

Contact: Mrs J. McPherson
[REDACTED] [REDACTED]

Our Ref: CR/2023/0402/CON
Email: development.control@crawley.gov.uk
Date: 20 July 2023

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Sent by email to Mr. George Harrold

Dear Mr Harrold,

APPLICATION BY GATWICK AIRPORT LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE GATWICK AIRPORT NORTHERN RUNWAY PROJECT

PROJECT REF: TR020005

Crawley Borough Council Adequacy of Consultation Representation

July 2023

Thank you for your letter of 7 July 2023 seeking Crawley Borough Council's representation on the adequacy of the pre-application consultation in respect to the application by London Gatwick Airport Limited (the Applicant) for the Gatwick Airport Northern Runway Project.

Crawley Borough Council (the Council) has been working closely with the other host and neighbouring Gatwick local authorities and has submitted a joint Adequacy of Consultation representation. The Council fully supports the content and conclusions set out in the joint representation and particularly raises the concern regarding the applicant's lack of meaningful engagement during the pre-application process. The additional comments below outline some specific additional matters related to Crawley borough.

The Council is of the view that the Applicant, whilst meeting the basic procedural requirements of Sections 42, 47 and 48 of the Planning Act 2008 (the 'Act'), has not met the requirements of Sections 49 and 50 of the 'Act' because the Applicant has declined to take account of the responses it received to pre-application consultation and moreover, has failed to follow statutory guidance on pre-application engagement given the overall lack of adequate information made available to the Council before the DCO proposals were submitted to PINS. This has significantly hampered the ability of the Council to fully understand the implications of the project on Crawley's environment, economy and community. This has been further compounded by the Applicant's limited regard to responding effectively to any concerns or issues raised by the Council, and consequently, acknowledging those concerns in the ongoing development of their proposals and the range of mitigations or initiatives offered to make the scheme acceptable in planning terms.

The Consultation Report Annexes B and D summarise the responses made by the council to the two statutory pre-application consultations in Autumn 2021 and Summer 2022 respectively. The summary provided in Annex B does not follow a logical order and misses out a large number of the concerns and

recommendations which the Council had raised in its response to the PEIR consultation. These included requests for information, clarification, further assessment, suggestions for improvements to the project and suggestions for mitigations. The Council clearly identified approximately 100 detailed recommendations in its response, yet the summary includes less than 50. Given the Applicant has chosen without explanation to disregard over half of the Council's recommendations, it is not, therefore, considered that the Applicant can have adequately taken the Council's response into account.

The summary provided in Annex D of the Council's response does appear to identify in general terms most of the issues raised. However, it misses out several important matters raised at the end of that response, including our concerns about the process and the lack of specific criteria for the development of the noise envelope, the need for information on the construction and spoil strategy, and the need for clarification on the assessment of potential future development West of Crawley. It does appear that the majority of the issues raised by the Council are also broadly captured in the summary by themes set out in Annex C.

In general, it is noted that the Applicant's approach to summarising the Council's response is rather haphazard and would have been better served through the sharing of a clear issues tracker to provide greater confidence that all the points raised have been addressed.

It is also noted that in its response to the majority of the issues (as set out in Annexes A and C) raised by the Council, the Applicant references critical documents, which the council has either only seen very late in the process as very initial drafts without significant detail or about which the Council has not yet had sight of any previous drafting. Documents which the council has seen very late comprise: The Approach to Mitigations and Chapter 5 of the Environmental Assessment – Description of the Proposals; documents about which the Council has not had sight of previous drafts include the Environmental Assessment (excluding Chapter 5); The Mitigations Route Map; The Assessment of Population and Housing Effects; The Surface Access Commitments; The Carbon Action Plan, The Employment, Skills and Business Strategy; and the S.106 Obligations and the associated Community Fund proposals. Without having sight of the detailed information at drafting stage, it is impossible to know whether and, if so, how far the Applicant has taken into account and addressed the Council's detailed comments.

It is disappointing that there has been such limited engagement on these matters prior to submission of the DCO. The Council, as the local planning authority which will have the responsibility for discharging many of the requirements in the DCO, is very interested and willing to discuss in detail suggestions for requirements, s106 obligations and how these can best be delivered, monitored and if necessary enforced, together with how the work required can be resourced.

It is the Council's view therefore, that the Applicant has not complied with statutory guidance about the importance of the applicant having sought to reach agreement on critical DCO issues in advance of the DCO submission to '*...give the secretary of state the confidence that issues that will arise during the 6 month examination period have been identified, considered and, as far as possible, the applicant has sought to reach agreement on those issues*' (paragraph 19 – 'Guidance on the pre-application process, March 2015'). Unfortunately, should the DCO application be accepted, these important discussions will now have to take place during the time constrained pre-examination / examination period.

The Gatwick Area Conservation Campaign (GACC) has highlighted concerns, which the Council endorses, about the nature of the Applicant's Summer 22 consultation with the Council (See Appendix 1). This follows previous correspondence from GACC in December 21 about the original Autumn 21 Consultation raising similar concerns. The main issues which GACC raises are:

- The consultation documentation contained material errors and omissions or gave misleading impressions, including in relation to projections, the economic analysis, noise impacts, and consistency with the Airports National Policy Statement.

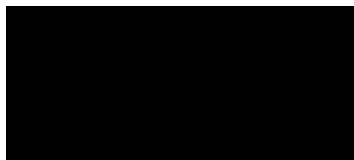
- Insufficient information provided to enable consultees to submit properly informed proposals.
- No engagement with community groups or councils in a proactive manner.

The Council has also been made aware of concerns raised by Gatwick Green Limited, a major landowner in Crawley borough to the east of the Airport with land which will be required as part of the project (see highlighted sections in Appendix 2). Gatwick Green Limited's concerns, which the Council endorses, regarding the nature of the consultation include:

- The lack of meaningful direct engagement by GAL with landowners directly and indirectly affected by the Project, and those bringing forward major development in the wider area;
- The absence of any assessment of reasonable alternatives to compulsory acquisition to justify that there is a compelling need to exercise the compulsory acquisition powers sought.
- The need to ensure that in order for the pre-application engagement to be meaningful and inform the design process, the Applicant must make a commitment to further public / stakeholder consultation about the DCO proposals before they are submitted in order to address the range of matters raised in stakeholder/public representations.

Accordingly, Crawley Borough Council agrees with the conclusions in the Joint Authority representation that PINS should decline to accept the DCO application to enable more meaningful engagement and consultation to be undertaken and to provide the necessary extra time for host and neighbouring authorities to consider the impact of the DCO proposals in full and therefore to draw up proposed mitigations in conjunction with the applicant.

Yours sincerely



Clem Smith
Head of Economy and Planning

APPENDIX 1



GATWICK AREA CONSERVATION CAMPAIGN

Campaign Office: 2 Glovers Gate,
Glovers Road, Charlwood RH6 0EG

Tel 01293 862821

www.gacc.org.uk

info@gacc.org.uk

Ms Natalie Brahma-Pearl
Crawley Borough Council,
The Boulevard Crawley

23rd February, 2023

Dear Natalie,

GATWICK AIRPORT DEVELOPMENT CONSENT ORDER APPLICATION: ADEQUACY OF CONSULTATION

As we approach the expected submission of Gatwick's DCO application we feel its important that we re-activate our previous dialogue with Crawley Borough Council and our concerns.

We wrote to you back in December 2021 to set out our concerns about the consultation Gatwick Airport had carried out in the autumn of that year concerning its Northern Runway expansion plans. Our letter is copied below.

Our conclusion then was that Gatwick's consultation had been unfit for purpose in multiple respects. We did not believe it met the requirements of the Planning Act and we considered that any application based on it should be rejected on the grounds of inadequate consultation unless and until a further, full, consultation had been carried out. We asked you to consider our views and reflect them fully in your Adequacy of Consultation representation in due course.

In Summer 2022 Gatwick carried out a further consultation, primarily on updated road designs. The Summer 2022 consultation also provided updates on certain other aspects of the airport's plans including car parks, hotels, carbon and noise. However, in our view the Summer 2022 consultation did not address any of the concerns we identified in the Autumn 2021 consultation about which we wrote to you. Specifically the Summer 2022 consultation:

1. Did not update Gatwick's air traffic projections to take account of government policy, set out in the Airports National Policy Statement, that airports other than Heathrow that are seeking to expand must demonstrate sufficient need for their proposals additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow. **The absence of any projections that take account of the government's preferred Heathrow Northwest runway means that respondents to the consultations have not been able to evaluate Gatwick's proposals in a policy-compliant market context.**

2. Did not correct the economic analysis in the Autumn 2021 consultation, which contained material errors and omissions. In particular the Autumn 2021 consultation used out of date values for the carbon emissions projected to be generated by the proposed development. Gatwick's consultation used old government carbon values of £69 per tonne of CO₂ equivalent in 2020 rising to £231 in 2050.

The government carbon values at the time Gatwick's consultation was published were £241 per tonne in 2020, rising to £378 in 2050. In addition Gatwick's Autumn 2021 consultation failed to quantify the non-CO₂ climate change effects of the air travel that the development would facilitate and the climate impacts of arriving flights. Government guidance requires all these costs to be monetized and taken into account in project appraisals.

As a result of these errors and omissions the climate costs set out in the Autumn 2021 consultation were understated by many billions of pounds. If government guidance had been followed accurately and correct carbon emission values had been used the overall net present cost of the climate impacts arising from Gatwick's proposed expansion would be at least £13bn, rising to £25bn with arriving flights fully accounted for whereas the figure disclosed in Gatwick's consultation was £2bn. This difference is highly material in the context of the overall economic benefits claimed for the proposed development. **The effect of Gatwick's uncorrected economic analysis errors is that respondents to the consultations were misled about the costs of the proposed development and its overall economic benefits and were therefore unable to respond to them in an informed manner.**

3. Failed to correct the mischaracterisation of the proposed development's noise impacts and the unsupportable assertions on noise matters made in the Autumn 2021 consultation. These issues were not addressed in the Summer 2022 consultation or in the additional noise envelope engagement carried out in 2022. The latter process was itself defective in numerous material respects including the time allowed and Gatwick's refusal to provide additional information that was central to a proper understanding of the suitability of alternative noise envelope metrics. As a result this engagement did not in our view comply with the CAA's advice on noise envelope engagement or the Government's requirements as set out in the Airports National Policy Statement (ANPS).

Nor did it comprise "another appropriate method" of engagement as advised by the Planning Inspectorate in cases where the CAA's guidance is not followed. The engagement GAL has carried out therefore does not, in our view, provide a sound basis for noise envelope proposals and GAL's proposals cannot be considered to have been "defined in consultation with local communities" as required by the ANPS. **The effect of these issues is that respondents to the consultation were misled about the likely noise impacts of the proposed development and were therefore unable to respond to them in an informed manner.**

For these reasons and others our view continues to be that Gatwick's consultations were misleading and that responses to it cannot be relied upon. We do not believe that they were "based on accurate information that gives consultees a clear view of what is proposed ..." as required by the Planning Act 2008 Guidance and did not provide sufficient information to allow informed responses.

For these reasons we consider that Gatwick's consultations do not comply with section 50 of the Planning Act 2008 and therefore that, unless there is substantive further consultation, the airport's application for development consent should be rejected on the grounds of inadequate consultation.

We are aware that the Planning Act 2008 Guidance on the pre-application process requires interested parties who feel that a consultation has been inadequately carried out to approach the applicant in the first instance. We wrote to the airport setting out our concerns in full in November, 2021 but have not received a response. The Guidance suggests that we then raise our concerns with relevant local authorities.

We would like to request that you reflect these views fully in your Adequacy of Consultation response to PINS once Gatwick has submitted its application for consent for the proposed development.

As always, we are available for, and would welcome, further discussion on this matter.

Yours sincerely,
Peter Barclay
Chairman,
Gatwick Area Conservation Campaign.

Email: Gatwick Area Conservation Committee (GACC) to Chief Executive of Crawley Borough Council 13 December 2021.

From: [REDACTED] [<mailto:info@gacc.org.uk>]

Sent: 13 December 2021 14:26

To: [REDACTED]

Subject: Gatwick northern runway DCO consultation - not fit for purpose

Dear Council

We are writing to you, as the Host or a Neighbouring Authority, in relation to Gatwick Airport's recently closed consultation regarding its proposals to develop its northern runway so as to bring it into routine use and increase the capacity of the airport.

In our response to the consultation, we stated that, in our view, the consultation was not fit for purpose.

The principal reasons we gave for this were that:

- The air traffic projections in the consultation documentation give an erroneous and misleading impression of the need for the development and are not consistent with the Airports National Policy Statement. The ANPS requires airports, other than Heathrow, that are seeking to expand to demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow. Gatwick's failure to provide an appropriate and policy compliant assessment of the need for the development means that respondents have not been able to evaluate its proposals adequately.
-
- The economic analysis in the consultation contains material errors and omissions, as explained more fully in our detailed response. As a result, the consultation gives an erroneous and misleading impression of the benefits and costs of the proposed development.
-
- The consultation overview document makes unsupportable claims about the employment benefits of the proposed development.
-
- The consultation mischaracterises the noise impacts of the proposed development, makes unsupportable assertions on noise matters and does not provide sufficient information to allow respondents to evaluate noise impacts in specific areas.
-
- Information required to enable consultees to submit properly informed proposals has not been provided.

In addition, in our view, Gatwick has not engaged with community groups or Councils in a positive and proactive manner. Questions posed in engagement meetings have not been answered promptly or at all and not all requested engagement meetings have been arranged. No opportunity for face-to-face meetings has been provided.

For these reasons, and others, in our view, the consultation is not “based on accurate information that gives consultees a clear view of what is proposed ...” as required by the Planning Act 2008 Guidance. It also does not provide sufficient information to allow informed responses and it does not permit the “intelligent consideration” required by the Gunning Principles for consultations. We therefore do not believe the consultation meets the requirements of the Planning Act and we consider that any application based on it should be rejected on the grounds of inadequate consultation.

We have specifically drawn Gatwick Airport's attention to the above matters but have had no response from it.

We note that a number of Councils have expressed similar concerns in their responses. For example:

- Crawley Borough Council's (CBC) response states: "*There is a general lack of detail [in the consultation] and we believe that GAL still needs to undertake a significant volume of further technical work to justify many of the technical assumptions underpinning this Project. This includes fundamental issues such as major evidence and information gaps in the need case for the NRP, particularly in light of national carbon reduction targets but also in relation to the basis for the passenger forecasts and underlying assumptions, and the justification for the level of associated development, including car parking*".
- CBC also states: "*CBC has made strenuous efforts to identify, consider, and, as far as possible, offer a clear insight into what the impacts of a proposal of this scale would be on its community. Our misgivings expressed in much of the response is that the period offered for consultation fails to recognise the practical issues of mobilising often constrained and limited technical resources within the Council. ... We must point out that the Promoter has an obligation to ensure that adequate consultation includes providing statutory consultees with sufficient time to engage across all technical areas of the Project. This is fundamentally important, given that the Planning Inspectorate will be advising the Secretary of State on whether consultation was adequate, which is a pre-requisite for the Inspectorate to have the confidence to recommend that the applicant carries the proposal forward into Examination.*"
- East Sussex County Council states: "*Given the large number of complex and lengthy consultation documents it has been difficult to fully evaluate the PEIR within the time available*" and "*Insufficient information has been provided by GAL to enable the basis of its demand forecasts, and how these relate to the capacity that may be provided through the simultaneous use of the Northern Runway, to be properly understood in adequate detail for the local authorities to be able to comment on the impact of the proposals.*"
- Horsham Council states: "*I am particularly concerned that your consultation has not been effective in highlighting your proposed changes to residents in Horsham District, with minimal presence in our District and a high volume of technical documentation with limited summaries. I am therefore very concerned that there will be many residents in the District who will be unaware of the potentially very significant changes increased growth of the airport may bring.*"
- Surrey County Council states: "*We are disappointed at the lack of engagement we have had with GAL on the proposed project leading up to this consultation, especially the limited sharing of technical information, which is in contrast to our experience of working with other promoters of airport expansion schemes in recent years. This has reduced our ability to provide detailed feedback and influence the development of the project. Fundamentally, we need more information on key areas to enable us to understand and develop an informed view of the likely environmental and health effects on our communities as a result of construction and scheme delivery. Our response reflects this and sets out the areas where we have significant concerns and questions that need to be satisfactorily addressed*".

We understand that, if an application is submitted, you will be asked to submit an adequacy of consultation (AOC) representation and that the Planning Inspectorate must have regard to any comments it receives from you in deciding whether or not to accept the application.

Our firm view is that Gatwick's consultation was inadequate and not fit for purpose. We do not believe it met the requirements of the Planning Act and we consider that any application based on it should be rejected on the grounds of inadequate consultation unless and until a further, full, consultation is carried out.

We intend to make these views known to the Planning Inspectorate. However, we would be grateful if you would reflect them fully in your AOC representation in due course.

Regards



Chair

Gatwick Area Conservation Committee

APPENDIX 2

Northern Runway Project

making best use of Gatwick

Consultation on the Preliminary

Environmental Information Report (PEIR)

Response by the Wilky Group

November 2021



Gatwick**Green**

WHERE THE FUTURE WORKS

Northern Runway Project (NRP) – consultation questionnaire

Name: The Wilky Group
Address: Fetcham Park, Lower Road, Fetcham, Surrey
Post code: KT22 9HD
Are you responding on behalf of an organisation: Yes
Organisation: Savills
Role: Director

1. Northern Runway proposals: overall

Overall response: Tend to oppose

The Wilky Group (TWG) owns 47 ha of land east of Gatwick Airport, which is a proposed allocation for an industrial-led development ('Gatwick Green' – Strategic Policy EC4) in the Draft Crawley Borough Local Plan (Jan 2021), primarily for strategic warehouse and distribution uses for buildings mainly over 100,000 sq ft. The site lies adjacent to the eastern boundary of Gatwick Airport's DCO Project Boundary. Gatwick Green will be one of the most significant commercial developments in the South East offering a unique opportunity for Crawley to power its recovery with a next generation of logistics infrastructure, jobs, and training. A copy of the vision for Gatwick Green is attached at **Appendix 1** to this representation.

Without greater attention to mitigation and the DCO's relationship with the emerging Crawley Borough Local Plan (January 2021), the DCO could adversely affect the environment around and at Gatwick Green; the wider socio-economic conditions on which Gatwick Green will rely; the ability of existing and planned physical and social infrastructure to support Gatwick Green, and other growth in the wider area.

An assessment of the DCO PEIR has therefore been undertaken by TWG's consultants, which has identified a number of compliance issues / shortcomings in the PEIR. Both individually and collectively, these issues could result in significant adverse effects on the comprehensive and coherent forward planning of the area. If growth at the airport is taken forward in isolation from, and without due regard to, the wider socio-economic and natural environment of the area within which it is located, the wider area would suffer adverse effects and limited benefits. These impacts would include those on the existing physical and social infrastructure on which the wider growth of the area depends, including for Gatwick Green and other proposed strategic developments in the area. The impacts of the Northern Runway Project (NRP) must be assessed in the context of cumulative impacts when combined with other known and planned growth and projects in the area – such an approach has not been fully adopted in the PEIR such that some mitigation may be under assessed, with the result that both the impacts and the mitigation may be exported to other proposals such as Gatwick Green.

Error: Incorrect distance between DCO boundary and the Gatwick Green proposed allocation – the DCO states that this distance is 2.5 km¹. This is incorrect as Gatwick Green is located adjacent to the DCO Project Boundary and part of the DCO boundary falls within the Gatwick Green allocation.

¹ Table 19.4.5 - Preliminary Environmental Information Report Chapter 19: Cumulative Effects and Interrelationships, Assessment Team on behalf of GAL, September 2021

This error and/or the incorrect scope of the assessments by the Airport’s Assessment Team has resulted in Gatwick Green being incorrectly excluded from the cumulative scheme list for a number of EIA topic areas. Specifically, Gatwick Green would fall within most of the Zones of Influence (Zol) identified in the PEIR topic areas², but was incorrectly excluded from the CEAs for those topics – this applies to the following:

Topic	Zol
Historic Environment	3km
Ecology	2km (protected species & habitats)
Ground conditions	500m
Traffic & Transport	Surrounding road network ³
Air Quality	350m/50m
Noise & Vibration	20km
Socio-Economic	Local Study Area ⁴

These exclusions are inconsistent with other topic areas where Gatwick Green was included in the CEA for that topic, i.e. Landscape, Townscape and Visual Resources; Water Environment, Health & Wellbeing and Agricultural Land Use and Recreation.

If the assessment of the cumulative effects of the DCO with Gatwick Green is not extended to include these additional topic areas, the EIA process will be unlawful and relevant impacts and information will be omitted from the assessment. In addition, opportunities to improve the inherent design of the DCO scheme so as to minimise its impacts will be lost, and the opportunity to consider and assess appropriate mitigation measures will also be lost. Apart from creating a risk of legal challenge to the DCO, these omissions could frustrate the objectives of the emerging Crawley Borough Local Plan allocation by imposing greater requirements for mitigation than would otherwise be the case. The DCO must mitigate its own impacts and not pass this responsibility on to later developments in the area.

It is considered that these matters are of such significance that they materially jeopardise the DCO and the prospect of a positive decision from the Planning Inspectorate.

2. Economic Benefits: jobs and skills

Error: Incorrect distance between DCO boundary and the Gatwick Green proposed allocation – the DCO states that this distance is 2.5 km⁵. This is incorrect as Gatwick Green is located adjacent to the DCO Project Boundary and part of the DCO boundary falls within the Gatwick Green allocation..

² Table 19.4.2 - Preliminary Environmental Information Report Chapter 19: Cumulative Effects and Interrelationships, Assessment Team on behalf of GAL, September 2021

³ Affected road network modelled to result in a greater than 30% increase of vehicles (or the number of heavy good vehicles (HGVs) to increase by 30%) or greater than 10% in a sensitive area (or HGVs increase by 10% in a sensitive area).

⁴ The surrounding six local authorities (Crawley, Horsham, Mid Sussex, Mole Valley, Reigate and Banstead, and Tandridge).

⁵ Table 19.4.5 - Preliminary Environmental Information Report Chapter 19: Cumulative Effects and Interrelationships, Assessment Team on behalf of GAL, September 2021

Omissions:

- The socio-economic assessment in the PEIR does not acknowledge the importance of the GVA and job generation arising from the planned development outside of the DCO boundary, e.g. Gatwick Green, Horley Business Park and other schemes.
- Gatwick Green was excluded from the socio-economic Cumulative Effects Assessment (CEA)⁶ – there is an inconsistency in the approach to Tier 3 schemes and what should be included in the CEA: the Horley Business Park (HBP) is included (though with little by way of assessment), whereas the Gatwick Green scheme is excluded, despite there being a significant level of evidence as to its scale, use mix, economic impacts and market position. The exclusion of Gatwick Green would result in non-compliance with Advice Note 17⁷.

The future baseline is based on forecasts of the key socio-economic indicators, but such do not factor in specific growth associated with planned economic developments in the Local Study Area. Consequently, the assessment is likely to have underestimated the effect of the NRP on the future labour market, but also to have under-assessed the level of mitigation required to ensure that the NRP will not adversely affect the future labour market in such a way as to prejudice the proper planning and delivery of other major economic developments in the area, such as the Horley Business Park (HBP) and Gatwick Green. The CEA therefore falls short of what is required to address these issues in that there is limited assessment of the cumulative impacts alongside the HBP and no such assessment with regard to Gatwick Green.

The PEIR concludes that the NRP will have moderate adverse effects on the labour market of the Local Study Area in the Interim Assessment Year (2032) and the Design Year (2038). It concludes that the significant adverse effect of the project on the Local Study Area could be partly or wholly mitigated by measures set out in the Outline Employment, Skills and Business Support Strategy – there is no detail on what this mitigation is, which would form additional mitigation, rather than the inherent mitigation which the NRP should be advancing.

A further issue relates to the qualitative aspect of the future jobs from the NRP relative to the qualification and skills base of the future working population. The PEIR contains little or no such qualitative assessment, so it is impossible to conclude if the NRP will be aligned with the future profile of the workforce, or indeed may adversely impact on other major planned economic developments that are relying on the future workforce in the Local Study Area.

The PEIR concludes that the NRP can be accommodated within the future level of housing provision with the Local Study Area. It is not clear that this is the case. The Northern West Sussex FEMA is planning for a broad jobs to workers balance over the period to c 2036 – however, the addition of the NRP is likely to lead to additional demand for housing for which no additional planning has been made. The lack of consideration of other economic development in the Local Study Area, such as Gatwick Green, will have further distorted the findings of the assessment in this regard.

The operational mitigation offered comprises just two initiatives: (1) investing in the community through the Gatwick Foundation Fund and related initiatives, and (2) implementation of an Outline Employment, Skills and Business Strategy. The mitigation is claimed to be inherent in the project, but in reality comprises a range of largely unknown additional mitigation – accordingly,

⁶ Table 7.11.1 - Preliminary Environmental Information Report Chapter 7: Historic Environment

⁷ Cumulative effects assessment relevant to nationally significant infrastructure projects, the Planning Inspectorate, March 2018 (version 2)

the investment is noted as “*investing in the community through the current Gatwick funds*” and there is little detail of the employment and skills strategy.

In failing to take account of development allocations identified in adopted emerging Local Plans, the DCO will directly and indirectly adversely affect the deliverability of employment proposals outside the DCO boundary because:

1. There is no assessment of the economic / property complementarity with these proposals as required by policy in the draft Crawley Borough Local Plan.
2. There is no assessment of the impact on the deliverability of these proposals as required by policy in the draft Crawley Borough Local Plan.
3. The DCO includes a proposed construction compound within the Horley Business Park (HBP) employment allocation north of the M23 spur road – this could prevent the delivery of the HBP up to 2035 and the 22,500 jobs that the HBP is estimated to deliver.

This would be contrary to the following adopted/emerging local planning policy documents and policies:

- The draft Crawley Borough Local Plan (Strategic Policy GAT1 iv, Policy GAT4 ii, Strategic Policy EC1 ii and v)).
- The adopted Reigate & Banstead Local Plan Development Management Plan, Policy HOR9.

3. Economic Benefits: business and the economy

Error: Incorrect distance between DCO boundary and the Gatwick Green proposed allocation – the DCO states that this distance is 2.5 km⁸. This is incorrect as Gatwick Green is located adjacent to the DCO Project Boundary and part of the DCO boundary falls within the Gatwick Green allocation..

Omissions:

- The socio-economic assessment in the PEIR does not address the requirement that the DCO scheme should support the proper planning of the area.
- Gatwick Green was excluded from the socio-economic Cumulative Effects Assessment (CEA)⁹ – there is an inconsistency in the approach to Tier 3 schemes and what should be included in the CEA: the Horley Business Park (HBP) is included (though with little by way of assessment), whereas the Gatwick Green scheme is excluded, despite there being a significant level of evidence as to its scale, use mix, economic impacts and market position. The exclusion of Gatwick Green would result in non-compliance with Advice Note 17¹⁰.

⁸ Table 19.4.5 - Preliminary Environmental Information Report Chapter 19: Cumulative Effects and Interrelationships, Assessment Team on behalf of GAL, September 2021

⁹ Table 16.11.1 - Preliminary Environmental Information Report Chapter 16: Socio-Economics

¹⁰ ibid

On the first of these points, the PEIR has not acknowledged the importance of, or taken account of, a number of key economic plans/strategies that contain some key short and long-term economic objectives for the West Sussex and Crawley areas:

- a. Northern West Sussex EGA Update, Final Report, Lichfields for Crawley BC, January 2020
- b. Northern West Sussex EGA Focused Update for Crawley, Final Report, Lichfields for Crawley BC,
 - a. September 2020
 - b. West Sussex County Council Economic Growth Plan 2018-2023, WSCC, May 2018
 - c. Covid-19 Impact Assessment, Gatwick Diamond, Report – May 2020
 - d. West Sussex Economy Reset Plan, WSCC, July 2020
- e. Crawley's "One Town" Economic Recovery Plan, FIRST DRAFT, Crawley Borough Council, March 2021

Consequently, the PEIR socio-economic assessment has not factored in the wider economic objectives and goals for the area around the Airport, and most specifically those relating to the COVID-19 pandemic. The assessment in the PEIR focuses on the impacts of the NRP on the baseline (2019) and future baseline conditions (2038), with no reference to how the NRP could advance these wider socio-economic objectives and so contribute to the proper planning of the wider area, with specific emphasis on the Local Study Area.

This lack of joined-up and comprehensive planning means that there is no assessment of how the NRP could fit into the wider economic planning and regeneration of the Local Study Area, post-pandemic. This is further exacerbated by the paucity of assessment of how the NRP can complement the HBP and the complete omission of Gatwick Green from the CEA – these omissions mean that the socio-economic assessment in the PEIR falls short of demonstrating how the project can advance the proper and coherent planning of the area over the next 18 years in line with the NPPF's overriding requirement that development must be sustainable.

The operational mitigation offered comprises just two initiatives: (1) investing in the community through the Gatwick Foundation Fund and related initiatives, and (2) implementation of an Outline Employment, Skills and Business Strategy. The mitigation is claimed to be inherent in the project, but in reality comprises a range of inadequate additional mitigation. Accordingly, the investment is noted as "*investing in the community through the current Gatwick funds*" and there is little detail of the employment and skills strategy.

In failing to take account of development allocations identified in adopted emerging Local Plans, the DCO will directly and indirectly adversely affect the deliverability of employment proposals outside the DCO boundary because:

1. There is no assessment of the economic / property complementarity with these proposals as required by policy in the draft Crawley Borough Local Plan.
2. There is no assessment of the impact on the deliverability of these proposals as required by policy in the draft Crawley Borough Local Plan.
3. The DCO includes a proposed construction compound within the Horley Business Park (HBP) employment allocation north of the M23 spur road – this could prevent the delivery of the HBP up to 2035 and the 22,500 jobs that the HBP is estimated to deliver.

This would be contrary to the following adopted/emerging local planning policy documents:

- The draft Crawley Borough Local Plan (Strategic Policy GAT1 iv, Policy GAT4 ii, Strategic Policy EC1 ii and v)).
- The adopted Reigate & Banstead Local Plan Development Management Plan, Policy HOR9.

4. Airport Supporting Facilities

Relocation of some supporting facilities, such as the Central Area Recycling Enclosure (CARE) facility.

No comment.

5. Landscape & Ecology

Error: Incorrect distance between DCO boundary and the Gatwick Green proposed allocation – the DCO states that this distance is 2.5 km¹¹. This is incorrect as Gatwick Green is located adjacent to the DCO Project Boundary and part of the DCO boundary falls within the Gatwick Green allocation.

Omission: Gatwick Green was excluded from the ecology Cumulative Effects Assessment (CEA)¹² despite the fact that it is a Tier 3 site located on the NRP Project Boundary. By listing the site as being 2.5 km from the NRP, it has been screened out of CEA for ecology (which only screens in sites within 2 km) and therefore the cumulative effects are not being appropriately considered. The exclusion of Gatwick Green would result in non-compliance with Advice Note 17¹³.

Ecology

The exclusion of Gatwick Green as a cumulative scheme is a key issue as the DCO EIA must address the impacts of its scheme in combination with other cumulative schemes and determine that the mitigation it is proposing will still ensure that the residual impacts are minor/acceptable in that context. The exclusion of Gatwick Green from the cumulative scheme list for ecology is a clear error – the schemes included in the CEA list are all those within 2 km of the Project¹², so on that basis, Gatwick Green should have been included in that it lies adjacent to/partly within the Project Boundary. As a consequence, relevant impacts and information will be omitted from the assessment. In addition, opportunities to improve the inherent design of the DCO scheme so as to minimise its impacts will be lost, and the opportunity to consider and assess appropriate mitigation measures will also be lost. On this basis, GAL's DCO EIA may under-provide mitigation, which in turn could result in Gatwick Green having to provide more mitigation for its effects when assessed in combination with those of the DCO.

The omission of Gatwick Green from the ecology CEA therefore has significant implications with regard to ecology in that any mitigation could be under-assessed and consequently some adverse effects and mitigation could be exported to Gatwick Green or other proposed developments in the Local Study Area.

As a result of the omission of Gatwick Green for the ecology CEA, the following potential issues arise:

- Displacement of species during construction phase whilst mitigation for the airport establishes - this could change the baseline conditions at Gatwick Green. This is an

¹¹ Table 19.4.5 - Preliminary Environmental Information Report Chapter 19: Cumulative Effects and Interrelationships, Assessment Team on behalf of GAL, September 2021

¹² Table 9.11.1 - Preliminary Environmental Information Report Chapter 9: Ecology and Nature Conservation

¹³ *ibid*

example of how the lack of a CEA has led to the possible export of impacts and mitigation to Gatwick Green.

- There is no obvious information regarding Biodiversity Net Gain, now mandated by the Environment Act 2021. It is likely that the NRP will require some environmental offsetting in the form of off-site compensation for biodiversity losses. There is scope for such offsetting to be part of a strategic package that includes the offset needs of other planned economic / housing developments in the Local Study Area – this is another example of the PEIR falling short of the requirement to address the proper planning of the area.

Landscape & Visual

In relation to the landscape and visual assessment, Gatwick Green was included in the CEA¹⁴, so the PEIR assessment has had due regard to the likely scale and nature of development at the site as envisaged by Strategic Policy EC4 of the draft Crawley Borough Local Plan. This is of most relevance with regard to the proposed multi-story car park on Pentagon Field, which is located adjacent to and west of Gatwick Green.

Para 8.5.10 of the Consultation Overview identifies that '*Major adverse and significant effects on Pentagon Field are predicted during all phases of the Project (due to the development of Pentagon Field and change in character from pastureland to a decked car park). The effects on the wider Gatwick Airport Urban Character Area would not be significant*'. In the context of the proposed multi-storey warehouse and distribution buildings at Gatwick Green, this finding seems to be reasonable and would in turn influence the landscape and visual CEA related to the Gatwick Green proposals.

6. Land use: overall

Associated Development

The PEIR states that the NRP was developed with a view to minimising disruption to existing/proposed neighbouring uses and to make efficient use of the Airport's land. These principles are important and are relevant to the consideration of what should be categorised as Associated Development, which is identified in the Planning Act 2008 and more clearly defined by the principles contained in the associated guidance¹⁵.

Omission: The PEIR does not contain any justification for Associated Development that is required to support the principal development, or any evidence for the inclusion of Associated Development.

Omission: None of the plans or details indicate whether the 'Project Boundary' represents permanent or temporary land requirements.

Compliance: Some of the land uses included in the DCO PEIR that may not be Associated Development: e.g. commercial uses such as hotels, offices.

Compliance: In planning for any Associated Development in the DCO PEIR, there is no design rationale that demonstrates that the provision represents the most appropriate in land-take / planning terms.

It is considered that the scope of the commercial uses in the DCO PEIR fall outside what can be included in a DCO. Land uses are included in the PEIR that do not have a direct / functional link

¹⁴ Table 8.11.1 - Preliminary Environmental Information Report Chapter 8: : Landscape, Townscape and Visual Resources

¹⁵ Planning Act 2008, Guidance on associated development applications for major infrastructure projects, Department for Communities and Local Government, April 2013

such that it is necessary to support the principal development (airport infrastructure) – the inclusion of these commercial uses has a number of adverse consequences:

- Take-up of land that could be used for the principal development (essential airport infrastructure).
- Provides for commercial development that is already planned as part of the Horley Business Park under Policy HOR9 on the Reigate and Banstead Development Management Plan.
- Would unreasonably & adversely affect existing and proposed business/commercial developments in the area, e.g. Gatwick Green and the Horley Business Park.
- Undermine the delivery of business & commercial site allocations in Local Plans in the vicinity of the Airport.
- The airport layout may not be the most resource / land-efficient, so may not represent the most appropriate layout in planning terms given that national planning policy that requires development to be sustainable.

The above matters mean that the PEIR may not be in compliance with the Planning Act 2008 or consistent with Associated Development principles¹⁶. The approach is also contrary to the draft Crawley Borough Local Plan (Strategic Policy GAT1 i and Policy GAT4 i and ii).

The lack of information in the PEIR also means that there is uncertainty as to what parts of the land within the Project Boundary may represent either a permanent or a temporary land take.

Direct Land-take

Part of the NRP Project Boundary includes land owned by TWG south-east of Junction 9a on the M23 spur road required for the grade-separation proposals for Junction 9a. The land is needed for an improved off-ramp to the proposed grade-separated junction and associated embankment. However, based on analysis by TWG's transport consultants, the amount of TWG's land identified in the PEIR appears to be more than is required to accommodate the highway works.

In addition, the NRP Project Boundary includes land owned by TWG north of the M23 spur road – from the available plans, the precise extent of, or need for, this land is unclear. Based on the limited information in the PEIR, the plan at **Appendix 2** shows a preliminary interpretation of the extent of the Project land requirements relative to TWG's land.

On the basis that land-take in a DCO (for permanent or temporary uses), should be the minimum required, further details are needed to support the definition of the Project Boundary in these areas.

7. Getting to and from the airport

The PEIR states that the transport strategy aims to continue increasing the overall share of passengers using public transport to get to and from the airport, deliver improvements to local highways and junctions, and encourage greater use of public transport and active modes by staff.

However, TWG is concerned that the PEIR reflects a 'predict and provide' rather than a 'decide and provide' approach to planning for transport; the latter requires that decisions/assumptions are made on the target for sustainable transport provision for passengers and staff, and

¹⁶ *ibid*

decisions on new infrastructure / capacity are made on that basis. It is not clear that this is the approach that has been adopted, evidenced by:

- Reliance on local highway improvements to serve car-borne users.
- Extensive additional car parking provision – 18,500 additional spaces that will encourage surface access by car-borne users.
- The provision for active transport is limited to a desire line between the Longbridge roundabout and the North and South Terminals.
- An over reliance on bus operators to meet the increased demand with no assessment of what infrastructure or service upgrades may be required.
- The Airport's past success in securing a shift towards more sustainable modes of transport for passengers is not translated into similar ambitions for staff movements.
- The mode share targets identified by GAL for sustainable travel are not forecast to be met by the model that is employed.
- There are no details of the Gatwick Mode Choice Model - this needs to be made available so that the assumptions and targets can be clearly understood.

At a more detailed level, TWG has a number of key concerns regarding the approach taken to the transport work, as noted below.

Omission: The DCO makes no reference to, and takes insufficient account of, key strategic transport policy documents. The transport assessment has not therefore been based on key regional and local transport policy objectives contained in:

- The TfSE document; Transport Strategy for The South East.
- Crawley Borough Council's 'New Directions' policy document¹⁷.
- Crawley Borough Council's Local Cycling and Walking Infrastructure Plan¹⁸ (LCWIP).
- Surrey County Council Local Cycling and Walking Infrastructure Plans (LCWIP).
- The draft Local Transport Plan published by West Sussex County Council in July 2021.

No account has been taken of the Crawley and Horley LCWIP or public transport aspirations, e.g. Improvements to pedestrian/cycle/bus access on Balcombe Road, with an opportunity to link Balcombe Road to Gatwick Airport station via Buckingham Gate. The absence of these and other initiatives will suppress the choice of active and shared transport options by staff (in particular).

Compliance: The PEIR traffic model excludes key allocated employment and housing proposals from the modelling, e.g. *inter alia*, Gatwick Green, the Horley Business Park, and land west of Ifield (10,000 houses).

Omissions: (1) There has been no account taken of the Draft Crawley Borough Local Plan transport study and model, and (2) the traffic/transport impacts of Gatwick Green were not included in the PEIR transport model, nor does it appear that any sensitivity test was undertaken (alternative scenario).

Compliance: The PEIR relies on traffic data that originates from 2016 with updates based on 2018. This may not accurately reflect local traffic growth between 2016 and 2020, and trends which have occurred in the intervening period.

¹⁷ New Directions for Crawley, Transport and Access for the 21st century, Crawley Borough Council, January 2020

¹⁸ Crawley Cycling and Walking Infrastructure Plan 2020, , Crawley Borough Council, August 2020

Error: The PEIR relies on off-site strategic transport improvements, the delivery/timing of which is in considerable doubt, so should not be relied upon, e.g. the Lower Thames Crossing (LTC), Croydon Area Remodelling Scheme (CARS).

The following adverse consequences will result from the use of historic transport data; the exclusion of planned strategic employment/residential development sites near the Airport from the modelling, and the inclusion of two major improvements to the highway/rail network neither of which have approved funding or are being advanced through the statutory processes:

- Inadequate mitigation with the consequence that some effects/mitigation may be exported to Gatwick Green and other planned strategic development sites, prejudicing growth within Crawley and adjacent Boroughs/Districts.
- Residual adverse impacts may need to be addressed by other parties, e.g. adjacent highway authorities/local authorities, or planned strategic developments in the area around Gatwick.
- There is significant uncertainty as to whether the LTC and CARS are going ahead – under these circumstances, the transport assessment cannot place any reliance on these schemes. On the basis they should not be included in the assessment, there will be significant impacts on travel behaviour, which in turn will affect mode-share targets.
- The COVID-19 pandemic is likely to affect the travel patterns of some staff on a permanent basis – there is no sensitivity analysis to understand the impacts of these behavioural changes.
- The adverse impacts on the transport network will be under-reported.
- The scope and nature of any mitigation requirements will be inadequate.
- The mitigation may be incorrectly timed, i.e. to address the transport/traffic impacts arising from the NRP scheme.
- The residual effects on the transport network will be under-reported.

These issues mean that the transport assessment work in the PEIR is unlikely to comply with the guidance contained in:

- Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Impact Assessment (2004).
- The Strategic Road Network and Delivery of Sustainable Development (2013).
- Guidance on Transport Assessment (2007) (DfT).

Provision for car parking

There is a lack of clarity in the assessment of the need for additional car parking. Based on the information in the PEIR, there are a number of issues:

- The number of transfer passengers seem to be very different from the previous masterplans (this reports 81% terminating passengers, while previous masterplans had this at 92%), affecting landside passenger numbers – this changed assumption needs to be explained and justified.
- The PEIR suggests that a total of over 86,400 spaces could be provided for the Airport with the NRP, but that this level of parking would only be built if needed, suggesting that the plans include for some surplus parking.
- The provision of this number of spaces is relatively (by passenger numbers) high in comparison with the 96,000 spaces that GAL has indicated for the Southern Runway development scenario – this suggests that in the event that the southern runway were to

proceed, the amount of additional parking outside the current NRP Project Boundary would be modest.

- The PEIR proposes to displace car-parking to accommodate Airport Related Development (hotels and offices) on land owned by GAL. As noted in this representation, without a rationale for the hotels and offices being included in the DCO as 'Associated Development', it is difficult to justify the loss of car parking to such uses.
- The transport section of the PEIR does not report on how GAL has arrived at the number of 18,500 additional spaces required – further justification is required.

8. Road Improvements

Omission: The PEIR omits any explanation of the traffic levels which would trigger the delivery of major highway improvement schemes required to address the transport impacts of the scheme.

Omission: The proposed grade-separate on Junction 9a on the M23 makes no provision for an underpass for pedestrian/cycle provision on Balcombe Road in line with guidance.

The timing of key highway improvements, such as the grade-separation of J9a, should be triggered by predetermined traffic impacts before junctions become capacity constrained, and not by a trigger based on passenger numbers.

The proposed grade-separation of J9a on the M23 spur road does not make provision for active / sustainable travel along Balcombe Road.

These issues mean that the transport assessment work in the PEIR is unlikely to comply with the guidance contained in:

- Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Impact Assessment (2004).
- The Strategic Road Network and Delivery of Sustainable Development (2013)
- Guidance on Transport Assessment (2007) (DfT).
- Crawley Borough Council's Local Cycling and Walking Infrastructure Plan¹⁹ and Government guidance in LTN1/20²⁰.

9. Public and sustainable transport

Error: The DCO is inconsistent in how it addresses 'zero emission vehicles' – these are wrongly excluded from traffic forecast since it appears they are included in the "sustainable transport" category. These vehicles are "Low Emission" and as such may be classified as "sustainable transport" in terms of their environmental impact, but remain vehicle movements that must be part of the forecast. These vehicles are, however, included for the purposes of planning for future car parking.

Omission: It is unclear whether the PEIR aims to achieve its stated targets for sustainable travel modes.

Based on the issues noted above, there are three key concerns:

- The traffic impacts of the NRP will be underestimated, along with the related mitigation.

¹⁹ Ibid

²⁰ Cycle Infrastructure Design, Local Transport Note 1/20, DfT, July 2020

- The sustainable transport targets may not be reached due to inadequate provision for infrastructure and services to encourage sustainable travel choice amongst employees at the Airport.
- Deciding on modal targets, but not achieving them, due to trips being accommodated through improvement schemes that may not come forward. This places an emphasis on the 'predict and provide' philosophy to accommodate increasing levels of traffic and car borne travel, in favour of the contemporary policy of 'decide and provide' which may typically favour investment in sustainable travel.

These issues mean that the transport assessment work in the PEIR is unlikely to comply with the guidance contained in:

- Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Impact Assessment (2004).
- The Strategic Road Network and Delivery of Sustainable Development (2013).
- Guidance on Transport Assessment (2007) (DfT).
- Crawley Borough Council's Local Cycling and Walking Infrastructure Plan²¹ and Government guidance in LTN1/20²².

10. Construction: managing impacts

While reference is made to implementing traffic management, and undertaking implementation works during periods of lower traffic generation from the Airport, the impacts of construction traffic and road closures on local roads, has not been fully assessed. This is especially the case given that the cumulative impacts of construction traffic taking account of other major urban development projects in the area, such as Gatwick Green. While closures may be undertaken during periods of relatively low levels of activity at the Airport, construction may generate very different traffic profiles, including 24-hour operation.

11. Construction: Transport

The impact of travel by construction workers and goods vehicles is not clear. This needs to be assessed.

12. Managing and mitigating effects: climate change and carbon

No comments.

13. Managing and mitigating effects: noise envelope

No comments.

14. Managing and mitigating effects: noise envelope

No comments.

15. Consultation process

²¹ Ibid

²² Ibid

TWG is an important stakeholder for the DCO given the scale of strategic warehouse and distribution uses proposed at Gatwick Green adjacent to the Project Boundary. This is reinforced by the proposed use of TWG's land to deliver the upgrade of Junction 9a on the M23 spur road; land which it is assumed will need to be acquired by GAL for this purpose. On this basis, GAL should have undertaken consultation with TWG as part of its work on the PEIR – no such consultation took place with TWG and this represents a weakness in the PEIR, reflected in the lack of account taken of Gatwick Green. This shortcoming needs to be addressed through consultation before the NRP can be advanced any further.

Appendix 1



Gatwick**Green**

WHERE THE FUTURE WORKS

GatwickGreen

Where the Future Works

Welcome To Gatwick Green

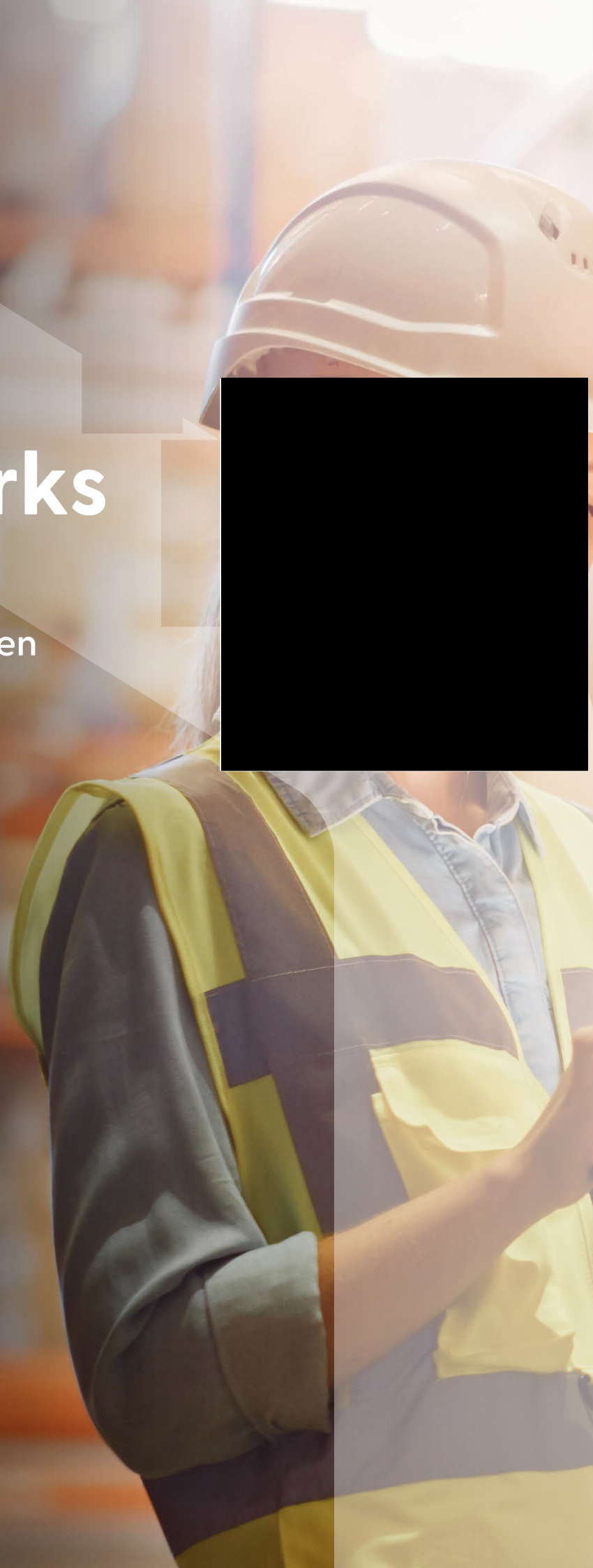
Capacity To Deliver

For Growth & Recovery

Sustainability Matters

Better Together

Perfectly Located

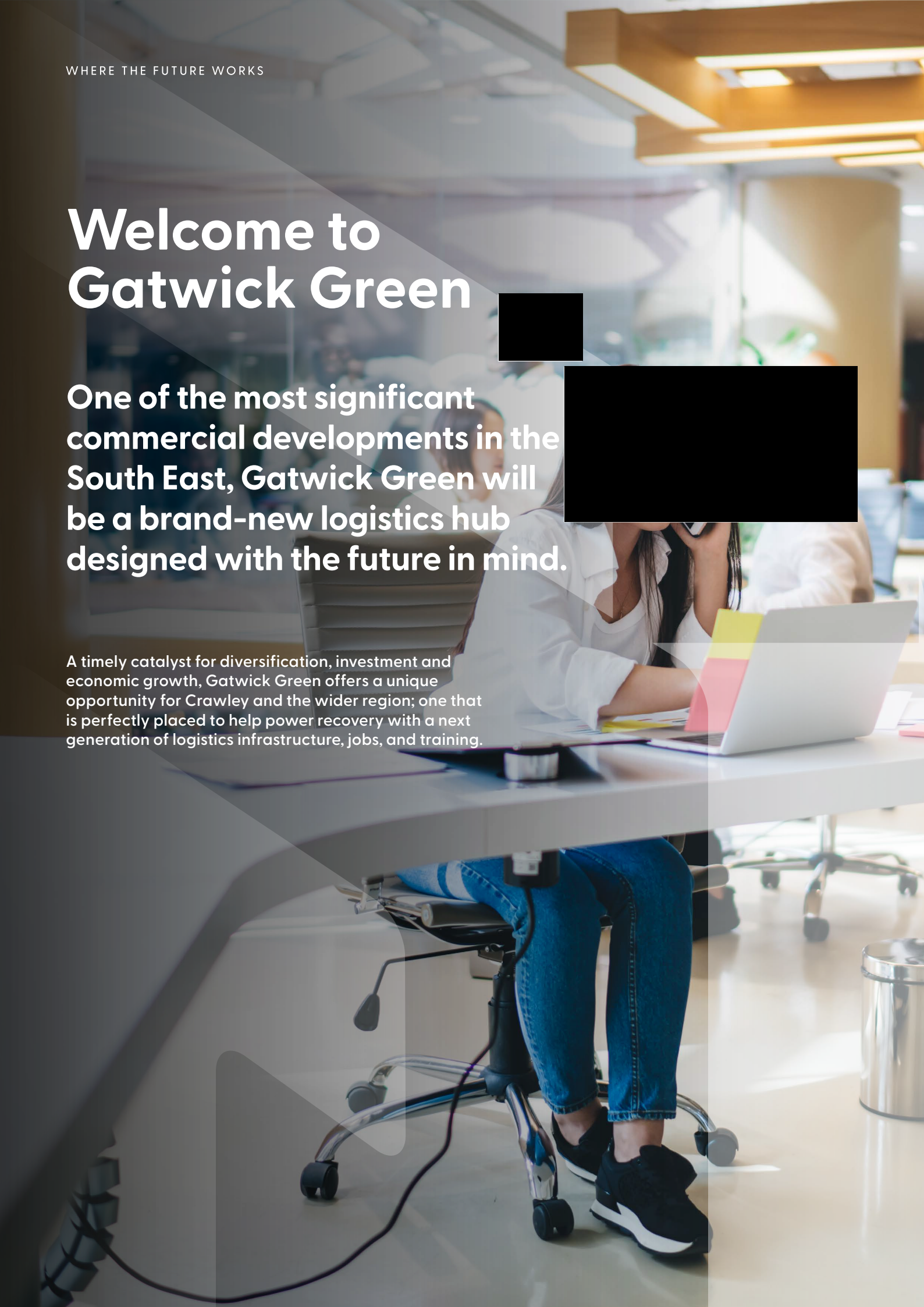


WHERE THE FUTURE WORKS

Welcome to Gatwick Green

One of the most significant commercial developments in the South East, Gatwick Green will be a brand-new logistics hub designed with the future in mind.

A timely catalyst for diversification, investment and economic growth, Gatwick Green offers a unique opportunity for Crawley and the wider region; one that is perfectly placed to help power recovery with a next generation of logistics infrastructure, jobs, and training.



On the doorstep of Crawley and the UK's second largest airport, Gatwick Green will be a pioneering and sustainable place that offers forward-thinking occupiers and their staff a scale of brand-new logistics property and employment opportunities unavailable elsewhere south of the M25.

Its strategic location also offers both domestic and international businesses an exceptional quality of multi-modal connectivity, as well as direct access to a wide range of local skills and talent.

Designed to complement and enhance neighbouring economic anchors in and around Crawley, Gatwick Green will provide the essential foundations on which more productive, prosperous, and sustainable communities can be built.

Gatwick Green is being delivered by an experienced team whose long-term investment in the site, and record of successful property development and innovation across the UK, demonstrates their dedication to creating a brand-new place that will play a crucial role in Crawley's future success.



47
hectares allocated



2,000+
new jobs



24.1
hectares (minimum)



£79m+
GVA per annum



77,800+
(GIA) sq m total floor space



£55 million
business rates over 20 years

Capacity to Deliver

With the pandemic reinforcing the growing importance of the logistics sector to the U.K. economy, market evidence demonstrates there is continued and strong demand for a scale and quality of prime logistics space currently unavailable in Crawley and the wider region.



This lack of available supply, developable strategic sites of scale and current safeguarding restrictions, all mean this significant occupier demand is a lost opportunity for the local economy. Uniquely placed to meet this demand is Gatwick Green, which provides the perfect blank canvas upon which the increasing need for high-specification, sustainable and hyper-connected logistics infrastructure can be met.

Sitting outside the Greenbelt and offering an unconstrained quantum of shovel-ready opportunities, Gatwick Green is an early-mover that has the capacity to deliver over 77,800 (GIA) sq m of floor space and more than 2,000 jobs.



630

on and off-site construction jobs over 2 years



£115 million

estimated construction cost



£30 million

(GVA) generated during construction



£127,000

social value of apprenticeships during construction

For Growth & Recover

Gatwick Green is part of a wider solution for Crawley and the surrounding region. Not only will it complement and enhance neighbouring economic anchors, including Manor Royal, Crawley Town Centre and a recovering Gatwick Airport, it will help diversify the local economy and provide the necessary foundations on which a range of commercial, employment-focussed, facilities can be successfully delivered.



Creating a minimum of 2,000 brand-new and well-paid logistics jobs within a high-growth sector, Gatwick Green will also open up the opportunity to reskill and upskill the local work force; helping address skills gaps and improving social mobility and inclusion in an area affected greatly by recent job losses.

The diverse business and employment activity planned on-site will also create a complementary offer to aviation, supporting future prosperity and resilience with little displacement for existing employers at Manor Royal and other industrial areas.



1,470

permanent on-site jobs (initial phase)



1,290

permanent on and off-site jobs for residents of Crawley



£79 million

GVA associated with the additional number of jobs per annum



645

director, management, professional and technical jobs up to £48,230



454

skilled trade occupations, process, plant, and machine operatives up to £31,712



367

admin, sales, service, and elementary occupations up to £26,891

WHERE THE FUTURE WORKS

Sustainability Matters

Designed to support green growth and sustainable businesses, Gatwick Green will provide an exceptional quality of infrastructure and accommodation, all specified to achieve a BREEAM Excellent rating, as well as delivering Net Zero emissions and carbon neutrality by 2050.

WHERE THE FUTURE WORKS

Better Together

Gatwick Green is being delivered by The Wilky Group, and their team of industry experts, whose long-term investment in the site, and over 70-year track record of successful development and property innovation across the UK, demonstrates their dedication to creating brand new places that help fulfil the true potential of those they serve.

The Wilky Group is committed to engaging with local authorities and key stakeholders to unlock the extraordinary potential at Gatwick Green, at a time when public and private sector collaboration had never been more needed to drive forward economic recovery and diversification.

Ready and able to promote the site for development, as part of achieving a long-term vision for the area, The Wilky Group and their professional team have the capability and experience to harness our collective ambition to deliver a 21st Century logistics hub for the benefit of Crawley and the wider region.



£4.3 million

business rates income per annum



£55 million

business rates income over 20 years



£15.8 million

corporation tax per annum



£49 million

private tax per annum

Perfectly Located

On the doorstep of Crawley town centre and the UK's second largest airport, Gatwick Green will offer both domestic and international businesses an exceptional quality of multi-modal connectivity, as well as direct access to a wide range of local skills and talent.



PERFECTLY LOCATED

One of the UK's best connected logistics hubs, Gatwick Green's strategic location will provide occupiers with seamless access to the M23 and wider M25 motorway network, as well as flights to over 230 international destinations.

Once complete, it will provide a truly unique opportunity for 21st Century businesses and their staff to prosper in a place where integrated transport networks, high-speed digital connectivity and futureproofed utilities come as standard.



M23

adjacent to junction 9



15 mins

to Crawley Town Centre



27 mins

to London



2nd

largest airport in UK next door



230+

international flights from Gatwick

PERFECTLY LOCATED



For more information, please contact:

Sally Fish BSc MRICS

Property Director

The Wilky Group

T: 01483 230 320

www.wilky.co.uk

W I L K Y

GROUP

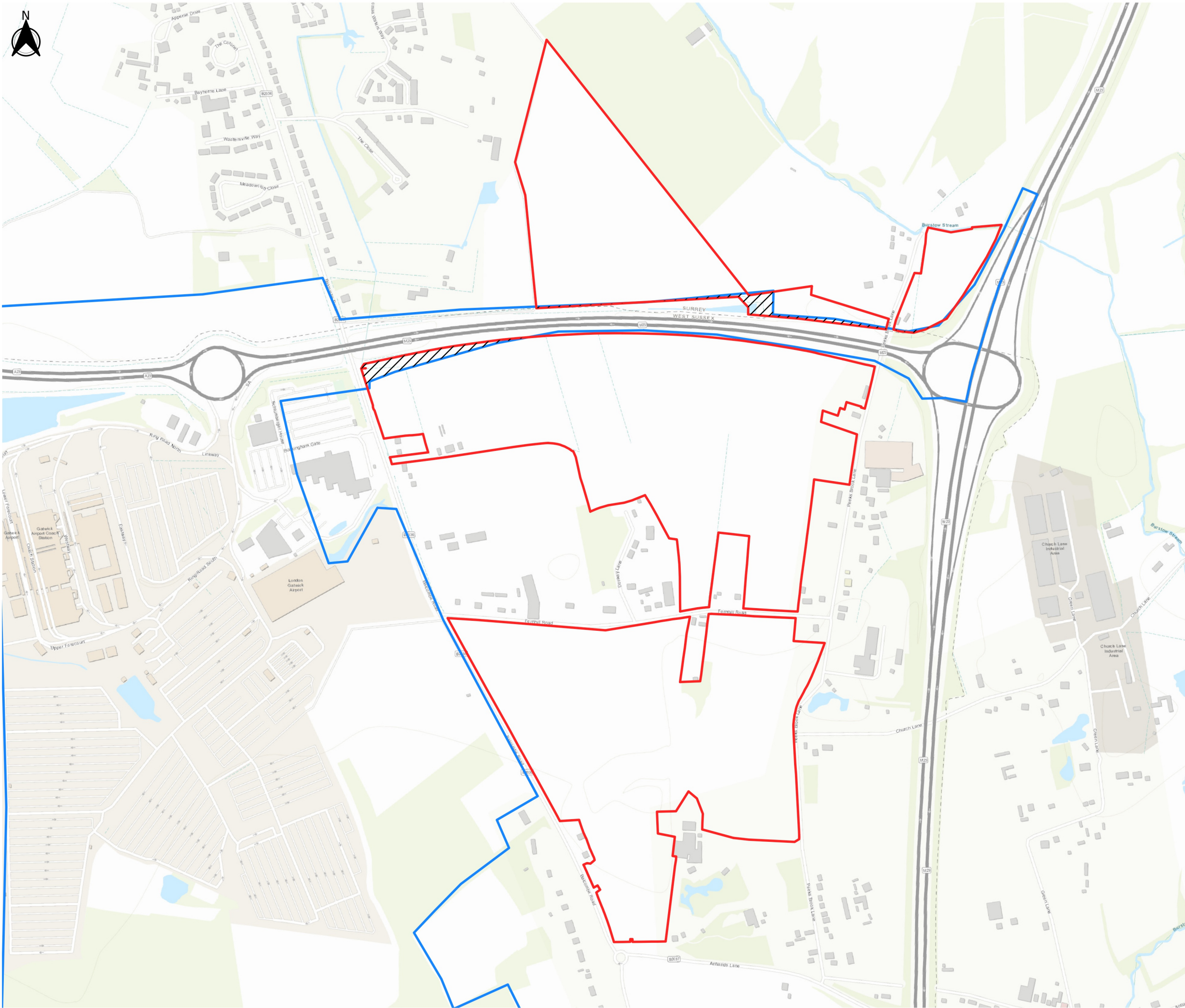
Appendix 2



Gatwick Green and Gatwick Northern Runway DCO Boundaries

Date: 01-12-2021
 Paper size: A4
 Scale: 1:6,500
 0 90 180 270 360 450 m

- Key:**
- Land Owned by Wilky
 - Gatwick DCO Boundary
 - Overlapped Area



Drawn by: RW
 Approved by: SF

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Wessex House
 Priors Walk
 Wimborne
 BH21 1PB



Northern Runway Project

making best use of Gatwick

Consultation on:
Highway Improvement Changes
and Project Update

Response by Gatwick Green Limited

July 2022



Gatwick**Green**

WHERE THE FUTURE WORKS

Northern Runway Project (NRP): Gatwick Highway Improvements and Project Updates – consultation questionnaire

Name: Gatwick Green Limited
Address: Fetcham Park, Lower Road, Fetcham, Surrey
Post code: KT22 9HD
Are you responding on behalf of an organisation: Yes
Organisation: Savills
Role: Director

Introduction

This representation is made on behalf of Gatwick Green Limited (GGL) to the further statutory and non-statutory consultation on the Northern Runway Project (NRP) based on details contained in the Airport's Consultation Document¹. For clarification, Gatwick Green Limited and Wilky Property Developments Ltd (WPDL) are wholly owned subsidiaries of the Wilky Group (TWG). The 2021 representation was submitted by TWG on behalf of WPDL as the land south of the M23 spur road was at that time vested in WPDL. The land is now vested in Gatwick Green Limited and as a result of the land transfer, GGL is now the statutory consultee under s42 of the Planning Act 2008.

The representation also responds to the letter from Gatwick Airport Ltd (GAL) to WPDL dated 13th June 2022, in which WPDL (and thereby GGL) is identified as a statutory consultee under section 42 of the Planning Act 2008 in relation to the revised Highway Improvement Works. This representation has been structured to reflect the three topic areas in GAL's consultation questionnaire.

The additional information and plans in the Consultation Document have not addressed the concerns and objections raised in the representation on behalf of TWG, in response to the Autumn 2021 Consultation. On this basis, **GGL objects to the NRP proposals**. The information contained in the Consultation Document does not change this position, with further objections set out in this representation. There is therefore a critical need for these matters to be addressed in advance of the submission of any DCO application.

As a statutory consultee under s42 of the Act, GGL considers that there has been an absence of meaningful engagement by GAL, specifically so in relation to current DCO proposals which identify both temporary and permanent compulsory acquisition of part of GGL's land. Without meaningful engagement with GGL, we do not believe that GAL can demonstrate that all reasonable alternatives to compulsory acquisition have been explored and that there is a compelling need to exercise the compulsory acquisition powers sought. Furthermore, adequate and effective consultation under the Act² and the related guidance³ is required if an application for a DCO is to be accepted. In order to comply with the Planning Act 2008 consultation requirements, GAL will need to demonstrate that it has taken into account consultee comments and responded and/or addressed these within the DCO application submission. GGL reserves its position on whether it considers the consultation complies

¹ Our Northern Runway: making best use of Gatwick, Highway Improvement Changes and Project Update, Consultation Document, Gatwick Airport Ltd, summer 2022

² Planning Act 2008, s42, Duty to Consult

³ Planning Act 2008: Guidance on the pre-application process, Department for Community and Local Government, March 2015 (specifically paragraphs 15, 19 and 20)

with the Planning Act 2008 requirements, as to date there is no indication that consultation responses have been taken into account prior to submitting the DCO.

The Consultation Document indicates that there may be further consultation in advance of the DCO being formally submitted to the Planning Inspectorate. Given the range of outstanding concerns raised by representors in 2021 and in GGL's representations, it seems apparent that as more details emerge, further consultation will be necessary. Paragraph 1.1.11 of the Consultation Document states that "As our proposals continue to be refined, we want to share them with you and seek any further views before we make our application". Paragraph 4.2.1 goes on to state that there may be further consultation, but the timeline at Section 4.2 offers limited time for such consultation prior to the DCO being submitted in the spring of 2023. To ensure that the pre-application engagement is meaningful and informs the design process, GAL must make a commitment to further public / stakeholder consultation before the DCO is submitted based on the matters raised in stakeholder/public representations.

The submission made by the Wilky Group (TWG) on behalf of WPDL in response to the Autumn 2021 Consultation remains relevant and valid in the context of the summer 2022 consultation. This includes the omission of the Gatwick Green allocation for strategic employment, and wider growth proposals, from a number of the Cumulative Environmental Assessments (CEAs) in the PEIR⁴ – these omissions are contrary to national guidance relating to NSIPs⁵. Nothing in the Consultation Document addresses these omissions. However, the Consultation Document does contain some additional detail on the extent of permanent and temporary land-take requirements, and this is welcome. However, the Figures that show the various Highway Improvement Works and areas of land-take are unclear and too small in scale to provide enough information to address the concerns raised in TWG's 2021 representation.

1. Road Improvements – design and mitigation

Optioneering & Assessment

Paragraph 2.3.2 notes the design criteria for assessing the revised Highway Improvement works, which include road safety, design standards, highway capacity, construction methods and minimising disruption, and the need to limit impacts on the environment. However, none of these considerations address the need to demonstrate that the Highway Improvement Works represent the most appropriate such as to limit the direct effects (land-take) on private landowners. The design criteria are supported, but insofar as these works must, in part, be accommodated on third party land, there is a requirement to include a 'minimise land-take' criterion consistent with the principles that govern the compulsory acquisition process⁶.

Timescales and justification

Chapter 5 of the PEIR (para 5.3.45), (which formed part of the 'Autumn 2021 Consultation'), clearly states that "...most of the works to provide additional junction capacity would be undertaken following

⁴ As identified in TWG's response to the Autumn 2021 Consultation: "If the assessment of the cumulative effects of the DCO with Gatwick Green is not extended to include these additional topic areas, the EIA process will be unlawful and relevant impacts and information will be omitted from the assessment."

⁵ Cumulative effects assessment relevant to nationally significant infrastructure projects, the Planning Inspectorate, March 2018 (version 2)

⁶ Paragraph 8 of the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land: "The applicant should be able to demonstrate to the satisfaction of the Secretary of State that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored."

opening of the realigned northern runway (from 2029 onwards)". In view of the growth in passenger numbers in the period from now until 2029 and the anticipated step-change in flights and demand following the opening of the NRP, it is critical that GAL can demonstrate that sufficient highway capacity is available to accommodate all their forecast growth as well as taking account of background traffic growth.

The approach proposed by GAL anticipates the junction works will only be completed at some undetermined time after the NRP has become operational. This programme has no clear relationship with the level of traffic generated by the significant expansion of the airport and in the absence of any justification to the contrary, all highway works should be completed before the runway becomes operational.

Aside from the evidential justification for these highway schemes, the timing of their completion will impact on the roads in the vicinity of the airport and especially Junctions 9 and 9a of the M23. It could also affect the development of Gatwick Green and will affect other neighbours of the airport and third parties who are directly impacted by works on their land. Therefore, the highways design and programme is of critical importance to the assessment of the likely significant construction and operational effects of the schemes outlined in the Consultation Document.

Proposed Gatwick Spur Road and Southern Terminal Access Proposal

Figures 2.2 (Gatwick Spur Road) and 2.3 (Proposed South Terminal Roundabout Improvements) in the Consultation Document are insufficiently detailed to enable the provision of any substantive comments. Additional and more detailed plans must be provided so that the proposals can be properly considered by adjacent landowners and the extent of the highway works fully assessed.

These plans must also show how surface water is to be managed in a sustainable manner, especially given the proposals to introduce a retaining structure along the north side of the M23 spur and the increased runoff from the larger road surface. The proposal for an additional attenuation pond, north east of Junction 9a, will not address the additional runoff north of the M23 spur east of Balcombe Road. Furthermore, details of how surface water attenuation is to be achieved in this area, the points of discharge to the Burstow Stream / Gatwick Stream, and the capacity of these watercourses must be provided and assessed. The existing attenuation pond, north west of Junction 9 and on GGL's land, is unlikely to have the capacity to accommodate the increased flows. This assessment must be undertaken in combination with cumulative schemes determined in accordance with national guidance⁷, i.e. the Horley Business park, Gatwick Green and the other adopted/proposed allocations in Local Plans and commitments surrounding the NRP boundary. Furthermore, Figure 3.4 shows a 'Highways runoff flood storage' facility south of the M23 spur, which is shown on land owned by GGL - GGL objects to this proposal and requests the justification for its location and the associated need for third party land.

The widening of the bridge structure over Balcombe Road, to accommodate GAL's proposals for the M23 spur, has the potential to impact upon the delivery of the proposed northern access to the Gatwick Green draft strategic employment site allocation in terms of road alignment, geometry and forward visibility. The current lack of detail does not allow for a proper assessment of the impacts on the Gatwick Green allocation, nor does it enable an assessment of the impact on existing and future walking and cycling infrastructure on Balcombe Road.

There is no reference to planned infrastructure in the area which forms part of the Local Cycling and Walking Infrastructure Plan (LCWIP), nor is there any reference to the provision of future connections between the HOR9 allocation and the emerging Gatwick Green allocation. The widened bridge structure over Balcombe Road therefore has the potential to prejudice the delivery of walking and cycling in line with LTN1/20⁸.

⁷ Ibid

⁸ Cycle Infrastructure Design, Local Transport Note 1/20, DfT, July 2020

In order for all stakeholders to be in a position to properly consider the proposals, assess the likely significant effects on their land and development proposals, and discuss solutions with GAL, the provision of more detailed plans is essential. These must include; the Proposed Gatwick Spur Road; the South Terminal Roundabout Improvements; the design of the widened bridge structure over Balcombe Road; all the associated land required for construction workspace/compounds, and detailed information on permanent land-take.

Footpath diversions and PRow

Figure 2.3c identifies a potential diversion of Public Right of Way 367 which runs along the northern edge of M23 spur. The proposed diversion would increase the distance of the PRow by some 1,300m (not 500m as stated in the Consultation Document), utilising Balcombe Road, Haroldlea Drive and footpaths 381 and 367. This will significantly inconvenience users of the Sussex Border Path and an alternative diversion should be considered.

Figure 2.3c identifies the location of the footpath 367SY, to the south of the M23 Spur and footpath 368 on the northern side of the M23 Spur (part of the Sussex Border Path), both of which fall partly within or on the boundary of land owned by GGL. However, Figure 2.3c shows no diversion proposals for these footpaths. These footpaths provide part of a long distance route and important access between Crawley/Horley and settlements east of the M23 in Mid Sussex/Tandridge connected by Balcombe Road, Donkey Lane, Fernhill Road, Peeks Brook Lane and Church Lane. They form an important part of the PRow network in Crawley Borough Council's Local Cycling and Walking Infrastructure Plan (LCWIP) and diversion proposals must be addressed in any further details for consultation. Paragraph 2.3.5 states that additional construction access requirements to the north of the M23 spur would 'temporarily' remove access to the Sussex Border Path (PRow 368), which would be diverted, requiring access to third party land. Based on the plans available, it seems likely that works in this area would require the permanent diversion of the Sussex Border Path.

Given the widening of the Balcombe Road bridge and the additional temporary and permanent land-take identified to the north and south of the M23, it is inevitable that a diversion of these routes will be necessary, as part of the construction or operation of the improved Gatwick Spur. The mitigation of these proposed temporary and potentially permanent measures needs to be more explicitly described.

2. Car Parking

GGL welcomes the reduction in the ratio of parking spaces to air passengers described in Section 3.2 of the Consultation Document. GGL also welcomes the proposals to accommodate the parking in multi-storey/decked arrangements with some robotic parking (paragraph 3.2.7), to reduce land-take and offer a more resource efficient solution. The use of more robotic, valet and automated parking should increasingly feature in the Airport's plans.

However, clarification on the treatment of zero or low emission vehicles would assist understanding of the parking numbers and the associated impact on the highway network. Whilst it is recognised that electric vehicles are a vital component in the carbon reduction strategy, increased use will contribute not only to the growth in road traffic, but also to the demand for parking spaces at the airport. In this respect, the latter is identical to vehicles powered by more harmful fuels.

The classification by GAL of electric vehicles as sustainable transport has an impact on achieving the modal switch targets for passengers and staff using sustainable modes, effectively making it much easier to achieve the sustainable mode target. This is incorrect and misleading. It is critical for highway and transport planners involved in other development projects in the Gatwick area to understand the numbers and proportion of air passengers and staff forecast to travel by electric vehicles, as they are in effect, a sub-set of car users and not staff or passengers using public transport or active modes. This matter was addressed in the TWG submission for the 2021 consultation under Section 9.

GGL is concerned that the amount of land required for parking is influenced by the proposed provision of hotels and offices east of the railway on existing airport car parks. Whilst acknowledging that these requirements have changed, TWG made the point in its representations on the Autumn 2021 Consultation that GAL has not provided any justification for classifying offices and hotels as 'Associated Development' under the Planning Act 2008 guidance⁹. GGL reiterates that these uses are not Associated Development and cannot lawfully be included in the DCO proposals. The inclusion of these uses in the NRP is therefore resulting in the loss of existing airport car parking and the consequential need for additional land for parking. These non-operational uses must be located off-airport and not on landside sites already used for airport parking. The need for hotels and offices, along with the associated displacement of parking spaces, requires justification in the context of the primary objective of the DCO to expand capacity of the operational airport. This matter was addressed at Section 6 of TWG's representations to the Autumn 2021 Consultation.

Paragraph 3.2.10 asks representors to consider whether the NRP parking requirements should include 3,300 spaces that may be needed to replace off-airport unauthorised spaces. GAL's approach relies on, and assumes that, local authorities will be able to reduce unauthorised parking in the area around Gatwick Airport based on the uncertain outcome of enforcement action. There is therefore, some uncertainty as to the basis of this provision. In the event that levels of unauthorised parking remain largely unchanged, GAL would need to review the extent to which such provision is either necessary or justified. Ongoing monitoring of such parking is required, to inform the number and extent of additional spaces to be provided by GAL, up to but not exceeding the 3,300 spaces provisionally allocated.

In summary, GGL is pleased that the number of spaces required for parking has been significantly reduced from the Autumn 2021 Consultation. However, issues remain in respect of the assumptions made on mode split and how both air passengers and employees will choose to travel to the airport; the definition of sustainable travel; land use proposals which result in displaced (existing) spaces, and the reliance on local authorities enforcing against unauthorised off-airport parking. It is hoped that sufficient focus is given in future consultation documents to active modes and public transport, to achieve the ambitious target outlined in paragraph 3.3.3 of the Consultation Document.

3. Project Updates

Land-take north and south of M23 spur

General comments

GGL welcomes the further information provided in the Figures which now show the broad extent of both temporary and permanent land-take. Whilst this is helpful, it is considered that more precise plans are needed showing land-take overlaid on the preliminary designs of the highway works, alongside information on the timing of the works and temporary land requirements. This information must be released in order that GGL can understand the impacts. The point has been made that GAL has not directly engaged with GGL on these, or any other matters, raised in its representations. In this regard, it is critical that the highway works are compatible with, and will not prejudice, the delivery of GGL's proposed strategic employment allocation south of the M23 spur. The plans at Figures 2.1, 2.2 and 2.3 of the Consultation Document do not provide sufficient detail for this purpose.

Paragraph 2.3.23 commits GAL to "work hard with stakeholders to reduce or even avoid the impacts described ...In particular, where we can further reduce and minimise the impact on adjacent non-highway land through design refinement and discussion with highway authorities". This commitment should be extended to working with stakeholders such as directly/indirectly affected landowners.

⁹ Planning Act 2008, Guidance on associated development applications for major infrastructure projects, Department for Communities and Local Government, April 2013

Any land required for the NRP scheme will need to be acquired by GAL via a CPO/private treaty process, with the extent of such land-take being fully justified in accordance with the rules and tests applying to compulsory acquisition¹⁰. These include:

1. The land is required for the DCO development and there is a compelling case in the public interest for the land to be acquired compulsorily, i.e. it is justified where there is 'clear evidence' that the public benefit would outweigh the private loss.
2. The evidence demonstrates that all reasonable alternatives to compulsory acquisition have been explored, including modifications to the scheme, and that the interference with private rights is necessary and proportionate.
3. The extent of land which GAL seeks to acquire is no more than is reasonably required or necessary for the purpose of the DCO, and is proportionate.
4. That account is taken of any 'appropriate alternative development' on the land to be acquired and that this is reflected in any compensation (financial, land, works, or a combination of these).
5. The principle of 'equivalence', i.e., where there is justification for compulsorily acquiring land, the owners of such land must be left in a position equivalent to that before the acquisition took place, which includes, *inter alia*, any rights of access.

The above matters are relevant to any CPO/acquisition process and apply, in addition, to any detailed comments set out below relating to the potential direct/indirect impacts of the land-take requirements as they may affect GGL's landholdings. In determining the extent of GGL's landholdings, it is noted that the plan¹¹ attached to GAL's letter to GGL of 13th June omits a large parcel of land south of the M23 spur road and shown on the plan at **Appendix 1** – GGL requests that this omission is rectified.

TWG raised some specific issues in its representations on the Autumn 2021 Consultation which still apply:

- The amount of GGL's land identified in the PEIR appears to be more than is required to accommodate the highway works or is unclear – this comment still stands in the absence of the more detailed plans noted above.
- On the basis that land-take in a DCO (for permanent or temporary uses), should be the minimum required, further details are needed to support the definition of the Project Boundary in these areas – this comment still stands in the absence of the more detailed plans noted above.

The comments below are made in the context of GGL's revised interpretation of the land-take requirements relative to its landholdings (see plan at **Appendix 2**), but also without prejudice to any further issues that might arise once more detailed plans become available.

South of the M23 spur road

GGL's interests south of the M23 spur are relevant in the context of the ongoing agricultural use of this land and its future development potential under draft Policy EC4 of the emerging Crawley Borough Local plan (2021). It is noted from Figure A1 that additional temporary and permanent land is now required beyond the 2021 NRP project boundary on the south side of the M23 spur and partly within the Gatwick Green strategic employment allocation under draft Policy EC4. In the absence of

¹⁰ See also paragraphs 8 to 18 of the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land

¹¹ Drawing No: 191427_PLN_LO_18572.1

the detailed plans / justification referred to in the 'general comments' above, GGL objects to the proposed land-take in this area – GAL has to date provided no detailed justification for these land areas in the context of the principles and requirements governing the compulsory acquisition of land noted in this representation.

North of the M23 spur road

GGL's interests north of the M23 spur are relevant in the context of the ongoing agricultural use of this land and its future development potential. It is noted from Figure A1 that additional temporary and permanent land is also now required beyond the 2021 NRP project boundary on the north side of the M23 spur. In the absence of the detailed plans / justification referred to in the 'general comments' above, GGL objects to the proposed land-take in this area – GAL has to date provided no detailed justification for these land areas in the context of the principles and requirements governing the compulsory acquisition of land noted in this representation. GGL therefore has key concerns in respect of the extent of the land-take and the implications for any compulsory acquisition/compensation:

1. It is now apparent that the extent of the proposed permanent land-take north of the M23 spur road for highway works would extinguish the existing farm access to GGL's land – the current access forms a farm track from Peeks Brook Lane and passes through the permanent land-take area (see plan at **Appendix 2**).
2. The land north of the M23 spur road was identified by Reigate & Banstead Borough Council (RBBC) in 2015 as an area for potential employment development in the long term – this was reported to its Executive Committee on 15th October 2015 and relates in part to c 40 ha of land east of Balcombe Road¹², which includes the land owned by GGL. Whilst not allocated at this stage, it represents a realistic prospect acknowledged by RBBC and its delivery, including the GGL land, should not be prejudiced by the Airport's highway schemes.

As noted in this representation, an additional set of detailed plans should be produced, clearly showing the proposed project boundary, all temporary and permanent land required for the project (as opposed to the change in land required), the preliminary highway works designs, along with a detailed and legible access plan.

Environmental Impacts

Section 2.4 of the Consultation Document sets out a summary of the Preliminary Environmental Information (PEI) undertaken to identify any new significant or materially different effects due to the revised Highway Improvement Works. Paragraph 1.1.20 states that the PEI did not introduce any new or materially different significant effects from those set out in the 2021 consultation. The findings of the PEI are contained in Tables 3.1.1. to 3.1.12 and summarised in Table 2.1 – it is, however, noted that contrary to paragraph 1.1.20, Table 3.1.12 identifies one 'new significant effect' in relation to impacts on the Sussex Border Path.

GGL considers that the PEI has not identified some significant adverse effects that arise from the revised Highway Improvement Works. These are summarised as:

- Table 3.1.12 (Agricultural Land Use and Recreation) has overlooked the loss of an agricultural access to a parcel of GGL's land north of the M23 spur as a result of the upgrade works. This represents a major significant adverse effect in terms of 'Agricultural Land Use and Recreation'. This omission is reflected in the summary Table 2.1. The available plans indicate that the land through which the agricultural access passes is required as part of the permanent land-take from GGL, so will no longer be available for GGL to use. The plans do

¹² The other 30 ha west of Balcombe Road has been allocated in Reigate and Banstead Borough Council's Development Management Plan (2019) as the planned Horley Business Park

not appear to offer an alternative agricultural access. This omission should be addressed as a matter of priority.

- A new significant adverse effect (major adverse) on the Sussex Border Path (PRoW 368) is identified in Table 3.1.12 (Agricultural Land Use and Recreation) and Table 3.1.2 (Landscape, Townscape and Visual Resources). The assessments state that the effects will be long term in terms of landscape impacts and temporary in terms of recreational use. GGL concurs with the assessment in relation to landscape effects, but considers that the impacts of the M23 spur upgrade works are likely to result in the loss of the current route of PRoW 368, requiring a permanent diversion (see more detailed comments below). Tables 3.1.2 and 3.1.12 indicate that a temporary diversion would be necessary (as noted in Figure 2.3c) to address the impacts; however, this would only address the impacts on PRoW 367.

The route of PRoW 368 falls partly within the permanent land-take area of land owned by GGL and other parties. Based on the available plans in the Consultation Document (especially Figure 2.2 showing the extent to the highway works), it seems likely that the extent of the permanent upgrade works may encroach onto the PRoW 368 route, which may in turn require its permanent diversion. Table 3.1.12 states that *“At the end of the highways construction phase the Sussex Border path would be reinstated along or in close proximity to its existing alignment on the north side of the M23 spur”* - its timing is not specified and needs to be defined, and based on the plans available GGL considers that any such diversion would likely be on a different route. A diversion would involve third party land north of the M23 spur road. GGL reiterates that GAL has not to date engaged on this or other matters relating to public/private rights of way.

- Tables 3.1.2, 3.1.12 and 2.1 do not address the landscape or recreational impacts of the highway works to the M23 spur road on PRoW 367Sy south of the spur, and no diversion proposals are shown on Figure 2.3c. Based on the plans available, it seems likely that the works will require the diversion of the footpath in this area. This significant impact should be added to Tables 3.1.2, 3.1.12 and 2.1, also acknowledging the need to engage with GGL on any diversion route.
- The commitment at paragraph 3.7.3 to addressing Biodiversity Net Gain is acknowledged. If any biodiversity offsets require third party land, engagement with the relevant landowners will need to be advanced.
- It is noted at paragraph 3.7.5 that further environmental surveys are being undertaken in 2022 – the results of these surveys and any implications for the environmental assessment must be shared with stakeholders and consulted upon, where necessary.
- As noted in the introduction to this representation, the omission of the Gatwick Green strategic employment allocation / other planning allocations / commitments from the CEAs of a number of environmental impact areas must be addressed through further assessment work. If the assessment of the cumulative effects of the DCO with Gatwick Green is not extended to include these additional topic areas, the EIA process will be unlawful as relevant impacts and information will be omitted from the assessments.

Airport Surface Access Strategy (ASAS) and Travel Plans

The lack of detailed plans for Public Transport and Active Modes remains of concern to GGL. In its representation on the Autumn 2021 Consultation, TWG stressed the importance of reference to the adopted Plans and Policies of Local Authorities and other transport agencies. This was raised in Section 7 of TWG’s representations on the Autumn 2021 Consultation. Whilst GAL acknowledges, in paragraph 3.3.6 of the Consultation Document the responses received to the initial PEIR, there remains a lack of recognition of the context in which GAL is defining its Surface Access Strategy.

Crucially, this context is one of innovation, forward thinking and targeted improvements to active modes and public transport. Some reference to the recently published West Sussex County Council Local Transport Plan, the Surrey Local Transport Plan (LTP4) and the Transport for South-East Strategy (as examples), would provide reassurance that the ASAS has not been assembled independently, and in isolation from the travel and transport plans for the area.

The proposals to expand highway capacity around the airport, described in Section 2 of the Consultation Document, contrast with the less well developed schemes broadly outlined in Section 3.3. It is recognised that the ongoing development of the ASAS will contain greater detail, but evidence should be provided to support the reliance on mode-switch to temper the growth in car travel. This requires well documented measures with a clear programme of delivery, to attract employees of the airport and air passengers to use public transport and active modes in greater proportion as the airport grows.

GGL would welcome an opportunity to discuss such measures with GAL, to establish a coherent and consistent approach to achieve shared objectives. This would play a significant part in the delivery of transport services and infrastructure to benefit local employees and those travelling greater distances to the airport. Such a collaborative approach is in the interest of all stakeholders in north-east Crawley/Horley.

The proposed improvements to bus services and cycle/pedestrian facilities are welcome, but remain aspirational rather than fully designed schemes or measures. In paragraph 3.3.14, GAL states “*specific elements under consideration include....*”, followed by a list which fails to identify actual schemes, design proposals or timescales for implementation.

At Paragraph 3.3.15, GAL explains its Rail Strategy. The Investment in Gatwick Station is welcome, along with the broad aspirations noted in connection with encouraging air passengers and staff to use the railway. GGL considers that, at this stage of the DCO process, a more refined and explicit approach should be published to describe the specific means by which those travelling to Gatwick will be attracted to use the train.

It is noted that there will be limited opportunity for further rail enhancements, beyond the works already being implemented at the Gatwick rail station. This emphasises the importance of promoting other forms of travel and clearly setting out the anticipated mode choices identified in the ASAS.

In relation to access from Balcombe Road, the Consultation Document has failed to respond to TWG’s suggestion for more direct and necessary links to Gatwick Station and the South Terminal, i.e. the opportunity to link Balcombe Road to Gatwick Airport station via Buckingham Gate. This is especially critical for bus access and for cycle/pedestrian routes from east and south-east Crawley and from the north at Horley. The footpaths are currently indirect and will not encourage those potentially willing to travel to work by electric or conventional bikes. GAL should confirm its commitment to encouraging the use of such modes by engaging with stakeholders to open an access to the airport via Buckingham Gate for buses and cyclists/pedestrians. This matter was dealt with at Section 7 of TWG’ representations on the Autumn 2021 Consultation.

Staff Travel Plan

The ASAS depends on staff travelling by sustainable means, defined in the conventional way as shared transport and active modes, (but not including single occupancy electric cars). The missing information in this section of the Consultation Document is any reference to new services or investment in infrastructure schemes that will encourage travel to the airport by such modes of transport. GGL suggests that a more joined-up approach would assist in promoting measures described in this section and provide reassurance that the ambitious mode split aspirations defined in paragraph 3.3.3 can be met.

4. Conclusions

GGL maintains an objection to the NRP proposals given that the omissions and errors noted in its 2021 representation have not been addressed. Additional information and detailed designs justifying the location of works and the extent of third party land required to accommodate them must be provided. To date, there has been no targeted engagement with GGL over these matters as the guidance on preparing for a DCO requires¹³.

Further design and related details are required to enable GGL to respond further in the context of constructive dialogue with GAL and other stakeholders. GGL's core concerns are summarised below:

1. The absence of any meaningful direct engagement with GGL in relation to the direct (land-take) and indirect (adverse effects) impacts of the NRP project on its land and future development interests.
2. The absence of any assessment of the considerations / principles that must inform any compulsory / voluntary land acquisition for the NRP and related compensation; most specifically relating to GGL's land.
3. The absence of any updates to the list of projects to be included in the CEAs of various environmental topic areas, and in particular the Crawley Transport Model and the Gatwick Green strategic employment allocation in the context of transport/highway impacts.
4. The omission in the PEI of a number of adverse effects on GGL's land / access and related PRoWs.
5. The absence of targeted engagement with parties responsible for bringing forward major development in the wider area and other private/public stakeholders, which could serve to achieve a coherent development and transport strategy for north-east Crawley/south Horley to ensure the proper planning of the area.
6. The lack of detailed and legible plans showing the access proposals, impacts upon adjacent landowners and to justify the extent of any permanent / temporary land-take requirements.
7. The continued lack of detail or defined schemes relating to shared transport and active modes.
8. An apparent lack of understanding by GAL of the transport policy changes underway at the regional level and by County and Borough Councils throughout the sub-region.
9. The failure of GAL to provide a commitment to transport, and specifically highway infrastructure, being in place before the proposed runway becomes operational.

GGL looks forward to direct engagement with GAL to discuss these concerns and the more detailed comments contained in our response to the Autumn 2021 Consultation. Furthermore, the extent of additional detail and assessment work is such that further public/stakeholder consultation will be required in advance of the DCO being submitted to the Planning Inspectorate.

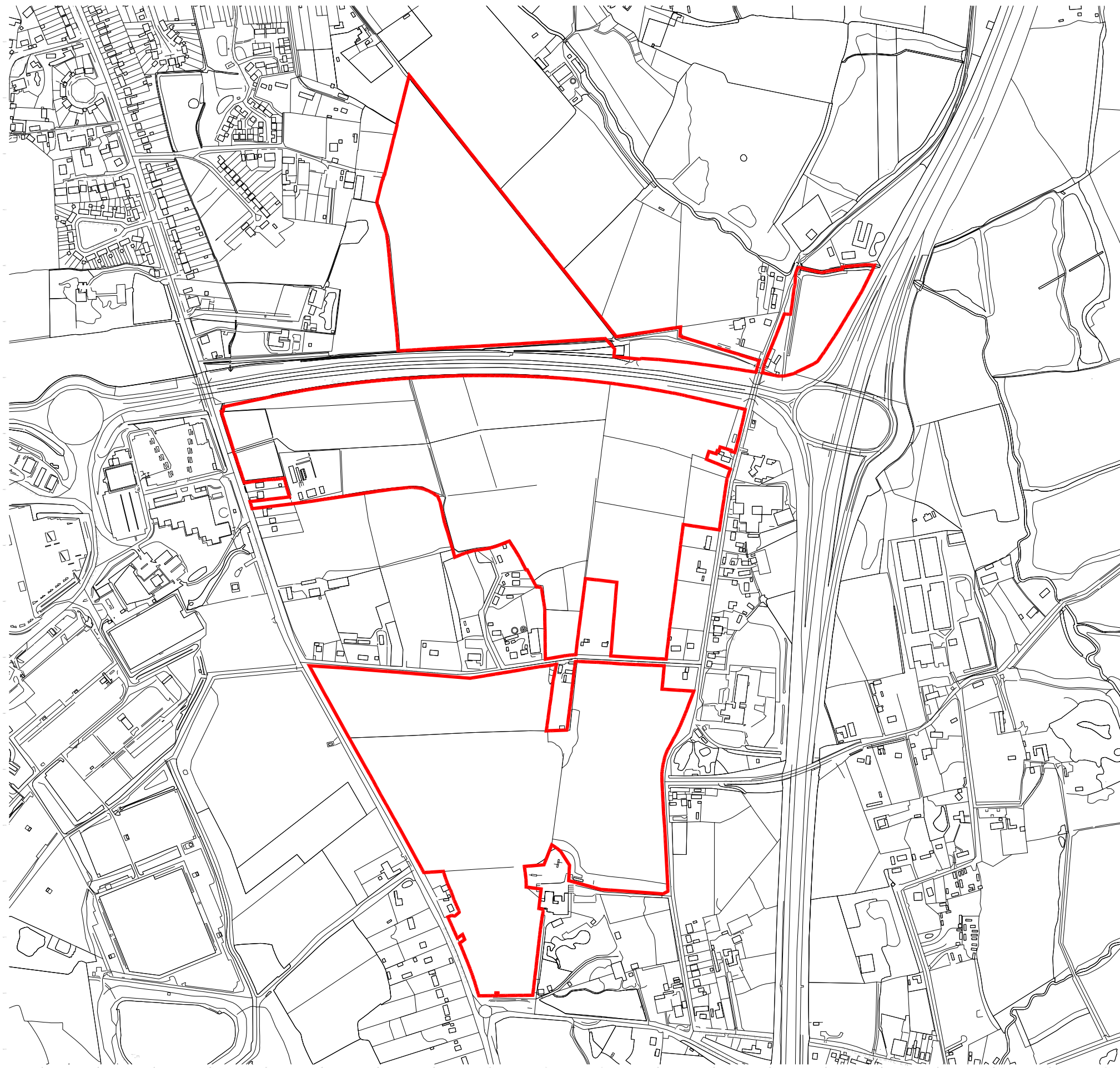
¹³ Ibid

Appendix 1

Land owned by Gatwick Green Limited

Wilky Group

Index	Revision	Date	Int	Chk'd



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Job
GATWICK GREEN

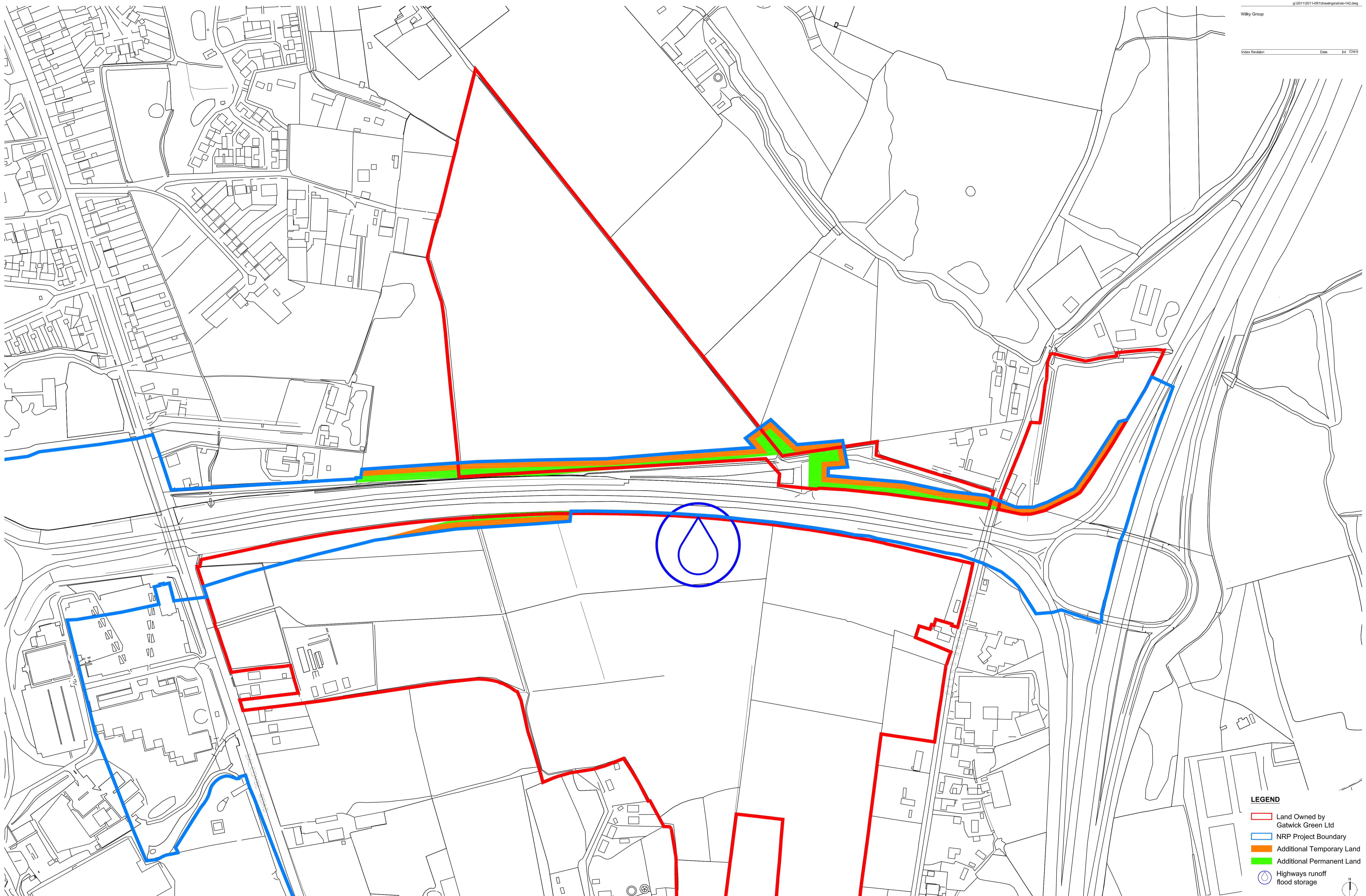
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NOTE: All figures are approximate and have been measured and expressed in a manner as defined by the current edition of the RICS/ISVA Code of Measuring Practice. Figures relate to the current stage of the project and any development decisions to be made on the basis of this information should include due allowance for the increases and decreases inherent in the design and building processes.

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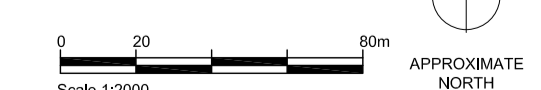
Appendix 2

M23 spur road corridor – land impact analysis



LEGEND

- Land Owned by Gatwick Green Ltd
- NRP Project Boundary
- Additional Temporary Land
- Additional Permanent Land
- Highways runoff flood storage



NOTES: All figures are approximate and have been measured and approved in a manner as defined by the current edition of the PAS223/24 Code of Measuring Practice. Figures relate to the current stage of the project and any development decisions to be made on the basis of this information should include due allowance for the business and processes known in the design and building processes. The drawing may be subject to cross-reference to the scale for Planning Application purposes only. Do not scale for any other purpose, use figures and dimensions only. Subject to the survey and all necessary consents. All dimensions to be checked by user and any discrepancies, errors or omissions to be reported to the architect before work commences. The drawing is to be read in conjunction with all other relevant materials.