

Interested Party Reference number: 20045900
Gatwick Airport Northern Runway Project – Development Consent Order (DCO)
Written Representations for Deadline 9 , 21st, August 2024

Gatwick Area Conservation Campaign (GACC)
21st, August, 2024

Dear Examining Authority
Please find our further written submissions for the 21st August Deadline 9.

Yours faithfully,
Peter Barclay
Chair, Gatwick Area Conservation Campaign

GACC response at DCO Deadline 8 on 7th August, 2024

Closing Statement

GACC would like to thank the Planning Inspectorate for allowing us to participate fully in this examination in public, and for the way in which the hearings, as well as the overall consultation has been managed and supported.

However, GACC would like to state on record their disappointment with the progress at this stage. At ISH9 we were particularly distressed by the conduct of GAL in the meeting, and their failure both within meetings and throughout this process to provide timely response to provide additional information, and often being dismissive of valid points made by many IPs. For example, we would highlight the following:

- That many of the items submitted by GAL have been provided very late in the examination process. We previously commented that it was unfortunate that the timing of the written representation deadlines continued into the summer holiday period, and that, unlike statutory consultations by local councils, the 6-month period had not been extended to take account of holidays. Over 200 documents have been uploaded for IPs to comment on in the last 10 days alone. This constraint on the ability of IPs, particularly community groups to fully participate in the DCO examination, was raised by GACC at the Preliminary Meeting on 27th February 2024.
- GAL said back at deadline 3 that they would respond to the New Economics Foundation (NEF), who had highlighted that the carbon costing had not been done correctly, and would submit a revised estimate. The NEF written representation also requested justification for the predicted large rise in business passenger numbers. GAL ultimately responded to this in mid-August, after deadline 8 had passed, leaving less than a week for this to be considered by other IPs before the end of the examination..
- The Applicant has not shared any of the models underpinning the Environmental Statement(ES): notably on transport, flooding, air pollution, noise, forecasting on business passengers and carbon costing model (NEF) with no update of these in

response to issues raised by IPs during the examination. This was raised by us at the preliminary meeting on 27th February and subsequently throughout the examination process.

- GAL's responses to points raised by IPs throughout has been often been dismissive and bland, sidestepping key points made by IPs in their responses. Much of what we have raised throughout the process are still not addressed, and those appearing just now at Hearing 8 and later leave little time for response and follow-up.

As a result of this there remain large areas of disagreement between the Applicant and the JLA's positions, including on pretty fundamental areas. In many cases we have clearly set out the need for a stronger position taken by the Councils – notably on considering the significance of noise and climate impacts in the ES, and the draft DCO and other control documents. Our remaining areas of disagreement are extensive, but key aspects are reflected in our detailed response at Deadline 7 (REP7-132).

Key points which we would like to repeat at this stage are summarised as follows:

1. Need.

GACC remain unconvinced with the level of future demand that GAL has submitted, which underpins the Applicant's overall case for development. With the absence of top-down forecasts it still appears that the demand set out in this DCO application appears to go against national aviation policy:

- Not in accordance of Airports National Policy Statement (ANPS) (2018) - Requiring a greater share of flight demand for Heathrow; and
- Against the spirit of the accompanying Making Better Use of Existing Runways policy statement (2018) - which focused on increased flights from regional airports across the UK, not increasing capacity in SE England (which is dealt with primarily through the ANPS).

Gatwick continues to forecast demand in ways that imply that there is a separate sub-regional market for Gatwick and a separate sub-regional market for Heathrow, such that it is possible to justify growth of Gatwick airport entirely separate to that of Heathrow. GACC disagree. GACC maintain that, as stated by the JLA and by York Aviation, these are part of the same, the London, market for aviation. Gatwick's market appears principally (although is largely unexplored by the Applicant) reliant on overflow from Heathrow. This appears to be the sole reason that Gatwick's substantial demand forecast exceeds forecasts carried out by the DfT that underpin the Jet Zero strategy and Jet Zero One Year On – both in terms of number of flights and size of aircraft. GACC maintain that the Applicant has still failed to provide any plausible rationale as to why that is the case, leaving the case of overlap with Heathrow's forecasts and accordance with the ANPS unaddressed. Therefore, after five months of this DCO examination, GACC still have not seen any robust or realistic case for Gatwick's forecast growth in movements to justify a second runway.

GACC do support the challenge to the Applicant's justifications and assumptions that underpin their need case made by York Aviation on behalf of the JLA (REP7-104).

The Applicant, GACC believes, has overstated its need, and overstated the potential baseline. This has also led to it overstating the economic benefits while understating the overall scale of environmental impact across all the areas of the environmental assessment: notably with respect to climate and noise, but to a lesser extent water supply and wastewater need, congestion and air pollution. Separately GACC has real concerns regarding flooding and wastewater, and surface transport (which we set out at deadline REP7–132).

As a result of this overstating of the future baseline, the overall cost benefit analysis has shifted significantly, but this does not appear to have been provided for by either applicant or JLA (as the former has not agreed to the case made by the latter). This leaves the project with an overstated set of benefits, and understated set of impacts – to such a degree that it leaves the cost-benefit analysis no longer a reasonable basis for evaluation. GACC therefore maintain their position that GAL should recognise the ANPS as a policy and provide the context for the MBU policy and then there is no obvious need for any additional capacity, let alone the proposed Northern Runway at Gatwick.

2. Noise and Night Flights.

The applicant has failed to take on a whole series of points made by ourselves, and other IPs on noise, or to accept a sharing of benefits. This is not acceptable. GAL should, as an absolute minimum, accept the incredibly modest noise reduction proposal set out by the JLA. Also the Applicant has failed to accept there is any connection between airport expansion and airspace allocation, which will impact where air transport movements (ATM) are tracked in future.

There has been no further “consultation with local communities” since this examination has started, so GAL remain deficient with respect to the ANPS requirement that noise envelopes are “defined in consultation with local communities” and the CAA guidance that noise envelopes are agreed with stakeholders. Gatwick’s proposals must “... ensure that benefits are shared between the aviation industry and local communities ...the industry must continue to reduce and mitigate noise as airport capacity grows.” (APF, 2013). This requires a per annum reduction in noise levels, as technology improvements to aircraft are reflected in airline fleets. This should apply not just in monitoring averages in summer months but limit and reduce noise levels during the winter period and particularly during the night time period.

The draft DCO should compel GAL to properly engage with community groups and councils, under agreed independent chairmanship, to develop new proposals that comply with policy and guidance, and include measures to enable these proposals to be monitored, and mitigated with prompt oversight and intervention by the Secretary of State to ensure compliance.

GACC reiterate their position that the ANPS requires a progressive ban on scheduled night flights for the core night period of 6.5 hours between 23.30-06.00, and requires airports to make particular efforts to incentivise use of the quietest aircraft at night. The ANPS is stated to be important and relevant for any airport in South East England, including Gatwick. A night flight ban should be a condition of any approval of the draft DCO, as should provision of a comprehensive package to

incentivise the use of the quietest aircraft at night outside of the core night period. This aspect does not appear to have been sufficiently explored during the draft DCO examination, with resistance provided by GAL (including their noise consultant) to questioning by the Planning Inspectorate at ISH9.

3 Airspace

Insufficient Airspace Capacity

There have been numerous submissions, including from GACC, Plane Wrong, easyJet, British Airways and CAGNE, regarding the need for airspace change to accommodate the proposed increased number of flights, and the environmental noise effects of introducing additional flights into the already constrained airspace. The applicant has given no response to date that adequately answers those concerns. On several occasions Mr Steve Mitchel for the Applicant has stated that the intention is to intensify the frequency of flights on the current routes.

Gatwick is situated in one of the world's busiest blocks of airspace, utilised by four major commercial airports. In particular the conflict between Gatwick and Heathrow flight paths means that:

- all aircraft departing Gatwick to the north, more than 40% of departures, are restrained in altitude to 4,000ft for extended distances before being able to climb, causing unacceptable noise effects in addition to increased fuel burn and pollution. There are very few busy commercial airports in the world situated in residential areas where departing aircraft are constrained at such low levels.
- virtually all aircraft arriving at Gatwick follow arrival routes to the South of the airport concentrating arrival noise on residents south of Gatwick

To increase the number of flights operating in this airspace is environmentally unacceptable.

Additionally airspace capacity restraints currently cause significant delays which will only get worse if this proposal is allowed.

4. Climate.

GACC has reassessed our estimate of the significance of the climate impacts of this scheme at deadline 7. GACC stands by our contention that the significance of the scheme in terms of absolute carbon emissions, its exceedance of Jet Zero and Jet Zero One Year On airport allocations and failure properly to consider or constrain either aviation or surface transport carbon emissions is unacceptable. GACC restate our position (REP7-132) that the climate impacts of this expansion are such that it should not be accepted, and the current situation with no cap on aviation and surface transport Greenhouse Gas (GHG) emissions at the Airport level is also unacceptable. This is also reflected in the increasing climate awareness and changing behaviours of younger generations who are more conscious of the future consequences and hence fly less. If government seeks to control climate changes with future carbon budgets etc then this will increase air fares, which will in turn reduce demand. The application has completely failed to present or explore the impacts of limiting carbon emissions as

the impact of such emissions from flights has been excluded from the Environmental Statement and Carbon Action Plan by the Applicant.

Their submission understates the likely increased carbon emissions and also underplays its significance. GACC remain of the opinion that this draft DCO would clearly have a material impact of the ability of the UK to meet its carbon reduction targets, and future carbon budgets. If expansion were permitted, Gatwick alone would be responsible for over 3-5% of the UK's sixth carbon budget, with or without Jet Zero mitigations. Approval would require government to override and ignore the Climate Change Committee's 2023 Progress Review recommendation to not permit any airport expansion without a UK-wide capacity-management framework being in place. Planning must consider the significance of emissions from all airport expansions not just on a case-by-case basis. Significance should be assessed against the 1.5°C compliance trajectory as in IEMA guidance (Assessing GHG emissions and their significance, 2022) as well as against the Jet Zero strategy's allocation of ATMs and GHG emissions to Gatwick Airport.

Furthermore, the cumulative impact of Gatwick's plans (with and without the use of the Northern Runway) must be assessed against the global 1.5C climate limit and the UK government's legal requirement to reach net zero by 2050. GAL has failed even to engage on the question as to how and why expanding one of the hardest to decarbonise sectors of the economy is consistent with the radical decarbonisation required across all sectors to meet net zero.

The evaluation of the significance of Gatwick's greenhouse gas emissions should include the non-carbon impact of flying and overall climate impact of airport expansion (including inbound and outbound international flights which will increase emissions overseas, as well as increased surface transport) – in their Environmental Statement. The rationale for including greenhouse gas emissions that are caused by the Project is now made clear by the Supreme Court judgement in the Finch Case.

In addition to including these aspects in the ES, they should be included in the draft DCO and CAP. GACC reiterate that additional slots should not be allocated so that Gatwick does not as a consequence exceed its carbon budget, and this alone in our view means rejecting this application.

Therefore, we see an overall rationale for restricting any increase in demand at all in aviation if carbon emissions for aviation are to be properly constrained nationally, as is required through inclusion in the UK's carbon budgets from 2038. No airport expansions should proceed until a UK-wide capacity management framework is in place to annually assess and, if required, control aviation sector CO₂ emissions and non-CO₂ effects and this should be reflected in any DCO, to provide a governance framework that is applied to the airport's operations, and this even if planning permission is not granted.

5. Surface Access Commitments.

GACC are not convinced that the source-destination assumptions, modelling and methods of constraining surface access movements to deliver what has been promised is made by the Applicant. GACC note that the development is at odds with Surrey County Council's LTP4 which seeks a reduction of car vehicle kms. It is

important that large businesses demonstrate leadership in modal shift and carbon reduction, not lag behind overall sectoral or geographic area targets.

GAL's application, and specifically its mode share targets and lack of measures to invest in and support this mode shift through more public transport, fails to prevent an otherwise significant growth in car use for surface access. Modelling of the increased traffic volumes also show unacceptable increases in local journey times (e.g. along the A23 corridor), and such modelling is also based on source locations for passengers that is not tested. Instead, GACC maintain that GAL should not simply cater for their 'predict and provide' modelling that requires more road transport capacity, but instead have responded to the initial modelling to introduce sufficient sustainable transport investment that precludes any increase in car use both for passengers and staff. Gatwick plans only limited investment in bus transport and no rail investment beyond Gatwick Airport station itself. Yet the project will inevitably increase demand pressure on London-Brighton mainline trains, forecast already to become so crowded such that GAL's proposals are not supported by GTR, the main rail operator on the Brighton Mainline. Gatwick should reprioritise its surface access investment to sustainable travel, which means public transport for most passengers.

We note also in REP8-128, Kent CC comments on the Deadline 7 submission 10.56.15, which is the Applicant's response to ExQ2 Traffic and Transport [REP7-092]. GACC shares Kent CC's concerns that an existing pre-application sensitivity test on Lower Public Transport Mode share was not previously made available, especially as a similar sensitivity test had already been requested by Kent CC. As a principle, we consider that the results of all such tests should have been made available with other documentation so that interested parties can gain a better understanding of the possible impact of the mode share targets not being met.

Finally, on transport there must be clear proposals to prevent increased off-airport parking – not just limited funding to local authorities. GAL has not been clear (and has misled through false data in the original submission) as to the extent of parking it envisages its scheme using, on and off airport. Assuming the base distribution of off-airport parking spaces for all future scenarios is unrealistic. Sensitivity analysis of the impact of unconstrained (street and commercial) off-airport parking on the surface transport modelling should have been provided by GAL.

6. Other aspects – Ecology, Air Pollution, Flooding etc.

Ecology.

GACC maintain that a landscape-scale approach is required to assess biodiversity impacts, both land and the aquatic environment (which is already noted as being poor). The quality of the severely degraded environment around Gatwick should have been improved by the proposal and not made worse – for example through the decadal loss of trees along the A23 from the Longbridge to South Terminal roundabouts. GAL have still failed to mitigate, or even quantify, the impact of the time lag between habitat loss and subsequent creation and maturity (e.g. woodland) as a consequence of the long construction period and this should be quantified and mitigated. The proposed scale of loss of Riverside Garden Park on individual species (e.g. bats) is not supported and mitigated. This is avoidable –

through a surface transport plan that negates the need for A23 widening. Wider ecological impacts (not currently evaluated) should also be required; not least: fragmentation of habitat (e.g. by woodland removal); increased impacts due to surface transport changes; increased flood risk and any potential water extraction (the location of which is still not confirmed as a result of this examination). Finally, GACC remain of the position that GAL should confirm that BNG delivery is separate from and additional to the requirements under the mitigation hierarchy, and that it will be fully implemented.

Air Quality

GACC remain of the opinion that air pollution modelling around airports is not sufficiently accurate, and that better data collection is required both to underpin this application (to determine the impact of assumptions on the severity of impacts modelled) and for future years. Monitoring through to 2047 should be mandated through the draft DCO and control documents. This should include on-airport and off-airport monitoring of UFP, including specifically in the Horley Riverside Gardens estate, which is particularly impacted by the prevailing wind direction.

Water and Flooding

The source of water supply is still not identified and remains an unknown impact of this Project. It is important to note that there is a significant pre-existing water shortage issue affecting this area.

In terms of sewage and waste water treatment, it is not clear how the current significant treatment deficit (as opposed to future Project deficit) is to be addressed. This requires collaboration and expediting of investment by both GAL and Thames Water, regardless of whether the scheme progresses (and we are mindful of the extensive publicity given in regard to Thames Water's financial problems and lack of investment in upgrading their treatment facilities). The scale of wastewater outfall already has a catastrophic impact on water quality. Therefore the draft DCO, regardless whether or not the scheme is accepted, should set out the measures required to help restore the River Mole's poor and declining water quality and reduce flood risk. This should include addressing existing road/parking run-off pollution and the large volume outflows from firefighting training. Monitoring of outfalls (both from airport and highways) and diffuse pollution should also be strengthened.

As restated in our submission REP7-132, GAL should not be allowed to understate the climate impact on flooding by selecting a shorter design life for runways than for highways. The full climate uplift on flood risk must be modelled, and mitigated. Emergency discharge should only be permitted beyond this (or ideally a higher) return period.

7 Economy and Jobs

We fully support the Deadline 9 submission by the New Economics Foundation.

8 Governance

GACC supports the governance framework proposed by the JLAs in form of the Environmentally Managed Growth framework but with stronger controls, such that in particular:

- a) Climate targets should be added for aviation and surface transport;
- b) Surface access commitments be strengthened and supported by greater powers of intervention and sufficient funding evidenced and secured to enable this to be delivered while the road widening proposals be withheld;
- c) Noise envelope targets to not be weakened in any way by subsequent airspace movements and stronger per annum noise emission reduction targets (e.g. 1dB/year) than that set out by the JLA (ref);
- d) The overall environmental case should reflect the needs analysis of York Aviation, and for this to be reflected in the cost benefit analysis for the scheme.

This will we believe require far greater controls in the draft DCO and other control documents in the case that the scheme given the go ahead. It should also be required to provide quarterly monitoring and annual reporting no less than 3 months after the end of the year, as is common place for much financial accounting procedures.

In conclusion, GACC contend that even the modest amount of information that has come to light from GAL over the course of this six-month inquiry has strengthened the case against the Northern Runway Project, and the need for far stronger constraints needed in any updated DCO agreement, with ATM, carbon and stronger noise and night flight controls – regardless of whether the project is granted.