

# Written summary of oral submissions made at Issue Specific Hearing 5 on Aviation Noise on behalf of Marathon Asset Management MCAP Global Finance (UK) LLP

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## 1 INTRODUCTION

- 1.1 This document summarises the submissions advanced by Marathon Asset Management MCAP Global Finance (UK) ("**Marathon**") at Issue Specific Hearing 5 on 6 March 2024. Issue Specific Hearing 5 focused on the impact of the Gatwick Airport Northern Runway Project on Aviation Noise.
- 1.2 The main items for discussion were the relevant civil aviation noise legislation, policy and guidance, the Lowest Observed Adverse Effect Levels (LOAEL) and the Significant Observed Adverse Effect Levels (SOAEL) and other issues around assessment, control, mitigation and compensation.
- 1.3 The hearing opened at 10am at the Sandman Signature London Gatwick Hotel, and closed at 1.19pm.

## 2 ATTENDEES ON BEHALF OF MARATHON

- 2.1 Daisy Noble, counsel instructed by Bryan Cave Leighton Paisner LLP ("**BCLP**"), appeared on behalf of Marathon.
- 2.2 Eleanor Girdziusz, UK Head of Building Acoustics at Stantec, also made submissions on behalf of Marathon.

## 3 SUMMARY OF SUBMISSIONS

Agenda Item	Summary of oral submission
<b>7.1 Forecasting, modelling, and monitoring overview</b>	<p>It was noted that there is a hope that discussions between the Applicant and Marathon will allow the issues raised to be addressed voluntarily and amicably. The submissions made flagged Marathon's concerns in respect of the extent of assessment of noise effects of the Project on the Holiday Inn.</p> <p>Having reviewed ES Noise &amp; Vibration Chapter 14 [Document Reference APP-039], the Air Noise Modelling Report [Document Reference APP-172] and the Ground Noise Modelling Report [Document Reference APP-173], it is apparent that the Holiday Inn has not been treated as a noise sensitive receptor for the purposes of the noise impact assessment. It is surprising that this is the approach that has been taken.</p> <p>The failure to identify the hotel as a sensitive receptor means that no information has been provided in the ES on future ground noise, additional awakenings due to air noise and construction noise levels are likely to affect the hotel and therefore the relative impact and the significance of this cannot be assessed.</p> <p>It was explained that Marathon's premises are particularly sensitive to noise. They need to provide suitable conditions for sleeping during the night, but also during the day. The reason for this is that they hold contractual obligations to host air cabin crew during layovers. At present internal noise levels at the hotel are well within best practice guidance in the relevant British Standard and we are keen to understand the impact that the proposed DCO may have.</p> <p>It has not been possible to assess the impact, but Ms Girdziusz looked at the closest receptor that has been treated as a noise sensitive receptor for the purposes of air noise and assessment of additional awakenings. The nearest community receptor to the Holiday Inn is Barnfield Community Care</p>

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	<p>Home, Horley. The relative location of this receptor is shown in Figure 14.9.1 of APP-064 ES Noise &amp; Vibration Figures Part 2.</p> <p>Results provided in Tables 4.2.7 and 4.2.14 of the Air Noise Modelling Report [Document Reference APP-172] indicate that there may be as many as 20 additional night-time events that exceed the 60 dB <math>L_{Amax}</math> threshold and 65 events that exceed the 65dB <math>L_{Amax}</math> threshold during the daytime.</p> <p>If the same increase is likely at the Holiday Inn premises this could have a significant effect on the ability for my client to maintain their contractual obligations relating to cabin crew layovers and also risk reputational damage associated with affected general hotel patrons. However, at present, we are unable to gain certainty due to the lack of assessment.</p> <p>It was acknowledged that the parties are engaging on technical noise matters and the receipt of additional information provided as part of these discussions, which Marathon will review and will provide an updated summary in our written representations.</p>
<p><b>7.6</b></p> <p><b>Non-residential Receptors</b></p>	<p>Ms Girdzius explained how for Ground Noise, there are no representative locations where survey data had been collected in close proximity to the Holiday Inn. The nearest survey locations 6 and 7 are over 500m and over 700m from the Holiday Inn premises and do not have acoustic climates that are representative of the conditions of the Holiday Inn.</p> <p>As any model is very sensitive to the level of data and the quality of information that is put into the model, where that model does not have accurate data from appropriate survey locations to validate the accuracy of the model predictions, this inaccuracy then forms the basis of the baseline. This has potential implications for the relative impact for all future projections.</p> <p>Without understanding how realistic the predictions are, Marathon is unable to accurately assess the impacts at the Holiday Inn.</p>
<p><b>7.3</b></p> <p><b>Reasonable worst-case assessment and choice of baseline</b></p>	<p>In relation to the future baseline for the purposes of assessing road traffic noise effects, it was highlighted that the road traffic, ground noise and construction traffic are based on data from 2016 for future projections for 'with' and 'without' scheme traffic numbers.</p> <p>Ms Noble submitted that the Applicant's post-Covid traffic assessment indicates traffic numbers have fallen significantly between 2016 and 2023. This means that reduced traffic numbers are now expected in future years without the scheme (i.e. in the baseline scenario).</p> <p>The Applicant has not reflected this in the future road traffic baseline position and this means that effectively the future baseline will overestimate the noise levels without the Project and thereby indicate that there is a smaller magnitude of change between the 'without' and 'with' the project scenarios. It was suggested that the ExA request an acoustic update based on current traffic levels.</p>