed development.
78. The Airport currently operates a Noise Action Plan which includes 55 measures designed to manage noise associated with aircraft. This was published by LLAOL in January 2012, following approval by DEFRA and was prepared in response to the Environmental Noise Directive (2002/49/EC), which required all Member States within the EU to produce Noise Maps and

Action Plans for the main sources of environmental noise, including airports. A review of the Noise Action Plan will commence shortly.

79. The ES proposed that this would continue but would be supplemented by a package of additional control measures including a quota on the total level of aircraft noise during the night time period, restrictions on the noisiest aircraft, penalties for breaches of Airport noise limits and initiatives to ensure that aircraft stay within preferential routes to minimise the potential noise impact. A new noise insulation grant scheme will also be introduced. It was considered that this package of mitigation measures would be compatible with best practice in the UK.
80. An independent assessment of the ES in respect of the Noise implications of the development was carried out and in so far as airborne aircraft noise is concerned there are no significant reservations about the methodology employed to quantify the expected noise levels. In numerical terms it was considered that the contours and footprints presented in the ES reasonably reflect the expected noise impact. However, in interpreting the findings it was considered that the following factors needed to be considered:
- Controlling the noise impact to the levels indicated for 2028 requires that a substantial part of the airline fleet is changed to modern, low noise variants of types currently operating. The primary mechanism put forward by the applicant for ensuring that this will happen is by way of a condition limiting the extent of key daytime and night time aggregated noise contours.
 - Current Government Policy in respect of aircraft noise is contained in the Aviation Policy Framework (APF) published in March 2013 states that *'Our overall objective on noise is to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise.'* The predicted future noise impact with the development in place would be greater than that assessed as prevailing at the present time. One consequence of this finding is that the number of people significantly affected by aircraft noise might be neither limited nor reduced and as such this would not meet the objectives set out in the APF. To address this the applicant has made a commitment that the Airport will seek to continually increase the percentage of flights undertaken by modernised low noise variants of relevant aircraft types and it is proposed to secure this commitment by way of a legal agreement (S106). This measure would facilitate a reduction in the overall noise levels and minimise the impact on local residents and therefore meet the objectives of the APF.
 - Luton Local Plan Policy LLA1 states, in so far as noise is concerned, that planning permission will be granted for development that results in an aircraft noise impact that is below the 1999 level. The ES has interpreted this to mean that the 57 dB contour predicted for 2028 with the development in place will be no greater when measured as an overall area than the equivalent contour predicted for 1999. However, an alternative interpretation not only limits the measured area but also requires that no location predicted to be affected by the 1999 level shall be exposed to a higher level on 2018 with the development in place. By applying this tighter interpretation this would require lower noise levels in 2028 than are predicted for the partial modernisation scenario. Achieving the full modernisation scenario, would ensure compliance with this alternative interpretation and this could be secured by a commitment (S106 Agreement) by the Airport that they will continually increase the percentage of flights undertaken by modernised low noise variants of relevant aircraft types.
 - So far as the potential effects on sleep disturbance due to night time operations, while these have been addressed in the ES the specific risk of people being awakened by individual aircraft movements have not been quantified to the extent that might have been expected. Similarly the analysis has indicated that some locations may experience future noise levels from aircraft on the ground and from road traffic associated with the Airport and this would warrant mitigation through the noise insulation scheme however this has not been included within the proposal. However this can be secured either by way of condition or within the S106 Agreement.
 - With regard to the operation of aircraft at night, this is known to be a particular concern to residents living in the local community. The assessment of the ES indicates that the controls that are being proposed for one part of the night (23h30 to 06h00) are not necessarily sufficiently stringent to ensure operations fully in line with the impact indicated in the ES. Furthermore no specific controls are proposed for aircraft operating in the early morning shoulder period of 06h00 to 07h00, for which the number of movements is expected to increase substantially. The effect of potential sleep disturbance needs to be properly considered through appropriate controls and or mitigation measures. Although the Noise Insulation Scheme which will be included in the S106 Agreement, as currently drafted contains certain provisions to address night time noise issues it does not specifically deal with mitigating the effects of night time noise. However, the details of the content of the Noise Insulation Scheme will need to be agreed with the Local Planning Authority by way of condition.
 - In relation to noise violation limits the ES proposed a ban on aircraft with a QC value greater than 2 during the night quota period, however this was considered to be of no value, as no aircraft falling into this category currently operate during the night quota period. In fact only 4% of movements would be affected if the ban was on aircraft with a QC value greater than 1, and this would be a more meaningful restriction. It is recommended that it would be more effective to set different noise violation limits for different classifications of aircraft, thereby ensuring that noise generated by all aircraft is monitored and tested against a suitable standard. A possible means of achieving this aim, using the already established Quota Count System is proposed and can be secured within the S106 Agreement.
81. Although the assessment of the ES in terms of noise did initially identify areas of concern relating to the interpretation of policy LLA1, predicted noise levels, night time noise issues and necessary mitigation measures, further negotiation with the applicant has resulted in additional controls and mitigation measures being secured by way of condition and or inclusion within the S106 Agreement.
82. The applicant has raised concerns regarding the independent Noise assessment of the ES in terms of some of the conclusions reached in respect of issues relating to night time noise and the level of mitigation proposed. The applicant was of the view that this had been fully assessed within the ES however the purpose of carrying out an independent assessment is to examine the proposal and proposed mitigation in terms of seeking to secure the best possible outcomes for the surrounding community while enabling the development to be implemented. Clearly within this process there will be differences of opinion. The proposed modifications to the Noise Insulation Scheme are not at a scale that could be considered unreasonable given the long term impact of the development as proposed.

83. With regard to Local Plan Policy LLA1 and the Council's Consultant applying an alternative interpretation of the policy. It has to be acknowledged that although the Luton Local Plan 2001 - 2011 is the Development Plan for the consideration of this application it also has to be acknowledged that it is currently under review. As such the policies contained within it are being assessed to meet the future needs of the Borough.
84. With regard to the noise contours referred to in Policy LLA1, they did stem from an Environmental Statement produced in 1997 and refer to noise contours seen as being acceptable in 1999, some 14 years ago. While the Scoping Opinion made reference to the policy context as being that within the adopted local plan, given the long term nature of the application, to 2028, it is not considered unreasonable to seek to review the current situation and secure improvements for the future operation of the airport.
85. It is therefore not considered unreasonable that the Council, should seek at this time to reflect current Government Policy in respect of aircraft noise as set out in the Aviation Policy Framework (APF) published in March 2013, that is seeking where possible reduce the number of people in the UK significantly affected by aircraft noise. To consider the application in the context of a policy that does not reflect both national and local requirements and aspirations, in terms of what is an acceptable level of amenity would be unreasonable.
86. As such it is considered that the conditions and S106 requirements as proposed reflect both the aspirations of the Aviation Policy Framework and the National Planning Policy Framework. The comments received by the applicants are contained in full within Appendix (6) of the report.

Traffic and Transport

87. The Transport Assessment (TA) submitted as part of the ES examines in detail the existing surface access arrangements for the Airport together with the impact on them of the proposed expansion. The emphasis is on maximising the opportunities to promote the sustainable transport facilities that already exist in accommodating the proposed growth in passenger numbers.
88. Rail, bus and coach usage currently accounts for just over 32% of all passenger journeys to and from the Airport and this is forecast to increase to just under 41% by 2028 resulting in a more than doubling (118% increase) in the number of passengers travelling by these modes. By comparison, the mode share for car use by passengers is predicted to decrease from a current level of around 51% to just under 43% resulting in a much smaller increase (46%) in the number of passengers travelling by car.
89. It is recognised that these are challenging targets but that they can be achieved through a range of initiatives, including a Framework Employee Travel Plan (FETP) and further development of the statutory Airport Surface Access Strategy. This will build on recent and planned improvements to public transport facilities in addition to those proposed as part of this application.
90. The TA states that "In traffic terms, the proposed new built development is not envisaged to directly result in significant changes to the general pattern of travel both to and from the Airport, although numbers will inevitably increase." The impacts of these increases in traffic in the vicinity of the Airport and on the wider network have been assessed using a variety of traffic models and techniques, including LBC's VISSIM model used for the M1 J10A assessment.
91. In addition, the methodology adopted by LLAOL for converting the forecast passenger numbers into vehicle trip generation data is considered to be an acceptable and robust model. In particular it uses a 'worst case' approach by combining the busiest period for non-airport background traffic (March/October) and a typical summer 'busy' day in August.
92. The proposed development is summarised in paragraph 2.2.2 of the TA and includes the following highway and transport improvements:
 - Dualling of the access road from the Holiday Inn roundabout to the Central Terminal Area (CTA);
 - Improvements to the Public Transport Hub (PTH) adjacent to the terminal;
 - Construction of a multi-storey car park on the western side of the existing Short Term Car Park (STCP), and
 - An extension to the Mid Term Car Park (MTCP).
93. Additional highway and transport improvements are proposed and are outlined in paragraph 17.1.3 as follows:
 - A new all movements traffic signal controlled junction on Airport Way to provide access to the MTCP and a controlled pedestrian crossing of the proposed dual carriageway;
 - Revisions to the Holiday Inn roundabout to provide a traffic signal controlled junction linked to the MTCP junction and some controlled pedestrian crossing facilities;
 - A new traffic signal controlled junction will be provided at the junction of the improved Airport way with the revised circulatory carriageway/exit from the PTH, and
 - The safeguarding of a corridor through the area to accommodate an onward route to link with Century Park if required.
94. These improvements are to be provided either directly by the applicant by S106 agreement or via a S278 agreement directly with the Highway Authority, in the case of the Holiday Inn junction.
95. Any potential wider highway network improvements are discussed in section 16.5 of the TA. Paragraph 16.5.1 states that "in respect of Junction 10A, no allowance has been made to identify specific Airport impacts (in the TA) as this was considered and reported by LBC using its VISSIM model, which has informed the potential scale of improvements necessary. Once again, there will to be a requirement for S106 or S278 funding related to the Airport development and the Applicant

anticipates detailed discussion and negotiation to allow consideration of a fair and reasonable contribution.” (Note: the draft S106 Heads of Terms suggested a sum of £2 million to LBC as a contribution which has subsequently been agreed).

96. A total of 14 junctions were included in the original traffic assessments/modelling and are summarised as follows:
- 1 M1J10;
 - 2 M1J10A;
 - 3 Mid term car park access, Airport Way;
 - 4 ELC/Airport Way/Percival Way;
 - 5 Vauxhall Way/Kimpton Road/Airport Way;
 - 6 Percival Way/Frank Lester Way;
 - 7 Eaton Green Road/Frank Lester Way;
 - 8 Vauxhall Way/Eaton Green Road/Harrowden Road;
 - 9 Eaton Green Road/Frank Lester Way;
 - 10 Frank Lester Way/Percival Way/President Way;
 - 11 Vauxhall Way/Crawley Green Road;
 - 12 Stopsley Way/Hitchin Road/Vauxhall Way;
 - 13 Stopsley Way/Hitchin Road/Ashcroft Road, and
 - 14 Eaton Green Road/Wigmore Lane.
97. Discussions on the junctions to be treated, the scale of improvements and level of contribution have been ongoing as suggested in the TA (*section to be added on the preferred list of schemes and level of contributions*).
98. The above assessments have been widened to include junctions on a wider network and identified as being particularly congested in Central Bedfordshire and Hertfordshire. Discussions have taken place with officers at CBC and HCC and are reported elsewhere in this report. In summary, the impacts on these junctions are felt to be minimal and do not, therefore, justify mitigation measures.
99. Other matters of concern can be summarised as follows:
- The proposed PTH designed to accommodate the increase in bus and coach usage is to be welcomed as a significant improvement in the facilities. However, LBC would wish to be consulted (along with the bus and coach operators) on any emerging design prior to implementation;
 - The preliminary design for the Holiday Inn junction proposed in the TA appears to be extremely complex and there are concerns that the modelling contains inconsistencies. LBC would wish to be consulted on and agree to the final design (as part of the S278 agreement);
 - The doubling of rail passengers could create pressures on the operation of the Luton Airport Parkway station, although the recently opened northern entrance has improved access. LBC would encourage continued dialogue with the current and future Train Operating Company (currently First Capital Connect);
 - There is concern regarding any potential overspill parking for staff given the potential increase in jobs and relatively small increase in parking spaces. This will need to be closely monitored as part of the FETP and ASAS strategy;
 - Control of the car parks in general will be important in ensuring an efficient use of the network including the display of information on available capacity to the public and employees. LBC would wish to see a plan to manage the parking spaces (this could also be linked to the construction of the multi-storey car park);
 - The proposed conversion to traffic signal control at a number of key junctions will provide the opportunity to better manage the operation of the network particularly if these junctions are linked. This will also assist in accommodating the significant daily, weekly and seasonal variations in traffic volumes, and
 - There are no improvements to cycling infrastructure proposed in the TA and it is considered that there are opportunities to attract greater use of this mode by employees. LLAOL has indicated a willingness to allocate S106 funds for appropriate improvements and some initial ideas have been developed;
100. The Framework Employee Travel Plan is considered to be acceptable as a framework. However, given the diverse nature and number of employers (only 10% of employees are from LLAOL), there will need to be more detail on the promotion and appointment of local travel plan coordinators. It is suggested that monitoring be progressed through the Airport Transport Forum which would also provide a link with the monitoring of the ASAS.
101. In summary, therefore, the focus will be on improving on and maximising the public transport offer by building on recent improvements to the existing facilities through a range of measures linked to the FETP and ASAS strategy. The focus for the highway improvements will similarly be on building on recent improvements to the East Luton Corridor and proposed M1 J10A improvement to continue to concentrate vehicular access via the M1 and, to a lesser extent, the A505 Hitchin Road and Vauxhall Way.
102. The range of improvements proposed by LLAOL together with the additional measures proposed in the S106 and related conditions will address the predicted impact on the highway and transport network resulting from the growth in passengers. Regular monitoring of progress in meeting the mode share targets will also be key to assessing the success of the objectives as well as creating opportunities to review the measures through the Airport Transport Forum.
103. The Highways Agency, Central Bedfordshire and Hertfordshire County Highways have all been consulted in respect of the application and the likely impact on the wider road network. The Highways Agency has not raised any objections in respect of Junction 10A of the M1. With regard to the wider strategic road network and more specifically the A1, they indicated their uncertainty that any impact mitigation could reasonably be justified given the distance between the Airport and A1 junction.
104. With regard to Central Bedfordshire although they have lodged a formal holding objection to date there has not been any specific concerns or impact mitigation requirements submitted for consideration.

105. Hertfordshire County Highways are carrying out a strategic assessment of the highway network with the HA and to date they have not formally objected to the proposal.

Air Quality and Climate Change

106. The Air Quality Strategy (Defra, 2007) provides the policy framework for air quality management and assessment in the UK. It provides air quality standards and objectives for key air pollutants, which are designed to protect human health and the environment. The strategy describes the Local Air Quality Management (LAQM) regime that has been established, whereby every local authority has to carry out reviews and assessments of air quality in its area to identify whether the objectives have been, or will be, achieved at relevant locations, by the applicable date. If this is not the case, the authority must declare an Air Quality Management Area and prepare a management plan, which identifies appropriate measures that will be introduced in pursuit of the objectives. The objectives defined in the strategy are linked to the air quality Limit Values set at a European level in the Ambient Air Quality Directive 2008/50/EC (European Union 2008).
107. Luton Borough Council has declared an air quality management area for nitrogen dioxide in the vicinity of junction 11 of the M1 motorway approximately 6 kilometres north west of the Airport. Levels of nitrogen dioxide at residential receptors closest to the Airport on Eaton Green Road are below the annual mean objective. Although it has been recorded that the mean objective has been exceeded within the Airport boundary there has not been any relevant public exposure at these locations.
108. The air quality assessment carried out as part of the Environmental Impact Assessment primarily focused on the potential for effects on 'nitrogen dioxide levels at sensitive receptors in the vicinity of the Airport from increased aircraft movements and road traffic. It examined the potential for odours from aircraft on the ground and increased emissions of carbon dioxide from aircraft on the ground when taxiing or using auxiliary power units. It also examined the impact on air quality during construction in terms of dust.
109. The detailed modelling assessment of the potential effects associated with the proposal related to changes to the Airport operations and traffic flows. The assessment concluded that it is unlikely that the annual mean nitrogen dioxide objective will be exceeded at residential properties on Eaton Green Road, the nearest residential receptor, as a result of increased emissions associated with the increase in traffic and aircraft movements arising from the proposed development. No significant effects on health are predicted as a result of the increase.
110. In considering the potential for odour effects, an important distinction should be drawn between the occasional detection of an odour and a loss of amenity due to odour, the latter generally being associated with persistent and long-lived problems. The Airport has not received any complaints regarding Airport related odours and although the activity on site will increase and as the nearest properties are approximately 400m from the apron areas, it is considered that there will not be a significant additional impact in terms of odours. The Airport is also committed to eliminating the use of Auxiliary Power Units (APUs) on stand, which will reduce the hydrocarbon emissions from the apron and this will further reduce any possible odour impacts.
111. The Airport is further committed to reducing carbon dioxide emissions and has commissioned a Carbon Management Plan to reduce energy consumption and the proposed development will take a holistic approach to energy efficiency. The proposed development works will be designed to current building regulations. The new materials will be of systems that have low U-values and the renewal and refurbishment of existing plant will utilise high efficiency lighting etc.
112. The proposed construction works will be undertaken in areas that are remote from any residential properties and there are no residential receptors within 350m of the site boundary. Although the impacts of the construction activities including night time working are considered to be minimal, measures to mitigate dust emissions will be implemented during the demolition and construction phases of the development and this will be secured by way of a construction management plan that will be secured by condition.
113. There are no standard criteria that can be used to assess the significance of Climate Change emissions from individual airports. Emissions of carbon dioxide take place predominantly at altitude. The wider scale impacts are therefore relevant at the national and global scales that relate to emissions over a wider area than the Airport. Although the proposed development would increase the carbon dioxide emissions above the baseline the increment to UK emissions represents an extremely small change.
114. For those emissions outside the direct control of LLAOL, the Airport will continue to work with all parties to facilitate continual improvements in the environmental performance.

Ecology/Nature Conservation/Arboriculture

115. The ES acknowledges that there are no nationally designated nature conservation sites within 2km of the airport boundary. There are however 21 non-statutory designated sites within 2km of the site boundary. These are made up of 15 County Wildlife Sites (CWS) some of which are also designated as Ancient Semi-Natural Woodlands (ASNWs) or Plantation Ancient Woodland Sites (PAWS). An additional 6 sites are designated as ASNWs or PAWS.
116. The closest of the CWS including Winch Hill Wood CWS and ASNW (to the east). This site along with George Wood and Withstocks Wood, which are both ASNWs and PAWS and located to the south of the airport are considered to be of low ecological value. The ES considers that neither of these sites will be directly or indirectly affected by the proposed development.
117. The habitats within the airport boundary are noted as being intensively managed grassland, vegetation and scrub, which the ES considers to be of low ecological value. The taxiway extensions will result in the loss of 2.3ha of grassland, which the ES does not consider to be significant. Surveys have been carried out for protected species. These focussed on badgers, bats,

nesting birds, reptiles and invertebrates. Whilst there is evidence of areas used by badgers for foraging in the eastern side of the site, no active setts were discovered.

118. Four trees along Airport Way (close to the Holiday Inn) which are to be removed were considered to have low potential for roosting bats. The ES notes that there are more attractive areas foraging areas for bats (identified as Common and Soprano Pipestrelles), to the south, east and west of the airport boundary. These areas are less disturbed by airport activities.
119. Trees and shrubs around an airport, which may encourage birds, pose a risk to aircraft and airport operations. The land within and around airports is generally well managed to reduce the potential for bird strike. However, given the large areas of grassland, ground nesting birds, such as Skylark and Meadow Pipit, may find such sites attractive. Scrub is generally removed at regular intervals outside the breeding season.
120. Evidence of slowworms, smooth newts and common toads within the site during survey work in 2006 and 2012.
121. The development of taxiway ' Foxtrot' has the potential to result in the loss of habitat, currently occupied by the Bombardier Beetle, an invertebrate of County importance, which is rarely found, but is normally associated with coastal areas in south eastern England. Other varieties of beetle, crickets and weevil were also identified along with the Opomyzid fly (a species only scientifically identified in 1992).
122. In terms of mitigation, the ES proposes replacement trees (to replace those to be removed on a 2:1 basis), scrub and trees to be removed outside the bird breeding season, measures to protect foraging badgers from exposed excavations, buffer areas to minimise disturbance and translocation of important species by an ecologist.
123. As a result of consultation with the Wildlife Trust and the Council's Ecologist, an additional habitat survey has been requested and it is further suggested particularly given that the previous survey was carried out in March, which is not the ideal timing to capture ecological data for most species. The submission of this survey would update the information provided in the ES, rather than to identify potential new species. It would also alert the applicant and contractors working on site, as to the location of these species.
124. A condition has been proposed, which would require this survey to be completed and submitted for consideration by the planning authority, in consultation with the Council's Ecologist. This approach would therefore address the concerns raised and is considered an appropriate course of action.

Landscape and Visual Impact

125. The ES includes an assessment of landscape and the visual impact of the development. Assessments were carried out from 14 publicly accessible locations around the airport site. LLA is one of the highest airports in the UK and sits on a plateau. On a clear day, from certain viewpoints, some of the taller buildings in the Docklands area of London are visible.
126. From the plateau the land falls steeply away to the east and west. Luton town sits to the north, so the character of the backdrop is predominantly urban. Land to the east, south and west, has more of a rural setting (agriculture and woodland).
127. The airport site is surrounded by a number of landscape designations including green belt and the Chilterns Area of Outstanding Natural Beauty. There is also a historic network of footpaths and bridleways (some of which may have previously linked across the site prior to the use of the site as an airport). During the assessment, 14 viewpoints were identified. These viewpoints included residential areas, footpaths, public roads, areas of public open space, Someries Castle (a scheduled monument) and Luton Hoo (a historic park and garden).
128. At the majority of the viewpoints, the control tower and Hangar 89 (easyJet's building) were the most prominent. Given the location of the airport plateau the ground based activities had minimal impact on the landscape.
129. Of the 14 viewpoints two were considered to be high sensitivity receptors, Cutenhoe Road and Someries Castle. The attributing factors for this level of sensitivity are linked to the character of the area. In the case of Cutenhoe Road it is because of the number of residential properties. In the case of Someries Castle, it is the heritage value of the site. At both these points the proposed multi-storey car park would be visible, once constructed. This impact can be minimised through conditions seeking details of the choice of materials and appearance of the structure.
130. English Heritage responded to the consultation noting that the impact on built development at Luton Hoo had not been properly assessed. The ES does include an assessment on the impact of the parkland and indicates that the structures at the airport are visible as long views only. The structures visible will remain unchanged by the application being considered.
131. English Heritage also refers to the impact on Someries Castle. The visual impact of this is referred to above. The increase in numbers of aircraft movements could be considered to have a visual impact on Someries Castle and Luton Hoo, but this is very difficult to quantify in terms of an assessment.
132. It is considered that the main landscape and visual impacts have been properly assessed and the significant receptors identified. Whilst no mitigation is proposed, the addition of conditions that relate to the appearance of the multi-storey car park (the most visible structure), addresses the concerns raised by the consultees.

Water Environment

133. The ES considers the implication of the development on the surrounding water environment. In reviewing this three documents have been considered;

- Flood risk assessment (Jacobs, November 2012);
- London Luton Airport Surface Water Management Plan (Dec 2011-Dec 2012); and
- Phase 1 Environmental Assessment (WSP April 2006).

These technical reports inform a qualitative assessment of the likely impacts on the water environment and consider surface water runoff and impact on groundwater.

134. The ES also sets out the legislation and policy context for the assessment and the methodology used. The airport site has been identified as being within a flood zone 1, which put it at a low risk of flooding, although it does refer to an incidence of flooding in 2011 which affected the Airport Way underpass. Post development, the flood risk is not expected to increase. The ES proposes mitigation measures which include the need to increase the capacity of the central soakaway, pipes and storm cells within the drainage system.
135. In addition to the flood risk, there is also the need to prevent pollution of surface or groundwater during construction. A construction environmental management plan will be prepared in accordance with the Environment Agency's Pollution Prevention Guidelines and a condition is proposed to require its submission.
136. The Environment Agency was consulted on submission of the application and raised concerns, but since that time have been working with the applicant, Thames Water and its agents to prepare a Surface Water Strategy (SWS) to ensure the long term drainage issues are considered. The SWS is currently in draft form, but conditions have been proposed in line with the recommendations of the Environment Agency to ensure the SWS is completed and submitted to their satisfaction.

Cultural Heritage

137. The ES is required to consider the implications for cultural heritage. An assessment has been carried out to consider the historical context of the area and the potential for archaeology to be present.
138. Given the secure nature of the site, the County Archaeologist has noted that the site has not been surveyed in any detail previously, so the true implications are unclear, but it is possible that the site has potential for remains from the prehistoric period onwards. The ES refers to a number of flint tools being found at sites around the boundary of the airport in 1995, which may have been associated with farming settlements, although there is not evidence to suggest that a prehistoric settlement lies within the boundary of the airport.
139. Coins and Roman pottery has been previously found around Luton Hoo and given the location, close to the River Lea, Watling Street and Verulamium (St Albans), it is likely that Luton was occupied as an Anglo-Saxon settlement with suggestions of Roman activity. Central Bedfordshire Archaeology Unit, have proposed a condition to require a more detailed survey to be carried out and allow access to the County Archaeologist during the course of works. The ES notes that a written scheme of investigation detailing a watching brief, particularly relating to areas of the site, which have been previously undisturbed, will be submitted. A condition will address this point.
140. In terms of the build historic environment, the ES refers to a number of 16th and 17th Century farmsteads that lie close to the airport boundary. Two properties have been identified as being of high sensitivity. These are Someries Castle and Luton Hoo historic parkland.
141. In their response, English Heritage has referred to paragraphs 132 and 134 of the NPPF which consider heritage assets noting that "Any harm requires clear and convincing justification and should be weighed against public benefits". English Heritage consider that the ES does not provide sufficient information in respect of the visual impact on Luton Hoo, although note that they consider there is visual impact on the setting of Someries Castle. They have also raised concerns about the increase in aircraft movements and the potential for noise. The applicants noise consultant has produced some further information in response to English Heritage's concerns on which has indicated an increase of less than 2dB(A) at these sites in 2028 with part modernisation of the fleet. English Heritage has been forwarded this information.
142. In terms of visual impact, the only prominent built development proposed would be the multi-storey car park. A condition has been imposed to require further details of the car park and an assessment of the impact will be made at that time, based on the design and materials proposed. The works to the terminal and the ground based works will have minimal visual impact, given the location of the works within the boundary and other activities that already take place in these areas.

Impact on Surrounding Communities

143. The Airport sits at the heart of a growing, vibrant and diverse community and the airport operator LLAOL is committed to engaging with the community to minimise adverse effects on amenity and enhance the quality of life of local people. The presence of a major international airport in close proximity to built up areas inevitably affects local environment and amenity and the Airport has been working with the community to address their concerns to the extent that the number of complaints has been declining steadily for several years. In 2010, a total of 589 complaints relating to the Airport aircraft operations were received, an average of two complaints per day, compared to 1,637 complaints received in 2006. Noise was cited as the main disturbance, aircraft being off-track, frequency of operations, low-flying aircraft, vibration and air quality were other areas of concern.
144. The Airport layout is such that there are no residential dwellings overlooking the aprons and taxiways. The main apron is shielded by a near continuous row of hangars and as such ground noise from auxiliary power units and taxiing aircraft is not therefore significant. Noise monitoring indicates that the dwellings on Eaton Green Road experience a much greater ambient level of noise from road traffic than ground noise associated with the Airport. Future noise control measures are included

within the Airport's Noise Action Plan and the additional noise mitigation measures will help mitigate the potential effects on the local amenity of the community and conditions are proposed to further address the noise implications of the development.

145. The proposed development will enable LLAOL to build on its existing community project work to ensure that the Airport continues to support the local community through a range of schemes, including the Airport Community Trust Fund which provides support for local community initiatives. The Airport operators (LLAOL) are also proposing to provide a fund to be managed by the Consultative Committee that will provide grant funding to local residents for works such as noise insulation. This fund will be maintained on an annual basis as part of the ongoing development of the airport takes place. They will also continue to engage with relevant stakeholders, such as air traffic control, airline operators, local residents, MPs, environmental health officers and the Consultative Committee on a range of issues that have a direct impact on the surrounding community.

Economic Impact

146. The government published 'The Plan for Growth' in 2011, which recognises the need for improvements in the nation's infrastructure to facilitate economic growth. The National Infrastructure Plan 2011 includes proposals to develop a new strategy for coordinating public and private investment in infrastructure. It also included a commitment that the UK should retain its aviation hub status, but shows that aviation is the one area where performance has decreased since 2005 in terms of capacity, access and availability, service quality and reliability.
147. The economic assessment of the implications of the proposal focused on the core impact area, which covers six local authorities including; Luton, Central Bedfordshire, North Hertfordshire, St Albans, Dacorum and Stevenage. The desk based assessment carried out included the characteristics of the existing economy such as employment rates, skills and levels of deprivation and it was identified that Luton forms a pocket of relative deprivation within the wider area. It has lower levels of economic activity than the other local authorities in Hertfordshire, a higher unemployment rate, lower average levels of qualification and lower gross weekly earnings.
148. The adopted Local Plan identifies the Airport as one of a number of action areas and recognises the important contribution a successful airport can make to the regeneration and economic viability of Luton by the creation of new employment opportunities. The annual economic value of the Airport is based on two separate elements. The first is income injection into the local economy arising from the operations of the Airport consisting of the wages and salaries of workers, income from direct business expenditure on goods and services and business profits invested back into the local economy, supply chain effects of local spending from direct income from the Airport. The second element is in the form of government revenues that arise from the Airports operations.
149. In 2011 the Airport employed approximately 8,250 people across a range of sectors. The current annual income injection into the local economy from the operations of the Airport is estimated at £788 million. In addition, the Airport contributes revenue through a range of taxes as such in total the economic value of the Airport is estimated to be approximately £1 billion.
150. It is predicted that 100 new Full time Equivalent jobs will be created during construction of the proposed development and it is recognised that this will be of only a moderate beneficial effect. However it is predicted that approximately 5,100 new jobs will be created post-construction as a result of the development. Overall the economic value of the Airport as a result of the expansion will increase to £1.7 billion and this will have a significant beneficial effect on the area as a whole.
151. There is also the potential for wider economic benefits through improved regional competitiveness. The Airport would as a result of the development proposals contribute to this by improving accessibility and by encouraging firms to be located in the region by widening the range and frequency of international routes. Expanding the Airport will create opportunities for new routes and this would have significant beneficial effects for not only the local economy within Luton, but also within the wider area.

Health Impacts

152. Within the Community and Economic section of the ES, the impact on health is considered. The Health Impact Assessments consider the positives and negatives of a proposal and cover a wide range of topics, including changes to air quality, impact arising from sleep disturbance through to the benefits of a proposal through the wellbeing of the community for example, the creation of employment increasing personal finance, leading to opportunities to improve nutrition, self esteem and mental health.
153. The Health Impact Assessment (HIA) has been carried out in consultation with the Council's Health advisors, within the Primary Care Trust and is based on recognised published data which gives a profile of the community, its health, levels of deprivation and census data. The significant impacts that can be identified from the HIA is the impact from noise and air quality. These are covered earlier in this report and included the measures proposed for mitigation and monitoring of noise and monitoring of air quality.
154. Included within the HIA is an assessment of risk relating to communities living in or around the public safety zone (PSZ). The PSZ is a triangular shaped area, which lies at either end of a runway. Its exact shape and length is calculated using traffic forecasts and operational assumptions based on the aircraft operating from a particular airport (known as the fleet mix). It also takes account of the directional split for the runway, which in the case of LLA is 30% eastbound and 70% westbound.
155. The Department for Transport (DfT) issued guidance on risk; Third Party Risk near Airports and Public Safety Zone Policy (DfT 1997) and DfT Circular 1/2010: Control of Development in Airport Public Safety Zones (DfT 2010). These set out the criteria when as a planning authority applications are being assessed that are within PSZs.

156. As the safety record of aircraft has improved over time, with the modernisation of the fleet, if a review of the PSZ was to take place by National Air Traffic Services (NATS) assumptions would need to be made on aircraft that currently are not in operation. However, a predicted fleet mix has been assessed within the HIA and whilst it shows a slight increase in length, the actual land occupied by the PSZ has decreased. Given that the increase in length predicted would currently extend over rural, less densely populated areas, it is possible the number of people living, working or congregating within the PSZ would decrease.
157. Following consultation with Luton Health Primary Care Trust, it was noted that the HIA submitted with the application represents a good approach and highlights some of the potential health impacts that could arise from the development. Some of the comments made relate to other developments (for example the impact of M1 J10a on the health of the population of Luton).
158. Luton Health also suggests that the HIA does not focus on the positive impacts. It is considered that the submission of the economic assessment and the potential job generation that is covered in a separate section, covers this point.
159. The final point raised relates to the impact on health organisations, hospitals and the blue light services, such as the ambulance service. The ambulance service were consulted separately but have not responded to the consultation. It is believed that it is difficult to quantify the impact on the other services at a local level, as there is minimal data to inform the applicant in order to assess this. It is therefore considered that the HIA element of the ES covers the issues of importance and within the proposed conditions and monitoring incorporated within a S106 agreement, the health impact can be monitored and mitigation or at worst action, taken if levels are considered to be reaching significant levels.

CONCLUSIONS

160. In determining this proposal the primary considerations relate to the built form of the development and the associated expansion of the capacity of the Airport to accommodate a throughput of 18mppa. In terms of the built form the proposal will have minimal impact on its surroundings as the majority of the works will be contained within those parts of the site that are not visible from the boundaries. The greatest impact in the long term will therefore relate to the increase in aircraft movements, size of aircraft and passenger numbers with the associate levels of increased traffic and possible noise disturbance.
161. It has to be acknowledged that the Airport plays an important role not only in the town but in the wider area in terms of the economy, not only as an employer but also in respect of the associated business community that service the Airport. If the Airport is to maintain this role it is important that it continues to improve the quality of the service that it provides to enable it to meet the challenges of immediate and long term future. This proposal will enable the Airport to improve its regional competitiveness by expanding the range of international routes that are more important to business who may then locate within the town or the region. This can only benefit the continued regeneration of Luton and its immediate surroundings and should be supported.
162. The Local Planning Authority acknowledge that the development / and expansion of the activity at the Airport will have an impact on residents both within the borough and in the surrounding rural areas. It was recognised that a robust consideration needed to be given to the concerns raised by all of the interested parties and to ensure that an objective appraisal was carried out. This was especially important in respect of the issue of 'noise' and as such the Council engaged independent consultants to evaluate the proposal, providing specialist technical expertise.
163. As set out within the report, the proposed expansion of the Airport will have an impact in terms of additional noise from aircraft movements and traffic generation. However, the proposal does afford the opportunity to put in place a range of controls through the use of a mix of conditions and S106 Agreement, in respect of issues such as night time noise, noise insulation, limitation on the passenger numbers and type of aircraft etc. which currently are limited in their effectiveness and/or do not meet the requirements or objectives of current national aviation and planning policy.
164. It is therefore considered that on balance the development as proposed should be supported and it is recommended that members resolve to grant planning permission subject the conditions set out above and to the application being referred to the Secretary of State for consideration.

APPENDICES

1. Site location plan
2. Plan to show the scheme proposed
3. Technical consultations
4. Summary of representations received
5. letter from Terence O'Rourke dated 27th September 2013 (capacity)
6. letter from Terence O'Rourke date (noise)

LIST OF BACKGROUND PAPERS **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

Luton Local Plan 2001-2011
 Application file: 12/01400/FUL
 Chris Smith Aviation Consultancy Current Capacity Report (June 2013)
 Chris Smith Aviation Consultancy Future Capacity Report (September 2013)
 Cole Jarman Noise Report 13/01720 (25th October 2013)

