



The Planning Inspectorate

APPLICATION BY LONDON LUTON AIRPORT OPERATIONS LTD
(REF APP/B0230/V/22/3296455)
VARIATION OF CONDITIONS RELATING TO EXTENSIONS AND
ALTERATIONS TO THE AIRPORT
LONDON LUTON AIRPORT, AIRPORT WAY, LUTON

Note of Pre-inquiry meeting held at 13.30 on Wednesday 6 July 2022

**Venue – the Council Chamber, Town Hall, George Street, Luton,
LU1 2BQ**

Introductions and attendance

1. Richard Clegg (RC) introduced himself as the lead Inspector of a Panel of three Inspectors appointed to hold the inquiry into the application for Luton Airport called in by the Secretaries of State. He indicated that he will focus on noise and policy matters. He then introduced Sheila Holden (SH), who will lead on transport and air quality and Geoff Underwood (GU) who will focus on climate change and socio-economic matters. The Programme Officer, Joanna Vincent (JV), was introduced as the first point of contact for all the parties involved in the case. RC explained that the purpose of the pre-Inquiry meeting was to discuss the arrangements for the Inquiry in order to ensure it proceeds efficiently.
2. The Applicant was represented by James Strachan QC (JStr), assisted by Victoria Hutton of Counsel. The Local Planning Authority (LPA) was represented by John Steel QC (JSte) (who joined the meeting remotely). Some members of the Applicant and Council's teams were also in attendance. The two Rule 6 parties – LADACAN and the CPRE were represented by Andrew Lambourn and Chris Berry respectively. Other parties attended; some of whom indicated a wish to speak to the inquiry.

Description of Development

3. The statement of common ground between the Applicant and the LPA refers to the variation of five conditions of planning permission ref 15/00950/VARCON. RC explained that if the application were approved, a fresh permission would be granted. He suggested that the description would read as follows:

Full planning application for dualling of the airport way/ approach road and associated junction improvements, extensions and alterations to the terminal buildings, erection of new departures/ arrivals pier and walkway, erection of a pedestrian link building from the short-term car park to the terminal, extensions and alterations to the mid-term and long-term car parks, construction of a new parallel taxiway, extensions to the existing taxiway parallel to the runway, extensions to existing aircraft parking aprons,

improvements to ancillary infrastructure including access and drainage, and demolition of existing structures and enabling works; and outline planning application for the construction of a multi-storey car park and pedestrian link building, without complying with conditions 8, 10, 22, 24 & 28 of planning permission ref 15/00950/VARCON.

4. In response to JStr's query, this description would be supplemented by a note that the application seeks to vary the five conditions.

Plans

5. It was confirmed that the only plans relevant to the inquiry are the four Core Documents CD1.02, CD1.03, CD1.04 and CD1.05.

Participation in the inquiry

6. The Applicant's witnesses are to be as follows:
 - Rupert Thornely Taylor Noise
 - Andrew Hunt Socio-economic matters
 - Shaun Bashforth Planning
 - Dr Matt Osund-Ireland Climate change
 - Johnny Ojeil Transport
7. The LPA's witnesses are to be as follows:
 - Ben Holcombe Noise
 - Dr Mark Hinnalls Climate change
 - David Gurtler Planning
 - Antony Swift Transport
 - Chris Godden Highways
 - TBC Air quality
8. Andrew Lambourn and Richard Wald will represent LADACAN as advocates and witness. Other witnesses likely to be:
 - Seth Roberts Noise
 - Hayes McKenzie Noise
 - Alex Chapman Socio-economic
 - Cat Hewitt Climate change
9. Chris Berry will be representing the CPRE as a witness; a decision has yet to be made as to whether they will be legally represented.
10. Other groups/individuals wishing to speak at the inquiry, even if they were not in attendance at the PIM include:
 - John Hale St Albans Quieter Skies
 - Julie Bell Local residents and Wheathampstead and District Preservation Society
 - Cllr Jane Timmis Dacorum Borough Council
 - Carl Wingfield Harpenden Society
 - Jane Spendley Residents of South Luton
 - Helena Cotter Residents of South Luton
 - Simon Leadbetter Local resident
 - Nigel Oxley Local resident

- Andrew Mills-Baker Local Resident
- Cllr Joe Graziano Kings Walden Parish Council
- Nigel Tully Local resident
- Neil MacArthur Harpenden Sky

Relying on written representations:

- Paul Donovan Hertfordshire County Council and representing North Herts, City and District of St Albans and Dacorum Councils

Main considerations and other matters

11. RC referred to the advance note which set out the considerations the Panel had identified from the information that they had reviewed to date. These were:
 - The implications of the proposal for meeting the challenge of climate change.
 - The effect of noise associated with the proposal on health, quality of life, and the character of the area.
 - The effect of the proposal on air quality.
 - The effect of the proposal on sustainable transport objectives and transport infrastructure.
 - The socio-economic implications of the proposed development.
 - Whether the proposed development would be consistent with the Development Plan and other relevant policies.
 - The effect of other considerations on the overall planning balance.
12. These were accepted by the main parties as appropriate ones for discussion at the inquiry. However, JStr said that the Applicant had not anticipated putting forward evidence on highway or air quality matters as these were not considered controversial. Whilst the modal split assumptions might affect air quality, it was not thought to be a matter of concern. JSte stated that the LPA had not anticipated calling a witness in relation to air quality. It had previously reviewed the information submitted with the application and found it to be satisfactory. There is no new evidence to review.
13. RC explained that the Panel had been guided by the subject matter of the conditions that the application sought to vary, which included the travel plan and parking management plan. In addition, the call-in letter had been framed more broadly. Transport matters fall into two heading different areas: a) transport policy and sustainability and b) the operation of the highway network. Whilst this was accepted, JStr sought clarity on the type of evidence that the Panel would require on each of these topics. The Panel will review the extent to which evidence should be presented in person at the inquiry.

The Form of the inquiry

14. The proposal to hold the inquiry as a face-to-face event with a virtual element was agreed by the main parties. Investigations will be made with the aim of providing a screen that will enable all participants to view the documents being referred to during the proceedings. The inquiry will be programmed on a topic basis. The LPA will appear after the Applicant, as it is not an opposing party. The Applicant will be given the opportunity to respond to points put by 3rd parties. It was therefore agreed that objectors should speak first on each topic.
15. The possibility of round table discussions rather than the traditional format of evidence and cross examination was discussed. It was agreed that the main topics do not lend themselves to such an approach. However, it would be appropriate to discuss the suggested conditions and obligations in that way.

Timetable

16. The inquiry is scheduled to commence on 27 September and is expected to require 6 weeks of sitting time. The Applicant and the LPA had expressed a preference for proceedings to be continuous.
17. RC explained that this would not be possible as the Panel has prior commitments during w/c 10 October. There are also issues of availability of the Council Chamber for the Council during the w/c 24 October which is the school half-term holiday. The inquiry will therefore not sit during that week. Sitting will recommence on 31 October and run continuously for the remaining 3 weeks. The final week will include Site Visits and a break to allow for preparation for closing submissions.
18. The indicative programme below was suggested by the Panel:
 - Week 1 (27/10) Opening statements. climate change, Local parties other than R6 to present
 - Week 2 (3/10) Transport, highways, socio-economics
 - Week 3 (17/10) Noise
 - Week 4 (31/10) Policy and air quality
 - Week 5 (7/11) Planning, other matters, conditions and obligations.
 - Week 6 (14/11) Site visits and closings.Any comments from the main parties on this indicative programme are to be submitted by 13 July 2022.
19. If it becomes possible to accelerate some elements of the programme (e.g. if air quality does not require in depth discussion) then there may be opportunities to be flexible. The possibility of an evening session to provide the public with an opportunity to present to the inquiry was mooted. However, this was not considered necessary.
20. Detailed time estimates should be submitted by 13 September.

Inquiry Venue

21. The only venue currently available for the inquiry is the Council Chamber. RC expressed great concern that this is unsuitable in terms of working space both for the Panel and for other participants. These concerns were shared, but the Applicant was of the view that it may be necessary to 'make do' as it is essential that the inquiry proceeds and is not subject to delay. There was a discussion about alternative options but JSte said that in spite strenuous efforts by the Council none had been found. The Panel viewed the Council's committee rooms as potential alternatives, if not for the inquiry opening, at least for subsequent days when it is anticipated that there will be fewer participants.
22. It was agreed that the Council would look again at other options given the difficulties that all would experience working in the Council Chamber. If none can be found, it was agreed that extra furniture and more comfortable seating would have to be provided and proceedings would require regular adjournments. Efforts to consider alternatives, including decanting to other rooms in the Town Hall would be put together by Friday 15 July.

Documentation

23. There is an inquiry website which will host all the core documents (CDs). RC asked the parties to review the CDs not only to ensure that there is no duplication but also that they can be found in the most appropriate place on the website. This will make navigation much easier during the inquiry enabling all participants to refer to them during proceedings.
24. The deadline for submission of CDs is 29 July, i.e. well in advance of proofs of evidence. Numbering of CDs is to be the responsibility of the Programme Officer. Please discuss with JV the most appropriate section on the website for documents to be stored. Everyone needs to be able to find things quickly.
25. There is a Statement of Common Ground between the Appellant and the Council. RC encouraged the production of SoCGs between R6 parties and the main parties as these would be helpful to the Panel.
26. The addendum to the ES is to be published for consultation on 13 July. The consultation period will end on 19 August. It is only an update due to the time that has lapsed since the application was submitted.
27. Due to the publication of the addendum there will be parts of the original ES that have been superseded; other parts will remain extant. RC said that it would be helpful to the inquiry if there could be clarity as to the contents of the current ES as a whole and requested that this be prepared.

28. All documentation should be submitted electronically. The Panel members require hard copies of all the proofs of evidence together with rebuttal proofs if these are necessary. Hard copies should be sent to the Case Officer in Bristol to forward to the Panel members. All other documentation must be submitted to JV, the Programme Officer. Documentation should not include links to websites as these can change. All documents should be in the form of pdfs.
29. There was a discussion about information which LADACAN has requested under FOI. JSt indicated that the LPA would be willing to work with LADACAN to provide information which is relevant to the matters which are the subject of this planning inquiry. RC encouraged the parties to pursue those discussions in a spirit of cooperation.

Planning obligations and conditions

30. A final draft of obligations and a CIL statement should be submitted by 13 September. There is a list of draft conditions already available; any revisions and comments from 3rd parties should be presented by 30 August to coincide with proofs of evidence.

Site visits

31. RC explained that the Panel had undertaken a short visit to the airport in the morning of the PIM. However, a full programme of visits would be undertaken towards the end of the inquiry. There was discussion of the merits of undertaking visits earlier, say after openings. Bearing in mind that there are no physical works proposed it was agreed that that would not be done.
32. The visits will therefore take place after the presentation of evidence and cross-examination and take on board places and issues that arise during proceedings.
33. It was agreed that the visits should include residential areas in South Luton. Memorial Park was suggested as one possible site to visit as was Breachwood Green to the east of the airport. Suggestions for the site visits should be provided by 20 September, but this can be amended/added to if necessary during the inquiry.

Costs

34. No costs applications are thought to be likely but the main parties wished to reserve their positions in relation to this matter.

Summary of key dates

35. RC summarised the key dates that were discussed for the sake of clarity. These are set out below:

- Lists of witnesses 8 July
- Comments on indicative programme 13 July
- Venue – options 15 July
- Submission of core documents 29 July
- Submission of proofs 30 August
- Statements from other parties 30 August
- Update to conditions 30 August
- CIL statement and planning obligations, time estimates 13 September
- Rebuttals 20 September
- Programme of SVs 20 September

RC thanked everyone for their attendance. The meeting was formally closed at 16.20 hours

Richard Clegg, Sheila Holden, Geoff Underwood

INSPECTORS
13 July 2022