



Gatwick Airport Northern Runway Project

Response to the Examining Authority's Written Questions – Cumulative Effects

Book 10

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1 Response to the Examining Authority’s Written Questions – Cumulative Effects

1.1.1 The below table sets out the Applicant’s response to the Examining Authority’s Written Questions relating to Cumulative Effects.

ExQ1	Question to:	Question:
CUMULATIVE EFFECTS		
CE.1.1	The Applicant RPAs	ES Chapter 20 Cumulative Effects Does the ES Chapter 20 Cumulative Effects [APP-045] fully account for the cumulative effects of the Proposed Development and the delivery of a third runway at Heathrow Airport?
	RHAs Heathrow Airport Limited	ES Chapter 20: Cumulative Effects and Inter-Relationships [APP-045] does not “fully account” for the cumulative effects of the Project and the delivery of a third runway at Heathrow Airport, if this term is being used to refer to a fully detailed cumulative impact assessment of a third runway project. However, the Applicant does not consider that this is required or practical in the circumstances of this case. To comply with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), an ES should contain a description of the likely significant cumulative impacts arising from the proposed development as well any existing and/or approved projects, as far as that may reasonably be required, having regard to current knowledge and methods of assessment. However a decision-maker is entitled to defer the assessment of cumulative impacts arising from the subsequent development of another project in question, in particular where that development is inchoate, no proposals have been formulated and there is, or is not any, or any adequate, information available on which a cumulative assessment could have been based. ¹ In ES Chapter 20: Cumulative Effects and Inter-Relationships [APP-045], the Applicant explained at

¹ See R (on the application of Together against Sizewell C Ltd) v. SSESNZ [2023] EWCA Civ 1517 at [60]-[61].

		<p>paragraphs 20.7.2-6 that, in relation to the Heathrow third runway project, the assessment of cumulative effects fell into this latter category, due to uncertainty relating to the status of the project and its potential environmental effects. The Applicant concluded however that even if it were considered that an assessment of cumulative impacts was to be conducted in the determination of the current application, it had presented as much information about the effects of that project as could reasonably be expected. The Applicant's position is explained further below.</p> <p>Planning Inspectorate Advice Note 17 assumes that the term “existing and/or approved development” which is required to be considered cumulatively under the EIA Regulations can include projects as “existing” even before they are at application stage, (including projects on the PINS Programme of Projects where a scoping report has not been submitted, or identified in plans and programmes where such development is reasonably likely to come forward: see paragraph 3.1.5). It advises more generally that for the purposes of the Advice Note, “other existing development and/or approved development” is taken to include existing developments and existing plans and projects that are “reasonably foreseeable” (paragraph 1.4).</p> <p>It is debatable whether the term “existing project” in the EIA Regulations should be interpreted to include projects which are not even the subject of an application for consent. In so far as the Advice Note indicates that cumulative assessment should take into account reasonably foreseeable projects, the project was announced as the government’s preferred scheme to deliver additional airport capacity in October 2016 and when the NPS was published in June 2018 it was expected that Heathrow R3 would be operational by 2030. Whilst work commenced on the Heathrow R3 DCO application, as a result of the COVID-19 pandemic, work was suspended in 2020 and there is no indication that work to deliver the project will be recommencing. Given the project pause in 2020 and the ongoing uncertainty as to any restart to the consenting work, it is reasonable to judge that the third runway does not require consideration as part of any cumulative assessment for the purposes of Advice Note 17 or the EIA</p>
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		<p>Regulations more generally.</p> <p>The Applicant also notes that the Advice Note presents a four-stage approach to the assessment of cumulative effects that applicants may wish to adopt, which anticipates that at the assessment stage (Stage 4), information captured (Stage 3) should include the <i>“proposed design and location information; the proposed programme of construction and operation; and environmental assessments that set out baseline data and effects arising from the ‘other existing development and/or approved development’”</i>.</p> <p>The Applicant does not consider that this information, or other adequate information is available in order to allow for a cumulative assessment as envisaged by the Advice Note.</p> <p>However, notwithstanding this position, and recognising that the third runway is supported in principle by government policy, the Applicant has considered that project as a sensitivity within its cumulative effects assessment. If cumulative effects with that project are considered, Table 20.7.2 in Chapter 20 includes, as far as possible, information on whether and how such effects may occur. The entries under each topic explain why fuller information cannot be provided at this stage.</p> <p>The table indicates that, for several environmental topics, it is not anticipated that any likely significant cumulative effects would occur. In respect of other topics, a qualitative assessment is provided to the extent that this can reasonably be provided. Where relevant, the entries in the table have assumed that in general terms, if the third runway at Heathrow were to become operational by the mid-2030s, air traffic levels at Gatwick would likely decline in the immediately following period, by comparison to the scenario where the third runway did not come into operation. In the longer-term, even with the third runway, it is forecast that Gatwick's traffic would subsequently return to the levels forecast without it.</p> <p>It should be emphasised that the details of any future proposals for a Heathrow third runway will come forward as part of any DCO application in the event that an application is made. Such an application would be subject to its own environmental impact assessment, including a cumulative assessment which took into account as appropriate any consent which had been granted for the Gatwick Northern Runway</p>
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		Project.								
CE.1.2	The Applicant	<p>ES Chapter 20 Cumulative Effects</p> <p>In Table 19.1 of the Joint West Sussex LIR [REP1-068] the Councils list sites that they consider will interact with the Project. Have these been considered in the assessment in the ES?</p>								
		<p>The long and short list of other developments for the purposes of the cumulative effects assessment is provided in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216]. This has been subject to consultation with statutory and non-statutory consultees during the EIA process as described in section 20.5 of ES Chapter 20 Cumulative Effects and Inter-Relationships [APP-045]. For the purposes of the cumulative effects assessment reported in the ES Chapters 7 to 19 and summarised in Table 20.7.1 of ES Chapter 20 Cumulative Effects and Inter-Relationships [APP-045], each topic has considered the developments on the short list which could result in cumulative effects for that topic (the methodology is described in Section 20.4 of ES Chapter 20).</p> <p>Table 19.1 of the Joint West Sussex Local Impact Report [REP-068] is reproduced below (Table 1) with one additional column confirming whether each of the developments listed is considered in the ES cumulative effects assessment, and if not – the reason why. For presentational ease, each of the developments on the list that have been included within the short list are shaded green.</p> <p>Table 1 Developments considered in the ES for the Cumulative Effects Assessment</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Status</th> <th>Scale</th> <th>CEA Status</th> <th>Considered in ES for Cumulative Effects Assessment</th> </tr> </thead> <tbody> <tr> <td colspan="5">West Sussex County Council</td> </tr> </tbody> </table>	Site	Status	Scale	CEA Status	Considered in ES for Cumulative Effects Assessment	West Sussex County Council		
Site	Status	Scale	CEA Status	Considered in ES for Cumulative Effects Assessment						
West Sussex County Council										

		Recycling, Recovery and Renewable Energy Facility and Ancillary Infrastructure	Allowed at appeal		Tier 1 development	Included in the short list (reference 19) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
Crawley Borough Council						
		Crawley Borough Local Plan 2023-2040 Modifications Consultation Draft February 2024		TOTAL 5330 homes 17.93ha employment land		The Crawley Borough Local Plan 2023- 2040 Main Modifications Consultation Draft February 2024 increases the provision of new dwellings from 5030 to 5330 (net additional) and employment land increases from 13.73ha to 17.93 ha between 2023 and 2040 across a number of sites. No new sites have been added and this change is to reflect the amended plan period (starting in 2023 not 2024) and to correct a factual error in relation to the employment land trajectory. The consultation closed on 25 March 2024 and this is not yet an adopted plan. A number of allocations in the adopted Crawley Local Plan are identified as tier 3 developments due to the level of uncertainty and included on the short list given their scale and location. Also a number of allocations in the Crawley Local Plan 2021-2037 (Regulation 19) are short listed given their scale and location.

		Gatwick Green Strategic Employment Site	Allocated in mCBLP 2024	17.93ha minimum	Tier 3 Identified as Reasonably Foreseeable and therefore do not form part of future baseline. Added to the “with Project” scenarios.	Included in the short list (ref 383) as a tier 3 in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Forge Wood	Under Construction	784 dwellings remaining	Included due to proximity to the Airport and scale	Included in the short list (refs 403 and 404) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Town Centre Sites	Identified in SHLEA/mCBL PLocal Plan	Various sites totalling 2,987	Included due to scale	Included in the short list (refs 390 and 392) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
Horsham District Council						
		Kilnwood Vale	Under construction	Up to 2,500	Tier 1. Included due to falling within Ecology and Landscape Zols, and scale of development.	Included in the short list (ref 288) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].

		Mowbray / Land North of Horsham	Under construction	2,750 homes, 46,650m ² business park, all through school.	Tier 1. Included due to falling within Ecology ZoI and due to scale and temporal scope. 362 Also included as Tier 3 development as a Strategic site allocation in the current Local Plan.	Included in the short list (refs 294 and 296 to 298 and 355) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Land North of Horsham densification	Reg 19 Horsham District Local Plan draft allocation	Proposal for an additional 500 homes is included in the emerging Horsham District Local Plan	Not included	Included in the short list (ref 355) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216] for the adopted plan comprising 2,500 homes. Regulation 19 consultation closed on 1 st March 2024. It is therefore considered that this development is captured on the short list.

		Land West of Ifield	Regulation 19 Horsham District Local Plan draft allocation	Up to 3,000 homes	Tier 2. Included due to pre-application EIA scoping opinion having been sought, nature and scale. Also within Traffic, Landscape, Ecology, Air Quality and Heritage Zols.	Included in the short list (ref 353) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Former Novartis Site, North Horsham	Site allocation with outline permission	Up to 300 homes, flexible commercial space	Tier 1. Included due to falling with Ecology Zol, scale and nature of development.	Included in the short list (ref 299) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Land West of Southwater	Under construction	540 homes	Not included	This is located outside the search area (described in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.

		Land Northwest of Southwater	Reg 19 Horsham District Local Plan allocation	1000 homes	Not included	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		Land East of Billingshurst	Reg 19 Horsham District Local Plan allocation	Up to 650 homes	Not included	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
Mid Sussex District Council						
		Brookleigh, Burgess Hill	Under construction	3,500 homes		This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		Woodgate, Pease Pottage	Under construction	600 homes		Included in the short list due to location and scale (ref 447) in ES Appendix 20.4.1

					Cumulative Effects Assessment Long and Short List [APP-216].
		Heathy Wood, Cophthorne	Under construction	503 homes	Included in the short list as tier 3 for 303 units for DM/18/4321 (ref 334) and also as DM/21/0644 (ref 307) for reserved matters for 197 dwellings as tier 1 in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		Science and Technology Park, Burgess Hill	Development Plan allocation	23 hectare employment land allocation	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		The Hub, Burgess Hill	Under construction	15ha Employment land allocation	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		Brookleigh, Burgess Hill	Adopted District Plan allocation	10 ha Employment land	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been

					included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		Crabbet Park, Cophorne	Submission Draft District Plan allocation	2,000 homes	Allocation is not in an adopted plan although has been included in the short list due to location and scale (ref 448) in ES Appendix 20.4.1 Cumulative Effects Assessment Long and Short List [APP-216].
		West of Burgess Hill	Submission Draft District Plan allocation	1,250 homes	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.
		Sustainable Community at Sayers Common	Submission Draft District Plan allocation	2,360 homes	This is located outside the search area (described out in Section 20.4 of ES Chapter 20 Cumulative Effects and Inter-relationships [APP-045]) and has therefore not been included on the long list as it is not considered to have potential for cumulative effects together with the Project.