

TR020005 – Gatwick Airport Northern Runway Project
Interested Party Reference Number: 20046393

Dear Sirs

We refer to our previous objections and make further observations in relation to the relevant planning policy context.

Applicant's Assertions – Planning Statement

The Planning Statement supporting the GAL application states (Conclusions page 4):

“The application accords strongly with national planning policies by contributing to meeting the identified need for increased aviation capacity in the national interest through an innovative and carefully prepared design which generates significant local and wider benefits, whilst mitigating its relatively limited effects and embracing policies for sustainable development”.

Rebuttal

This assertion is disputed, not least because it presupposes the Secretary of State's findings and priorities.

Between paragraphs 1.5.1-1.5.23, the applicant's Planning Statement sets out the legislative framework identifying the basis upon which the Secretary of State must decide the subject application.

Specifically, the Planning Statement cites the provisions of Sections 104 and 105 of the Planning Act 2008 (to include Sections 104(2)(d) and 105(2)(c) of the Act) which mutually identify: ***“any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision”.***

The Planning Statement similarly acknowledges the provisions of the National Planning Policy Framework (December 2023) ('the Framework') and its relevance in the determination of the application. This is important given the provisions of paragraph 157 of the Framework added in the December 2023 iteration.

The Secretary of State will acknowledge that aviation is one of the fastest growing sources of greenhouse gas emissions.

In this regard we refer to the full-length Report from the Commission to the European Parliament and the Council (23.11.2020) ***'Updated analysis of the non-CO2 climate impacts of aviation and potential policy measures pursuant to EA Emissions Trading System Directive Article 30(4)'***, attached as three pdfs.

The proposal in issue will facilitate a near doubling of the impacts currently experienced. Unavoidably - until science and technology advance to replace the current pollutants, this is the reality.

For now and for purposes of the disposal of the subject application, the Climate Change Act 2008 and in pursuance of its objectives the Sixth Carbon Budget are the considerations that should reasonably guide the Secretary of State to his decision in this matter having regard to the provisions of paragraphs 2 and 157 of the National Planning Policy Framework (December 2023) ('the Framework'):

Paragraph 2 of the Framework states:

“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.”

Paragraph 157 of the Framework states:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Paragraph 2 of the Framework follows the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. Paragraph 157 of the Framework is consistent with the provisions of the Climate Change Act 2008 and flowing from the CCA the Sixth Carbon Budget are material international obligations and statutory requirements to be factored in the determination of the above application.

Thank you for your consideration.