



Horsham  
District  
Council

# Relevant Representation of Horsham District Council

**Gatwick Airport Northern Runway Project**

*Planning Inspectorate's Reference: TR020005*

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# 1. Relevant Representation Introduction

## 1.1. Introduction

- 1.1.1. This Relevant Representation is made by Horsham District Council (“the Council”) in respect of the application made by Gatwick Airport Ltd (“the Applicant”) for a Development Consent Order (DCO) for the Northern Runway Project (“the Project”). The Council is a neighbouring authority as classified by the Planning Act 2008 although the Airport is adjacent to the District’s northern boundary. The Relevant Representation is accompanied by our (first draft) Principal Areas of Disagreement Summary Statement (“PADSS”).
- 1.1.2. The Council recognises the significant contribution the Airport makes to the local economy and the Gatwick Diamond Area. Horsham District Council is very concerned that expansion of the Airport will negatively impact Horsham District and the Council’s agreed position is to oppose additional runway capacity. The Council carried a Notice of Motion on 11 October 2023 to re-confirm our long-standing position on this issue in the light of the expansion proposals. The motion highlighted concerns that expansion will be damaging to the environment, including impacts on noise, pollution and biodiversity as well as to the Council’s climate and carbon reduction aims and that the Council does not believe the existing infrastructure, particularly road and rail, is adequate for the Airport’s needs.
- 1.1.3. The Council considers there has been a lack of detailed information provided on the Project prior to submission which would have better aided our understanding (and which has been identified in the Council’s and Joint Authorities’ Adequacy of Consultation representations). Many of the issues the Council has raised have not yet been responded to or resolved and are outlined below in summary and will be further expanded in our Written Representations and Local Impact Report. Given this and the information we consider is outstanding as set out in this Representation, we reserve the right to raise additional comments.

## 1.2. General Comments

- 1.2.1. A Position Statement, issued by Natural England in September 2021, indicated that water abstraction for drinking supplies was impacting wildlife sites in the Arun Valley. As a consequence, all new development across the Sussex North Water Supply Zone, which includes Horsham District, is required to be water neutral. The recent *CG Fry v SoS and Somerset Council High Court judgment* (June 2023) means that many consented applications with matters reserved by condition are now also subject to water neutrality requirements. The effect of water neutrality has been to limit the amount of development that will come forward in the short term, although this is expected to recover in the mid to longer term. The rate at which development of new homes and other infrastructure is delivered will depend on the implementation of an off-setting scheme (which the Council is currently developing). The Applicant must consider this context in the assessment of its construction and operational impacts.
- 1.2.2. The Council considers that the Applicant has adopted a disappointing and somewhat dismissive approach to considering and identifying the impact of airport growth on Horsham District. The Applicant has failed to incorporate the planning policies of Horsham District Council into the Planning Statement, focusing only on the host authorities. Additionally, where current and emerging Local Plan policies have been included in the Environmental Statement (ES) chapters they have not been consistently applied across the various Environmental Statement topics and it is not clear how these have been taken into account when considering the impacts and developing the proposals for mitigation.

- 1.2.3. Residual adverse impacts on Horsham District which the Applicant has found not to be significant are not proposed to be mitigated and/or compensated and, in the view of the Council, this is not acceptable.
- 1.2.4. As currently presented, the scope and scale of proposed mitigation is insufficient and is unlikely to address the adverse impacts of the Project. The control mechanisms currently set out in the draft Development Consent Order (“dDCO”) are also not considered to be sufficiently detailed, effective, nor enforceable.

## **2. Baseline, Forecasting and Economic Case**

### **2.1. Summary of Concerns**

- 2.1.1. The Council’s concerns include the following points:
  - i. The wider economic benefits of the Project are considered to be substantially overstated and this is material to assessing the balance between such benefits and any environmental impacts.
  - ii. The level of increase in capacity attainable from the Project has been overstated by the Applicant and that, as a consequence, levels of usage – the demand forecasts – have been overstated.
  - iii. The methodology by which these forecasts have been derived is not robust, even if the underpinning assumptions, such as the capacity attainable with two runways in use, was correct.
  - iv. The consequence of this overstatement of demand is that the size limit of the noise contour in the Noise Envelope will have been set too large and so provides no effective control or incentive to reduce noise levels at the Airport.
  - v. The wider economic benefits of the proposed development have been overstated due to the failure to adequately distinguish the demand that could be met at Gatwick from the demand which could only be met at Heathrow and the economic value that is specific to operations at Heathrow. The methodology by which the wider catalytic impacts in the local area has been assessed is not robust and little reliance can be placed on this assessment.

## **3. Traffic and Transport**

### **3.1. Summary of Concerns**

- 3.1.1. The Council endorses the comments of West Sussex County Council (WSSCC) as the Local Highways Authority for Horsham District. It is understood that WSSCC is still reviewing the transport modelling work, and this may be subject to further updates from the Applicant. Similarly, the Council is also still working through the full traffic and transport evidence and we will be providing further commentary in the Local Impact Report. In the first instance, we would like to raise the following concerns:
  - i. It is the Council’s view that the proposed increase in passenger numbers would result in an increase in daily traffic flows on roads in Horsham District that already suffer congestion as detailed in the Council’s evidence supporting our emerging Local Plan<sup>1</sup>. The Council is concerned that the Applicant has placed too narrow a focus on the immediate

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<sup>1</sup> [Horsham Transport Study \(May 2021\)](#) and [HDC Draft infrastructure Delivery Plan 2021 \(pp.18-19\)](#)

- vicinity of the Airport and existing capacity issues across the wider transport network could be exacerbated, and new issues caused, by the Project without sufficient mitigation.
- ii. There are concerns with the assessments that have been undertaken in terms of the modelling assumptions, the thresholds that have been used to assess the magnitude of impacts, what has formed the core scenario, and how this is consistent with the assessments undertaken for other topics, and whether it is robust enough to provide for a realistic assessment.
  - iii. The impact of the Covid 19 pandemic on the availability of data is acknowledged, however, the Council considers that the historic nature of the data may have implications for any robust testing of the likely effects of the Project. This includes (but is not limited to) the modelling data relating to bus and rail services serving Horsham District with the discordance between 2016 and 2022 frequencies, plus the staff travel survey which should be updated to reflect the latest 2023 data. There is also concern about whether the consideration of travellers with luggage and public transport capacity is robust enough.
  - iv. The Council requests that the assumptions regarding the use of public transport to access the Airport are properly interrogated and understood and that sufficient capacity exists within public transport infrastructure to meet the significant expansion the Airport is proposing. This is especially important in relation to bus services and rail capacity (with further consideration on the absence of mitigation proposed by the Applicant). The Council is disappointed that the Applicant has not proposed bus service enhancements to Route 200 which operates between Horsham, Crawley and Gatwick Airport and would wish to see this incorporated into the proposals for service enhancements.
  - v. Concern about the reliance on future infrastructure improvements, some of which are to be delivered by third parties, and the implications if these do not come forward or are delayed.
  - vi. Given the expansion proposed at the Airport and housing growth in and around Horsham and Crawley (which the Airport is relying upon for its future labour supply) it is the Council's expectation that the Applicant supports / contributes to identified transport upgrades required to support development.
  - vii. Commitments, such as those around mode share targets, made in the Surface Access Commitments document, should be achieved at the point the Northern Runway comes into operation, not three years after this date.
  - viii. Mode share commitments are not considered to be sufficiently ambitious and there is a lack of adequate mitigation to encourage a shift towards active and sustainable travel. These measures should go further than providing additional services, but also consider how to enhance sustainable transport journeys to increase uptake and encourage travel via modes other than private vehicle.
  - ix. As currently presented, there is a lack of commitment by the Applicant to take sufficient action if targets are not met and there are no sanctions or penalties. Failure to meet the targets is likely to have wider implications for the transport network which will need addressing.
  - x. Absence of an Airport Surface Access Strategy (ASAS) and a finalised Car Parking Strategy to support the Project is disappointing and should be secured by the DCO to ensure that mode share commitments are met. The Applicant should provide more detail on measures and interventions, even if these are subject to later revision.
  - xi. The Council agrees that car parking should only be provided as and when necessary, however, the methodology in relation to the proposed car parking requirements is not clear and requires further justification.
  - xii. The Council agrees with the position of Crawley Borough Council that the 2,500 robotic parking spaces currently forming part of the baseline should be removed. We also agree

that the airport operator's permitted development rights should be reviewed as part of the DCO within the context of achieving the Surface Access Commitments.

### **3.2. Cumulative and Inter-related Traffic and Transport Impacts**

3.2.1. Concerns relating to the assessment of cumulative and inter-related traffic and transport impacts:

- i. It is unclear to what extent junctions not in proximity to the Airport have been considered, given a cumulative effect may have impacts further afield than the Project alone.
- ii. The Council questions the flawed approach of relying on other developments to mitigate the Applicant's own impacts on driver delay effects and road safety sufficiently to allow the Applicant to not have to provide any mitigation for the Applicant's development.
- iii. The Applicant anticipates an increase in rail mode share whilst also finding capacity on the railway will not be exceeded despite providing no mitigation. The Council questions whether data used to calculate impact on railway versus capacity is averaged or considers the worst-case, i.e., whether this is peak times of year (start of school holidays vs. mid-week during term time, for example). It is unclear what level of certainty the Applicant has placed on mitigation by other developments given that any enhancements will be secured by third parties.

3.2.2. To conclude, it is the Council's view that traffic and transport impacts will be experienced within Horsham District such that mitigation is required but very little has been proposed by the Applicant that will directly ensure impacts experienced within Horsham District are sufficiently mitigated. Additionally, where funds are proposed as part of the Surface Access Commitments there is inadequate information in relation to the scale and nature of support.

## **4. Air Quality**

### **4.1. Summary of Concerns**

4.1.1. A number of air quality issues that should be addressed to provide for a more robust assessment have been identified. Primary areas of concern include:

- i. The scenarios in the ES do not provide a realistic worst-case assessment.
- ii. Road traffic study information is required to understand the air quality assessment of road traffic air quality effects.
- iii. The future air quality predictions, in part, are reliant on modal shift assumptions. Future information is required on how sensitive predictions are to modal shift objectives not being achieved, to understand how much air quality may deteriorate if measures are not successful.
- iv. Further information is required to understand operational air quality monitoring and reporting and further steps, should air quality deteriorate further than predicted.
- v. Information is required to establish if the air quality model verification is robust.
- vi. The proposed air quality action plan could be informed by local monetisation of air quality impacts. Whilst this may not be a requirement of the Airports National Policy Statement (ANPS) and National Networks National Policy Statement (NNNPS), this is a matter of local concern, as shown in the local guidance prepared by the Sussex Air Quality Partnership and participating members in 2021.
- vii. There is no Dust Management Plan (DMP) provided with the application and the Applicant is therefore requested to provide a DMP (or Outline DMP) for Examination.

4.1.2. Other priority areas that the Applicant should provide further information on are:

- i. The extent to which Sussex Guidance was considered in preparing an air quality action plan.
  - ii. There should be a Damage Cost Calculation for the air quality impacts, and the Transport Analysis Guidance forms the basis for the calculation.
  - iii. There should be a stand-alone Air Quality Management Plan. It is recognised that air quality mitigation measures have been set out in the Carbon Action Plan (Appendix 5.4.2: Carbon Action Plan) and Appendix 5.4.1: Surface Access Commitments. However, carbon measures are focused on reducing emissions on a larger scale, such as a region, whereas the aim of an air quality plan would be to reduce/offset emissions locally. Furthermore, the Sussex Guidance recommends that applicants produce an action plan where measures are costed and assessed for air quality impact/effectiveness individually. The carbon and surface access plans do not address any of these criteria.
  - iv. Despite commitments by the Applicant to include a 2047 scenario, this scenario has not been modelled.
  - v. Monitoring commitment – it is not clear what is being funded and over what timeframe.
- 4.1.3. Additional information is also required to fully understand the air quality assessment methodology and assessment outcomes, including, (i) technical details to help understand if a realistic worst-case has been assessed, (ii) further information on the Construction Transport Management Plan (CTMP) and Construction Workforce Transport Management Plan (CWTMP) to understand how any deviation from the Air Quality Action Plan will be addressed to protect air quality and (iii) information on the Emission Ceiling Calculations.

## 5. Noise and Vibration

### 5.1. Summary of Concerns

- 5.1.1. The Council has significant concerns about noise impacts in relation to the Northern Runway Project which are summarised below. For context, the Council wishes to highlight a key issue in relation to overflight in the north of the District that informs many of our comments regarding noise and other impacts.
- 5.1.2. Paragraph 14.6.39 of ES Chapter 14: Noise and Vibration describes a shift of 8% of traffic onto WIZAD (Route 9) westerly standard instrument departure route on which aircraft departing west turn south between Crawley and Horsham with usage predicted to be 13% by 2038. Whilst this is an existing Noise Preferential Route (NPR) it is a tactical offload route and is currently used very rarely (0% (rounded) in 2019). The Council considers that increased capacity at the Airport will drive traffic on to WIZAD (Route 9) resulting in a permanent significant noise effect, along with other impacts, which we do not consider have been properly assessed and which the Council seeks to resist.
  - i. The proposal will adversely affect the District's residents due to an increase in exposure to aircraft noise during the day and night. Furthermore, the FASI South work could lead to changes in airspace that result in increased overflight from both Heathrow and Gatwick and the cumulative impact is not taken into consideration.
  - ii. The benefits of technological improvements are not being shared sufficiently with affected communities.
  - iii. The Applicant has not adequately assessed the impact of noise within Horsham District meaning that the north of the District will be exposed to noisy aircraft events, particularly between 06:00 and 07:00 when sleep is at its most vulnerable.
  - iv. The reliance on the average noise level (the Leq) does not help to fully explain the effect on Horsham District whereas the metric that shows the number of aircraft noise events

above a specified level (known as the “N above”) shows a marked effect. The lack of clarity over diurnal runway and departure route usage with an hourly breakdown have not allowed the effects of noise to be made clear. Key information has not been made available during the public consultation and prior to submission of the application.

- v. The quantification of the impacts does not take into consideration the cumulative impacts of the different types of airport related noise that have been modelled independently. This includes the combined effect of Gatwick’s predicted baseline growth and the Northern Runway for awakenings, the difference in the absolute sound levels within Horsham District and the changes to those as a result of development. The Applicant has not provided any data that will help explain how people will experience the sound, for example the single mode contours.
- vi. There is an overreliance on limited metrics by the Applicant to describe and place control on sound whereas the Council’s view is that a range of metrics, stated for different periods, are needed to understand effects upon (and mitigation required for) certain appropriate areas.
- vii. The process for the creation of a Noise Envelope did not facilitate the effective contribution of local authorities and community groups, contrary to CAP1129 guidance and good practice of other airports. The Council considers that the Noise Envelope, as presented, is not fit for purpose because it provides little incentive to stabilise noise levels let alone reduce them. It provides no local accountability and no meaningful penalties or sanctions if there is a failure in compliance.
- viii. The Applicant does not justify how the work is scheduled to ensure the impact of noise on residents is to be mitigated.
- ix. The proposals for mitigating aircraft noise rely on the noise insulation of properties. These proposals are too narrowly defined and should not solely be based on Leq. Grants should be based on single mode contours and not standard mode contours as the Applicant proposes. The Applicant must make provision for overheating assessments and overheating mitigation works due to the increased risk as a result of noise insulation and cover the ongoing costs of use and maintenance.
- x. The use of the Northern Runway is considered to force the use of WIZAD (Route 9) that has the potential to affect the residents of Horsham town and nearby villages and impact current and emerging Local Plan allocations in the north of the District.
- xi. There is a lack of confidence in the Applicant to deliver and implement a meaningful noise control regime that takes into account the needs of the local communities.
- xii. There is no offer of compensation for people affected by the nuisance they are likely to experience. This should be addressed by the Applicant.
- xiii. The Applicant should take a “mitigate to grow” approach to protect communities affected by airport operations.

## **5.2. Cumulative and Inter-related Noise Impacts**

### **5.2.1 Concerns relating to the assessment of cumulative and inter-related noise impacts:**

- i. The Zone of Influence for noise and vibrations stops short of the most populated areas of Horsham town, particularly the Land North of Horsham (Mowbray) strategic site which includes permission for at least 2,750 new homes and other sensitive receptors, such as schools. There should be consideration of the interaction between the Project and other developments.
- ii. While the Council supports the use of layout and design on-site to mitigate against the impacts of air, ground and road traffic noise on any other development, this should not negate the need for the Applicant to mitigate its own impacts. The possible increase in use

of WIZAD (Route 9) means there will be an, as yet unquantifiable, impact on existing and new communities in proximity to the Airport.

- iii. The Applicant has worked on the assumption that Tier 1 developments south of the Airport fall within lower air noise contour bands, and indicate noise levels will be reduced over time. This does not take account of the increased use of WIZAD (Route 9).

## 6. Water Environment

### 6.1. Water Neutrality

- 6.1.1. Whilst the Airport is not within the Sussex North Water Supply Area, the Council considers that it is imperative that the Applicant maximises the scope for water efficiency savings, given the serious water stress across the South East of England.

### 6.2. Flooding and Drainage

- 6.2.1. The Council supports the comments of West Sussex County Council as the Lead Local Flood Authority (LLFA) incorporating Horsham District. In addition, we are concerned about the capacity of the Crawley Wastewater Treatment Works to meet expansion of the Airport (both as part of the future baseline and with the Project) and current and emerging Local Plan growth in and around Crawley, including Land West of Ifield (which is being promoted by Homes England through the Council's Local Plan Review). Given the proximity of this site to the Airport, should development come forward in both locations, there should be some synergy in terms of their flood mitigation strategies.

## 7. Socio-Economics

### 7.1. Approach to the Socio-Economic Assessment

- 7.1.1. The Council has identified several issues with the approach to the socio-economic assessment which should be addressed to ensure a robust assessment:
  - i. Several of the baseline data sources are out of date which is a concern given the reliance on these sources to inform the various assessments. Up-to-date baseline data should be sourced to inform assessments. This should include obtaining relevant data from local authorities.
  - ii. There is a need to revisit the approach to estimating construction employment and forecasting availability of temporary accommodation given reliance on old data and not accounting for local variations.
  - iii. Clarification is required from the Applicant with regards to its approach and calculations in relation to operational employment.
  - iv. The Applicant should revisit sensitivity and magnitude gradings for several assessments in the socio-economic chapter.
  - v. The assessment of socio-economic effects has been undertaken at different geographical levels but has not assessed impacts at a local authority level. This is despite ongoing issues concerning labour supply, housing (inc. affordable) and temporary accommodation in the local authorities located close to the Project. The Council has particular concerns about how Horsham District is not sufficiently represented within the Local Study Area and that impacts in Horsham District may be diluted in the wider Labour Market Area. As a result of this approach, the assessment does not identify specific impacts on Horsham District which we consider to be inadequate.



- vi. The assessment of housing and population relies on out-of-date data and should be using up-to-date information given it will impact on labour supply/housing conclusions. The assessment also makes optimistic projections on housing and does not appear to fully consider existing constraints.

## **7.2. Employment, Skills & Business Strategy (ESBS)**

- 7.2.1. The Council welcomes and seeks to maximise any economic opportunities available to residents and businesses of Horsham District as a result of the Airport's expansion. However, the Council considers that the ESBS is generic, lacking detail and clarity and does not provide sufficient detail on, amongst other things, local baseline; tailored local initiatives; outputs; and approach to monitoring.
- 7.2.2. The ESBS references opportunities for local businesses and adding value through procurement actions. This is welcomed by the Council; however, it is not clear how the spatial context of the actions set out in the ESBS will benefit Horsham District, particularly if this is linked to the Local Study Area which contains only a small rural part of Horsham District.
- 7.2.3. The objectives of the ESBS are supported but without more specific details and commitment, it is difficult to see how the overall benefits will be delivered. The delivery of an on-site STEM centre could be a significant benefit but there is no real commitment (or costs). There does not appear to have been any engagement with education, training and employment support providers. This will be critical in the delivery of the wider benefits.

## **7.3. Cumulative and Inter-related Socio-Economic Impacts**

- 7.3.1. Concerns relating to the assessment of cumulative and inter-related socio-economic impacts:
  - i. The Zone of Influence should be extended to reflect the likely impacts on conurbations in the north of the District as the current 8km boundary does not take into account the inevitable socio-economic impacts, particularly for housing and affordable housing need.
  - ii. There is no evidence for the Applicant's conclusion that there will be no labour supply issues or impacts on housing demand.
  - iii. There is no acknowledgement of the impact the requirement for development to be water neutral will have on the housing being delivered during the Project's construction and operation.
  - iv. The Applicant appears to rely on the certainty of development being delivered to support growth at the Airport, whilst also assessing the same development as being too uncertain to include in other elements of the Cumulative Effects Assessment (CEA).
  - v. The Council does not consider that the local impact on labour supply issues resulting from cumulative developments has been sufficiently explored.

# **8. Cumulative Effects and Inter-Relationships**

## **8.1. Summary of Concerns**

- 8.1.1. A number of concerns have been identified in relation to the Cumulative Effects Assessment (CEA) undertaken by the Applicant. Those topic-specific issues are covered within the section headings of this document with the Council's general comments below:
  - i. There is concern around the assumptions made in relation to development and there is a lack of clarity around the methodology and rationale used for the CEA. Comments previously made by the Council, relating to errors and information, have not been fully reflected and there is some inconsistency and factual errors in the assessment.

- ii. It is unclear how temporal interaction has been considered. The Applicant states that the assessment considers impacts “from two or more developments which could occur at the same time”. Guidance<sup>2</sup> suggests cumulative impacts should consider “*incremental changes caused by other past, present or reasonably foreseeable actions together with the project*” but the Application has not made clear what temporal boundaries have been applied.
- iii. There are a number of concerns with the Zones of Influence (Zols). For example, local authorities were not given sight of the criteria used to set Zones of Influence for the various topics before submission and there are a number of concerns with the thresholds. However, given the ES does not adequately explain the rationale it is difficult for local authorities to scrutinise the appropriateness or otherwise of the thresholds. The Council accepts that professional judgement is required but this should be a transparent and replicable process.
- iv. It is disappointing the Applicant has chosen not to include the Heathrow expansion in the main CEA, especially given the Planning Inspectorate’s advice in its Scoping Opinion<sup>3</sup>. The consideration of impacts in combination with the Project, excluding other developments, is, in the Council’s view, not in the spirit of CEA, and is unlikely to provide for a realistic assessment should both Heathrow and Gatwick receive development consent for further development.
- v. Further information provided by local authorities should be taken into account as the examination progresses where this is likely to have a material impact. Owing to this additional or alternative mitigation may be required.
- vi. There are other concerns in relation to the consideration of a third runway at Heathrow Airport in the CEA including the assumptions around air traffic levels at Gatwick if a third runway is operational by mid-2030s, the appropriateness of using future baseline data published as part of the 2019 Heathrow DCO consultation and whether it is realistic to assume that development at both Heathrow and Gatwick Airports is unlikely to have a significant effect on the UK’s ability to meet Net Zero targets.

## 9. Climate Change and Greenhouse Gases

### 9.1. Climate Change

9.1.1. Overall, it is considered that the Climate Change Resilience Assessment documents in ES Chapter 15 Climate Change is a comprehensive assessment. However, the following issues have been identified:

- i. The climate impact statements documented in both Chapter 15 Climate Change and Appendix 15.8.1 Climate Change Resilience Assessment are lacking in consistency in the way they are articulated in that some are missing an ‘impact’. This end result is what should determine the consequence rating and could arguably have led to an underestimation of risk. The Applicant should update all climate impact statements to have a clear end impact. Risk ratings should be reviewed and revised accordingly.
- ii. The lack of identification of additional mitigation / adaptation measures is a key omission from the Climate Change Resilience Assessment and the Urban Heat Island Assessment. Whilst the Applicant may not have assessed any of the risks as ‘significant’, the

<sup>2</sup> Page iii, Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions, European Commission (1999)

<sup>3</sup> [ID 4.15.2, Scoping Opinion: Proposed Gatwick Airport Northern Runway \(October 2019\), Planning Inspectorate](#)

identification of further adaptation measures that can increase asset resilience should be noted, especially considering the potential underestimation of risk detailed above. The Applicant should identify and include in the report further adaptation measures that can be implemented in design, construction or operation to further reduce the Project's vulnerability to climate change.

- iii. There is a lack of consideration of a number of climate variables including storm events, wildfire and fog, which is a key omission from the Climate Change Resilience Assessment. The Applicant should give further consideration to the risks associated with these variables and include in the report where appropriate.

## **9.2. Greenhouse Gases (GHG)**

- 9.2.1. Overall, it is considered that the GHG Assessment documented in the ES 'Chapter 16 Greenhouse Gases' is not considered a comprehensive GHG Assessment since it does not adequately assess the impact of the Project in relation to carbon. A number of fundamental issues that need to be addressed to ensure carbon has been effectively assessed have been identified.
- 9.2.2. There are key concerns in relation to the latest legislation and guidance, baseline information, assessment of significant effects, and mitigation, enhancement and monitoring.
- 9.2.3. The GHG Assessment fails to consider the risks of the Jet Zero Aviation Policy and how this could compromise the UK's net zero trajectory in alignment with the concerns raised to the UK Government by the CCC.
- 9.2.4. Furthermore, fundamental errors were identified in the GHG Assessment, with significant emission sources such as well-to-tank emissions and conversions from CO<sub>2</sub> to CO<sub>2</sub>e not undertaken, which could potentially increase the total emissions by around 20%. Therefore, millions of tonnes of CO<sub>2</sub>e are not accounted for, which is non-compliant with the GHG Protocol Corporate Accounting Standard and GHG accounting best practice.
- 9.2.5. Given the fundamental errors and the potential for a large amount of unaccounted carbon, the Council is concerned that this will have a knock-on effect on the climate change resilience assessment.
- 9.2.6. Additionally, the GHG Assessment does not assess the cumulative impact of the Project in the context of eight of the biggest UK airports planning to increase to approximately 150 million more passengers a year by 2050, relative to 2019 levels.

## **9.3. Other comments**

- 9.3.1. ES Appendix 16.2.1 summarises relevant current and emerging local planning policy, however, no consideration has been given to any relevant local authority positions on Climate Change or to any council climate strategies. Horsham District Council has declared a Climate Emergency and there is concern about how such significant expansion of the Airport fits with the Council's climate commitments and ability to meet our locally set objectives.
- 9.3.2. It is unclear how the in-combination effects of the Project, other development and further possible expansion at Heathrow will impact on the UK's ability to hit GHG emission and climate change targets.
- 9.3.3. The expansion of the Airport is presented at a time when the environmental impacts associated with air travel are of local, national and global concern and the Council asks for careful consideration of this issue and whether the expansion proposed as part of this DCO application can be justified and supported at this time.

## 10. Ecology, Landscape and Heritage

### 10.1. Ecology

- 10.1.1. The Applicant's evidence base records the presence of Barbastelle and Bechstein's Bat roosts to the west of the Airport. There is concern that the bat trapping and radio tracking surveys do not show the full extent of Bechstein bat roosts. This area is predicted to be subject to increased noise pollution and there are properties near to the Bechstein's maternity roosts that have been identified as being above the acceptable threshold for noise and will receive noise insulation.
- 10.1.2. Additionally, the shift of air traffic on to WIZAD (Route 9) flies over areas of Ancient Woodland within St Leonard's Forest and beyond (where Barbastelles have been recorded) as well as the High Weald Area of Outstanding Natural Beauty. These areas contain many core sites as part of the Wilder Horsham Nature Recovery Network and Sussex Biodiversity Opportunity Areas. The Applicant's Ecology and Nature Conservation Figures do not show the Ancient Woodland, St Leonard's Forest SSSI or Local Wildlife Sites within the 15km buffer from the Project Site Boundary nor are the noise impacts / flight paths overlain, including the WIZAD (Route 9) route. There is also a lack of clear data on the noise impacts associated with the WIZAD (Route 9) route. The Council requests that the Applicant addresses the potential impacts additional noise will have on the local Bechstein and Barbastelle bat population. Within this context the Council wishes to highlight paragraph 4.2.2 of the Airports National Policy Statement to the Applicant and the Examining Authority along with paragraphs 5.90, 5.91, 5.96 and 5.102.
- 10.1.3. The noise impacts on areas of Ancient Woodland habitat parcels around Land North of Horsham (with records of Barbastelle) and around the A264 should also be assessed.

### 10.2. Biodiversity Net Gain (BNG)

- 10.2.1. Whilst the Council has specific concerns about the impacts on bats and the loss of woodland habitat the delivery of Biodiversity Net Gain is welcomed. However, further consideration of appropriate mitigation to minimise any harm to bats, including Bechstein maternity roosts which may require off-site mitigation, is required. There are also errors in relation to the BNG metric assessment which need to be addressed to ensure the correct baseline is applied in the BNG metric for all habitat types (e.g., area, linear watercourse and linear hedgerow). Subject to these issues being addressed, the Council requests that the proposed level of net gain is committed to by the Applicant and secured in the DCO, should the application be consented.

### 10.3. Landscape and Heritage

- 10.3.1. WIZAD (Route 9) flies over part of the High Weald Area of Outstanding Natural Beauty (AONB). The Council has had regard to section 3.2(e) of the Department for Transport's Air Navigation Guidance 2017 which also sets out that it is desirable that airspace routes below 7,000 ft should seek to avoid flying over AONBs. The Applicant states that it is not possible to assess the impact on the tranquillity of nationally designated landscapes because of the uncertainty around airspace modernisation. This is not a valid reason to have excluded any level of assessment. There are additional concerns around increased overflight on heritage assets within Horsham District and the Council therefore queries whether the potential environmental and heritage impacts from increased use of WIZAD (Route 9) have been fully assessed.

# 11. Other Matters

## 11.1. Planning Statement

- 11.1.1. The Council has several queries and concerns regarding the Planning Statement, including those set out in the following (non-exhaustive) list:
- i. When the Applicant expects the *Letter of No Impediment* referred to in paragraph 1.3.3 will be provided;
  - ii. How the changes mentioned in paragraphs 1.3.7 and 1.3.8 will be secured;
  - iii. Whether there is any legal precedent for the statement that it is “*appropriate to use the policy framework of the [Airports National Policy Statement] as the primary framework against which the Project as a whole should be tested*” (paragraph 1.5.19);
  - iv. When further information regarding the proposed section 106 agreement will come forward and when negotiations will begin in earnest;
  - v. Why the Applicant considers the provision of hotels (Works 26, 27, 28 and 29) falls within the scope of the DCO regime. The same point applies to the proposed commercial space;
  - vi. How the Flood Resilience Statement will be secured (paragraph 5.5.8 and Table 5.2);
  - vii. Whether an updated Mitigation Route Map will be prepared (stating, for example, which parts of the dDCO are relevant);
  - viii. Why highway improvements will not be in place and open to the public until after the northern runway comes into commercial use (paragraph 7.2.9);
  - ix. Why the Planning Policy Compliance Tables appear to make no reference at all to local plan policies (contrasting with the Manston DCO where, in the decision letter, the Secretary of State listed the Thanet Local Plan as an important and relevant matter in the context of policy compliance);
  - x. Why there is no reference to local plan policies in the following sections: Air Quality (8.5); Noise and Vibration (8.6); Greenhouse Gas Emissions (8.7); Biodiversity and Ecological Conservation (8.9); Agricultural Land Use and Recreation (8.10); Resource and Waste Management (8.11); Flood Risk (8.12); Water Environment (Water Quality and Resources) (8.13); Historic Environment (8.14); Landscape, Townscape and Visual Resources (Visual Impacts) (8.15); Geology and Ground Conditions (8.16); Artificial Light, Smoke and Steam (8.17); Major Accidents and Disasters (8.18); Health and Wellbeing (8.19); Sustainability (8.20); Community Compensation (8.21); Community Engagement (8.22);
  - xi. It is not clear whether the mitigation set out in section 8 (planning assessment) is sufficient;
  - xii. The adequacy of Employment, Skills and Business Strategy (ESBS) (paragraph 8.3);
  - xiii. Whether the replacement open space land secured by article 40 of the dDCO is suitable in terms of location, size and amenity (paragraph 7.2.9);
  - xiv. Why the dDCO does not make any provision about securing that Site Waste Management Plans follow the template in the Construction Resources and Waste Management Plan;
  - xv. Regarding the proposed flood risk mitigation, it is not clear how the timing of the River Mole works (Work No.39) and Car Park Y attenuation tank (Work No. 30(a)) will be secured; similarly, it is not clear where the culverts and syphons are secured;

- xvi. Section 8.16 (Geology and Ground Conditions) refers to “existing legislative regimes” for spillages and storage facilities. Aside from the Control of Pollution (Oil Storage) (England) Regulations, are any other regimes relevant?
- xvii. It is not clear how the mitigation referred to in paragraph 8.17.11 (Artificial Light, Smoke and Steam) will be secured; and
- xviii. The benefits set out in section 9 (Planning Balance and Conclusions).

## 11.2. **Airspace Modernisation**

- 11.2.1. The Council acknowledges that airspace change is clearly needed in the south of England and particularly in the London Terminal Manoeuvring Area (TMA) and that this is subject to a separate regulatory process to the DCO. However, the Council is very concerned at the uncertainty for affected communities, given the current stage of the FASI South work and the linkages with the expansion proposed as part of the Project, which have not been acknowledged by the Applicant in the DCO submission documents. It is noted that the Applicant’s FASI South airspace change options are applicable for both northern and southern runways.
- 11.2.2. Traffic associated with Heathrow Airport has the effect of constraining Gatwick Airport’s traffic and there is also concern about the possible ramifications for Gatwick Airport’s future airspace options. The potential for changes to the long-established noise preferential routes create great concern and uncertainty for local communities.

## 11.3. **Health and Wellbeing**

- 11.3.1. The Council supports the comments of West Sussex County Council as the public health body for Horsham District. We would additionally like to express our concern about the impacts of airport expansion on public health and wellbeing which is influenced by air quality, noise impacts, climate change and greenhouse gas emissions and traffic and transport impacts. Given the lack of detail provided by the Applicant that has been identified in this Representation, and the concerns raised by the Council regarding the Applicant’s approach to assessment, the Council considers these need to be fully addressed to understand the full extent of the public health and wellbeing impacts.
- 11.3.2. Concerns relating to the assessment of cumulative and inter-related impacts on Health and Wellbeing
  - i. A number of impacts not identified as significant across topic areas could interact and combine to have an overall significant health and wellbeing impact but the Applicant has not addressed this.
  - ii. The Applicant is reliant on other developments to “*employ standard good practice measures*” to reduce the potential for significant adverse impacts, however they have not been explicit about what assumptions have been made and on what basis (i.e., local policy).
  - iii. The assumption that residents living in proximity to the airport can “*reasonably be assumed to be in a position to take the noise impacts of the Airport into account*” is flawed, particularly given the high level of housing need, especially affordable housing. Proximity to the Airport is unlikely to be a sufficiently high consideration for many residents.

## 11.4. **Land West of Ifield**

- 11.4.1. The Council is currently conducting a Local Plan Review and it is expected that Regulation 19 will be published in January 2024. Homes England is promoting the site Land West of Ifield as a strategic allocation in the emerging Horsham District Local Plan (HDLP). At the time of writing, no formal decisions have been taken by the Council regarding the emerging HDLP as to whether this site will be allocated or not.

- 11.4.2. Given the site's proximity to the Airport (1km to the south-west), the scale proposed (3,000 dwellings) and potential construction phasing it is asserted that both developments will need to be considered strategically and will require some co-ordination, should they both come forward. This is especially important (but not limited) to: Flood Risk Mitigation; Traffic and Transport, including Active Travel Connections; The Phasing of Construction Works; and Ecological Monitoring and Mitigation. It may, therefore, be necessary to make provision for this in the DCO.
- 11.4.3. This site should be included in the short-list as a Tier 2 development for the CEA given the scale and proximity of the proposal. It is not considered that the potential for impact on key ecological receptors and core habitats has been adequately assessed.

## 11.5. Expectations for Future Growth at Gatwick

- 11.5.1. **Control Mechanisms:** The Applicant has not presented proposals that will ensure effective control mechanisms necessary to ensure the Airport's growth is managed within expected and agreed environmental parameters in the short and long terms. This will unfairly impact the environment and communities affected by airport operations and should be addressed.
- 11.5.2. **Safeguarded Land:** The Applicant should commit to limiting the Airport to a two-runway operation, thereby releasing the land safeguarded for an additional runway, and agree to a voluntary cap on passenger throughput, should the DCO be consented.
- 11.5.3. **Airport Operator Permitted Development Rights:** The Applicant benefits from significant Permitted Development rights as an airport operator, some of which the Council considers are incompatible with the proposals presented as part of the Project and we therefore consider that a number of these should be removed as part of the DCO to ensure that the commitments to be secured by the Order are achieved, should be application be consented.

## 12. Draft DCO and Securing Mitigation

### 12.1. Draft Development Consent Order (dDCO)

- 12.1.1. The Council has wide-ranging concerns about the dDCO. These will be shared with the Applicant in due course and will be set out in the Council's Local Impact Report. A summary of the Council's main concerns (which is not exhaustive) is set out below:
- i. The definition of "*commencement*" and, in particular, the implications arising from certain operations which fall outside that definition, and which do not appear to be controlled (article 2(1), interpretation);
  - ii. The drafting of article 3 (development consent etc. granted by Order);
  - iii. The drafting of article 9 (planning permission) and confirmation regarding which planning permission and conditions the applicant is concerned about;
  - iv. The disapplication of several provisions of the New Roads and Street Works Act 1991 without the application of the relevant highway authority's permit scheme (article 10; application of the 1991 Act);
  - v. The way in which street works are controlled under article 11 (street works);
  - vi. The inclusion of deeming provisions in articles 12(4) (power to alter layout, etc. of streets), article 14(8) (temporary closure of streets), 18(10) (traffic regulations), 22(5) (discharge of water), and 24(6) (authority to survey and investigate the land);
  - vii. The standard to which alternative routes must be provided under article 14(5) (temporary closure of streets);

- viii. The proposal to allow the Applicant to create new means of access without the street authority's consent under article 16 (access to works);
- ix. How the "instrument" referred to in article 18(6)(a)(traffic regulations) will be accessed;
- x. The timing of the vesting of special category land in the applicant under article 40 (special category land);
- xi. The inclusion of Work Nos. 26, 27, 28 and 29 (which all concern hotels) in Schedule 1 (authorised development);
- xii. The drafting of several requirements (Schedule 2) including: the drafting of "*start date*" (R.3(2) (time limits and notifications); the 14-day notification period in R3(2); why some documents must be produced "*in accordance with*" the certified documents and others must be produced either "*in general accordance*" or "*in substantial accordance*" with them; paras 12 (construction traffic management plan) & 13 (Construction workforce travel plan) – "*following consultation with the relevant local planning authority on matters related to its function.*"; the drafting of R.14 (archaeological remains); and of those which concern noise (e.g. R.15 (air noise envelope), R.18 (noise insulation scheme)); the ambiguous drafting in R.19 (airport operations); para 21 (carbon action plan) ambiguous "*general accordance*" is vague.
- xiii. The 8-week deadline in Schedule 11 (procedure for approvals, consents and appeals) for determining significant applications (e.g., the waste recycling facility).

## 12.2. Mitigation and Compensation

- 12.2.1. The Council is very concerned about the limited proposals for mitigation and community compensation which, as currently presented, will be unlikely to mitigate the likely adverse impacts arising from the Project in accordance with the expectations set out in national aviation policy. The Council has had regard to, and would like to highlight to the Examining Authority, the significant package of mitigation and community compensation, contained within a series of 11 pledges for the local community, that the Applicant put forward in its bid to the Airports Commission in 2015 in relation to the short-listed options for expanding London airport capacity.
- 12.2.2. No draft Section 106 agreement has been submitted for the DCO application and discussions on the proposed Section 106 have not meaningfully begun in any detail. The Council recognises the importance of these discussions, and we look forward to liaising with the Applicant in this regard. It should be noted that the Council may wish to be party to legal agreements to secure mitigation and monitoring for any impacts in Horsham District.
- 12.2.3. The Council is very concerned about the expansion of the Airport presented by the Applicant as the "future baseline". The scale of growth is significant and has the potential for numerous impacts on Horsham District that are outside of the Northern Runway Project. We understand that the Applicant has publicly indicated that the existing Section 106 will be updated and rolled forward until such time as the new Section 106 is in place and will capture this additional future baseline growth. The Council asks that the Applicant makes every effort to protect communities affected by airport operations, both as part of this Project and from the growth coming forward outside of the DCO.
- 12.2.4. The Council trusts that the comments enclosed within this Representation are of assistance to the Examining Authority and the Applicant. For clarification or further information on any issue raised in this Representation, please do not hesitate to contact the Council.