



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
Email: GatwickAirport@planninginspectorate.gov.uk

The Applicant
easyJet
IAG/British Airways
Civil Aviation Authority
NATS (En Route) Plc
Thames Water
Surrey Hills AONB Board
All Interested Parties

Your Ref:
Our Ref: TR020005/ PD-027
Date: 14 August 2024

Dear Sir/ Madam

Planning Act 2008 - Section 89(3); and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 9 and 17

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

Request for further information and written comments and Procedural Decision in respect of Project Change 5

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 to request further information. These questions are set out in **Annex A**. They are addressed to the Applicant (Gatwick Airport Limited), easyJet, IAG/British Airways, the Civil Aviation Authority (CAA), NATS (En Route) Plc (NERL), Thames Water, the Surrey Hills AONB Board and All Interested Parties, as appropriate.

Responses should be submitted by **Deadline 9 (21 August 2024)**. Any Interested Party wishing to comment on such responses can do so by **Deadline 10 (27 August 2024)**.

Request for Proposed Change to the Gatwick Airport (Northern Runway Project) Development Consent Order Application

We are also writing to inform you of the Procedural Decision made by the Examining Authority (ExA) following the change request made by the Applicant dated 15 July 2024 (Examination Library References [REP7-009] to [REP7-020] and [REP7-097] and a further submission dated 7 August 2024 [REP8-102]). Section 2 of the Third Change Application Report [REP8-102] describes the proposed change (Project Change 5) which comprises revision to the Order Limits at the Holiday Inn, located to the north-east of Longridge Roundabout, to facilitate the construction of a temporary access point, a bus parking layby, temporary traffic management measures and associated drainage provisions. This is in

addition to the changes already accepted by the ExA on 8 March 2024 [PD-011] and 10 July 2024 [PD-023].

This formal change request follows the Applicant's letter dated 5 July 2024 [AS-152] 'Notification of a Change Request' and the accompanying 'Third Notification of a Proposed Project Change' [AS-153]. The ExA provided advice on the procedural implications and the scale and nature of the proposed consultation exercise through a letter dated 12 July 2024 [PD-024].

The ExA has reviewed the information provided and assessed the Applicant's request against paragraphs 109 to 115 of the DCLG Guidance 'Planning Act 2008: Examination of Applications for Development Consent'¹ and the Planning Inspectorate's Advice Note 16².

The Applicant considers that the proposed change to the DCO application is non-material on the basis that:

- *The change involves the inclusion of 0.175ha of additional land within the Order Limits, which is very small compared with the overall footprint of the Order Limits. The Applicant is not seeking additional compulsory acquisition powers over the additional land.*
- *The Proposed Change is not anticipated to give rise to any materially new or materially different environmental effects in comparison to those assessed and reported in the Environmental Statement. As such, The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations") are not engaged by the Proposed Change.*

Additionally, the Applicant considers that *"the Proposed Change would not be so substantial as to constitute a materially different project in nature or substance than that originally applied for."*

On this basis, the ExA agrees with the Applicant that the proposed change is non-material, are not so substantial as to constitute a materially different project and can therefore be accepted into the Examination.

The ExA is satisfied that the information provided as part of the third change request is of a satisfactory standard for examination. As the documentation in support of Project Change 5 was submitted at Deadline 6 (26 June 2024) with a further submission at Deadline 8 (7 August 2024) there has been sufficient time within the Examination for Interested and Affected Parties to comment on the proposed change and for it to be properly and fairly examined. Nevertheless, should parties wish to make any additional representations on the proposed change, this should be done by **Deadline 9 (21 August 2024)** and any comments on these representations made by **Deadline 10 (27 August 2024)**.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-__final_for_publication.pdf

² <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/07/Advice-note16.pdf>

Yours faithfully

Kevin Gleeson

Lead Member of the Examining Authority

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

R17c	Question to:	Question:
R17d.1	easyJet	<p>Relevant representation [RR-1256]</p> <p>The Applicant's submission of their Written Summary of Oral Submissions from Issue Specific Hearing 1 [REP1-056] states, in paragraph 4.1.36, that the central theme of your relevant representation [RR-1256] involved the operational capability and delivery at the Airport and that the northern runway proposal would likely address many of your concerns. It also notes that easyJet make up around half of the capacity of Gatwick in 2023 (paragraph 5.1.24) and that you have around 25% of your fleet based at the Airport (paragraph 4.1.13). Gatwick Airport also responded in detail to your submission in their Relevant Representations Report [REP1-048] (section 3.28, from page 143).</p> <p>Please provide:</p> <ul style="list-style-type: none"> a) a response to Gatwick's submissions contained in [REP1-056] and [REP1-048]; and b) if relevant, an update on performance issues for your Summer 24 schedule to and from Gatwick.
R17d.2	IAG/British Airways	<p>Written representation [REP1-198]</p> <p>The Applicant's Response to Written Representations (from page 176 of [REP3-072]) responds to your written representation dated 12 March 2024.</p> <p>Please provide:</p> <ul style="list-style-type: none"> a) a response to Gatwick's submissions contained in [REP3-072]; and b) an update on any results/discussions carried out with GAL over the past few months, as referred to in the penultimate paragraph of your representation.
R17d.3	CAA, NERL, The Applicant	<p>Airspace change</p> <p>Please provide a latest update on Airspace change/modernisation through the FASI-S programme together with the London Airspace South (LAS) element of this scheme, including a likely timescale</p>

R17c	Question to:	Question:
		of approval and implementation. In this latter respect the contents of the Statement of Common Ground between GAL and NERL are noted [REP5-066] and any update would be appreciated.
R17d.4	Thames Water	<p>Future Baseline - Wastewater Treatment Works and Network Capacity</p> <p>In ExQ2 [PD-021] WE2.2 and WE2.3 we asked about the capacity of both your wastewater treatment works (WTW) and the public sewer network (PSN) in both the Future Baseline and Proposed Development scenarios. In your [REP7-119] response to both of these questions your comments seem to focus only on the Proposed Development growth in passenger numbers.</p> <p>In order to assist the Examination, we would be grateful if you could explain the position with respect to the capacity of both the WTW and the PSN in the Future Baseline scenario that the Applicant has set out in the Application. This Future Baseline scenario is a growth in passenger numbers from the 46.6 million passenger per annum (mppa) in 2019 to 67.2 mppa in 2047, if the DCO was not granted. The Applicant considers that this increase represents the growth that would occur without the Proposed Development so we would like to understand the implications for your infrastructure in this scenario. The ExA would like to understand your view as to the ability of the WTW and PSN to accommodate this 20.6 mppa growth over 23 years.</p>
R17d.5	The Applicant	<p>ES Chapter 5 Project Description [REP8-013]</p> <p>Following on from your response [REP8-013] to our Rule 17 [PD-025] question R17c.1, should paragraphs 5.2.115 to 5.2.124 and the embedded tables make it clear that the levels of replacement decked parking on the North Terminal Long Stay car parking may vary if the onsite WTW is not constructed? This would provide consistency with the information about the onsite WTW set out in paragraph 5.2.194.</p>
R17d.6	The Applicant	<p>Peak Month Traffic Comparison (June v August)</p> <p>In your [REP8-111] response to Action Point 5 from ISH9 it is stated in paragraph 6.1.2 that “The Applicant has reviewed a selection of count sites to understand whether 2023 June was still the highest month for combined traffic flows. Table 1 shows this comparison for the morning peak,</p>

R17c	Question to:	Question:
		interpeak and evening peak periods”. Table 1 then shows the information from the count sites. Please confirm that Table 1 includes airport traffic and shows the combined flows.
R17d.7	The Applicant	<p>Transport Forum Steering Group – Decision Making</p> <p>This group has an important role in monitoring the Surface Access Commitments, but the ExA is unclear how decisions would be made. Explain the method by which decisions are made by the group and signpost where this decision making process is secured.</p>
R17d.8	The Applicant, Surrey Hills AONB Board	<p>The Countryside and Rights of Way Act 2000 and National Landscapes</p> <p>The ExA notes the amendment to section 85 of the Countryside and Rights of Way Act which came into effect on 26 December 2023. In exercising or performing any functions in relation to, or so as to affect, land in a National Landscape, this amended section places a duty on the relevant authority to “further the purpose of conserving or enhancing the natural beauty” of the National Landscape, as opposed to ‘having regard’ to the purpose of a National Landscape, as was stated previously.</p> <p>To the Applicant:</p> <p>a) Can the Applicant provide comments on this matter and state why it considers the relevant authority could be satisfied the duty placed on it would be complied with if development consent were to be granted for the Proposed Development. Your response should cover the relevant National Landscapes (and their proposed extended areas) potentially affected by the Proposed Development.</p> <p>To Surrey Hills AONB Board</p> <p>b) Provide any comments on this matter, should you wish to do so.</p>
R17d.9	All Interested Parties	Carbon Budget Delivery Plan

R17c	Question to:	Question:
		<p>In May 2024 the High Court found that the Carbon Budget Delivery Plan prepared by the Secretary of State for Energy Security and Net Zero failed to comply with the Secretary of State’s duties under the Climate Change Act 2008.</p> <p>All Interested Parties are invited to comment on the relevance or otherwise of this decision to the Applicant’s DCO application.</p>
R17d.10	All Interested Parties	<p>Carbon Cap Scheme</p> <p>At Deadline 8 [REP8-143] CAGNE proposed a new requirement to address carbon emissions as follows:</p> <p>“Carbon cap scheme (X)</p> <p>(1).—Dual runway operations shall not commence until a scheme setting out maximum annual carbon emissions from airport operations and flights, including scope 3 emissions, has been submitted and approved in writing by CBC (in consultation with RBBC, NVDC, TDC, HDC, SCC, WSCC and KCC) (“the carbon cap scheme”). This shall include a target to achieve net zero scope 1 and 2 emissions by 2030, as set out in the Carbon Action Plan.</p> <p>(2) The undertaker shall be required to submit an annual monitoring report of carbon emissions to CBC (in consultation with RBBC, NVDC, TDC, HDC, SCC, WSCC and KCC), setting out whether the annual emissions caps provided by way of sub-paragraph (1) have been met.</p> <p>(3) The undertaker shall not be permitted to declare any further capacity for commercial air transport movements from the airport where two consecutive annual reports identify that the carbon cap limit has been exceeded during the previous 24 months of the operation of the airport until an annual monitoring report has been approved by CBC (in consultation with RBBC, NVDC, TDC, HDC, SCC, WSCC and KCC) which confirms compliance with the carbon cap limit identified to have not been complied with during the previous 24 months of the operation of the airport or forecast to not be complied with (as is relevant in the circumstances).”</p> <p>All Interested Parties are invited to comment on the need or otherwise for such a requirement and the effectiveness of the proposed draft in meeting this objective.</p>