



HARPENDEN TOWN COUNCIL

CLOSER TO THE COMMUNITY



Town Mayor – Councillor Rosemary Farmer

The Town Mayor's charities are:

The Harpenden Trust and The Royal Anglian Regiment Benevolent Charity

Rt Hon Eric Pickles MP
Secretary of State for Communities and Local Government
Department for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU

Rt Hon Patrick McLoughlin MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR

Date: 3 January 2014
Ref: RF/PS/E19/33264

Dear Mr Pickles and Mr McLoughlin

Re: London Luton Airport – planning decision by Luton Borough Council to increase capacity to 18 million passengers per annum

On Friday 20 December 2013, Luton Borough Council's (LBC) Development Control Committee (DCC) approved an application from London Luton Airport Operations Limited (LLAOL, the applicant) to increase the capacity of London Luton Airport. The recommendations of the officer's report¹ were approved as set out.

Further to DCLG's Article 25 holding direction, Harpenden Town Council requests that discretion is exercised to call-in the application to enable it to be considered at a public inquiry led by an independent planning inspector. The grounds for this request include:

1. The extent to which the proposal conflicts with national policy

- i. Expansion plans for the UK's fifth largest airport should be considered under the Nationally Significant Infrastructure Project (NSIP) arrangements given that the proposals have been considered capable of accommodating up to 20 million passengers per annum (mppa)² from a base of 9.6mppa in 2012. The applicant's

¹ Report of the Development Control Manager, Luton Borough Council for its Development Control Committee dated 20 December 2013 regarding planning application reference 12/01400/FUL published at <http://bit.ly/1hWU3Mg>

² Chris Smith Aviation Consultancy Ltd, London Luton Airport: Future Capacity – a report prepared for Luton Borough Council, September 2013

- rejection³ of elements of the report prepared on behalf of LBC analysing the airport's current and future capacity serve to illustrate the continuing controversy of this issue
- ii. If the proposal is not considered an NSIP, the Secretary of State for Communities and Local Government is asked to call-in the application for your own determination under Section 76A (nationally or regionally important infrastructure projects) or Section 77 of the Town and Country Planning Act 1990
 - iii. The noise impact on the Chilterns Area of Outstanding Natural Beauty and specifically the impact of overflying aircraft on the tranquillity and enjoyment of the ANOB (paragraphs 109 and 115 of the NPPF)

2. The extent to which the proposed development conflicts with local plans

- i. At the heart of this matter is the interpretation of Luton Local Plan 2001-2011 and specifically Policy LLA1 that established the basis for development at the airport. It is the view of Harpenden Town Council that the evaluation of future night noise contours establishes that the resulting aircraft noise impact is not below the 1999 level and therefore does not accord with the policy

3. Other material considerations relevant for consideration by the Secretaries of State

- i. Luton Borough Council's conflict of interest. LLAOL's concession agreement with London Luton Airport Limited (LLAL), a company wholly owned by LBC, involves a fee related to the number of passengers using the airport. Since 1998, LLAOL has returned over £210m in concession agreement payments to LBC, with nearly £25m paid in 2011
- ii. A related concern is the obligation on the applicant to provide access via the terminal approach road to a business park LBC wishes to see developed to the east of the terminal. It is far from clear that the applicant is comfortable with this requirement and the prospect of airport traffic mixed with through traffic so close to the terminal
- iii. No travel plan was submitted with the application, rather there was a condition that a travel plan be submitted before development commences. The impact of the expansion upon the ability of the local road and rail infrastructure to accommodate the increase in passenger and staff journeys to and from the airport and aspirations to achieve modal shift from private cars to public transport are fundamental considerations. The absence of a travel plan is considered a significant omission from the DCC's deliberations
- iv. Process shortcomings. This application was initially tabled for consideration at a meeting of LBC's DCC scheduled for 21 November. In the opinion of Harpenden Town Council (and Hertfordshire County Council), the supporting report was not fit for purpose. The meeting was postponed and the report was largely rewritten and the meeting rearranged for 20 December. Calling the meeting on the last Friday before Christmas presumably contributed to just 6 rather than the compliment of 11 DCC members attending which appeared to limit the opportunity to consider the proposals thoroughly and objectively and importantly, give due attention to the proposed planning conditions.

Given these considerations and shortcomings, Harpenden Town Council believes that it is in the interests of all the stakeholders including local residents, not just in Harpenden but also in Luton itself and across adjacent Districts, that this application be called-in and considered in an even-handed way by an independent planning inspector.

Yours sincerely

Councillor Rosemary Farmer
Town Mayor

Copy to: Rt Hon Peter Lilley MP

³ Ibid. 1, letter dated 27 September 2013 from Terence O'Rourke published at Appendix 7