



Gatwick Airport Northern Runway Project

List of Other Consents and Licences – Tracked Version

Book 7

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1 Introduction

- 1.1.1 This Statement of Other Consents and Licences relates to the application made by Gatwick Airport Limited ("GAL") to the Secretary of State via PINS under section 37 of the Planning Act 2008 (Ref 1.1). The application is for development consent to enable dual runway operations through altering the existing northern runway at Gatwick Airport, lifting the current restrictions on the use of the northern runway and providing a range of infrastructure and facilities to allow increased airport passenger numbers and aircraft operations including works to the surface access highways leading to the airport (the "Project").
- 1.1.2 A detailed description of the Project can be found in **Environmental Statement (ES) Chapter 5: Project Description** (Doc Ref. 5.1). A description of the proposed works for which a development consent order is sought can be found in Schedule 1 of the **Draft Development Consent Order** (Doc Ref. 2.1).
- 1.1.3 The principal consent for the Project will be the Development Consent Order (the "DCO") itself. The DCO however needs to be supplemented by other consents, permits and licences which are required before works can start on site and which need to be complied with through construction and operation as appropriate.
- 1.1.4 This document identifies 'other consents and licences' that are required to allow the construction and operation of the Project. However, this is not an exhaustive list as the consents, permits and licences required depend on construction works, design finalisation and engagement with the consenting authorities; therefore, there may be further consents, permits and licences required. As designs, techniques, methodologies and regulatory regimes evolve, GAL will ensure that the consents and licences are obtained at the relevant times to comply with the legislation.
- 1.1.5 In preparing this statement, GAL has had regard to the former Department for Communities and Local Government's 'Planning Act 2008: Application Form Guidance' (June 2013) (Ref 1.2) and this statement supplements the response to Box 24 of the Application Form which relates to 'details of other consents / licences required under other legislation'.
- 1.1.6 Paragraph 45 of the former Department for Communities and Local Government Planning Act 2008: Application Form Guidance (June 2013) (Ref 1.2) provides the following guidance in this regard:
- "Where the proposed development will also require other consents, licences, permits, etc, to enable it to be constructed and/or operational, and for which the Secretary of State is not the authorising body under the Planning Act, then the applicant must list and briefly describe these in Box 24. Reference should be made to any that have already been applied for, and a copy enclosed of any that the applicant may already be in the possession of. Such other consents could be required for controlling pollution, for example."* (paragraph 45).
- 1.1.7 This statement provides an indicative list of other consents and licenses that GAL intends to obtain for the construction and operation of the Project. As this statement is part of the application, it should be read alongside and is informed by the other application documents. In particular, this statement should be read alongside the **Environmental Statement (ES)** (Doc Ref. 5.1, 5.2 and 5.3.) and **ES Appendix 5.3.2: Code of Construction Practice** (Doc Ref. 5.3).

2 List of Other Consents and Licences Likely to be Required

2.1. Consent and Licence Requirements

2.1.1 As mentioned earlier the principal consent for the Project will be the Development Consent Order (DCO) itself. Table 2.1.1 provides a list of other consents and licenses likely to be required with respect to environmental topics. Only those environmental topics that are relevant have been included in the table below.

2.1.2 GAL will also ensure compliance with all applicable laws at all stages of the Project, this includes but is not limited to the following legislation relevant to the operation of an airport;

- Aviation Security Act 1982;
- Aviation and Maritime Security Act 1990;
- Policing and Crime Act 2009;
- Regulation (EC) 300/2008 of the European Parliament and of the Council;
- Regulation (EU) 2016/598;
- Civil Aviation Act 1982;
- Civil Aviation Act 2012;
- Airports Act 1986;
- Civil Contingencies Act 2004;
- GAL will also ensure compliance with applicable health and safety legislation including the Health and Safety at Work Act 1974 and the Regulatory Reform (Fire Safety) Order 2015; and
- GAL will review and consider any amendments to applicable legislation to ensure that GAL remains in compliance.

2.1.3 Where appropriate GAL is progressing the applications for these consents and licences through preparation of the applications and/ or engagement with the relevant regulators; for example on the ghost protected species licences. There are a number of consents and licences, however, which cannot be applied for until detailed design has been completed and therefore GAL is progressing the principles of such applications but is not able to make any submissions in advance of the end of the DCO Examination. The list also includes consents and licences which would only be required in a specific set of circumstances so these cannot be obtained in advance; for example notification of invasive species.

Table 2.1.1: List of Other Consents and Licences Likely to be Required

Topic	Other Consents and Licences Likely to be Required	Consenting Authority
Historic environment	<ul style="list-style-type: none"> ▪ Licence from the Ministry of Justice for the removal of buried human remains (including cremated remains) in England & Wales pursuant to Section 25 of the Burial Act 1857 <p><u><i>The application for the licence would be progressed post consent and prior to the removal of any buried human remains.</i></u></p>	Ministry of Justice

Topic	Other Consents and Licences Likely to be Required	Consenting Authority
Ecology	<ul style="list-style-type: none"> ▪ Licence from Natural England in relation to affected European Protected Species pursuant to regulation 55 of the Conservation of Habitats and Species Regulations 2017, in relation to great crested newts ▪ Mitigation licence from Natural England in relation to affected European Protected Species pursuant to regulation 55 of the Conservation of Habitats and Species Regulations 2017 in relation to bats ▪ Licence from Natural England to affect protected species under Section 10 of the Protection of Badgers Act 1992, in relation to badgers. <p><u>Draft licences for badger and great crested newt have been prepared and shared with Natural England for the purposes of enabling them to issue Letters of No Impediment. The Applicant would propose to provide an update to confirm the NE response through updates to the SoCG at a relevant future deadline.</u></p>	Natural England
Geology and Ground Conditions	<ul style="list-style-type: none"> ▪ Environmental Permit from local planning authority and/or Environment Agency under Environmental Permitting (England and Wales) Regulations 2016 (as amended) for mobile concrete batching / crushing plant ▪ Environmental Permit (or Exemption) under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) or under the Pollution Prevention and Control Act 1999 .from local planning authority for waste storage, treatment (including mobile plant), recovery, and disposal of waste excavated from a historical waste deposit ▪ Mobile plant licences for crushing operations or site permits if not using a subcontractor with their own mobile licences under the Pollution Prevention and Control Act 1999 <p><u>Applications for these would be progressed, as required, post DCO consent and prior to construction</u></p>	Local Planning Authority
Flood Risk Activity Permits	<ul style="list-style-type: none"> ▪ Flood Risk Activities (for Main Rivers) under the Environmental Permitting (England and Wales) Regulations 2016. A Flood Risk Activity Permit is required for: Works within the floodplain (Flood Zone 3) ▪ Works within 8m of Main Rivers or flood defences <p><u>Permit(s) would be progressed, as required, post DCO consent.</u></p>	Environment Agency
Water abstraction licence	<ul style="list-style-type: none"> ▪ A licence from the Environment Agency pursuant to section 24 of the Water Resources Act 1991 for the 	Environment Agency

Topic	Other Consents and Licences Likely to be Required	Consenting Authority
	<p>abstraction of groundwater or surface water from watercourses or groundwater</p> <p><i>Applications for licence(s) would be progressed, as required, post DCO consent.</i></p>	
Discharge Consent	<ul style="list-style-type: none"> ▪ An environmental permit to discharge effluent to the Gatwick Stream from the de-icer treatment facility <p><i>A meeting has taken place with the Environment Agency to discuss potential requirements and Gatwick will be contacting the national permitting team to discuss the likely discharge consent required to the Gatwick Stream.</i></p>	Environment Agency
Ordinary Watercourse Consent	<ul style="list-style-type: none"> ▪ Under the Land Drainage Act 1991 works that alter the flow within an ordinary watercourse require an Ordinary Watercourse Consent from the Lead Local Flood Authority. ▪ It is proposed to extend an existing culvert on the Haroldslea Stream by approximately 4 metres. <p><i>The consent application would be progressed, as required, post DCO consent.</i></p>	Lead Local Flood Authority
Discharges to sewers	<ul style="list-style-type: none"> ▪ Consent is needed from the relevant sewerage undertaker (Thames Water) to discharge waste water to a sewer pursuant to section 118 of the Water Industry Act 1991. This is needed for the following: <ul style="list-style-type: none"> - Foul water connection for compounds - Trade effluent discharge <p><i>Regular meetings are being held with Thames Water and work is being progressed to understand the effects of the Project on their receiving infrastructure and future discharge consent(s).</i></p>	Thames Water
Noise	<ul style="list-style-type: none"> ▪ Consent(s) from the relevant Local Planning Authority pursuant to section 61 of the Control of Pollution Act 1974 <p><i>Consent(s) would be obtained, as required post DCO consent.</i></p>	Local Planning Authority
Invasive species	<ul style="list-style-type: none"> ▪ Notification to the Environment Agency of any Himalayan Balsam removal, treatment or burial under the Waste (England and Wales) Regulations 2011 ▪ Consent under the Control of Pesticides Regulations 1986 (as amended) for the use of and control of any pesticides within 8m of a watercourse <p><i>These would be progressed, if required, post DCO consent and prior to construction for the treatment or removal of invasive species.</i></p>	Environment Agency

Topic	Other Consents and Licences Likely to be Required	Consenting Authority
Health	<ul style="list-style-type: none"> ▪ Notification to the Health and Safety Executive about the commencement of construction in accordance with the Construction (Design and Management) Regulations 2015 (F10 Notification) ▪ COMAH (Control of Major Accident Hazards) notification from the Health and Safety Executive in relation to the storage of dangerous substances pursuant to the Control of Major Accident Hazards Regulations 2015 <p><i>These notifications would be issued, as required, post DCO consent and prior to construction.</i></p>	Health and Safety Executive
Hazardous Substances	<ul style="list-style-type: none"> ▪ Consent(s) from the relevant local authority or Environment Agency in relation to hazardous substances pursuant to sections 4 and 6 of The Planning (Hazardous Substances) Act 1990 and Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 <p><i>Application for this consent(s) would be progressed post DCO consent.</i></p>	Local Planning Authority and/or Environment Agency
<u>Waste</u>	<ul style="list-style-type: none"> ▪ The operation of the new CARE facility will require an environmental permit. It is likely that the permit for the existing CARE facility will be modified to apply to the new facility. <p><i>The application to modify the existing permit would be undertaken post DCO consent.</i></p>	Environment Agency

3 Conclusion

- 3.1.1 GAL will discuss with all affected bodies the application and contents of the consents and licences identified in table above with an aim to ensure that all relevant issues can be considered and addressed during the examination of its application for development consent.

4 References

Planning Act 2008

"Planning Act 2008: Application Form Guidance" published in June 2013 by the former Department for Communities and Local Government