

GOODENOUGH RING

SOLICITORS

Temple Chambers, 3-7 Temple Ave, London, EC4Y 0HA

The Rt Hon Heidi Alexander
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

The Rt Hon Ed Miliband
Department for Energy Security and Net Zero
55 Whitehall
London
SW1A 2HP

By email only: [REDACTED]@parliament.uk; [REDACTED]@parliament.uk
Cc: transportinfrastructure@dft.gov.uk; gatwickairport@planninginspectorate.gov.uk

Our ref: GAT00001

30 January 2025

Dear Secretaries of State,

Re: Request to postpone a decision on the proposed Gatwick Airport Northern Runway Project development consent order

1. We write on behalf of our client, the Gatwick Area Conservation Campaign ("**GACC**"), a group working to protect and improve the environment in the area affected by Gatwick Airport's operations.
2. GACC has participated extensively in the recent public examination into Gatwick Airport Limited's ("**the Applicant's**") application under section 37 of the Planning Act 2008 seeking a development consent order ("**DCO**") for alterations to the existing northern runway at Gatwick Airport, and the lifting of the current restrictions on its use to enable dual runway operations together with associated development ("**the Proposed Development**").
3. A decision on the DCO is due by 27 February 2025 by the Secretary of State for Transport.

4. The day before, on 26 February 2025, the Climate Change Committee (“**CCC**”) is due to provide its advice to Government on the legal limit for UK net emissions of greenhouse gases over the years 2038 to 2042 (“**the Seventh Carbon Budget**”).
5. The Proposed Development would dramatically increase the number of flights and passengers using the airport. The Applicant’s own assessment is that the Proposed Development could result in an increase in passengers per annum from 40.9 million in 2023 to 80.2 million in 2047. This increase represents a near doubling of the number of passengers.
6. The Applicant’s estimates for Gatwick Airport’s emissions with the Proposed Development will contribute to approximately 3% of the sixth carbon budget from 2033-2037.¹
7. The Applicant has estimated that the airport will generate 5.583 MtCO₂e in 2038 from aviation alone (i.e. not including associated terminal and surface transport emissions). On this basis, by 2038 an expanded Gatwick Airport could contribute more than 4 percent of the UK’s carbon budget rising to 6.5 percent by 2042.² The impact of the Proposed Development on CO₂ emissions and specifically on the seventh carbon budget is therefore significant.
8. Moreover, our client’s submissions to the examination have demonstrated that the Applicant’s figures likely underestimate the contribution from aviation of an expanded Gatwick Airport towards the UK’s carbon budget for the following reasons:
 - a. The Applicant’s figure of 5.583 MtCO₂e in 2038 assumes that all Jet Zero carbon reductions will be achieved. Since Jet Zero is predicated on a ‘high ambition’ scenario, there is considerable uncertainty as to whether such reductions are likely. In 2021, the Applicant assessed the Proposed Development as generating 7.061Mt of CO₂e in 2038 from aviation without any Jet Zero reduction assumptions;
 - b. No account has been taken of the impacts of non-CO₂ effects (also known as radiative forcing) associated with increased flights. As Jet Zero recognises, the net warming rate of non-CO₂ effects is likely to be around three times that of CO₂ (Jet Zero, para.3.64). The climate impact of non-CO₂ effects from aviation may be included in the Seventh Carbon Budget.
9. If the Applicant’s figures are adjusted to take into account the above, the potential contribution to the Seventh Carbon Budget is considerably greater (approximately 5 to 20 percent).
10. The CCC’s Sixth Carbon Budget Advice, 2023 Progress Report and 2024 Progress Report all recommended no net expansion of UK airports without ensuring sector emissions are on track. As the 2024 Progress Report states:

¹ This figure is based on the Applicant’s carbon emission figures for the sixth carbon budget period (2033-2037) as a percentage of the Balanced Net Zero Carbon pathway: Gatwick Airport Environmental Statement, App.16.9.4, Assessment of Aviation Greenhouse Gas Emissions

² These figures are based on the Applicant’s carbon emission figures as a percentage of the Balanced Net Zero Carbon pathway.

Stop airport expansion without a UK-wide capacity management framework. No airport expansions should proceed until a UK-wide capacity management framework is in place to annually assess and, if required, control the sector's GHG emissions and non-CO2 effects. A framework should be developed by DfT in cooperation with the Welsh Government, Scottish Government and Northern Ireland Executive. After a framework is developed, there should be no net airport expansion unless the carbon intensity of aviation is outperforming the Government's emissions reduction pathway and can accommodate the additional demand. (p.96)

11. To date, no such UK-wide capacity management framework for aviation has been developed.
12. Given the implications for a decision on the Gatwick Airport DCO on meeting the Seventh Carbon Budget, we ask that any decision on the DCO is delayed until after the CCC's advice on the Seventh Carbon Budget has been delivered, consulted upon and both the CCC advice and the results of the consultation have been taken into consideration. The advice of the CCC on the Seventh Carbon Budget is clearly a material consideration and given that it will be published the day before the current deadline for a decision on the DCO, it would be irrational not to have due regard to it.
13. We would be grateful if you could confirm receipt of this letter and respond **within 14 days and before any final decision is taken.**

Yours sincerely,



Goodenough Ring Solicitors