



AEF Deadline 3 representation on issues relating to planning conditions including the draft Section 106 Agreement for the Gatwick Airport Northern Runway Project

1. This submission builds on our 'Deadline 1' representation in March 2024 which, without prejudice to our view that a DCO should not be granted, set out the case for planning conditions to limit the climate change impacts of the proposal if there is a recommendation to allow the project to proceed.
2. The Applicant has made no commitments to limit emissions from aircraft in flight. The measures included in the Carbon Action Plan explicitly do not target aircraft in the 'cruise, climb and descent' phases. The reasons given include
 - (i) That such emissions are beyond the airport's effective control and
 - (ii) That aviation CO2 emissions are addressed by way of national policy
3. We suggest that neither argument provides a compelling reason not to limit aviation emissions by way of a planning condition or Section 106 commitment, not least given the inconsistency between the applicant's approach to noise and to greenhouse gas emissions. We note that with regard to noise, and in addition to the draft Section 106 agreement, the Applicant has drafted an Appendix to the Environmental Statement setting out proposals for a noise envelope (Appendix 14.9.7). This, we suggest, has relevance for our proposal to limit aviation emissions.
4. The proposals relating to a noise envelope are: to agree a limit to the geographical area impacted by noise; to monitor compliance with this by way of Annual Monitoring and Forecasting reports; to appoint the CAA as an independent assessor of compliance with these limits; and to agree a plan of remedial action with the CAA if the limits are breached. This four-step approach has been proposed notwithstanding (i) a lack of direct control by the airport over aircraft noise levels, and (ii) the existence of both national policy on aviation noise, and of Government-imposed noise limits at regulated airports. Appendix

14.9.7 states: “The noise envelope to be introduced in connection with the operation of the NRP will complement these measures, provide certainty to the public regarding the maximum levels of noise which are permissible at Gatwick Airport, and that over time they will reduce.”

5. We believe that similar provisions are required in relation to GHG emissions, not least given the high risk, outlined in our earlier submissions, of the Government’s ‘jet zero’ plan failing to deliver the emissions reductions hoped for. We would recommend an approach with similar elements to that for the noise envelope.
 - (i) The limits for maximum annual CO₂ levels from all departing flights using the airport should be agreed for a period beginning from the first year of operation of the new runway through to 2050. The CO₂ limits should follow a trajectory that, as a minimum, reflects the Applicant’s forecast levels of emissions.
 - (ii) A process should be put in place for annual monitoring and forecasting of CO₂ emissions from flights (reflecting the approach with the noise envelope)
 - (iii) The monitoring and forecasting report should be verified by an independent body such as the CAA. If the forecasts identify a potential breach, the Applicant should develop a mitigation plan.
 - (iv) A process should be put in place for ensuring compliance with the limits, and for enabling appropriate penalties if the limits are breached (this goes beyond the Applicant’s noise envelope proposal which has no associated means of enforcement).