

The Planning Inspectorate

19 April 2024

our ref: ESCC/GAL/NRP/DCO

Dear Sir/Madam

Gatwick Northern Runway Project (Project Reference: TR020005)
East Sussex County Council Registration Identification Number: 20044514
Deadline 3 Submission

Principal Areas of Disagreement Summary Statement (PADSS)

We write in response to the letter from the Planning Inspectorate on 8 April 2024 titled 'Procedural Decision and Request for further information and written comments'.

As requested, please note that East Sussex County Council submitted clean and track changed versions of the PADSS on 9 April 2024.

Response to Examining Authority First Written Questions (ExQ1)

In regard to the Examining Authority questions arising from the first round of Issue Specific Hearings (ISH), the Joint Local Authorities (JLA) response to these are to be submitted by West Sussex County Council on behalf of the Joint Legal Partnership Local Authorities (Crawley BC, Horsham DC, Mid Sussex DC, Mole Valley DC, Reigate and Banstead BC, Tandridge DC, East Sussex CC, Surrey CC and West Sussex CC) at Deadline 3. I can confirm that we support and endorse these comments, particularly those in relation to ISH 4 Action Point 2 (Staff Travel Survey), ISH4 Action Point 7 (Robotic Parking), and ISH5 Action Point 6 (a) – noise metrics and additional awakenings.

York Aviation - Response to Technical Document

We also wish to refer to York Aviation's document, which we are submitting at Deadline 3 along with the other JLAs: Gatwick North Runway Project Response to Technical Document [REP1-047, REP1-052, REP1-053 and REP1-054] - advice in

relation to aviation capacity, need and forecasting, and aspects of the socio-economic case for GALs NRP. We support and endorse this submission on behalf of the JLAs.

Proposed Changes to the NRP DCO application

I can confirm that we do not have any comments to make on the proposed changes to the application, which are:

- Project Change 1 for the extension to the design parameters for the proposed southern extension;
- Project Change 2 for the reduction in height of the proposed replacement CARE facility and change of purpose, removing the incineration of waste on site by changing the CARE facility to become a waste sorting facility only; and,
- Project Change 3 for the revision to the proposed water treatment works.

The County Council considers that there will be no material impacts on East Sussex arising from these changes and therefore has no comment to make.

Response to National Highways commentary on Surface Access Commitments

We wish to support the comments made by West Sussex and Surrey County Councils in their Deadline 3 response on 'National Highways annotated commentary on the Surface Access Commitments [REP2-056]' and the comments contained therein, notably Table 1 which relates to reflections on the Surface Access Commitments document [APP-090] and comments on National Highways comments and proposed amendments.

Section 106 (s106)

A full first draft of the Applicant's proposed DCO s106 Agreement was shared with the JLAs on 1 February 2024. The JLAs provided their comments on the principle of the main commitments within the draft on 23 February 2024. An updated draft DCO s106 Agreement was then provided to the JLAs on 25 March 2024 which incorporated some amendments (where considered by GAL to be appropriate) made in response to the JLA's comments as well as those provided separately through the Written Representations, hearings, and Statement of Common Ground discussions.

The JLAs are in the process of reviewing the draft DCO s106 Agreement provided on 25 March 2024 and have been holding topic specific meetings to review the various obligations with their legal team. The JLAs have also reached out to organise meetings with GAL and its legal team on various topics.

The JLAs were pleased to note that the draft DCO s106 Agreement provided on 25 March 2024 took into account some comments made by the JLAs on the first draft shared. We are confident that agreement can be reached on certain obligations. However, the JLAs were frustrated to see that several obligations requested by the JLAs constituting mitigation for the proposed development have been rejected by the Applicant and are currently not provided for in the draft DCO s106 Agreement. This includes (but is not limited to): An obligation on GAL to update and review the Noise Action Plan; and, noise surveys to examine community annoyance.

The JLAs are also considering whether obligations proposed in the draft DCO s106 Agreement would be more suitably or appropriately controlled by Requirements in the Development Consent Order. This applies in particular to provisions in the Surface

Access Transport Schedule of the draft DCO s106 Agreement such as paragraph 2 (Gatwick Area Transport Forum), 3 (Transport Forum Steering Group), 4 (Surface Transport Fund) and paragraph 5 (Investment in Bus and Coach Services), given that they generally serve to provide an explanation as to how the SACs will be delivered, rather than constituting standalone obligations in their own right.

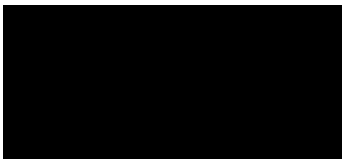
The JLAs are also considering the general principles of the proposed 'monitoring period' and the extent to which certain obligations are sufficiently precise and enforceable and fall within the parameters of section 106 of the Town and Country Planning Act 1990.

Controlled Green Growth approach

As per our previous comments in our covering letter to Deadline 2, the JLAs have considered drafting a suggested approach to setting thresholds for key matters such as air quality, aircraft noise, greenhouse gases (carbon) and surface access, and aligning such thresholds with the future growth of the airport, similar to the Green Controlled Growth approach presented at the Luton Airport DCO. This was referred to in 'Ref 17' of ESCC's PADSS submission submitted on 26 March 2024. The JLAs are intending on submitting further detail on this at Deadline 4 on 15 May.

Should you have any queries on the above, please do not hesitate to get in touch.

Yours sincerely



Rupert Clubb
Director Communities, Economy and Transport

E: [REDACTED]@eastsussex.gov.uk