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Mr Jonathan Deegan
NRP Programme Lead
Gatwick Airport Limited

Your Ref:

Our Ref: TR020005/ PD-024

By email only

Date: 12 July 2024

Dear Mr Deegan,

Planning Act 2008 – Section 89

Application by Gatwick Airport Limited for an Order Granting Development Consent for the Gatwick Airport Northern Runway Project

Notice by the Applicant of Intention to Submit a Request to Make Changes to the Application

Thank you for your letter dated 5 July 2024 [AS-152] giving notice of the intention of Gatwick Airport Limited (the Applicant) to submit a request to make a change to the Gatwick Airport Northern Runway Project Development Consent Order (DCO) application. This has been published on the [project webpage of the National Infrastructure Planning website](#). The proposed change (Project Change 5) is described in section 2 of the 'Third Notification of a Proposed Project Change' [AS-153] which accompanies the letter as a minor extension to the Order Limits to incorporate additional land (comprising 0.175ha in size) in order to facilitate:

- A temporary access point from the A217 to the Holiday Inn, north-west of the hotel's existing access;
- A temporary bus parking layby, within the Holiday Inn premises, able to accommodate 4 buses;
- Temporary traffic management measures to restrict A217 southbound users from turning right into the temporary access point; and
- Associated drainage provisions.

Your letter of 5 July 2024 states that Project Change 5 involves the inclusion of additional land within the Order Limits and the extension of compulsory acquisition powers (rights only) over this new area of land. The land interests affected by this change are those of the Peak Securities Limited, HI (London Gatwick) Limited and HICP Limited, who respectively are the freeholder and leaseholders of the Holiday Inn London - Gatwick Airport hotel (the Relevant Affected Persons). Furthermore, the extension of compulsory

acquisition powers would not involve the acquisition of any new interests. You indicate that Project Change 5 is being made at the request of the Relevant Affected Persons.

Your letter of 5 July 2024 also states that the Applicant considers that Project Change 5 would not result in a material change and that acceptance of the change to the Project to be examined as part of the Examination would not result in a materially different project than originally applied for.

The Third Notification of a Proposed Change document satisfies Step 1 of the recommended procedure in the Planning Inspectorate's '[Advice Note 16: Requests to change applications after they have been accepted for examination](#)' (version 3) (AN16). The advice which you are requesting from the Examining Authority (ExA), in line with Step 2 of AN16, includes the procedural implications of the proposed changes and guidance on the need, scope and nature of the consultation that the Applicant proposes to undertake.

Part 3 of the Third Notification of a Proposed Project Change document states that "*having regard to the very limited and discreet nature of the Proposed Change, and the small area of land (and land interests) that it affects, the Applicant is proposing a tailored and targeted approach to consultation which does not include a period of wider public consultation prior to making the Change Application*".

You consider that the ongoing engagement with the Relevant Affected Persons prior to submitting the Third Change Notification can be regarded as voluntary consultation about the Proposed Change, which paragraph 3.4 of AN16 states "*may be done voluntarily by an applicant in advance of seeking procedural advice from the ExA in order to potentially save time*". You have also notified various parties of the Third Change Notification, providing them with a copy of the report and inviting them to provide feedback to be considered prior to making the Third Change Application at Deadline 7 (15 July 2024).

The ExA notes that it is not intended that there would be a dedicated period of public consultation. because the Applicant does not consider this to be necessary or proportionate given the minor nature of the Project Change 5 and the fact that it is being promoted as a result of engagement and agreement with the Relevant Affected Persons. In addition, given the time left in the examination timetable, the Applicant considers it to be more beneficial to the ExA and to Interested Parties to submit the formal Change Application as soon as reasonably possible, to enable maximum time for the change to be considered as part of the Examination process. Nevertheless, you should ensure that you satisfy yourself that appropriate consultees have been invited to comment.

Your formal change request to the ExA will be accompanied by further information on Project Change 5, updated application documents and additional information as required including the information set out in paragraph 4.1.1 of the Third Notification of a Proposed Project Change document together with details of any relevant responses from parties provided with a copy of the report. Figures 1 and 2b of AN16 set out how to make a request to make a change to an accepted application and the information to include in a request to make a change to an application after it has been accepted for examination.

The ExA has no comments to make on the indicative programme set out within Section 4.2 of the Third Notification of a Proposed Project Change document.

Paragraph 2.1 of AN16 advises that on receipt of a request to make a change to the application, the ExA must initially consider whether the development being proposed is in substance the same as the development which was originally applied for. From the information presented, the ExA is minded to agree with your view that the proposed change would not lead to the Proposed Development being different in nature or substance to that which was originally applied for in July 2023.

If the ExA decides to accept the proposed change into the Examination all Interested Parties will have an opportunity to make representations on the changed application, during the Examination.

If you have any queries on these matters, please do not hesitate to contact the Case Team using the contact details at the head of this letter.

Yours sincerely,

Kevin Gleeson

Lead Member of the Examining Authority

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