

Planning and Transportation

LUTON LOCAL PLAN (2011-31)

Public Examination

Matter 26 Statement – Luton Airport (LP6), including Century Park

November 2016

Luton Local Plan 2011-31 – Public Examination

Statement by Luton Borough Council (LBC)

Matter 26 (part) – London Luton Airport (LP6)

NB: LBC responses set out in blue font.

Main issue: Are the proposed uses on the strategic allocation appropriate, justified and deliverable, including in terms of scale and mix? Are the policy requirements sound?

Airport Questions:

1. Is the support for the growth and expansion of Luton Airport appropriate and justified, including as expressed in Strategic Objective 1 and Policy LP6?

Luton Airport is probably the most significant economic asset of the town and the wider sub-region and contributes significantly to the national economy. Significant growth potential for the airport and associated development sites is set out in the local plan. The designation of the enterprise zone highlights the importance of the planned expansion but is likely to have a significant impact in accelerating the investment. Accordingly, it is considered that reference to Luton Airport and its future sustainable growth is central to the future economic role of Luton and therefore appropriately placed on Strategic Objective 1 and also featuring as a separate policy under the spatial strategy section of the plan.

2. Are the criteria in B justified and effective? Is it necessary to only permit *development* where all 9 criteria have been met? Is it clear from the policy what *expansion* and *development* means (ie what type of potential development proposals within the airport will criterion B. relate to?)

The criteria in policy LP6 B regulate any further proposals for expansion of the airport both physically and operationally, beyond the current planning permission and airport Masterplan. LBC considers that criteria set out in the policy are both justified and effective having taken advice from its airport officer and airport consultant who worked on the current planning permission in drafting its policy and following stakeholder consultation at regulation 18 stage. It is necessary and appropriate to require development that relates to further airport expansion to meet all nine of the criteria in part B of the policy in so far as any physical expansion will also bring operational impacts and the weight to be given to assessing each criteria and its relevance will necessarily be a matter for the development management function. The policy is also unambiguous regarding the matters that must be addressed for any proposals for further expansion to be formulated and brought forward.

To further clarify, Part B of the policy concerns airport expansion. This means expansion of the airport to facilitate growth of (1) passenger numbers (2) air freight (3) aircraft movements (4) business directly involved in (1) to (3) and could include new airlines, aircraft maintenance and so on. The term development in this part of the policy refers to construction activity (which could include redevelopment) which facilitates to the expansion of the airport.

3. Why is it necessary to require that expansion is in accordance with the latest planning permission and the Airport Master Plan (iii)? Is it appropriate for criterion v. to require proposals to accord with '*any imposed planning condition*'? (see Council proposed MOD16) Should the plan provide a starting point for the determination of any planning applications and the preparation of a master plan rather than vice versa?

Airports are very important facilities to both the national and local economies. The overall planning context is set through national policy. In recent years the national approach towards the accommodation of air traffic growth has been for airports across the country to prepare Airport Masterplans to guide investment. The approach in Luton has followed this course and planning permission enabling growth at the airport is linked to the agreed Airport Masterplan. That current Airport Masterplan covers the period up to 2027 and allows growth in passenger numbers up to 18mppa. The criteria based approach recognises that important economic assets such as the airport have a wider impact footprint which the criteria seek to address.

At some point it is reasonable to anticipate that a review of the Airport Masterplan or some similar alternate mechanism will be required and this could, for example, include further expansion which could lead to a further increase in passenger numbers in the longer run. The future Master planning process would be subject to public consultation and the outcome would be then subject to Council approval. Detailed proposals would then need to be supported by a planning application(s) which entails further consultation. It is this latter scenario that policy LP6 criteria B iii) is addressing (i.e. it is not referring to the current planning permission which approves expansion to 18 mppa, rather it is referring to any new application that is submitted to support a revised or new Masterplan expanding the airport beyond the currently permitted 18 mppa. Airport Masterplans are not part of the statutory planning system but they have proved effective in allowing airport expansion proposals to come forward which are then reflected in local plans.

LBC considers that the policy approach in Policy LP6 is appropriate and it would be ineffective to use the local planning process instead for example, to specifically plan for possible airport growth above 18mppa in the period 2027-31. MOD16 is a minor modification agreed by the Council to clarify the intent of the policy in the supporting text and was proposed in response to representations made by the airport.

Criterion Bv. addresses the noise impact of the airport. Given the sensitivity it is considered that it is appropriate to draw attention to planning conditions that are noise-related. Such conditions may, for example, place a limit on night-time operations which are highly sensitive.

The last point in the question about the relationship of the Airport Masterplan with the local plan has been addressed in-part above. LBC considers that the airport represents a special case which is materially different to other Masterplans (such as that prepared for High Town, or those requested of developments of other strategic allocations) and that, in-principle, a local plan would not be the most effective way of dealing with airport growth. The relationship is two-way, however, and any review of the Airport Masterplan for Luton Airport would be expected respond to the development strategy for Luton as set out in the local plan as it would also be expected to take account of the local plans for the areas it affects beyond the boundary. Planning applications at the airport being brought forward within the scope of the existing Airport Masterplan will be required to take account of the provisions of the local plan.

4. LP6C only permits airport related car parking outside the strategic allocation where it can be demonstrated that there is a long term need that cannot be met on the airport. Is this justified? Is the restriction on airport related car parking at Century Park and Wigmore Valley Park justified?

LBC considers that this is an important component of policy which is necessary to secure a more sustainable access strategy. It is also complementary to recently announced proposals to install a people mover between the airport terminal buildings with Luton Airport Parkway on the Midland Mainline to continue the shift in access to the airport by public transport. The Council has successfully applied existing policy (i.e. extant local Plan Policy LLA2 Airport-related car parking

ORD001) and enforced against inappropriate off site airport passenger related car parking in industrial areas in proximity to the airport for these reasons. To further clarify, the submitted local plan (Sub001) policy LP6 is not regulating car parking for business that may be accommodated on Century Park or any reconfigured land uses within the strategic allocation .

The restrictions on airport-related parking on Century Park are necessary to ensure the site is brought forward for its intended purpose and at Wigmore Valley Park because of its open space designation. In the event that a reconfiguration of land uses within the strategic allocation emerges as part of revisions to the Airport Masterplan then such proposals would be subject to further public consultation and in due course may need to be reflected in a review of the local plan.

5. Is LP6 B v sufficiently clear and effective? For example, what is meant by ‘excessive noise’?

There are strict noise limits in operation at the airport and these are set out in the Noise Action Plan. The wording of the policy is framed to encourage quieter operations as a matter of course rather than a more lax regime which might draw a blind eye to unnecessary noise which would otherwise be deemed ‘acceptable’ because it is within noise limits. The application of criteria LP6 B v will be informed by any new planning application and submitted Day and Night time Leq noise contours gauging the strategic noise impact of the airport over the period subject to the planning application whereas the excessive noise is referring to the operational issues and particularly day and night noise to be monitored and regulated by the most recent Airport Noise Action Plan.

6. Has the effect of the allocation, including Century Park, on the character and appearance of the surrounding countryside/landscape (including the Chilterns AONB) and any heritage assets been adequately taken into account and will the policy criteria (eg LP6 F) help ensure any adverse effects are satisfactorily mitigated?

Century Park already benefits from a planning permission. It is likely that as a result of the reconfiguration of access via the airport estate to Century Park and necessary mitigation of impact on Wigmore Valley Park including reconfiguration of land uses, that a revised planning application must be submitted.

The local plan has also been the subject of extensive public consultation including with those bodies that have a particular interest in the matters highlighted in the question. The policy has also been subject to the sustainability appraisal. This has allowed the considerations highlighted to be fully taken into account in the framing of Policy LP6 F in regulating any further planning application that will be submitted which includes Century Park and Wigmore Valley Park as part of the Airport Strategic Allocation. It is also necessary to reflect on the strategic economic importance of Luton Airport locally, across the wider sub-region and nationally. The approach in the plan strikes the right balance.

7. Are the likely effects of the allocation, including Century Park on the strategic road network adequately understood and can any adverse effects be mitigated through the application of plan policies?

As set out in the Council’s response to Matter 12 at the Stage 2 hearings, which summarises the results of the modelling work undertaken for the Luton Local Plan includes all of the strategic allocations including the cumulative impact of these developments in terms of uses, and traffic, which have been modelled according to scenarios for infrastructure provision to 2031. It should also be clarified that the impact of passenger numbers has also been modelled. The Council set out in its response to the Inspector’s second set of initial Questions – and specifically in relation to Question

13 - confirmed that the J10a improvements (completed) coupled with the provisions of policy LP31 requiring Travel Plans and Travel Assessments would ensure that mitigation is addressed and appropriate development contributions can be determined and developers would in any case be required to use the joint (Luton and Central Bedfordshire SATURN model) as a baseline to assess their individual schemes together with cumulative flows under the agreed MoU Luton has with Highways England.

Century Park Questions

1. Is this overall mix of uses (B1, B2, B8 with small scale A1, A2, A3, D2 and hotel) proposed for Century Park appropriate and justified? Are there any extant planning permissions?

There is currently an extant planning permission for B1, B2 and B8 uses on Century Park (94/00760/OUT Development of land for B1 B2 and B8 uses plus ancillary leisure and shopping financial and professional services and food and drink facilities together with new access road -, renewed in 2013).

There is significant demand for B1 (c) and B2 in the local economy which has been identified by the ELR 2013 (ECON003) and confirmed by local agents. At present there are no sites for significant allocations for B8 other than Century Park. Current property market trends are seeing enquiries for a blend of B1/B2/B8 uses within the same occupier and this is the only site that is currently allocated for such uses can meet this identified need subject to discussion on Matter 26 Policy LP7 Butterfield Technology Park and Matter 26 Policy LP8 Napier Park . Nevertheless, designation as an Enterprise Zone has identified the site to support the needs of engineering and manufacturing sector.

2. Are the first three sentences of LP6D clear and effective? The policy states that office, manufacturing and distribution will be *supported, including that associated with airport and aviation businesses and industry*. However, it also refers to *airport and aviation related business which can be demonstrated to have a locational requirement for close access to the airport* and to *B1, B2 and B8 all accommodating a significant element of aviation related uses*. Is the intention to limit use of the site to airport related or dependant development? If so, what is the justification for that?

This issue came up during the Stage 2 hearings sessions. The Council has carefully considered the matter and wishes to clarify the policy to overcome the concerns identified. This is set out below with the changes highlighted in the usual way:

Policy LP6 – London Luton Airport Strategic Allocation [extract]

Century Park

D. Development of Century Park will be supported where proposals make provision for office, manufacturing and distribution employment. ~~including that associated with airport and aviation related businesses and industry, and which can be demonstrated to have a locational requirement for close access to London Luton Airport. Such uses include: B1 uses including in particular, light industrial; small scale affordable managed B2 units; and B8 distribution all accommodating a significant element of aviation related uses. Particular support will be given and provision made for engineering and manufacturing for both aerospace and automotive purposes that demonstrate a need to locate close to the airport~~ In addition a range of accommodation types, including small scale affordable B2 units, to facilitate the expansion and relocation of existing Luton-based businesses, new business

start-ups as well as significant inward investments will be allowed provided that it does not generate bad neighbour issues . Warehousing-only developments must demonstrate a need to co-locate near the airport.

Small scale retail, related services and leisure (as defined in Use Classes A1 to A3 and D2) will be permitted in order to serve the needs primarily, of employees in the area, as well as a hotel (Use Class C1). The Council will require proposals to be subject to a comprehensive development brief or Masterplan which shall set out the proportion and phases of development and which shall include the following:

- i. Details of the proposed access, which shall be via the extension of the East Luton corridor and shall link Airport Way through to Century Park (as shown by the arrow on the Policies Map), such access shall be designed so as to ensure that no use is made of Eaton Green Road to provide access to Century Park or the Airport, except for public transport, cyclists, pedestrians and in case of emergency; and
- ii. secure opportunities to link site access via walking, cycling and bridleways to the wider network of routes via Wigmore Valley Park and access to the countryside to the east and south.

3. Does the plan provide sufficient clarity in Di about the proposed access to the site? Can the site be developed without significantly adverse effects on the highway network?

The proposed Century Park Access Road, which is being brought forward by London Luton Airport Ltd, will form an eastwards extension to President Way and thus avoid inappropriate traffic and HGV use on Eaton Green Road. This new link access will be built to the appropriate standard required for the development, but also provide a link between the airport and the Strategic Road Network at M1 Junction 10 following the dualling of New Airport Way, and the J10a improvements in order to provide a high quality link from Century Park to the national motorway network. Policy LP 31 Sustainable Transport Strategy criteria D, E and F pick up the necessary road and junction improvements at 'pinch-points' on the network in proximity to strategic allocations as identified by the transport model arising from individual developments and cumulative growth.

4. Criterion E.iii refers to the replacement of open space at Wigmore Valley Park? How much open space will be lost (and for what purpose), what value does it have and is it feasible to replace it with land that is of at least equal quality and which is accessible?

The reference in the policy specifically refers to the area of open space that will be lost through development of the Century Park Access Road across Wigmore Valley Park. It is not yet known what area of land take may be involved in provision of an access road across Wigmore Valley Park as this will depend on any highway design solution and engineering standards. However, the policy is framed to ensure that that replacement and useable open space of at least the same area and quality will be provided in mitigation. The road will sever the park so there will also be an expectation that there are suitable safe crossing points to allow public access between the different areas.

If London Luton Airport Ltd subsequently considers a reconfiguration of the parcels of development within the strategic allocation, then in the event there was a further impact on Wigmore Valley Park the same principle would apply.

5. The policy states that the allocation includes land within the airport boundary. Is the extent of the strategic allocation correctly defined on the policies map?

The allocation of Century Park carries forward the site allocated in the extant local plan and is the site that has the benefit of planning permission. This site is included within the Policy LP6 London Luton Airport Strategic Allocation together with Wigmore Valley Park and the Airport Estate. The yellow area washes over these 3 allocations (although in some areas is covered by other designations) and represents the combined extent of the strategic allocation.

At some point the London Luton Airport Ltd may wish to reconfigure the layout of uses within the strategic allocation which potentially could impact on the Century Park allocation in which case the mitigation required by the policy LP6 would still apply and this would be taken forward in a review of the Airport Masterplan.