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FULL TRANSCRIPT (with timecode)

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The time is now. 1155. Could I resume this meeting? Uh, at agenda item 4.1, which is flood modeling. I'd like to hear from the Environment Agency and the local lead flood authorities about any outstanding concerns about flood modeling undertaken. Could I start with the Environment Agency, please?

00:00:33:24 - 00:01:13:03

Thank you very much. It's carried out to the Environment Agency. Uh, we'd be working, you know, with, with Gatwick on a statement of common ground. And there are still a number of points, as you say, outstanding. Um, and I will go through essentially some of those points. Bear with me a moment. So we've had a look at aspects such as a flood risk assessment, and we've had a look at the water environment chapter. Um, and the points for us that are still under discussion are around the climate change allowances.

00:01:15:12 - 00:01:17:28

To move down further through this document.

00:01:20:13 - 00:01:54:09

We're also discussing elements around, um, the sort of the modelling that's been carried out. Um, and some of the extents and understanding what those extents mean in terms of relating the environment data, flood map for planning against the outputs that are shown by the applicant. Uh, we've also had a look at really the, the timings that and the lifetimes of the various elements of the project that have been put forward by the applicant.

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Um, there are different lifetimes associated with air field and surface elements, and we've asked the applicant provide further information and justification for their choice of lifetime for the various elements of the project.

00:02:14:06 - 00:02:50:11

She'll move on to another section, please. Uh, we've also asked for more information on essentially the mitigation that's proposed for the project. Um, about the sort of the floodplain losses and the mitigation that's proposed. Um, there are some fluvial mitigations that are proposed example of this, uh, sort of a couple of areas that are put forward, uh, to mitigate against fluvial losses. However, we've requested, uh, further information on those, and we're waiting to see those at the present time.

00:02:52:16 - 00:03:37:05

Now I'm just going through just a double check. What else is outstanding? Um, so essentially we have started a review. Of the flood risk modeling that's been submitted by the applicant in support of of the DCO. However, this is still ongoing at the present time. Um, so we haven't been able to work through the modelling and sign it off yet. Uh, so we can't yet fully comment on whether, you know, the project does offer suitable fluvial mitigation against the flood risks and also the suitability of the mitigations proposed, I say, as that work is still ongoing.

00:03:37:25 - 00:03:39:03

Thank you very much.

00:03:39:17 - 00:03:47:24

Thank you. Could I ask when do you think, does that work? Sit with you at the moment and when do you think you'll have a response to the applicant?

00:03:49:11 - 00:04:20:15

Yes. Thank you. It's I say we've reviewed part of it and we have sent comments back to the applicant. So essentially we're waiting for the applicant to respond to us with further information for us to then review. So it does partly sit with us. Um, and we have been recent correspondence and contact with the applicant, and we understand that they're looking to return information to us at the Environment Agency, uh, within the next week or so for us to then recommence our review.

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Thank you. Could I ask the applicant just to give me a view as to when we were likely to see a result? In terms of the modeling discussions with the AEA?

00:04:36:04 - 00:04:58:19

Uh, Mike Simons for the applicant. Uh, I've been in touch with Kerry directly earlier this week. We received the EA's comments on the with scheme modelling, uh, back in February that we've been responding to and addressing. So, as Carrie said, uh, we are planning to issue that our response and upload the relevant files to them this week.

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Thank you. Could I then ask if any of the local lead flood authorities have any comments on flood modelling? Mr. Bedford, thank you.

00:05:10:16 - 00:05:59:16

Thank you sir. Michael Bedford, joint local authorities. So I think the issues come more from the West. Um, Sussex lead local flood authority than from the Surrey lead local flood authority. Um, but there are a number of outstanding issues in relation to surface water flooding. Many of those echo the points that you've just heard from the Environment Agency in relation to fluvial flooding, uh, particularly in terms of climate change allowances, lifetime for um, the project, um, and um, the extent of modelling, um on uh, the issue of lifetime.

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Uh, the applicant has chosen. Um, uh, to, uh, assume, uh, some aspects, uh, will have a lifetime of 40 years as opposed to a more extensive lifetime of 100 years, which then has an impact on the climate change allowance that you apply to that whether it should be 25% or 40%. Uh, we've not been persuaded that the applicant's rationale, uh, for using only 40 years, lifetime, uh, is robust in the context that there is existing airport infrastructure, which is either 40 years or older in situ and still in use.

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And we do not think that it's therefore reasonable for the applicant to assume that whatever is provided will only have a 40 year lifetime because of it being a dynamic airport. So we think that there is a need to review that that then has an implication for the climate change allowance. We do know that the applicant has provided a sensitivity test, which includes using 40%, uh, across, uh, the, uh, piece. But we're not persuaded that completely is a sufficient answer to the modeling, uh, concerns.

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There is then, um, a separate point distinct from issues raised by the Environment Agency, which is the appropriate input data, uh, in terms of rainfall, uh, that should be used for the modeling exercise.

Um, and it's slightly rehearsed, uh, in the parties positions in the statement of common ground. But the position, uh, is effectively that the applicant, um, has used rainfall data, uh, from a 2009 dataset which has been superseded not merely once but twice.

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And the most recent rainfall data in the Flood Estimation Handbook relates to 2022. Um, the applicant and you'll see this set out in the statement and the applicant's view as well, because there is a particular flood model, uh, that is in existence, which hasn't been updated. It's appropriate they consider and proportionate to carry on using 2009 even though it's effectively been superseded. We're not at the moment persuaded. That's a good enough explanation, particularly because we consider that when one looks at, uh, the differences between, um, uh, levels of rainfall between the two data sets, there are locations where one can see that there are differences greater in some, lesser in others, but it all has an impact.

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So that's an outstanding issue. Uh, there are then uh, also, uh, issues in relation to the treatment, um, of the model at the moment. As we see it, the hydraulic model for surface water looks at the increase in impermeable areas across the order land, uh, as a whole, rather than looking at it in terms of breaking it into its individual surface water catchments. And we think that by the latter, looking at the catchments rather than the red line, uh, potentially gives you different, uh, implications as to whether or not there would be an increase in flood risk, uh, elsewhere.

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We do have a concern about the, um.

00:09:33:12 - 00:09:41:26

Post development runoff rates, which we don't think have been adequately limited to the Cuba greenfield runoff rate for all parts of the order limits.

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And.

00:09:49:04 - 00:09:52:11

Look on the news.

00:09:54:08 - 00:10:25:25

Technical modeling matters. Those are issues. There is then a separate issue about the justification for the pumping station, which the applicant has put forward. Um, and obviously we consider that really there is a, a preference to avoid the provision of physical infrastructure to cater for surface water flooding. And we don't at the moment, uh, consider the applicant is adequately justified that choice.

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And if they were to persuade us of that choice, then there is the issue of the failure and emergency, um, um, procedures that would need to be brought into account for that, um, pumping station. So, so those are that's a, as it were, a summary of outstanding matters.

00:10:44:17 - 00:10:46:09

Thank you, Mr. Vinod.

00:10:47:18 - 00:10:49:15

Mr. Simmons, to pick it up, please. Thanks.

00:10:49:24 - 00:11:26:07

Um, if I go back to the EA's questions from the top, I'm working my way down. So Mike Simmons for the applicant. Um, climate change allowances. Uh, yes. We. And these this is linked intrinsically with the consideration of a split design life for the project. Uh, we've assumed 40 years for the airfield elements, as has been explained already. Um, we think given the change in footprint and layout of the airfield over the last 40 years, we think that's a suitable future timescale to consider for the airfield in how it might change and how, uh, Gatwick might evolve.

00:11:26:09 - 00:12:03:05

The airfield element might evolve, evolve over the next coming decades. That's why we haven't extended it to say, 100 years. We think that's that's too much of, uh, crystal ball gazing, if I can describe it as that. Whereas the highways elements are 100 years because they tend to be more fixed than, say, the airfield. Um, so that's why we've got a split design life there, or at least the airfield is 40 years rather than might be considered 100 years for the highways. Um, as was explained earlier, that then leads you into which climate change allowances you adopt based on the Environment Agency guidelines.

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So we have, uh, assumed for fluvial, uh, the fluvial elements of the flood, flood risk assessment, uh, plus 12% for the airfield and plus 20% for fluvial flood risk on the highways elements. However, what I would say about that is we've produced a holistic mitigation strategy for both elements. So to all intents and purposes, the fact that we have a 40 year design life for the airfield is irrelevant and the whole scheme is mitigated for a hundred years.

00:12:34:25 - 00:13:07:09

So, um, we've things like the floodplain compensation areas at Museum field and car parks and other mitigation elements are designed for 100 year design life, regardless of what we think the airfield actually will be in reality. Um, Carrie mentioned, uh, the modeling extents and a comparison to the flood map for planning published by the Environment Agency. Um, and other aspects of what she was describing as um, timings and operation of, uh, mitigations for the project.

00:13:07:25 - 00:13:40:18

Um, as I said earlier, we are responding to the Environment Agency's comments in their review of the modelling this week. Um, we have committed to the development of a flood compensation delivery plan that will be shared with the Environment Agency for comment. Uh, and, uh, it may be deadline for, but probably more realistically deadline five it will be submitted, but we can probably share it with them before that for comment. Um, that will set out how the proposed fluvial mitigations will align with the development of the various works in the project.

00:13:41:25 - 00:14:16:29

Um. That will give Kari. Sorry, the Environment Agency the information they've requested in terms of more detail, in terms of the operation of the mitigation measures, we've spoken to them about that in the past. So that will give them a bit more detail in terms of when floodplain compensations will operate and when they take to fill and drain and so on. Um, and yeah, as I've said already, um, we're responding to the EA this week on their comments on the With scheme modelling. I would add that the baseline modelling that this is all based on was signed off by the Environment Agency, I think last summer.

00:14:17:01 - 00:14:23:28

I think it was August 2023. So that's the basis of what we're doing now or have been doing now. Seeking to sign off with the EA.

00:14:24:29 - 00:14:32:09

And what Mr. Bedford outlined quite a few concerns was in respect to West Sussex Wizard.

00:14:32:22 - 00:15:10:23

Yes. Um, so Mike Simonds, the applicant again, um, in terms of surface water aspects, yeah, we've have we have built a surface water drainage model of the airfield and separately, there is one for the highways elements as well. Um. We have, um, undertaken that 40% sensitivity test of the credible maximum scenario in accordance with the EA guidance. Um, that's that's more for fluvial aspects. But we have then also used that plus 40% as a sensitivity test on the airfield drainage, given it's got a shorter design life that we've assumed, um, that has not indicated any new significant effects.

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So we're not proposing to provide any mitigation for that event, that more, more significant event. Um, in terms of the input data for the rainfall, I think we might have to come back to you on write in writing on that. Um, but we will do in due course. Um, and then in terms of the next question, that point made, I think, was in terms of, um, considering the catchments at a more catchment basis, the model is based on the airfield drainage model, is based on sub catchments, catchments to all intents and purposes.

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So the model does provide outputs for that. I think the airfield all drains to one point at what we call pond D, which then would discharge to the River mole. So that is the critical point to assess what the impact on, uh, other parties outside of Gatwick, whether Gatwick might be discharged, increasing discharge to the River mole in the with project scenario, which it won't be for all events. We've assessed that and that's reported in the Fra. Um, so we could provide more detail output from the model.

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But ultimately the conclusion would be the same, because the critical point is the final outfall to the River mole as part of the airfield, the highways drainage modelling does is broken down into individual catchments. The existing points of discharge to receive and watercourses will be maintained. And the. There's an annex in the flood risk assessment that sets out how those catchments might change in terms of an impermeable area, and the associated mitigation measures to ensure no increase in flood risk for each catchment.

00:16:48:24 - 00:17:25:21

Um, in terms of the QBR offsite and post development assessment, I think that's associated with the highways elements. Again, that I think we'll come back to you in writing on, because that's probably going to need a more detailed response. And then finally, the pumping station, the surface water pumping station that's in the southwest corner of the airfield. Um, because of the because the northern runway is being moved north to provide adequate separation between that and the main runway, that in turn knocks on Juliet taxiway, which will be on the footprint of the existing pond which receives the drainage from that southwest area.

00:17:25:23 - 00:17:55:28

That pond, will pond will go um, because of spatial constraints in that area, we're having to introduce a pumping station to replace effectively the function of pond that will then pump that drainage into the next catchment pond them, and then ultimately that will drain to ponds as everything does. Um, the reason we've chosen a pumping station, as I said, is spatial constraints. Um, we don't want to introduce a new discharge, uh, location offsite.

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So it's still going to go to pond as it would at the moment. Um, and any concerns about failure and emergency response should there be an issue with that pumping station? Gatwick has umpteen pumping stations, whether it's fowl or surface water, and they're very much used to dealing with

emergency response. So I can't imagine that would be an issue. That's something that they're well versed with dealing with.

00:18:20:24 - 00:18:29:13

Okay. Thank you. Before I move on to wastewater treatment, does anyone want to raise any issue about flood modeling? Yes.

00:18:31:15 - 00:19:02:09

Malcolm Fillmore Parish Council, uh, has the the minimal rises in our parish has the. Sorry, Mr. Fillmore, your microphone isn't my mistake. Thank you. Uh, Malcolm Fillmore, I've asked the parish council. The River mold rises in our parish, and you will be aware that there are massive housing developments along the River mole between us and, uh, Gatwick. We we hope they won't develop, but they are likely to.

00:19:02:18 - 00:19:20:24

Has your modeling taken account of the fact of the that the mole is likely to be, uh, taking more water, um, from the existing areas before it gets to Gatwick and how that is, that impacts. Have you taken that into account in your modeling? Thank you.

00:19:22:10 - 00:19:57:09

Uh, Mike Simmons, for the applicant. Um, planning requirements are that all individual developments provide their own mitigation for flood risk impacts. So we've assumed in our modeling, uh, that flood risk modeling, for the more that those developments won't change the peak flow in the, in the mole and therefore what reaches Gatwick. Um, so no, there's no explicit account of that development or those potential developments in our modeling because we don't believe that would change the significantly the hydrograph that Gatwick would need to convey.

00:19:58:12 - 00:20:01:05

Thank you. Any other points? Yes.

00:20:02:07 - 00:20:22:25

Odetta Chalabi for Cagney. So Cagney has a concern in relation to the new proposed reed beds that I don't think fits squarely under any of the headings for the proposed session today. And the reed beds that are proposed to treat any water contaminated with de-icer. Is that something that we can address now, or do you want it later at the end?

00:20:22:27 - 00:20:28:24

It's not specifically on any of these points, but if it's if it's a brief point that you could do it now.

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Thank you. So the concern is that in relation to the new reed bed installation, um, Gatwick has still not provided any detail at all as to how that will work in practice. And there was some more material submitted at deadline three. Um, but it still doesn't say whether the size of the proposed reed beds being offered is large enough to deal with any contaminated water, and it doesn't say what's going to happen if the reed beds are overloaded and the impacts to watercourses and flooding, or the plan in the event of the system failing.

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And thirdly, there is no information at all provided on the maintenance regime, which is critical to the successful operation of the reed beds. And Cagney is very clear that the applicant should provide a detailed maintenance plan. And we've set out in our deadline three representations Rep 3113, the specific points we want to see included in that maintenance plan.

00:21:28:14 - 00:21:30:28

Okay. Thank you, Mr. Simmons.

00:21:31:20 - 00:22:14:23

Okay. Mike Simmons for the applicant. Um, I'll. I'll shortly bring in my colleague, Ian Waghorn, to my right. Uh, to help answer some of those questions. Um, in broad terms, the operation of the reed made. It takes its flow from the long term storage lagoons that would receive potentially contaminated de-icer runoff from the airport. Um, we anticipate that the. Well, the reed beds will require a new, uh, discharge consent to the Gatwick stream from the Environment Agency, and that will include in it a limit in terms of flow, um, any failure in the operation of the reed bed? Um, not that we anticipate that, but we need to account for that sort of thing.

00:22:15:02 - 00:22:31:29

Um, would send flow back to the long term, long term storage lagoons until it's rectified. Um, so there is a sort of a failsafe mechanism. Um, should there be an issue with the reed bed? Um, at that point, Ian can hopefully provide a little bit more detail in their operation.

00:22:33:18 - 00:23:08:04

A microphone for the applicant. Um. Yeah. Basically, all contaminated water, uh, is sent over to the long term storage reservoirs, which we have a capacity of 320,000m³, which covers us for the whole winter period, basically. So, uh, any increase in future, uh, rainfall or, you know, um, climate change, uh, is allowed for in the huge capacity that we have there that covers the whole, the whole winter period.

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So, um, the the water is restricted, the flow to the reed beds is physically restricted because it's pumped through, um, we're looking to pump through at a capacity of around 100l per second. And that that can't change. That won't change with rainfall or or anything else. So it's, uh, it's it's an engineered system that will operate within its capacity if the disallowed, as Mike already, uh, suggested that the de-icer load, um, of the uh, reed beds capacity is exceeded, we have the facility to be able to just merely pump it back into the reservoir and allow that to go around again, um, diluted by the, the, um, the water that's already in the reservoir.

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So, so there's a, uh, if required, if the capacity of the rebate is exceeded, um, there isn't a problem because we can just allow that to be processed around the system again.

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I don't shower to be for Cagney. I mean, we just asked that this is all set down in writing the plan for if the capacity is exceeded, what the maintenance plan is, because we've not had any of this information provided so far, and it would help that we get to look at it in more detail. Okay.

00:24:25:20 - 00:24:33:22

Salinas, Scotland. If it would help, we can we can convey the information that's been given today as part of the note of this hearing. Yes, that would help. Thank you.

00:24:35:07 - 00:24:38:15

So if it's not a yes. Yes.

00:24:40:07 - 00:25:19:23

Okay. Jail for the jail. Um, well, uh, I understood that, uh, there's a joint term mitigation strategy for both the Harefield and the surface access works. Um, some parts of the health work, such as the hotels, are basically designed for a 100 year lifespan. Um, and this brings into question why you

should put some of these, um, works, which are predominantly would have been designed for for longer than 40 years within the 40 years lifespan.

00:25:20:18 - 00:25:31:24

That's the first question. Um, the other question is based on the residual risk of having these questions before, uh.

00:25:33:15 - 00:25:51:10

Uh, things happen. And when these things happen, how are they managed? The airport is a very sensitive, um, infrastructure. Um, residual risk within both for the fluvial and the approval, um, situation has not been considered in any of these cases.

00:25:54:14 - 00:25:55:05

Thank you.

00:25:56:18 - 00:26:36:05

Mark Simons for the applicant. Uh, in terms of, again, coming back to the design live, I mean, we have set out in the flood risk assessment again, sorry to repeat myself. We do think that 40 years is an appropriate duration for airfield development. I take the point that individual elements may be longer than that. And that's partly why the mitigation strategy does actually consider a 100 year design life and not 40. Um, in terms of a response plan, there's an annex to the flood risk assessment, annex six. I think it is the flood resilience statement that sets out, um, the existing procedures that Gatwick has in place to respond to a flood event, regardless of the source.

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Whether it's fluvial.

00:26:37:03 - 00:26:52:27

From, say, the river mole or whether it's a surface water from an extreme rainfall event. So within that, um, Gatwick sets out clearly that it has a plan should there be a flood event on the airfield and how it would respond and ensure the safety of passengers and staff?

00:26:52:29 - 00:26:53:16

Thank you.

00:26:55:09 - 00:26:55:29

Yes.

00:26:56:01 - 00:27:07:27

You have said the mitigation strategy is for a hundred years. Um, last part was a hundred years or 2020 cc considered or a hundred years 40 cc.

00:27:11:06 - 00:27:46:13

The the flu and the flu. Sorry. Mike Sammons for the applicant, the fluvial mitigation strategy, uh, is 100 years plus 20%. So that's in accordance with Environment Agency guidelines for allowances for climate change. Um, we have also tested it for the credible maximum scenario of plus 40%. So a far more extreme event. And as I think I said earlier, we haven't found any significant environmental effects or anything, uh, any new flooding situations with that extreme scenario beyond the 100 plus 20% that we've designed the mitigation for?

00:27:48:06 - 00:27:57:22

Thank you. Could I just make a general point? Any questions should be addressed through the panel rather than directly to the applicant. Um, yes. National highways.

00:27:58:07 - 00:28:31:14

Thank you. Sir. Mr. Latif, for, uh, National highways, we have, um, two broad points to make. And rather than repeat the same points again for agenda items four and five. Um, I, with your permission, I'd just like to summarize what they are so that we don't waste your time this afternoon. Um, and then, uh, it would be followed up by just one further contextual point. So in relation to both agenda item four and five, there are two fundamental concerns that National Highways uh, has.

00:28:31:16 - 00:29:06:04

The first relates to the applicant's compliance with the design manual for roads and bridges, uh, which sets out the standards that should be followed in the design and assessment of the highway features of the project in relation to flooding in particular. We are not clear. Um, and we haven't seen the precise evidence yet that the flood risk assessments have been carried out in accordance with the requirements of CD 356. Um, we will set that detail out in our written submission as to where we think there are some gaps in the assessment that's been carried out.

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But that same point about compliance with DMB, the design manual for roads and bridges, equally applies to the air quality assessment and the compliance with LA 105. And again, we'll set the detail out. But broadly it covers the timing of the traffic assessments, the speed banding, all of which is required under law 105, as well as some of the. Dispersion, site roughness, um, uh, values that have been attributed in the modelling.

00:29:38:18 - 00:30:23:02

The second broad point, again, which applies to both agenda item four and five, relates to the concern that you've you've heard us, um, on before about the construction traffic modeling now. Completely acknowledge this is not a traffic modeling session, so we won't get into the detail of that. But just to update you, there have been some productive discussions with the applicant on a further scenario to assess both of those, um, uh, sorry, those those assessments, based on the scenarios that have now been agreed, will help us, uh, confirm whether the outputs of the assessment have any impacts, particularly on air quality, but also flooding.

00:30:23:04 - 00:30:58:13

So that's just to give you an update in terms of there is another sensitivity analysis, uh, on the construction traffic in particular to ensure that there is a reasonable worst case scenario. And that may have knock on implications for both, uh, the topics that you've asked about under agenda item four and five. And then the very final contextual point to raise is that, again, following some productive discussions with the applicant, um, the parties are pursuing a, uh, side agreement which addresses a number of the concerns that National Highways has.

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Um, we have, uh, received some comments back, and we're expecting to engage further on that side agreement in the event that that side agreement is not concluded. Um, further into the examination, National Highways will be submitting a number of, uh, further provisions for your consideration. That should be, uh, that we would request are in your recommended version of the draft development consent order. Again. Um, I won't go into further detail now, but it directly bears relevance to both of the agenda items.

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Um, because we're seeking protection in respect of compliance with DMB and a number of other elements of monitoring and mitigation. Thank you, sir. Thank you.

00:31:42:11 - 00:31:44:01

Mr. Lyness or Mr. Simmons.

00:31:45:18 - 00:32:07:19

Um, for the applicant, um, I think we know the points that are that are raised insofar as, um, there are concerns which may have water quality or water implications. I think we'll try and resolve those through further, uh, through further discussions. And as Mr. Simmons wants to answer anything now, it's probably best to let those conversations continue.

00:32:09:02 - 00:32:14:20

Okay. Thank you. Anyone else in the room? Yes.

00:32:17:06 - 00:32:54:21

At Windsor for the Gatwick Area Conservation Campaign. Over the years, the River mole has been responsible for a number of residential flooding events downstream from Gatwick and the most serious recent one being in December of 2013 at the same time as the event in 2013, and I believe the North Terminal was also flooded. So no doubt Gatwick made an emergency discharge into the mole at that point. Um, looking at the proposal, there's been very little data on the effect of this, um, proposal on that type of flooding further downstream on the mole.

00:32:54:24 - 00:33:08:22

And, um, JC have asked in our representations that Gatwick provide details of the last 15 years when they have made these emergency discharges and the volumes and frequency of those into the mole.

00:33:10:11 - 00:33:14:00

Thank you. Mr. Simons and Mr. Linus.

00:33:15:26 - 00:33:47:24

Uh, uh, Ian, welcome for the applicant. Um, so. Basically the emergency discharges are we, as has already described, all of the surface water that comes off of the airport, um, ends up down at Deep Pond and down at Deep Pond. There are two Archimedes screws, each one, uh, can do 840l per second. Um, so under normal circumstances, only one of those would be operating.

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So. And that that simulates greenfield runoff, uh, rates for the, the surface area that we, we accommodate. So that's under normal circumstances, um, when the, the level in deep pond reaches a certain point, um, then our consent with the Environment Agency allows us to go into emergency discharge where two of those screws come into operation. Um, so then we're looking at, uh, 1680l per second, but that is the absolute limit that Gatwick Airport can discharge into the River mole.

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So, um, beyond that, what actually happens is the the water backs up into the, the surface water system and uh, flooding can occur within the airport. So 2013, there was no, um, sort of difference to the way we normally operate, um, in that sense. So, so that, yeah, it's just a normal functional part of the way the, the surface water system operates within our discharge permits.

00:35:00:18 - 00:35:01:11

Thank you.

00:35:02:28 - 00:35:07:06

Um, just. If there's no one else on. There's someone online. Gary Waddup.

00:35:09:03 - 00:35:23:17

Yeah. Good afternoon everybody. My name is Gary Waddup. I'm, uh, with the Environment Agency. Um, just trying to, uh, give some comfort, perhaps to the lady from Cagney. I'm sorry I didn't catch her name.

00:35:25:26 - 00:35:57:03

With regard to the reed bed, um, and the new discharge permit. Um, just to to explain, um, any new discharge activity will require a new permit application to be considered, um, in, um, in full, um, and that would need to be supported by um, operating techniques, management plans, maintenance, um, failure, etc..

00:35:57:12 - 00:36:18:14

Um, and that's not a rubber stamp activity would be considered in detail by various departments within the Environment Agency before a decision is made, whether that be granted or not. We've encouraged the applicant to, um, make early representations regarding that.

00:36:21:07 - 00:36:25:13

Thank you. The applicant. Want to respond?

00:36:25:16 - 00:36:38:29

Michael Simons for the applicant. In response to what Gary Wallops just said, we have already made contact with the Environment Agency's National Permitting Service. So we are starting that dialogue in terms of a potential new discharge consent for the reed beds.

00:36:39:12 - 00:37:10:07

Thank you. So if there's nothing else on flooding, I'll move on to wastewater treatment. Um, I think Thames Water attending virtually today. So. And my first question will be addressed to them in response to our written question at rep 3149, you said in respect to both Crawley and Horley treatment work, you've completed your initial assessment of the impact of the development, but the detailed assessment will not be completed until November 2024.

00:37:10:16 - 00:37:37:09

In addition, you also respond to your sewage network. Modeling will not be completed until early 2025. Both of these dates are outside of the examination period and in the case of the sewage network assessment, potentially outside of the Secretary of State's decision period. I would like to understand what evidence we can have during the examination period, that your infrastructure will be able to accommodate the demand created by the proposed development. That's the Thames Water, please.

00:37:39:09 - 00:37:51:14

Uh, Robert Ashley, Thames Water. I'll probably bring in my colleague Tim Sims to address the question on the network modelling timescales, please. Tim, if you're around.

00:37:53:29 - 00:38:25:15

I, uh, Tim Sims, uh, Thames Water. Um, the network modelling, uh, it will be subject to, uh, survey work, which we're currently, um, trying to establish on Gatwick, uh, in, within the airport. Uh, and we're currently, uh, working with Gatwick on that to get that survey, get those surveys underway. Um, and the network modelling will be, um, available via. Uh, other consultants that were doing the work.

00:38:25:17 - 00:38:43:21

Uh, and that will be, as I said, uh, it'll be early 2025. Um, so there will be, uh, points within that where we can have, uh, um, additional data that's supplied by them to see what that capacity is. Within the network.

00:38:46:13 - 00:39:00:27

So. We, from the examination point of view, obviously early 2025 is outside the examination period. So will we have any understanding of whether or not your network is capable of accommodating the development?

00:39:03:20 - 00:39:36:01

Uh, yes, we we will. Uh, we'll have a, we'll have a, uh, we've undertaken a initial assessment with the current, um, Gatwick model that we have, uh, and we're getting the results from the consultants very shortly. Uh, and that will, uh, give us a baseline indication of what the network infrastructure, uh, can accommodate and what upgrades would be required for the full development. Um, and that's, uh, is should be with Thames, uh, within the next month.

00:39:37:01 - 00:39:40:10

Okay. Thank you. What about the treatment works? Is that a separate.

00:39:42:01 - 00:40:08:08

At the. This is a separate analysis that has been undertaken. Um, on the process side, um, and again we require further um flow and load surveys, um, to, to establish what the current baseline is from Gatwick to estimate what the future, uh, Northern Railway project will, uh, have as an impact from that. Uh, and I.

00:40:08:10 - 00:40:43:14

Can add a bit more to that if you want me to. Uh, okay. So Robert Ashley, Thames Water. So an initial process modelling has been done. We currently know that there is a headroom available of 29% of flow treatment at Hawley and and 10% at Crawley, which takes the two treatment works takes the flows from from Gatwick. So at this moment in time, we know that if nothing changes, yes, there may be some capacity. There are service we require which are yet to be done, to be able to firm up these numbers.

00:40:43:19 - 00:41:17:06

But we also would need to advise that in terms of flow treatment, we do not really reserve capacity for a particular applicant. So we need to also understand Gatwick projections in terms of passenger numbers going forward, so that we can analyse that carefully and try and understand when we need to upgrade. Our treatment works to deal with any increased flows because generally we upgrade the treatment works every five years in accordance with our asset management periods.

00:41:17:08 - 00:41:17:23

Thank you.

00:41:18:15 - 00:41:22:03

Thank you. So maybe I'll go to the applicant now to give.

00:41:23:16 - 00:41:54:09

Scott liners for the applicant. Um thank you sir. I mean, our understanding was as far as the assessment, um, of the project on the network was concerned that there were going to be two phases, uh, phase one and assessment based on the existing survey data of both Galle, the applicant, and Thames Water, um, as well as the modelling that is already undertaken for the purposes of its uh, is to provide an initial assessment of the impact of the project on the network.

00:41:54:18 - 00:42:38:11

And we were anticipating that the first phase of these studies would be complete by the end of May. That was our that was our understanding. Um, with phase two, um, at to follow on a timescale that was outside the scope of the examination. And we'd understood that following the initial phase one exercise, that, um, Thames Water should be in a position to provide an assessment to confirm to gull

what the position was, albeit subject to phase two, but at least have an initial, uh, view, and we would hope that we can have it confirmed today that the results of that phase one survey will be given to us as quickly as possible within the scope of, um, uh, within the scope of this examination.

00:42:39:06 - 00:42:48:13

Um, that's our understanding of the other process relating to, uh, to the network. Um, obviously you have seen from the.

00:42:50:00 - 00:43:22:26

Information is being presented by Thames Water to the examination as well as our response. Um, there was, at least initially, a suggestion from Thames Water, uh, that some form of requirement needed to be imposed on any consent which we've, which we've resisted uh, within the, the written material. Um, we don't accept the principle of a requirement being imposed. Um, at this stage, I think we, um, concerning more than to suggest that we will keep an eye on the progress of this phase one work.

00:43:22:28 - 00:43:33:00

We will keep liaising with Thames Water, and we will update the examination as soon as we possibly can, subject to understanding when this phase one work is going to be provided to us.

00:43:33:08 - 00:43:50:21

Thank you. All I would say is, well, it's stress. Obviously, we would like to recommend to the Secretary of State a position on the wastewater treatment in a sewage network, rather than leave it for something that he needs to decide or potentially that remains undecided.

00:43:50:23 - 00:43:52:06

So yes, that's understood.

00:43:52:08 - 00:43:56:26

I could only encourage both parties to work together to find a resolution to that.

00:43:57:23 - 00:44:40:14

Scotland as the applicant, that's understood. I mean, from a in a broader sense, we've been discussing this case with Thames Water since early 2019. Um, we have shared what we regarded as predicted passenger growth with Thames Water, and we've provided survey work to them on Thames Water, have conducted their own, um, survey work on the, on the gull um estate, and we can set out the detail of the discussions that have taken place to give the examining authority context for where we are now, but we entirely take on board, uh, the proposition you set out, um, sir, and we will consider our position accordingly.

00:44:40:18 - 00:44:44:06

Okay. Thank you. Any other comments? Yes, Mr. Bedford.

00:44:44:14 - 00:45:26:27

Yes, sir. Just very briefly in relation to that wastewater treatment matter and obviously aware that it's not directly, um, a joint local authority responsibility, but from a wider planning perspective, which is off concerns the joint local authorities, particularly the Crawley um wastewater treatment works. Um, it serves a purpose, obviously, of catering for not only existing but also planned growth. And we would be very concerned if, um, because of in capacities in that wastewater treatment works, there was any knock on effect on the planned growth for the Crawley area, particularly through the Crawley Local Plan.

00:45:26:29 - 00:45:51:24

So we know there's this dialogue ongoing between the applicant and Thames Water about that. But I think probably all we would say is we would absolutely echo your concern, sir, that really this ought to have a resolution during this examination rather than be left as an outstanding issue, particularly because there are wider knock on planning consequences if there isn't actually a mechanism for delivery of an appropriate solution.

00:45:52:15 - 00:45:53:04

Thank you.

00:45:54:11 - 00:45:59:24

Before I come back to Mr. Lyness, there's two hands up online. I'll start with Lisa Scott, please.

00:46:02:24 - 00:46:34:06

Thank you. Yes, this is Lisa Scott from Childhood Parish Council, and I would like to, um, continue on the point with regard to Thames Water capacity to handle the wastewater. Um, there have been ongoing over toppings of, um, sewage effluent. Um, it's happened about 8 or 9 times this winter alone. It happened this weekend. Um, it occurs when the river is flowing at more than around 2.3.

00:46:34:11 - 00:47:16:17

Um, Asda's um, and it is when the, um, the sewage tanks at Horley, um become overcapacity and the sewage effluent mixed with the rainwater flows out from the site into a public footpath and onto a recreational area at Westfield Park. Um housing estate, which was built um around 10 to 15 years ago now there is an upgrade work planned for Horley between I think it's 20, 25 and 26 to bring it up to the required capacity for current, um, volumes, but that's not for, um, dealing with future volumes.

00:47:16:19 - 00:47:27:23

So I'm really concerned, as a representative of local residents, how, um, people are going to be protected from this continuing overflow of raw sewage. Thank you.

00:47:28:15 - 00:47:31:24

Thank you. Is there anyone else in the room who wants to make. Yes.

00:47:33:15 - 00:48:12:18

Thank you sir. Um, five brief points from from Cagney, Odette Allaby for Cagney. So first we we echo the concerns about the capacity of the Crawley wastewater treatment works and the need for the upgrades to be carried out before airport growth goes ahead. Um, and we, we consider, in line with Thames Waters written submissions, that there should be a phasing requirement within the draft DCO. Um, because the examining authority needs to be sure there is capacity at Crawley. Um, and secondly, we don't see where the applicant's position set out in deadline three that such a phasing requirement would be inappropriate or unnecessary.

00:48:12:20 - 00:48:48:02

We don't see where that comes from as a matter of law, and will be making legal submissions on that point with our deadline for submissions. And the third point we want to make is that there's a concern that the applicants surveys are from 2021 and 2024, and Gatwick are still not back at the 2019 figures. So the concern is the survey data may still not represent the true picture going forward. Um, and finally we to further points one, we we echo the points about the Crawley local plan.

00:48:48:04 - 00:49:22:26

Both Crawley and Horsham have done work as part of their emerging local plans. That that shows there is real concern with the importance of phasing in relation to the Crawley wastewater treatment works, and included it within specific allocations. Um, it's a concern specifically set out that development needs to be phased very carefully, and the same approach must apply to Gatwick. And

the final point is that in deadline three, um, the applicant to deal with Thames Water's concern that there should be a phasing requirement which the applicant is refusing to agree to.

00:49:22:28 - 00:49:46:09

The applicant's now suggested the possibility of a new treatment plant on site, which is something Cagney has suggested from the outset. But it's very late to be making such fundamental changes to the project, and there has to be adequate time in the in the process of this examination for all parties to scrutinise any new proposal and potentially new hearings if necessary.

00:49:46:11 - 00:49:47:23

Thank you. Thank you.

00:49:49:17 - 00:49:50:03

You know the.

00:49:50:05 - 00:49:52:00

Points. Mr. Linus got to go back.

00:49:53:00 - 00:50:30:21

Scott. Linus for the applicants. I'll deal with a couple of those points for passing to Mr. Simons. I mean, as for submissions on the imposition of a requirement, I think we can wait to see what they say at deadline for us. But fundamentally, we're not satisfied. The imposition of a requirement, at least in the terms of Thames Water, appear to have been suggesting in the original representations would be appropriate and cognitively will be aware of case law, which emphasized the absolute duty on the part of the sewerage undertaker to accept at least domestic fluids, um, into its system.

00:50:30:25 - 00:51:02:23

And the legal position has been left resolved as to whether or not and unsatisfactory situation whereby development adds to the load. An already overburdened network should be borne by the developer, as opposed to that burden being effectively placed with the statutory undertaker in question. And as far as we are concerned, um, there are fundamental issues, um, over imposing a requirement on a project such as this, given the absolute statutory responsibilities that are placed on the on the undertaker.

00:51:02:25 - 00:51:33:12

But we can explain that and further and further detail. Um, as for the reference to change, the final decision is yet to be taken on that, as we said, and the response examining authority will be told as soon as practicable if that step is taken. However, as you'll have heard from the submissions today, there's a there's a developing situation with Thames Water and we we need to reflect on what we've heard today, um, from their submissions.

00:51:33:14 - 00:51:38:04

But we will inform the examining authority if any change is going to be brought forward as soon as soon as possible.

00:51:38:23 - 00:51:39:11

Thank you.

00:51:41:19 - 00:52:15:00

I'm Mike Simons for the applicant. I just wanted to come, uh, just respond to one point, uh, from Cagney about the surveys that the model relies on. The model that Gatwick built was constructed in about 2019 with surveys at that time. Uh, it is um, it does, uh, meet verification requirements of the guidelines for wastewater flow. Um, and in terms of whether Gatwick, uh, you know, surveys that are teams are undertaking or will be undertaking shortly.

00:52:15:08 - 00:52:46:27

Uh, and their validity in relation to passenger numbers, the point is to try and achieve or try and verify your wastewater model. And then that can be once you've got a model that verifies known flows from the survey, you can then adjust that with passenger numbers. Uh, with uh industry standard, uh, flows from um, from wastewater flows. And then you can adjust that as required. It's not it's not dependent for your assessment, uh, to have, um, pre-pandemic passenger numbers at Gatwick.

00:52:47:29 - 00:52:48:18

Thank you.

00:52:52:07 - 00:52:56:03

They've got hand up online from Thames Water, I think.

00:52:56:29 - 00:53:34:26

Yes, Ashley Thames water. I appreciate that we have a legal duty to take the file flows and treat them. Yes, but we were also trying to explain that. Obviously we need to look at what's happening in the network and plan for growth, not just for residential but all other types of growth. So when we ask for the phasing plan, it's just so we can understand what upgrades we need to make, where we need to make them, when we need to make them, and especially how we fund those upgrades.

00:53:34:28 - 00:54:02:25

So it's not as if we are shying away from our legal duties, but it's it's I think it's fair for us to understand what the phasing is, what the passenger numbers are going to be going forward so that we can look at that in tandem with growth that is planned within the various councils in that area. That is all I wanted to to, to maybe say at this time, thank you.

00:54:03:08 - 00:54:05:27

Thank you, Mr. Lawrence.

00:54:06:26 - 00:54:10:18

I don't need to respond. I think I've set out our current position so far. Thank you.

00:54:10:20 - 00:54:42:04

Thank you. Okay. With that, we'll move on to the last item of four, which is about water supply. Starting in Surrey, water are not not attending today and have not responded to our question. W 1.9 concerning provision of water supply. However, I note the applicant in reply to our question has quoted a response from Sutton and East Surrey Water, saying their future planning programme accounts for future demands from the airport. It'd be very helpful if.

00:54:43:07 - 00:54:58:28

The ministry water could submit their views formally to the Planning Inspectorate so we can have the benefit of the evidence. But in their absence, could I ask the applicant if they could, given that the water companies seem not to want to respond to us?

00:55:01:10 - 00:55:37:02

Mike Simonds for the applicant. Um, I haven't got their response in detail in front of me. I mean, as you said, that in the nutshell, they're saying they can meet the additional demands of NRP for the for the lifetime of the project. Um, I think what they've said is that they see it as a statutory duty to be able to supply that water. And therefore, I have to admit, I am speaking on their behalf. It feels like at the moment, um, that that's that's as far as they need to go in terms of responding to you. Um, we could try and assist and encourage them to if you can submit, we will obviously try again.

00:55:37:04 - 00:55:43:14

But they say they do not want to engage with the planning spend, which makes it rather difficult to have the evidence.

00:55:45:08 - 00:55:57:23

Yeah. We I mean they yes, they I think we've referred to it in our submission that they emailed, they provided an email to Gatwick back in February with stating that. So we can certainly submit that to you.

00:55:58:02 - 00:56:02:03

Thank you. Uh is there any comment on water supply? Yes, Mr. Bedford.

00:56:02:16 - 00:56:50:06

Thank you sir. So you would have seen there are some, uh, comments in the West Sussex, uh, local impact report. That's rep 1068 in particular at paragraphs um 16.66 and 24.83, uh, in relation to water stress and compliance with local plan policies, particularly env six, env nine of the Crawley Borough Local Plan, which are then carried forward effectively into an SDC one and SDC three in the emerging Crawley Local Plan, and we don't consider that the applicant has committed.

00:56:51:02 - 00:57:38:03

Sufficiently to um, water, um, use targets and uh, to adequately mitigating, uh. Uh, water usage in an area of water stress. Uh, we note that there are some, um, references in the carbon action plan in relation to the to about it yesterday, the obey go uh, scenario, um, of um, uh, airport operations, which does include some reference to water consumption and treatment, but that is because it's a climate, um, carbon focused um, plan is dealing with the emissions from the energy use for water consumption rather than overall targets for water consumption.

00:57:38:05 - 00:57:53:01

So we consider to achieve compliance with our local planning policies, the applicant needs to do more to address its water demand and to minimise its water demand in line with, say, the water stress pressures that exist in the local area.

00:57:54:10 - 00:57:56:14

Thank you. Any other comments?

00:57:59:13 - 00:58:00:21

Well, Mr. Linus.

00:58:02:18 - 00:58:26:18

And Mike Simons for the applicant. There is a design principle in the project B2, that states the detailed design will try and consider, uh, water efficiency measures to reduce water use in new buildings. So we're not entirely blind to the local challenges. Um, one other point that was raised I'd like to respond to, um.

00:58:28:19 - 00:58:53:18

There is a, uh, the Sussex North Water, Sussex North Water Resource Zone that is subject to sort of an embargo of development unless they, uh, meet water neutrality requirements. Gatwick is not actually located within that zone, as we've already said. Gatwick water is supplied by Sutton, Surrey Water, um, which comes from the Medway catchment. Not that water zone, not that water supply zone. Um.

00:58:55:11 - 00:58:56:11

Thank you for clarifying that.

00:58:56:18 - 00:58:57:10

Thank you.

00:58:59:03 - 00:59:01:24

Uh, well, yes. From Cagney.

00:59:03:02 - 00:59:35:27

Thank you, sir. Um, Sally Pavey for for Cagney. Um, just one thing that that I would be remiss if I did not mention is that a lot of the burden of this new runway will fall to Horsham, and Horsham is an area of, uh, serious water neutrality issues. And so I think it has to be taken on board even though it's not included in this. Uh, DCO is that a lot of the issues of water neutrality will place additional burden on Horsham area, which is obviously very close to Crawley, uh, area and these other water supplies.

00:59:35:29 - 00:59:37:06

Thank you. Thank you.

00:59:38:23 - 00:59:41:14

Mr. Linus. Mr. Simons, do you want to make any response?

00:59:43:06 - 00:59:53:13

I'm not sure there's much more I can add. Sorry. Mike Simonds, the applicant. I'm not sure. There's much more I can add to what I've just said about the location of Gatwick and where it gets its water from, I'm afraid. Thank you.

00:59:53:28 - 01:00:12:10

I'm okay with that. Um, rather than move on to agenda item five now, I think we'll take a break for lunch. The time is just about 5 to 1, so we'll say about we will resume at 5 to 2. So this hearing is adjourned.