



Meeting note

Project name	Gatwick Airport Northern Runway
File reference	TR020005
Status	Final
Author	The Planning Inspectorate
Date	27 March 2023
Meeting with	Gatwick Airport Limited (the Applicant)
Venue	Microsoft Teams
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Habitats Regulations Assessment (HRA) feedback

Please refer to **Annex A** of this meeting note for a copy of the Inspectorate's feedback on the Applicant's draft HRA Report.

Following receipt of the draft document review comments from the Inspectorate, the Applicant requested clarification on several points which the Inspectorate provided. This included the omission of two sites located within the study area and a feature of an assessed site had not been included in the assessment. The Inspectorate explained that where sites and features are screened out, this must be justified in the HRA Report and that any queries on omissions in the draft documents is an indication that this should be explained in the HRA Report rather than identification that it should be included.

The Applicant queried what was being requested in relation to the methodology applied to the air quality assessment of Ashdown Forest. The Inspectorate expressed that previously, there has been much concern around air quality impacts to this site and therefore, where possible, agreement and justification should be evident in the HRA as to the appropriateness of the methodology applied.

The Applicant also raised a query noted under the general comments section which states the Development Consent Order (DCO) application must be of a standard which the Secretary of State (SoS) deems to be satisfactory. The Inspectorate confirmed this comment was standard text.

The Applicant confirmed with the Inspectorate that it had attempted to engage with Natural England (NE) again and sent NE the draft HRA and appendices. The Applicant confirmed



it had received an acknowledgement response with a request for the information to be sent to the consultation inbox.

Project update/ submission timeline

The Applicant advised the Inspectorate that it was sent a letter dated 13 March 2023 from the ten local authorities (LA) detailing concerns about consultation, information sharing, and Planning Performance Agreement (PPA) funding. The Applicant confirmed that it was in the process of responding and would provide the LAs with further information.

The Applicant updated the Inspectorate regarding PPA funding. The LAs had requested further PPA funding which the Applicant was seeking to provide. The Inspectorate confirmed it was unable to provide specific advice on any PPA negotiations but encouraged continued engagement between the Applicant and LAs.

The Applicant confirmed that it was intending to send the LAs the first set of draft Statements of Common Ground (SoCG) in mid-May 2023.

The Applicant confirmed that it was now intending to submit the DCO application in mid to late June 2023 to allow the LAs time to consider the draft information the Applicant was due to share with them, and to allow them time to consider the proposed draft s106 agreement heads of terms.

The Inspectorate asked the Applicant if the LAs were clear on what was required from them prior to the DCO submission date, and whether a delayed response from the LAs could have an impact on the submission date. The Applicant confirmed a delay was not expected as it had a good understanding of the concerns raised and was addressing them.

The Inspectorate and the Applicant agreed that the submission date would be changed to summer 2023 on the project webpage of the National Infrastructure Planning website.

Pre-submission logistics

The Applicant confirmed that it was expecting to submit a DCO application comprising 25,000-30,000 pages¹ with approximately 100 plans. The Applicant advised the Inspectorate that it intended to use its legal advisors' SharePoint site to submit the DCO application documents. The Inspectorate requested the Applicant to ensure it was possible to bulk-download documents from the site prior to submission.

The Applicant agreed with the Inspectorate to discuss specific information about the lead up to submission at a further meeting in May 2023.

Any other business

The Inspectorate advised the Applicant of a change in the Environmental Services personnel working on the Gatwick Airport Northern Runway project.

¹ Post-meeting note: the Applicant has since revised its estimate to 14,000-15,000 pages.



Gatwick Airport Northern Runway – TR020005

Section 51 advice regarding draft application documents submitted by Gatwick Airport Limited

On 23 January 2023, Gatwick Airport Limited submitted the following draft documents for review by the Planning Inspectorate as part of its Pre-application Service¹:

1. Habitats Regulations Assessment Report

The advice recorded in the table below relates solely to matters raised upon the Planning Inspectorate's review of the draft application documents listed above. The advice is limited by the maturity of the documentation provided by the Applicant and the time available for consideration and is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.

¹ See <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>



Habitats Regulations Assessment Report		
Ref No.	Paragraph/ Section	Comment/ Question
1.	Whole document	The Habitats Regulations Assessment (HRA) does not consider impacts from an increase in aircraft activity during operation, eg impacts to air pollution. The Applicant may wish to explain its justification for omitting this assessment or provide such an assessment as it is likely to be explored in Examination.
2.	Whole document	The Applicant should seek agreement on the conclusions of the HRA with Natural England.
3.	Section 1.3	The scope sets out that impact pathways are identified in the relevant Environmental Statement chapters. Whilst these are referenced, it would be useful to have direct references to the relevant information. Particularly in relation to the scope of the assessment where seven sites are considered in the screening; it is unclear why the Arun Valley and Lewes Down sites are not included in the screening assessment. This is likely to be explored during Examination.
4.	Paragraph 1.3.3	The Applicant may wish to explain how ' <i>major roads</i> ' have been defined.
5.	Section 3.2	It is noted that Great Crested Newts have been omitted as an Annex II species feature of the Ashdown Forest Special Area of Conservation (SAC); impacts on this feature should be assessed in the HRA Report.
6.	Paragraphs 4.5.16 and 4.5.19	The Applicant should provide evidence (or, if already provided, then cross-reference to the relevant document) of the agreement of Natural England to the Applicant's proposed approach.
7.	Paragraphs 4.5.34 and 4.5.39	The Applicant should clarify what other plans or projects have been included to inform the assessment of in-combination operational traffic.



Habitats Regulations Assessment Report		
Ref No.	Paragraph/ Section	Comment/ Question
8.	Paragraph 5.1.8	Baseline breeding bird data is five to seven years old and therefore the Applicant may wish to explain why this data is still representative of the current baseline. This will likely be explored during the Examination.
9.	Paragraph 5.1.4 to 5.1.12	The methodology applies the 1000 Annual Average Daily Traffic (AADT) threshold to air quality impacts on Ashdown Forest SAC. Considering the sensitivity of this site to air pollution, there is a lack of detail as to why the methodology applied is appropriate and that additional traffic movements through the site would not lead to likely significant effects and require appropriate assessment. Whilst the overall approach has been agreed with Natural England (4.5.18) the HRA would benefit from agreement on approach to this specific site and further explanation as to why this methodology is appropriate.

General

1. Where references are provided to other draft application documents it would be beneficial to provide the full title thereof inclusive of document reference number. Should further draft documents be provided for review, the Applicant may wish to consider providing a full list of known application documents (for purpose of signposting) as well as their respective reference number.
2. [\[MHCLG\] Application form guidance](#), paragraph 3, states: “*The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6.*”