

Report to Cabinet

16 November 2021

Gatwick Northern Runway Project: approval of consultation response

Report by Director of Highways, Transport and Planning

Electoral division(s): All

Summary

Gatwick Airport Limited (GAL) proposes alterations to bring the existing Northern (standby/maintenance) Runway at Gatwick Airport into routine use alongside the main runway, enabling the dual operation of both runways. The proposal, the Northern Runway Project (NRP), is a Nationally Significant Infrastructure Project (NSIP) requiring a Development Consent Order (DCO) from the Secretary of State (rather than planning permission from the local planning authority). The County Council is a statutory consultee in the DCO process, and it has specific responsibilities as a 'host' authority.

The NRP comprises the following works, most of which would be contained within the existing airport boundary: repositioning of the Northern Runway and reconfiguration of taxiways; expansion of the North and South terminal buildings; a new Pier and amendments to aircraft stands; other airport facilities including a waste facility, a new hangar, and new fire training grounds; new office space and hotel rooms; additional car parking spaces; road improvement works; and environmental and mitigation measures. The Northern Runway would be operational by summer 2029, with the construction of other elements continuing until 2038. The project would increase Gatwick's passenger throughput by approximately 13.2 million passengers per annum by 2038.

In advance of an application for consent being submitted, GAL is undertaking formal consultation from 9 September to 1 December 2021 on a Preliminary Environmental Information Report (PEIR), which identifies the likely significant impacts of the NRP and any required mitigation.

A detailed analysis of the PEIR has been undertaken, with consideration being given to likely significant impacts (both direct and indirect) and whether those impacts are considered to be positive, negative, or neutral (taking into account any proposed mitigation measures). Consideration has also been given to whether further work could be undertaken by GAL, including mitigation measures, to address issues identified as being significantly negative.

In summary, the County Council cannot support the NRP because there are a number of matters of significant concern that need to be satisfactorily addressed by GAL, including: the basis for the passenger forecasts and underlying assumptions; the justification for supporting infrastructure; the assessment of the 'waste' facility,

including proposed technology; clarity on the suggested socioeconomic benefits, including the number, type, quality, and location of jobs created, the link between current labour supply and jobs created, and local economic benefits; the need for new homes and associated infrastructure; concerns relating to traffic and transport, including assumptions about mode share for both passengers and staff; impacts on noise and air quality from both construction and operational phases; concerns about greenhouse gas emissions and impacts on climate change, and understanding how airport expansion can be justified given national and international carbon reduction targets; and the need for enhancement measures (including to Public Rights of Way, recreational facilities, and ecological habitats).

The consultation response accords with the Notice of Motion on the NRP approved by County Council on 22 October 2021.

Recommendations

That Cabinet:

- (a) approves the comments in paragraphs 2.36-2.98 of the report and the detailed comments on the PEIR in Appendix C of the report as the County Council's formal response to the consultation on the Northern Runway Project;
- (b) authorises the Director of Highways, Transport, and Planning to respond to any further stages of pre-submission consultation - in support of the formal response approved under (a);
- (c) if an application for a Development Consent Order is submitted, authorises the Director of Highways, Transport, and Planning to:
 - (i) approve the County Council's 'adequacy of consultation' response;
 - (ii) prepare and submit the County Council's written representation and Local Impact Report, and to negotiate with the applicant on the DCO requirements, any S106 Agreement, and the preparation of a Statement of Common Ground – all in support of the formal response approved under (a); and
 - (iii) attend the examination hearings and answer the Examining Authority's questions in support of the County Council's position; and
- (d) if a Development Consent Order is made, approves the County Council becoming a relevant authority for the discharge of requirements, provided that the Authority's costs are met in full.

Proposal

1 Background and context

- 1.1 In 2012, the Planning Inspectorate (PINS) became the agency responsible for operating the planning process for nationally significant infrastructure projects (NSIP). NSIPs are usually large-scale developments such as new harbours, power generating stations, and electricity transmission lines, that require 'development consent' from the relevant Secretary of State under the Development Consent Order (DCO) process, rather than planning permission from the relevant planning authority.
- 1.2 Any developer wishing to construct an NSIP must submit an application for consent. Following submission, PINS examines the application and makes a recommendation to the Secretary of State, who will make the decision on whether to grant or to refuse development consent. Once made, a DCO

provides all the approvals (for example, planning permission, compulsory purchase) required for a development to proceed.

- 1.3 Gatwick Airport Limited (GAL) proposes alterations to bring the existing Northern (standby/maintenance) Runway at Gatwick Airport into routine use alongside the main runway, enabling the dual operation of both runways. The scheme, known as the Northern Runway Project (NRP), is a NSIP because throughput at the Airport would increase by over 10 million passengers per annum (mppa) and so requires development consent. Given that the scheme is in West Sussex, the County Council is a statutory consultee in the DCO process.
- 1.4 In advance of an application for consent being submitted, GAL is undertaking formal consultation from 9 September to 1 December 2021 on a Preliminary Environmental Information Report (PEIR), which identifies the likely significant impacts of the NRP and any required mitigation. In addition to consultation on technical matters, it also involves consultation with the public in accordance with the Statement of Community Consultation (SoCC), a formal document that sets out how GAL proposes to consult the community.
- 1.5 This report outlines the scheme and the key areas for consideration by the County Council in making a formal response to the consultation.

2 Proposal details

Background

- 2.1 In July 2019, GAL revised its non-statutory Gatwick Airport Master Plan, which sets out its plan for the next five years, together with three growth scenarios looking 5-15 years ahead to 2032.
- 2.2 In responding to the consultation on the draft Master Plan in January 2019, the County Council recognised that the Airport is a significant asset in terms of its contribution to the local economy. Therefore, it welcomed sustainable growth at the airport where it would be consistent with the Authority's West Sussex Plan and Economic Growth Plan, and the C2C Strategic Economic Plan (Gatwick 360°). However, the general 'in principle' support for growth at the Airport should not be interpreted as support regardless of the impacts.
- 2.3 The NRP first surfaced as a concept as Scenario 2 in the draft Master Plan. In responding to the consultation, the County Council neither supported nor objected to the idea but reserved its position at that stage given the lack of detail and supporting evidence provided by GAL.
- 2.4 It should be noted that regardless of whether the NRP is consented and implemented, passenger throughput at Gatwick will continue to grow using the main runway from approximately 47mppa – pre-pandemic figures - to approximately 62.4mppa by 2038. This is likely to be achieved through a combination of greater use of the airport in the off-peak periods, more intensive use of the runway at the peak periods, and a shift to larger aircraft and higher load factors. Any changes that do not involve physical development are outside the scope of the planning system.

Northern Runway Project

- 2.5 The NRP comprises the following works, most of which would be contained within the existing airport boundary:

- repositioning of the Northern Runway (12m north) and reconfiguration of taxiways. Smaller aircraft only would depart from the Northern Runway and would continue to use existing flightpaths;
- expansion of both the North and South terminal buildings;
- a new Pier (no.7) and amendments to aircraft stands;
- other airport facilities including a waste facility, a new hangar, and new fire training grounds;
- new office space (9,000m² floorspace) and 1,000 new hotel rooms over three new hotels;
- an additional 18,500 car parking spaces;
- road improvement works to the South Terminal Roundabout, North Terminal Roundabout, and Longbridge roundabout; and
- environmental and mitigation measures, including new runoff and storage ponds and flood compensation areas.

2.6 The project would further increase Gatwick's passenger throughput to approximately 75.6mppa by 2038, an increase of approximately 13.2mppa (over the 'without project' projection of 62.4mppa – see paragraph 2.4). By 2047, passenger throughput would be approximately 80.2mppa, an increase of 13.0mppa over the 'without project' projection of 67.2mppa.

2.7 GAL state the benefits of the NRP to be as follows:

- aligns with Government policy of making best use of existing runways at all UK airports;
- in comparison to the existing situation and continued growth using the main runway, provides greater UK point-to-point airport capacity to assist in delivering unmet Department for Transport forecasted aviation demand to 2050 (whilst complementing the UK hub capacity provided by the expansion of Heathrow with a third runway);
- an increase in flights, improved connectivity, increased employment and economic benefits to the local area with a much-reduced scale of environmental impact (compared to that arising from an additional new southern runway);
- creates economic benefits to the national, regional, and London economies, including through supporting inward investment for business travellers and tourism;
- provides additional operational resilience for the airport with the flexibility to routinely use two runways whilst minimising growth outside of the airport boundary;
- does not prejudice the long-term safeguarding of land to the south of the airport for a future additional runway; and
- delivers significant local economic benefits, including further employment and training opportunities for local people, supply chain opportunities for local businesses, increased local retail and leisure expenditure, and other economic stimuli to the local area.

2.8 Although land to the south of the airport continues to be safeguarded in the long-term for an additional runway, in accordance with national policy, GAL is not actively pursuing that scheme in light of the Government's support for the third runway at Heathrow. Accordingly, a southern runway at Gatwick does not

form part of the NRP and, as such, it is outside the scope of the current consultation by GAL.

- 2.9 The broad timetable for the scheme is submission of the DCO application in late 2022, followed by examination through to late 2023 and a decision by mid-2024; more information on the DCO process is set out in paragraphs 2.11-2.19.
- 2.10 If consent is awarded, work would not start until 2024 with the Northern Runway operational by summer 2029 and the construction of other elements continuing until 2038.

DCO Process

- 2.11 There are six stages in the DCO process.

Pre-application

- 2.12 Before submitting an application for consent, potential applicants have a statutory duty to carry out consultation on their proposals; this is the current stage for the NRP. The consultation provides the best opportunity for consultees, such as the County Council, and third parties to try to influence the project, whether they agree with it, disagree with it, or believe that it could be improved.

Acceptance

- 2.13 The Acceptance stage begins when an applicant submits an application for development consent to PINS. Key documents submitted by the applicant will include the draft order, which will include a number of legislative clauses (relating to matters such as statutory nuisance, tree protection orders, and stopping-up of public rights of way) and 'requirements', which are akin to the conditions attached to planning permissions. Documents relating to mitigation of the scheme may also be submitted, for example, a Code of Construction Practice, Environmental Management Plans, S106 Planning Agreement, and topic-specific strategies.
- 2.14 There follows a period of up to 28 days (excluding the date of receipt of the application) for PINS, on behalf of the Secretary of State, to decide whether the application meets the standards required to be accepted for examination. This includes consideration of the adequacy of the applicant's consultation prior to submission.

Pre-examination

- 2.15 At this stage, the public will be able to register with PINS to become an 'Interested Party' by making a Relevant Representation, which is a written summary of a person's views on an application. As a statutory consultee, the County Council is automatically 'registered' as being an Interested Party. An Examining Authority is appointed at the pre-examination stage, and all Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority (i.e. a panel of inspectors).
- 2.16 Although there is no statutory timescale for this stage of the process, it usually takes approximately three months from the applicant's formal notification and publicity of an accepted application.

Examination

- 2.17 PINS has up to six months to carry out the examination. During this stage, Interested Parties are invited to provide more details of their views in writing. Careful consideration is given by the Examining Authority to all the important and relevant matters, including written representations, key documents, and any supporting evidence submitted by Interested Parties, and answers provided by them to the Examining Authority's questions (set out in writing or posed at hearing sessions).

Recommendation and Decision

- 2.18 PINS must prepare a report on the application to the relevant Secretary of State, including a recommendation, within three months of the close of the six-month Examination stage. The relevant Secretary of State then has a further three months to decide whether to grant or refuse development consent.

Post decision

- 2.19 Once a decision has been issued by the relevant Secretary of State, there is a six-week period in which the decision may be challenged in the High Court. This process of legal challenge is known as Judicial Review.

Role of the County Council

Pre-Application

- 2.20 In September 2019, PINS asked the County Council, as a statutory consultee, to comment on a scoping request by GAL, the purpose of which was to identify the information to be provided in the Environmental Statement (ES), which will be part of the DCO submission); officers made detailed technical comments in response. In October 2019, PINS issued a Scoping Opinion, which is binding on GAL.
- 2.21 Although the Planning Act 2008 is not prescriptive, the spirit of the Act is about front-loading the DCO process and early engagement by applicants with stakeholders and others. Unfortunately, GAL has not engaged with the County Council (and other Gatwick local authorities) in a positive and proactive manner during the development of the NRP over the past 2.5 years. Although some general information was shared with officers in late 2019 and early 2020 before work was paused due to the COVID-19 pandemic, GAL has not shared any background studies and there have been no opportunities for officers to inform evidence gathering or to contribute to it since work on the NRP formally restarted in January 2021. The only area where GAL has formally engaged with the County Council is in seeking comments in spring 2021 on its draft SoCC.
- 2.22 In advance of an application for consent being submitted, GAL is undertaking formal consultation on the PEIR, which identifies the likely significant impacts of the scheme and any required mitigation. The [Non-Technical Summary \(NTS\)](#) of the PEIR is on GAL's consultation [website](#). As identified above, this is a key stage in the process and the County Council's suggested response, for which approval is sought, is set out in paragraphs 2.36-2.98 below.

Submission

- 2.23 If an application is submitted, the County Council, as a statutory consultee, will be expected to engage in the post-submission stages of the process.
- 2.24 As part of the acceptance process, the County Council will be asked to comment whether the pre-submission consultation undertaken by GAL accords with their

SoCC. In addition to any concerns that the County Council may have, it must also consider the views of any third parties that consider the consultation to be inadequate. Accordingly, delegated authority is sought for officers to approve the County Council's 'adequacy of consultation' response.

Examination

- 2.25 If the submission is accepted by PINS, the County Council will be invited to submit a written representation and a Local Impact Report (LIR - see paragraph 2.26). It will also be expected to negotiate with GAL on the DCO requirements, any S106 Agreement, and the preparation of a Statement of Common Ground (SoCG - see paragraph 2.27).
- 2.26 In deciding whether to grant or to refuse development consent, the Secretary of State is required to have regard to LIR submitted by local authorities. An LIR is a technical document defined as "*a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)*". Provided that it fits within this definition, the structure and content of an LIR is a matter for each local authority.
- 2.27 It is also anticipated that a SoCG will be submitted by the applicant. The SoCG will identify issues where it is considered that the signatories agree with the applicant about the impacts of the proposed development. The contents of the final SoCG can only be agreed by the County Council following the conclusion of discussions with the applicant about the key issues and the finalising of the Authority's LIR.
- 2.28 Accordingly, delegated authority is sought for officers to prepare and submit the necessary responses and documents and to negotiate with the applicant in support of the County Council's formal consultation response. Delegated authority is also sought for officers to attend the examination hearings and to answer the Examining Authority's questions in support of the County Council's position.

Post-Decision

- 2.29 Although the County Council will not be responsible for determining the application for consent, it can play a formal role in the post-decision approvals process by becoming a 'relevant authority' for the discharge requirements in the DCO (if it is granted). The legislation allows there to be more than one relevant authority and the final decision rests with the Secretary of State but, if requested to do so by GAL, it would help to give the County Council some control over implementation of the scheme.
- 2.30 Therefore, provided that the Authority's costs are met in full by GAL, approval is sought for the County Council becoming a relevant authority for the discharge of requirements for the NRP (if an order is made).

Preliminary Environmental Information Report (PEIR)

- 2.31 Officers have undertaken a detailed analysis of the PEIR, considering likely significant impacts (both direct and indirect) and whether those impacts are considered to be positive, negative, or neutral (taking into account any proposed mitigation measures). Consideration has also been given to whether further work could be undertaken by GAL, including mitigation measures, to address issues identified as being significantly negative.

- 2.32 Given the lack of pre-consultation engagement by GAL (see paragraphs 2.43-2.44) and the large number and length of the consultation documents (and, in some cases, the absence of key documents), it has been difficult for officers to fully evaluate the PEIR within the time available. Furthermore, some of the material is so complex that external expert support is required to inform post-consultation dialogue with GAL. Accordingly, the County Council and the other Gatwick authorities are working together to procure consultancy support to undertake detailed analysis of the evidence and GAL's assessments for some PEIR topics, including the need for the development, passenger forecasts, climate change and carbon, air quality, noise, and socio-economics (including the need for new homes and supporting infrastructure).
- 2.33 Against this background, the following paragraphs address the key issues in relation to the proposals presented at this formal consultation stage. Following some general, overarching comments (including about technical and community engagement), key issues on a topic-by-topic basis are identified.
- 2.34 Approval is sought for the comments in paragraphs 2.36-2.98 and the detailed technical comments on the PEIR in Appendix C to be submitted as the County Council's response to the formal consultation.
- 2.35 The consultation response accords with the Notice of Motion on the NRP approved by County Council on 22 October 2021 (see paragraph 4.4).

General Comments

- 2.36 The County Council acknowledges the importance of Gatwick Airport as a significant asset that contributes to the local economy of West Sussex. Any proposals for growth need to be achieved responsibly, sustainably, and with a focus on the well-being of communities within West Sussex and beyond. It is recognised that national aviation policy gives 'in principle' support to proposals to increase passenger numbers and air traffic movements by making best use of the existing runways at Gatwick. However, such proposals need to be judged by taking careful account of all relevant considerations, particularly economic and environmental impacts and proposed mitigation.
- 2.37 The County Council believes that further evidence, environmental assessment, and justification of key assumptions is required across a number of topic areas, to allow these relevant considerations to be assessed.
- 2.38 The County Council requests that GAL justify the increase in passenger throughput at the Airport through the NRP given the Government's commitment to achieving an emissions' reduction target of 100% by 2050 and the effects of the COVID-19 pandemic on the aviation sector.
- 2.39 The intensification of development at the Airport will lead to both construction and operational impacts, which will bring about adverse impacts on the environment and local communities of West Sussex, and beyond.
- 2.40 Therefore, the County Council cannot support the NRP because there are a number of matters of significant concern that need to be satisfactorily addressed by GAL. These include:
- understanding the basis for GAL's passenger forecasts and the assumptions that underpin them;
 - justification for the required supporting infrastructure and its necessity to facilitate the required passenger throughput;

- clarity on the assessment and final selection of remaining options for the Central Area Recycling Enclosure (CARE) facility, including proposed technology;
- clarity on the socioeconomic benefits, including the number, type, quality, and location of jobs created, the link between current labour supply and jobs created, and local economic benefits;
- the need for new homes and associated infrastructure, including County Council services;
- concerns related to traffic and transport access, including the impact of other strategic development and forecasting assumptions about mode share for both passengers and staff;
- further analysis and scrutiny of impacts on noise and air quality from both construction and operational phases;
- concerns about the significant increase in greenhouse gas emissions and impacts on climate change and understanding how airport expansion can be justified in the light of national and international carbon reduction targets;
- the need for enhancement measures (including to Public Rights of Way, recreational facilities, and ecological habitats through a Biodiversity Net Gain approach); and
- responses to the technical queries raised in Appendix C.

2.41 Therefore, the County Council will continue to engage with GAL in the coming months to understand the data and underlying assumptions, to seek to influence the remaining design elements, and to mitigate concerns about the potential adverse impacts presented in the PEIR. This dialogue will enable the best possible outcomes for the local communities and other sensitive receptors in West Sussex that would be most affected by the construction and long-term operational impacts of the NRP. It will also enable GAL to prepare a robust Environmental Impact Assessment (EIA) and application for development consent.

2.42 Given the significant concerns identified in this report about expansion at Gatwick using the Northern Runway, it is difficult to see how the environmental impacts of an additional runway to the south (further increasing throughput by 20mppa) would ever be acceptable. Therefore, rather than GAL not actively pursuing a southern runway at this stage (see paragraph 2.8), the County Council considers that GAL should commit to only 'actively pursuing' expansion at Gatwick using the existing runways, with a voluntary cap on passenger throughput (to be secured by a legal agreement). Not only would that provide certainty to local communities and businesses about GAL's intentions, it should also lead to the freeing-up of the safeguarded land for alternative uses.

Technical Engagement

2.43 The County Council notes that MHCLG guidance on the pre-application stage of the DCO process emphasises the benefits that the early involvement of local authorities (and communities and statutory consultees) can bring. Therefore, it is concerned that there has been insufficient technical information provided by GAL in advance of publication of the PEIR and insufficient time for officers to challenge and scrutinise the assumptions and evidence base ahead of formal consultation.

- 2.44 Overall, there has been a lack of engagement by GAL during the development of the NRP and, therefore, the County Council and other stakeholders have not been given the opportunity to provide meaningful feedback to influence the proposed development. Going forward, the County Council expects GAL to take advantage of the wealth of knowledge and understanding of their areas that local authorities can bring to the development of the NRP (should it proceed).

Community Engagement

- 2.45 Concerns are raised with regard to GAL's reliance on digital formats and a lack of face-to-face meetings with the community, particularly given the complex nature of the proposals. This will be monitored through the consultation period and any local concerns raised will be documented as evidence for inclusion in the County Council's post-submission Adequacy of Consultation response (see paragraph 2.24).

Need and Alternatives Considered

- 2.46 *Passenger Forecast* – Although GAL states that detailed passenger forecasts (and the assumptions behind them) have been prepared, they have not been published as part of the consultation. The need case is very generic, relying on general Government statements about capacity shortage and the benefits of expansion. There is little to validate the scenarios for capacity with and without the project in place or to demonstrate that the baseline case is deliverable, potentially undermining the validity of the assessments (which are crucial to understand the impacts of the NRP).
- 2.47 GAL states that the aviation sector will recover from the effects of the pandemic by 2025. However, no detailed information is provided on what appear to be overly optimistic assumptions. Actual passenger demand may be higher or lower in the future than those assumed by GAL, leading to a lack of confidence in the forecast. Furthermore, no alternative scenarios are set out, including consideration of the implications of expansion at Heathrow Airport. Therefore, GAL should demonstrate a need for the NRP which is distinct from, and not met by, a third runway at Heathrow (which remains Government policy).
- 2.48 Without the ability to scrutinise and substantiate the forecasts and assumptions, it is difficult to understand the requirements of the scheme and to comment with certainty on the impacts of the NRP.
- 2.49 *Supporting Infrastructure* - GAL have proposed a significant amount of development to support the increase in passenger throughput. The County Council questions whether the inclusion of new hotels and office blocks is relevant or directly related to this growth. It is noted that the PEIR states that the new office configuration, phasing, and floorspace is dependent on the timing of requirements, whereas the timing of the additional hotel rooms would be dependent on commercial need. GAL should clarify why these developments are needed to facilitate the airport expansion and how they are directly linked to it.
- 2.50 *Assessment of Alternatives* - Since the development of the proposals, there have been limited opportunities for stakeholders to influence the design, prior to the PEIR being published. The County Council wants to see further mechanisms to allow the proposals to be understood and scrutinised prior to the DCO application being submitted. Although it is understood that operational and safety considerations are important aspects of design, the PEIR lacks detail

on how environmental and social criteria have influenced the decision-making process.

Project Description

- 2.51 There is a lack of detail about certain elements of the NRP in the project description. This includes the Waste (CARE) facility, where GAL propose a 22m high building and up to a 50m stack. This is likely to be EIA development in its own right; therefore, further detail is required to understand its construction and operational impacts, including its design and potential visual impacts. This, and other elements of the project description where clarity is required, are identified in Appendix C.
- 2.52 Construction phasing should be presented clearly to enable local communities and the County Council to understand the impacts relevant to them. GAL states that the location of large construction compounds will be agreed when a principal contractor is appointed post-consent. Given these will be in place for the duration of the construction programme (up to 14 years) and be typically five hectares in size with up to 30m high infrastructure within them, clarity on the locations for assessment will be required. This will give stakeholders confidence that potential impacts have been appropriately addressed and mitigated.

Landscape, Townscape and Visual Resources

- 2.53 The County Council is concerned that the PEIR omits some key viewpoints suggested by stakeholders during the scoping stage. The assessment does not identify all the views and additional visual receptors along important public routes intersecting the airport and wider public views that need to be considered by GAL to provide a robust landscape visual impact assessment.
- 2.54 The PEIR downplays the value of the landscape surrounding the airport and attempts to argue that the airport merges seamlessly into the surrounding towns. Although the assessment states that the land within the proposals is not highly-valued in landscape terms, it is of great visual and amenity value to local residents.
- 2.55 There is no aspiration or commitment in the PEIR to improve the declining visual landscape caused by the airport activity already in existence. Furthermore, the indicative design, scale, and siting of the proposed development would further damage the landscape. There is concern about the lack of imagination in terms of mitigation and enhancement, as it is only proposed to plant limited areas with vegetation and there will be no landscaping to screen development in the short term.

Ecology and Nature Conservation

- 2.56 There are a range of concerns that need to be addressed, including the Zones of Influence, survey areas, air quality impacts, mitigation measures and approach to Biodiversity Net Gain (BNG). If there is any risk of impacts (such as air quality, river quality, and noise) extending beyond the site boundary, a broader survey area will be required, which should be based on the Zone of Influence. Surveys of protected species, such as Great Crested Newt and Water Vole, should also extend beyond the project site boundary. Apart from bat surveys, no further justification for survey areas has been given.

- 2.57 The proposals will result in an increase in both aircraft and vehicle traffic with associated impacts on air quality. It is understood that air quality impacts on designated sites in the surrounding landscape is being investigated. Discussion is required on whether this should be extended to non-designated sites, such as ancient woodland.
- 2.58 A 14-year construction programme will prolong the impacts of habitat loss and, in some locations, mitigation will not be in place until the end of the construction period. It can take several decades for habitat establishment and recovery (longer for natural regeneration) even with a significant level of intervention and intensive monitoring. It is not clear if the limited areas identified for environmental mitigation and enhancement will adequately compensate for the significant loss of habitat. Mitigation, compensation, and enhancement measures should not be limited to within the airport boundary and further discussions on the approach to these measures is required.
- 2.59 GAL report the sustainability goal for biodiversity is to “*have a sector-leading ‘net gain’ approach to protecting biodiversity and habitats on the airport estate*”. Even though it is not mandatory, GAL should adopt a voluntary BNG approach as good practice. If the proposals are to deliver a 10% BNG, it will require significantly more biodiversity enhancements than is currently proposed.

Traffic and Transport

- 2.60 The County Council has a number of concerns relating to uncertainty around surface access and transport impacts due to the lack of evidence provided by GAL. The pandemic has resulted in a significant reduction in staff working at Gatwick while, on a wider scale, working and living patterns have changed (e.g. working from home or remote working). GAL expect that the baseline in staff levels to return to and exceed 2016 levels. Given the changes in the economy as a result of the pandemic, the future impacts on the distribution and travel behaviour of staff are unclear. Therefore, GAL should undertake some sensitivity analysis to understand the impact of changes on the distribution of staff journeys.
- 2.61 There are Network Rail and National Highways schemes included in the future baseline assessments that are not fully-funded or going through the relevant statutory planning process; these include the Croydon Area Remodelling Scheme (CARS), a strategic rail improvement, and the Lower Thames Crossing (LTC), a strategic highway improvement. If these schemes do not come forward, they may impact travel behaviour and adversely affect the achievement of the proposed mode share targets. Therefore, GAL should remove transport network changes that are not currently fully-funded or going through the statutory planning process from the future baseline assessments.
- 2.62 Although the assessments take account of background traffic growth through applying the Department for Transport’s National Trip End Model, they do not take into account the site-specific impacts of emerging large development sites in the area; these include West of Ifield, Gatwick Green, and Horley Business Park. Due to their proximity, these strategic sites will have a cumulative impact on the transport network and, therefore, the methodology for cumulative assessments should take them into account.
- 2.63 The main measures to mitigate the likely impacts of the NRP are local highway improvements and the provision of a significant amount of additional parking spaces, the need for which is unclear. Active travel mitigation is limited to

provision/improvement of one desire line between Longbridge Roundabout and the North and South Terminals. Furthermore, GAL are solely relying on bus and coach operators to react to demand rather than proactively identifying investment in shared travel. Therefore, there is concern that the proposed mitigation is too focused on providing for vehicles (including parking provision) and that there is not enough focus on sustainable modes of transport.

- 2.64 The mode share targets are ambitious because although Gatwick has been relatively successful in targets for sustainable transport mode share by passengers, this has not been the case for staff (despite significant investment). It is unclear how the Gatwick Mode Choice Model has been developed by GAL and, therefore, it is difficult to understand the suggested changes in mode choice by passengers and staff and the extent to which GAL's targets are the outcomes of an assessment (rather than just being assumptions).
- 2.65 GAL state that any construction works that would require the closure of operation of the airport, would take place overnight to minimise disruption. It is unclear how this pattern of working has influenced the assessment of construction traffic impacts. Further information about the assumptions that have been made about the volume and timing of construction traffic impacts is required to assess the potential impacts.
- 2.66 The presentation of traffic impacts is not clear with regard to the difference between 2016 and future 'baseline' and 'future with project' conditions. This makes it difficult to understand background traffic growth on the highway network and the specific impact of the proposals on that network.

Air Quality

- 2.67 There are concerns around the Impact Pathway Assessments and the requirement for damage cost calculations presented as part of the air quality assessment. The provisional view is that current calculations by GAL are limited, providing too great a range (£12m to £423m). Modelling data has not been published as part of the PEIR and, therefore, it is difficult to determine if the modelling is reasonable.
- 2.68 There is no source apportionment data in the PEIR, meaning there is no indication of where the pollution is coming from, for example, aircraft, road traffic (airport and non-airport), construction, the proposed CARE facility or wastewater treatment works. Furthermore, although there are expected to be significant falls in pollution from road traffic, pollutant concentrations in the 2029 scenario are unchanged from the 2019 position and the lack of source apportionment in the PEIR means there is no way of determining why pollution levels are not falling.
- 2.69 It is noted that the World Health Organisation (WHO) published revised guidance on ambient air pollution in September 2021, which recommends that annual average nitrogen dioxide concentration should reduce from 40 $\mu\text{g}/\text{m}^3$ (which is the current UK and EU standard) to 10 $\mu\text{g}/\text{m}^3$. This compares to average nitrogen dioxide concentration of around 27 $\mu\text{g}/\text{m}^3$ at sites around the airport. Given that GAL do not forecast any change in concentrations, the revised WHO guideline value is of significance if the project is progressed.

Noise and Vibration

- 2.70 GAL present four elements of noise for assessment in the PEIR; construction noise, air noise, ground noise, and noise from road traffic. Noise can have direct effects on health (at a physiological level where the individual is often unaware of the effects), annoyance, and cognition. Therefore, noise impact assessments must be robustly undertaken. However, there are concerns that the focus has been on self-reported annoyance, that health effects have not been adequately characterised, that insufficient consideration is given to the health effects of noise, and that the thresholds for assessment and mitigation are based on a limited study concerning self-reported annoyance.
- 2.71 There is particular concern about the noise impacts associated with construction, given that a large proportion of the works will be undertaken during the night, for up to 14 years, while the Airport will continue to operate 24 hours a day. Local communities close to the Airport, particularly at Charlwood and Horley, are most likely to be affected from this source of noise disturbance and mitigation measures must be employed to reduce these impacts.
- 2.72 Communities that live under the flight paths of the Airport are already affected by air noise. Increases in the number of flights will mean more disturbance events. Even if each noise incidence is quieter when accounting for newer technology in the future, the impact of multiple aircraft can have adverse effects. The proposals suggest that communities in the north of Sussex, that have little or no noise exposure at present, will be exposed to regular and frequent aircraft noise in the future, which is of concern.
- 2.73 The effects of ground noise (from engine ground running or aircraft auxiliary power units) on local communities, particularly in Horley, Charlwood, and Crawley, are unclear and further work is required.
- 2.74 Although mitigation measures for those overflown are supported in general, there is concern that the levels proposed are not adequate to minimise the impact on quality of life of those communities that will have increased external noise levels as a result of the NRP. Whether measures (such as those currently included within the Noise Mitigation Fund where criticism is already directed at the process and discharge of funds) are sufficient or will need to be more generous, will only become clearer as the noise impacts are fully understood.

Climate Change and Carbon

- 2.75 The PEIR identifies that there will be higher overall greenhouse gas emissions as a result of the NRP, emissions that are considered to be 'significant' due to their permanent, cumulative nature. A significant increase of aviation emissions is noted, around 12%, which is contrary to the Government's declared ambition of carbon neutrality by 2050.
- 2.76 There is no evidence that GAL have taken into account the recommendations in PIN's Scoping Opinion regarding cumulative impacts, arrival flights, non-Kyoto gases, or emissions. The County Council expects that the comments made by PINS on such matters will be fully addressed by GAL.
- 2.77 Several key documents have not been presented as part of formal consultation; these include the Carbon and Climate Change Action Plan, The Third Climate Change Adaptation Report, the Sustainability Statement, and the Landscape and Environmental Management Plan.

- 2.78 The details are unclear as to how GAL intend to balance their share of the national 'carbon budget' saving commitments over the period of growth. It is difficult to challenge these commitments without further information on precisely how they expect to achieve emission reductions, including how they intend to encourage reductions in emissions in the control of their partners and cumulatively against other major airport expansion projects.

Socio-Economics

- 2.79 The County Council is concerned there is no mention of WSCC plans and strategies, including Our Council Plan and the Economy Reset Plan, and that there has been no engagement on economy priorities to inform the PEIR. There are concerns about the baseline data that, in places, draws on data that is more than 10 years old. More recent data sources should be used as they become available. The baseline data is also skewed by key locations in the groupings and this should be recognised and pulled out further, for example, Crawley's demographics are very different to the rest of the Local Study Area.
- 2.80 The County Council is concerned there is not a clear 'read across' between the PEIR and the Economic Impact Assessment and that the geographies used as the 'study area' and 'labour market area' are muddled and inconsistent between the various documents.
- 2.81 The employment, supply chain and labour market assessment in the PEIR is based on high-level quantitative data and does not evidence the types of jobs required (including time-limited jobs), qualifications or skills needed, and how this relates to the local and wider labour market.
- 2.82 It is not clear why the Outline Employment, Skills and Business Strategy plan is dependent on the proposed expansion, the extent to which activities already take place, and why GAL would not be delivering on a range of the commitments as a major economic anchor in the area.
- 2.83 There is a lack of reference to the opportunity for growth around international visitor economy, working with local partners and national sector bodies. This is a strategic priority for local partners.
- 2.84 The assessment of the socio-economic impacts has been from a purely 'numbers-based approach', that is, local planning authorities are planning for houses and, therefore, the workers will be provided based on the uplifted numbers that the Government is expecting local authorities to deliver. However, this excludes analysis of key issues, such as market signals, affordable housing, or constraints on housing supply. Therefore, GAL's approach is considered to be overly simplistic.
- 2.85 There is also significant concern with this 'houses equals workers' approach as it fails to take account of the type and quality of employment being generated (unskilled/semi-skilled/skilled) at the Airport and how this translates into the need for different types of housing.
- 2.86 Although PINS suggested that the effect of the NRP on property values should be scoped in, GAL has proposed to scope this out from the assessment. GAL state that there will be little change in flight paths; however, there will be an increase in the frequencies of flights along existing flight paths (cited as 10-15 air traffic movements per hour) and, therefore, some properties will experience greater overflight, which has the potential to adversely impact property values.

- 2.87 GAL should be contributing towards social and community infrastructure within the study area, for example, GAL is citing Land West of Ifield as a site that could provide housing for new employees, given its proximity to the airport. It is considered that GAL should contribute to increasing the level of affordable housing provision on this site and other sites across the region, where employees commute from, whilst also contributing to the associated need for new and improved social and community infrastructure, including County Council services.
- 2.88 There is significant concern regarding the lack of financial support for local authorities and the communities affected. As part of its second runway proposal to the Airports Commission, GAL offered a significant package of financial measures totalling circa £74m to local authorities deliver essential community infrastructure; this included a Home Owners Support Scheme and Local Highway Development Fund, amongst other measures. Therefore, it is questioned why the PEIR only identifies very few mitigation measures for the local authorities and communities adversely affected by the NRP.
- 2.89 It is difficult for the County Council to assess and respond to the economic impact of the proposed development given the lack of information provided. Further assessment and dialogue are required to understand the full socio-economic impacts of the NRP and the mitigation and support required of GAL, so as not to place additional burdens on local authorities and their communities.

Health and Well-Being

- 2.90 The County Council has a duty to ensure that the health and well-being of their residents are not adversely affected by the NRP.
- 2.91 It is stated by GAL that although there will be loss of public open space, new areas will be created to mitigate this loss and to serve local users. However, this will not be immediately adjacent to areas removed and, therefore, reassurance is needed that mitigation measures will be targeted at communities or groups impacted by the loss. Where construction compounds are to be located close to parks and open public spaces, the project may have an impact on enjoyment of recreational activities; therefore, more detail and consideration is required.
- 2.92 There is no evidence to demonstrate that consideration has been given to the impact of the NRP on certain vulnerable groups, as highlighted by PINS in its Scoping Opinion. Certain groups, including the elderly and people living with disabilities, may be more adversely impacted by reconfiguration of public open spaces and paths and diversions of PRow or even the slightest changes to noise levels. In addition, the County Council would like a clearer and more detailed description of the impact of the project on care home residents and schools within the study area, particularly from a noise and air quality perspective and the extent to which mitigation measures would reduce any adverse effects.
- 2.93 It would be beneficial for GAL to undertake an Equality Impact Assessment to understand how the NRP may impact on all groups and ensure that certain individuals are not put at a disadvantage or discriminated against. This would also ensure that mitigation measures can be tailored to avoid harm to equality.
- 2.94 PINS has advised that "*an assessment of the impact on local primary health care, acute services and emergency responders from additional passenger movements, where these are likely to result in significant effects*" should be undertaken. Experience in West Sussex is that higher throughput at Gatwick

has often led to an increased demand for health services. Therefore, clarity is needed about whether there is enough capacity at local accident and emergency departments and within the broader emerging ICS (Integrated Care System) to cope with the demand of an additional 14 million passengers travelling to and passing through the airport every year.

Recreation

- 2.95 The PEIR outlines where the existing PRoW network is affected by the proposals. The County Council would have expected to see an Outline Public Rights of Way Strategy (OPRoWS) or something similar to identify how PRoWs will be dealt with during construction and how impacts on public users will be kept to a minimum. This will need to include matters such as temporary impacts (i.e., closures during works) but also more permanent changes to the network through diversions that may be necessary. The County Council will not support permanent closures of routes and would expect that routes will be accommodated on their legal line or on newly diverted routes.
- 2.96 Opportunities to improve the local PRoW network through the proposals should be taken, including the possible upgrade of the Sussex Border Path to a bridleway, which could tie into the proposed road improvement works.

Major Accidents and Disasters

- 2.97 The County Council raise concerns that NRP would result in fire stations close to the airport e.g., Crawley and Salfords, being called upon more frequently for Gatwick 'domestic' incidents, for example, fire alarm activations, medical incidents, lift shut-ins. Therefore, clarity is required about whether Gatwick Fire and Rescue Service are still going to be operating a domestic appliance and if the category of the airport would remain the same. If this category was proposed to increase, it would affect the level of fire cover the airport would have to provide.
- 2.98 In the event of a major incident or disaster, there would be an increased demand for humanitarian support required, which would put higher demands and pressures on acute hospitals/local authorities and rest centre requirements. Currently, capacity is identified in local hotels to accommodate rest centres or reunion areas and further information is required about whether this would change (given the increase in passengers and higher demands for accommodation).

3 Other options considered (and reasons for not proposing)

- 3.1 As a 'host' authority, one of the responsibilities of the County Council is to respond to the current formal consultation. The responsibilities also include: discussing the DCO requirements and S106 Agreement; providing an 'Adequacy of Consultation' response; preparing SoCG and LIR; and submitting written representations and participating in the examination process.
- 3.2 There is the option to not take on the role of being a relevant authority with responsibility for the discharge of requirements (if an order is granted). However, it seems sensible for it to undertake this task for the NRP (if costs are recovered) because it would give the Authority some control over implementation of the scheme.

4 Consultation, engagement, and advice

- 4.1 Internal officers have been involved in the analysis of the PEIR and preparation of the detailed comments on the PEIR in Appendix C.
- 4.2 Joint working, including the identification of key issues, has taken place with the other Gatwick authorities: Crawley Borough, Horsham District, Mid Sussex District, Mole Valley District, Tandridge District, and Reigate and Banstead Borough Councils; and Surrey, East Sussex, and Kent County Councils. Joint working with those authorities will continue for the next stages of the DCO process, including, as necessary, the commissioning of external specialist support for some topics.
- 4.3 An all-member briefing was held on 30 September 2021 at which an outline of the scheme and its impacts (and proposed mitigation) was given by GAL, with the opportunity for questions and answers.
- 4.4 The following Notice of Motion on the NRP was approved by County Council on 22 October 2021:

"West Sussex County Council is a statutory consultee in the Development Consent Order process with regard to the proposal by Gatwick Airport Ltd (GAL) to bring the Northern/Emergency runway into routine use (for departures only). This Council notes the proposed economic benefits and likely adverse social and environmental impacts of GAL's Northern Runway Project.

This Council resolves to ask the Cabinet to seek evidence and assurance from GAL that it will mitigate the following key impacts as part of the proposed development:

- (1) Any increase in aircraft noise levels/noise distribution pattern.
- (2) Any adverse traffic and surface access impacts (forecasting, transport assessment methodology, modal shift).
- (3) Any additional social and environmental impacts, including on health and well-being, air quality and carbon reduction targets.
- (4) Any increase in the need for new homes (supply/demand from anticipated additional workforce) and supporting infrastructure, including County Council services.

In addition, whilst not part of the formal consultation, the safeguarded land allocation to the south of the existing runway for an additional runway should be reviewed and recommendations as to its future use should be made by the Cabinet to Her Majesty's Government."

- 4.5 The consultation response will be considered by a Communities, Highways and Environment Scrutiny Committee Task and Finish Group (TFG) on 10 November 2021. The TFG Chairman will address Cabinet on 16 November 2021 to inform it about the findings of the group before the response is approved.

5 Finance

- 5.1 Although the County Council has responsibilities as a statutory consultee, there is no requirement for GAL to fund this additional work. However, the County Council and the other Gatwick authorities have agreed in principle to a Planning Performance Agreement (PPA) with GAL that contributes towards the cost of

engaging in the DCO process. This will enable the consultation work required to be delivered within existing budgets.

- 5.2 If a DCO is confirmed, a new PPA with GAL will be sought in relation to the County Council discharging its requirements provided that the Authority's post-decision costs are met in full.

6 Risk implications and mitigations

- 6.1 There are no risks associated with responding to the consultation and engaging in the next stages of the DCO process.

Risk	Mitigating Action (in place or planned)
None	n/a

7 Policy alignment and compliance

- 7.1 Legal Implications – the County Council is a statutory consultee in the DCO process. It has specific responsibilities as a 'host' authority, including: being a consultee on the draft SoCC [undertaken]; responding to the scoping request [undertaken]; responding to the formal consultation [this stage]; discussing the DCO requirements and S106 Agreement; providing an 'Adequacy of Consultation' response; preparing SoCG and LIR; and submitting written representations and participating in the examination process. The recommendations in this report seek to ensure that the County Council delivers its responsibilities for the current and remaining stages of the process.
- 7.2 Equalities – not applicable, as it is a response to a consultation by an external organisation.
- 7.3 Climate Change – although focussed on the County Council's activity, the Authority's [Climate Change Strategy](#) is supportive of actions that mitigate the effects of climate change by reducing carbon emissions.
- 7.4 Crime and Disorder – not applicable.
- 7.5 Public Health – not applicable.
- 7.6 Social Value – not applicable.

Matt Davey

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Appendices

Appendix A: Project Site Boundary

Appendix B: Key Elements of the NRP

Appendix C: Detailed Comments on the Preliminary Environmental Information Report

Background papers

None