

Interested Party Reference number: 20045900

Gatwick Airport Northern Runway Project – Development Consent Order (DCO)

Written Representations for Deadline 3 19th April

Gatwick Area Conservation Campaign (GACC)
19th April 2024

Dear Examining Authority

Please find our further written submissions for the 19th April deadline..

This submission brings together comments from GACC and its partners in relation to documents by GAL and other interested parties at deadline 2, including the Local Impact Reports (LIRs) submitted by local councils. The comments have been presented by topic area for ease of reading.

These are in addition to the comments that GACC made in our main written representation.

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1. Section 106 Agreement

GACC highlight that the section 106 agreement (as noted in REP1-068, paragraph 4.6) need not be linked to any previous planning permission for any specific development. **Therefore, GACC requests that the same should apply going forward – an updated S106 agreement for Gatwick Airport is required, regardless as to whether or not the DCO is permitted.** With this in mind the S106 agreement needs to be informed by the current situation in terms of setting controls for environmental impacts including air pollution, traffic congestion, carbon emissions and so on.

REP1-097 (page 8) notes that, "The existing [S106] document has not been comprehensively reviewed since 2008 and the light touch reviews (and rolling-

forward) of previous Agreements were agreed by the authorities as pragmatic responses to circumstances at those times." Therefore, this S106 has not been reviewed since the UK's Climate Change Act came into force, and was subsequently strengthened. **GACC therefore request that the S106 limit flights and passenger numbers, and that these numbers be able to be reduced down by the government in future, as without this it is not possible to constrain carbon emissions from aviation at an airport level.**

This is reflected in our proposed changes to the Section 106 agreement.

2. Assessment of Need and Future Baseline

GACC note comments in the LIRs (notably REP1-08, 6.15-6.18) that "the baseline case in the DCO is set too high" and that "a base case of capacity in the range of 50-55 mppa is more likely such that (in REP1-068, 6.2.4), "the demand projections for the Base Case are likely to have been overstated [so] it seems likely that the differences in the environmental impacts with and without development may have been understated." Therefore, REP1-097, 4.24 concludes that, "Overstatement of demand means the limit size of the noise contour in the Noise Envelope is too large so will provide no effective control or incentive to reduce noise levels at the Airport, with no reduction until 2038. This is especially so given that it is proposed that the Noise Envelope be set by reference to a slower fleet transition case, not updated since the PEIR despite significant orders of new generation aircraft by easyJet and other airlines that would mean that the core case fleet assumptions appear much more realistic." And that (paragraph 4.25) "the wider economic benefits of the proposed development (APP-251) have been overstated."

The LIRs conclude that (e.g. REP1-068, paragraph 17.3) that, "the level of growth assumed by the Applicant is too high, these concerns are supported by the assessment made by York Aviation (see Chapter 6 and Appendix F). This could result in an over forecast of the demand and therefore an over provision of car parking (potentially presenting implications for GAL in achieving its sustainable mode share obligations for surface access) and highway elements of the infrastructure." ... and that the local authorities, "Do not consider that it has been adequately demonstrated that the difference between them will not exceed 13 mppa as a reasonable 'worst case' for assessment purposes. GACC highlight that this is not just a failure of demand forecasting, but means that every aspect of the environmental assessment by GAL has significantly underestimated the impacts of the Northern Runway plans.

Therefore, the difference between the base case and future demand is argued in the LIRs to be far greater than the difference between future baseline and forecasts for Northern Runway modeled, so all of the environmental impact have not assessed the worse case. **With this in mind GACC request that the Applicant be required to set out the level to which each of the environmental impacts has been underestimated, and provide appropriate sensitivity analysis to demonstrate how this will affect the results of the modeled/estimated impacts in each case.**

However, this assumes the existing methodology, to compare a future baseline and project case alone is adequate. REP1-097 (paragraph 11.5) highlights with respect to air quality that the Applicant should consider existing air quality levels, future baseline and with project future cases. With this in mind, **GACC request that this should apply not just to air quality but all environmental aspects of the project to ensure that the worse case impact has been identified in all cases.**

3. Ecology

GACC would like to thank Ben Benatt (CEnv, MCIEEM) for inputs on ecology and biodiversity issues.

Following review of the Local Impact Reports and national context, GACC request that the wider landscape impact of the Airport (currently) and the addition of the Project (in future) be assessed on the key habitats around the airport, and that these be improved through a Local Nature Recovery Plan for Gatwick Airport's surrounding environments.

The Policy Context

The Environment Act (2021) introduces a duty for 'responsible authorities' to produce Local Nature Recovery Strategies, setting out locations of Nature Recovery Networks (NRNs) to be recognised within planning. However, many local authorities have been slow to implement this, so at the time of writing only two have been established across South East England (West Sussex/Surrey Heathlands and Eastbourne Downs). A well-developed network of Biodiversity Opportunity Areas (BOAs) has however been recognised, together with the long established network of designated conservation sites such as Sites of Special Scientific Interest (SSSIs). Together these give a clear indication as to where the NRNs will be located once they are in place. Consequently we do not need to wait for the NRNs to be published to know where efforts must be focused to conserve our important biodiversity areas. In the context of Gatwick Airport this means paying regard to the following nearby BOAs:

- ! Glover's Wood and Edolph's Copse – Surrey
- ! River Mole (plus tributaries) - Surrey
- ! Gatwick Woods - West Sussex
- ! Ifield Brook - West Sussex
- ! Rusper Ridge - West Sussex

Statutory instruments such as Biodiversity Net Gain (BNG) must sit within the context of these networks to be effective. As nature does not respect planning boundaries, development plans (including this for Gatwick Airport) should pay regard to the biodiversity resources occurring beyond not just within their sites.

Therefore, Gatwick Northern Runway Project, as with any other large-scale NSIP should incorporate a comprehensive strategy to protect and enhance these vital biodiversity areas around its site boundary, especially since a significant proportion of the degradation of the surrounding environment is undoubtedly due to the manifold impacts that the airport has already had on its surrounding area.

Comments on Local Impact Reports with respect to ecology and biodiversity

GACC are concerned that the Applicant has not taken the wider Nature Recovery Networks into account. As a result the Project lacks adequate measures to fulfil the legal requirement intended by The Environment Act (2021).

GACC's assertion that this legal requirement has not been met is supported and elaborated by comments made by all of the surrounding Local Authorities within their Local Impact Reports (especially the Local Impact report for West Sussex (REP1-068) and the Local Impact report for Surrey (REP1-097)). Relevant comments from the Local Authorities identifying the shortcomings of the Project include the following:

1. There is a lack of a landscape-scale approach to assessing and addressing ecological impacts, and no provision of off-site compensatory habitat and BNG, all of which would be required to fulfil this legal commitment (REP1-068 and REP1-097).
2. Ecological impacts will extend beyond the project site boundary with potential impacts on bat populations, riparian habitats downstream of the airport and the spread of non-native aquatic species. Enhancements to green corridors and improved habitat connectivity (needed to mitigate impacts on bats and other wildlife) do not however currently extend beyond the airport, missing out key corridors such as the River Mole and Gatwick Stream (REP1-068 and REP1-097).
3. Disturbance and habitat severance within the airport, including the removal of woodland, trees and scrub along the A23, will adversely impact the functioning of wildlife corridors, notably bat commuting routes both within the site and the wider landscape (REP1-068 and REP1-097).
4. It is not clear from the application document how much woodland is being lost and how much is being enhanced/replanted, so maintenance of habitat connectivity across the airport and wider landscape is a serious concern (REP1-068 and REP1-097).
5. The Project will also result in very extensive losses of existing trees, shrubs and grassland, which currently provide ecological habitats as well as wildlife corridors connecting the wider landscape. The amount of loss and replacement is also not even quantified within the Environmental Statement (REP1-097).
6. Whilst the Project provides for replacement planting, there will be a long-term vegetation 'deficit', resulting in biodiversity loss for at least 15 years. As well as the adverse impact on wildlife corridors, this contradicts current biodiversity policy, which focuses on nature recovery and biodiversity net gains (REP1-097).
7. No compensation is provided for loss of two ponds. The reason given for this is due to bird strike health and safety considerations. Ponds are a HPI under the NERC Act, 2006 and therefore replacement ponds should compensate any loss of ponds off-site (REP1-068 and REP1-097).
8. As detailed in the Natural England Relevant Representation (RR-3223) there is currently insufficient information to assess potential impacts from traffic related air quality upon three nearby SSSI sites within Surrey (Titsey Woods SSSI, Westerham Woods SSSI and Mole Gap to Reigate Escarpment SAC/SSSI). They all show an increase in NO_x and nitrogen deposition of over 1% of the critical load/level yet no assessment of potential impacts to these sites have been made. Impacts on the SSSIs as a result of changes to atmospheric ammonia levels have also not been considered (REP1-097).
9. A range of on-site mitigation and compensation measures are proposed to address the ecological and arboricultural impacts. However, it is considered that these measures are both inadequate and lacking in detail. It is critically important that the newly created habitats, whether established in compensation for habitat loss elsewhere or for the purpose of achieving BNG, continue to be managed over the long-term to maintain and enhance their biodiversity value (REP1-068).

10. The extent of loss of mature broadleaved woodland is of particular concern and additional compensation measures will be required to ensure no adverse impacts occur to broadleaved woodland habitat and bats. If, due to airport safeguarding, it is not possible to provide sufficient compensatory planting within the site, off-site woodland creation is required (REP1-068).

Therefore, for the project to be acceptable in terms of its wider ecological impacts, it should specifically include significant and measurable provision to set out and deliver a Local Nature Recovery Strategy for the areas around Gatwick Airport (both land-based and aquatic). This should enable sufficient support for biodiversity areas/corridors that make up the component parts of the Nature Recovery Network that are present around the airport. This should also take account of former damage already caused by the airport, and make use of all available mechanisms such as BNG to enhance and create resilience in to the local ecosystem.

Therefore, GACC request that at the very least the biodiversity commitment within the Project must be subject to a radical review. GACC request the ExA to require the impact of this project, and existing airport on the ecology that surrounds the airport to be assessed and improved.

4. Surface Transport

4.1 Transport Strategy

Lack of Clarity on the Surface Strategy Development Process

The basis of the strategy is not fully explained. It's unclear why GAL has put forward this particular set of measures. Given that the underlying case for these measures has not been explained, it's not possible to know whether any other package with different measures or a different balance of measures would have been more effective.

REP1-097, 10.80 ends stating that, "The Applicant proposes to produce an additional action plan if two successive AMRs fail to show that mode share commitments have been met." GACC notes that this implies that GAL are proposing to allow themselves to produce successive AMRs that show a failure to achieve the SACs – requiring little more than an action plan with unclear delivery commitments, with an opportunity for GAL to avoid further interventions by giving reasons why it considers proposed interventions are unnecessary, and in the meantime allowing that growth can carry on. This is wholly unacceptable. However, rather than the positions of some councils (quoting East Sussex here – in REP1-071) that the, "55% public transport mode share targets are too ambitious" GACC would highlight once again that the ambition of the modal shift from around 45% to 60% has already been reduced by 1/3 by GAL. That this massive reduction in ambition is not even looking like it can be met, highlights the completely inadequate surface transport proposals (i.e. none, totally reliant on third parties for provision to emerge later) in the Application.

GACC therefore reiterate our earlier stated concerns around the lack of coherent overall public and active transport strategy and infrastructure investment plan to support this.

Absence of Consideration of a No Car Growth Scenario

We are concerned that the Applicant is allowing significant growth in highway trips, with the number of trips in the modelled 24-hour period growing from 79,000 in 2016 to 95,000 in 2047 without the Project and by a further 11000 to 107000 with the Project. If the Applicant were serious about limiting environmental damage then

it should plan for no growth in highway trips. This point is also made by Transport for London (REP1-105), which notes that this would require a sustainable transport mode share target of 65%. The Applicant has dismissed the notion of planning for no car growth, stating “[a]nalysis shows it is unrealistic to expect no increase in journeys made by car” (APP-221).. However the case for this omission has not been set out, and we contend that it is an entirely reasonable and plausible scenario if the appropriate restraint and attraction measures are put in place. The absence of a no car growth scenario is a matter of choice by the Applicant.

Failure to Assess Different Outcomes and Alternative Surface Access Packages

The Project has been developed on the basis that a proportion of future growth in surface access and growth arising from the project would be by car (see statement from APP-221 quoted above) . Why did GAL not model and assess packages of measures which would result in more ambitious sustainable transport mode shares, including a scenario in which there is no growth in car traffic and all additional surface access is by sustainable modes?

Given that the future contains a range of uncertainties, both in the outturn events, the level of the influencing factors, the imprecision inherent in modelling a complex system, and the behavioural responses of passengers and staff, did GAL consider a range of sensitivity tests and, if not, why not? The sensitivity of the models to unexpected changes is indicated by the analysis of the impact of the covid pandemic, where a reduction in background demand on the highway network leads to reduced traffic congestion and delays which, in turn, leads to an increase in the relative attractiveness of cars in comparison with public transport. This then leads to a reduction in the use of public transport and a failure to meet GAL’s mode share targets. Why didn’t GAL test a range of scenarios which included packages of measures which delivered significantly higher levels of mode share by sustainable modes? Instead, the Applicant seems to have defined a single package of measures which lacks resilience to unexpected changes leading to a failure to meet the mode share targets.

The impression is given that only a single set of measures was considered and assessed and the emerging forecast values was the basis for the mode share targets. This approach is indicated by the response of the applicant to consultees noting that the modelling indicated that GAL would not meet its own mode share targets. The response by the applicant was to reduce the mode share targets rather than put forward stronger measures. This suggests that no alternative packages were considered because there are no additional packages to draw on when mode share targets fail to be met. This also raises doubts about how GAL would respond if monitoring shows that the measures are failing to meet the mode share targets in practice; it suggests that GAL will have nothing extra to deliver in the event that mode share targets are not met.

It is also the case that the Applicant has not modelled a situation in which there is a major shortfall in achieving the mode share targets, including a continuation of the existing mode share of 45% by sustainable modes. This point is made by East Sussex CC and West Sussex CC [REP1-071].

Absence of Coherent Car Parking Strategy

Holiday Extras (REP1-194, REP1-195, REP2-075, REP2-076) points out several apparent inaccuracies or inconsistencies in the car parking data which should be explained or corrected by the Applicant. Holiday Extras also raises a number of

questions in relation to the car parking proposals such as a lack of correlation between car parking supply and demand, a contradiction in seeking to increase the sustainable mode share whilst supplying additional on-airport parking, a paradox where higher pricing of on-airport passenger car parking could stimulate off-airport car parking, and the absence of a framework, such as Green Controlled Growth, to control airport growth if car parking (and other) measures fail to meet agreed targets. We agree that these are valid concerns and, in our view, they are indicative of the absence of a coherent and comprehensive car parking strategy. The Applicant should explain the basis of the car parking strategy, and how the different elements complement each other and its role in the Applicant's overall surface transport strategy.

Rail Investment Strategy

It is not clear what the Impact on existing rail services would be of a greater proportion of Brighton mainline capacity being used by Gatwick Airport. In recent years train services have been changes which impact on the frequency of service from different stations on the Brighton mainline, and which are on fast, semi-fast or stopping services to London, affecting the desirability of such routes for commuters. The likely impact of increased passengers from Gatwick on rail timetables should be set out.

4.2 Monitoring

2023 staff travel survey

The full staff travel to work survey for 2023 was requested, to determine what impact this would have on the traffic modelling, compared to the 2016 staff survey used. However, all that has been provided is a summary slide deck (in REP2-005, Appendix C). GACC concurs with REP1-097, 10.73 that this should still be made available, as has been previously requested. The summary notes an increase in car drivers (+15% to 72% of the total) accompanied by a reduction in company transport (-6%) and bus travel (-6%). Might GAL comment on the impact of the current shifts in transport movements, how this is forecast to change **from** 2023 and whether/when company transport provided by airlines is expected to be fully reinstated by?

Choice of June or August for transport modelling

In response to the ISH4 questions GAL has confirmed (REP2-005, Appendix B) that August represents an 8% uplift on June car vehicles values based on 2016 weekday data. What would the impact of post-Covid day, for staff and passengers, have on this? The modelling assumes (REP 2-005, Appendix B, paragraph 2.1.5) that 'the schedule will therefore flatten out through the year and over time, [so] demand on a June day will become more like that on an August day over the preceding years. However, if less de-peaking occurs in reality how will this affect whether the worse case has been modelled. Figure 2 (of REP 2-005, Appendix B) shows that for August there is higher non-airport vehicle flows on the M23 in August and higher on the M23 spur in June. But surely, the worse case would depend on what the total airport and non-airport traffic was. Can GAL please provide comparative data for June and August with airport traffic as well as without it as it would appear that choosing June may not be the worse case.

Similarly for Rail, the basis for selecting June weekdays for modelling is still not clear. GAL have presented details in Figure 2: Seasonal profile of daily rail demand as a

function of June demand (in REP2-005, Appendix C). However, this appears to show that rail demand is higher in May, July, August, September, October, November and December than in June at the weekend and for August and November during the week. Also, it is not clear why busyness at Victoria is chosen as opposed to busyness at either Gatwick Airport or East Croydon. The justification provided by GAL for their selection of a June weekday as the worse case for rail modelling is not, we believe, fully substantiated.

Response to Covid-19 Modelling

We agree with the concerns raised by Surrey County Council in response to the document "Accounting for Covid-19 in Transport Modelling", in particular:

- ! In 2032 GAL is unable to meet its mode share targets, yet no further mitigation is proposed.
- ! Reduced highway congestion means cars become more attractive and there is a small reduction in public transport mode share.
- ! Increased local traffic but no mitigations proposed.
- ! Reveals that the model is highly sensitive to small changes in background highway demand, highlighting uncertainty in the over the forecasts and impacts. This underlines the need for sensitivity tests to understand the impact of not meeting the SACs.

3. Enforcement

Green Controlled Growth

We support the principle of the application of Green Controlled Growth strategy to this Project, similar to the strategy proposed for Luton airport expansion. This has been raised by numerous interested parties, including host local authorities, for matters such as noise, carbon emissions and climate change, air quality, surface transport targets including mode shares.

[Green Controlled Growth supported by West Sussex Joint Authorities: West Sussex CC, Crawley Borough Council, Horsham District Council, Mid Sussex District Council (REP1-068) and Surrey Joint Authorities: Surrey County Council, Mole Valley District Council, Reigate and Banstead Borough Council and Tandridge District Council (REP1-097)].

This would go some way to ensuring that the Surface Access Commitments can be enforced – a concern raised by many IPs. Forecasting is an inherently uncertain undertaking and the analysis of the impact of Covid-19 presented by the Applicant is an example of the sensitivity of the models to variations in the input assumptions. This analysis also underlines the case that the mode share targets are vulnerable to failure, and that the Applicant appears to lack sufficient alternative measures to rectify any shortfall. The Green Controlled Growth would avoid continued airport expansion until agreed targets are met. However, where we differ with the Authorities, is the point at which such constraints are applied. GACC reiterate their earlier comment regarding the watering down of the SACs from 60% to 55%, and the lack of a no car growth scenario, overall car parking strategy and public transport strategy to inform the design of a set of best-in-class public and active transport improvements around the airport that maximise shift to sustainable modes.

5. Climate Change and Greenhouse Gas Emissions

GACC are concerned that the Green Controlled Growth approach by the councils (as highlighted in the LIRs - see for example REP1-068, and REP1-097) is inadequate to constrain the full climate and environmental impacts of Gatwick's proposed expansion, and particularly for limiting the significant climate impacts associated with the proposed expansion of Gatwick Airport.

While it is better, clearly, to have some constraints to virtually none at all, what is proposed in the LIRs amounts to a greenwashing of the climate impacts associated with the proposed project. In particular, the proposal in the LIRs to constrain only the airport-based carbon emissions set out in GAL's Carbon Action Plan misses the vast majority of the climate impacts of the airport's growth, creating the illusion that aviation's environmental impacts are being constrained, whereas the reality is the largest impacts (from flights) will not be. This approach merely replicates what Luton has already proposed in their DCO to be applied here at Gatwick. It would still result in increases in airport impacts with respect to surface transport, air pollution, noise and climate change. And it omits the majority of the climate impacts, and when combined with the overstated baseline (see above) risks providing very little if any constraint on Gatwick's growth ambitions or their impacts at all.

Specifically with respect to climate change, REP1-068, 16.69 notes that, "The Applicant should be required to consider the implementation of a carbon emissions control mechanism such as the Green Controlled Growth Framework offered by London Luton Airport. This framework provides a mechanism to track, report and **limit carbon emissions from construction, airport operations and surface access journeys to 2050** (emphasis added). GACC urge the ExA to reflect the position of the Government's Climate Change Committee that all of the greenhouse gas emissions that are generated by the expansion of flights at Gatwick (both with and without the project, as the S106 should not be specific to the project as noted above) should be included. This will mean that the full *significance* of the carbon emissions generated by Gatwick, which is principally due to flights and surface access, is constrained.

GACC take the view that this should be constrained from the current position. Climate and environmental constraints should be set in place before growth in flights is considered, and assessed against, not the other way around.

GACC request that constraints on carbon emissions (and other environmental impacts) are needed:

- ! **Irrespective of whether or not the project going ahead**
- ! **Should relate to the current reality (real baseline) as opposed to the fabricated future baseline invented by GAL.**
- ! **Should include all surface transport and flight related carbon emissions.**

This is reflected in our proposed changes to the Section 106 agreement.

6. Air Quality

REP1-070 (East Sussex LIR), paragraph 3.10.8 notes that the NPPF requires that decisions prevent development from contributing to unacceptable levels of air

pollution and should, wherever possible, help to improve local environmental conditions such as air quality (paragraph 180), and that 'opportunities to improve air quality or mitigate impacts should be identified' (paragraph 192). It also requires that 'the environmental impacts of traffic and transport infrastructure be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains (paragraph 108). **With this in mind GACC request this is applied to limiting the impacts of ultra-fine particles around the airport.**

The transport modelling by GAL appears to show significant increases in congestion in some local routes around Gatwick Airport in future. **GACC request that GAL confirm whether and how the air pollution impact of increased traffic congestion has been modelled.**

7. **Water Supply, Waste Water and Flood Risk Assessment**

GACC reiterate their earlier comment that it is inappropriate for GAL to have two design flood return periods: one for the highways part of the project and one for the other part; as is currently the case in light of REP1-068, paragraph 6.6 which comments on the consideration of the DCO as one, not two separate distinct projects. It notes that this is, "A single integrated project and has no "free-standing parts" (leaving aside the separate question of any 'associated development')." And indeed paragraph 10.25 and 10.38-10.40 of REP1-068 and 9.42 of REP1-097, which relate to the same point.

8. **Waste**

As with other environmental issues **GACC request a clear current baseline as well as waste volumes for the future baseline and project case, so the current operations and existing infrastructure can be contrasted to what is proposed to happen in future.** REP1-068, paragraph 22.5 states that, "There is, no baseline provided about the existing waste operations at Gatwick Airport."

9. **Design Standards**

REP1-068 suggest BREEAM Excellent should be required if it is concluded that this is technically and financially viable. GACC feel that this is inadequate. **GACC therefore request that BREEAM Excellent is set as a minimum standard, and that GAL should have clearly mandated targets to reduce both water and energy demand reduction on *current buildings and operations*, not just for new additions to Gatwick Airport.**

10. **Construction Programme**

GACC request that GAL be required to clearly set out why:

- ! Car park 2 compounds continue to the end of the construction works.
- ! Provision of the new footpath from riverside garden park is programmed to take 4 years

- ! Provide details of the access routes and full extent of local roads affected by site access. In particular, it is noted that a construction site is accessed from Woodroyd Avenue – but presumably it will affect other roads too.
- ! Pier 7 terminal expansion is noted as taking place from 2030-2034. Do the north and south terminal expansions proposed provide sufficient capacity for 73.4 mppa, the forecast passenger numbers for 2034?

Yours faithfully,
Peter Barclay
Chair, Gatwick Area Conservation Campaign

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