

# Crawley Borough Council

## Planning Committee

24 October 2023

### Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation

Report of the Head of Economy and Planning – PES/441

---

#### 1. Purpose

- 1.1. The purpose of this report is to seek Planning Committee agreement for Crawley Borough Council's Relevant Representation to be submitted to the Examining Authority panel (ExA) appointed by the Government to consider the Development Consent Order (DCO) application for the Gatwick Airport Northern Runway proposals. The applicant is Gatwick Airport Limited (GAL).
- 1.2. The Relevant Representation is a summary of what the Council considers are the main issues of environmental, social and economic concern associated with the DCO application and must be submitted to the ExA by 23:59 on Sunday 29 October 2023.
- 1.3. Alongside the Relevant Representation, Officers are also preparing at the request of the ExA Principal Areas of Disagreement Summary Statements (PADSS) which set out in a tabular format the principal technical matters on which the council currently disagrees with the applicant's DCO submission. The PADSS provide a brief explanation of the concern, what would need to change/be amended to overcome the disagreement and the likelihood of the concern being addressed during the examination stage. The content of the PADSS reflects the concerns expressed in the Relevant Representation. The first version of the PADSS document must be submitted with the Relevant Representation and its agreement is delegated to the Head of Economy and Planning. This document will be subject to ongoing review and amendment during the examination as issues are resolved with the applicant, or new matters arise.
- 1.4. The ExA uses the content of Relevant Representations and PADSS to help inform their initial assessment of principal issues for the examination to consider.
- 1.5. Written Representations will be invited by the Examiners during the examination which will provide an opportunity to expand on the issues set out in the Relevant Representations. They will provide a more detailed written account of what the local authority agrees and/or disagrees with on specific aspects of the DCO application, together with any evidence or documents to support the Council's arguments.

#### 2. Recommendation

- 2.1 That the Committee agrees to the submission of the Relevant Representation to the Planning Inspectorate (as attached in Appendix A to this report) as a HOLDING OBJECTION due to the significant concerns raised, subject to:
  - a) Any amendments made by the Committee; and
  - b) Any non-material amendments to the final drafting of the Relevant Representation made by the Head of Economy and Planning.

### **3. Reasons for the Recommendation**

- 3.1 GAL's Northern Runway proposals expand the airport by over 13 million passengers per annum, and involve significant highway works which means the proposal is a Nationally Significant Infrastructure Project and will be determined by the Secretary of State through the DCO process. The Council is a statutory consultee on the project as a host authority and is invited to provide feedback at various stages by the ExA.
- 3.2 The Relevant Representation has been drafted following extensive review of the DCO documentation submitted by GAL by the Council's technical officers, West Sussex County Council highways and transportation officers and from commissioned specialist consultants. In accordance with the Council's Constitution the Relevant Representation is required to be agreed by the Council's Planning Committee prior to submission to the ExA/Planning Inspectorate.
- 3.3 Concerns cover a whole range of issues and reflect the view that there are significant flaws and discrepancies with regard to the assessments and evidence put forward by GAL, and that the scope and scale of mitigations proposed are not considered sufficient to overcome the expected adverse impacts arising from the proposals. The control mechanisms set out in the DCO itself and its supporting control documents are not considered sufficiently detailed, effective or enforceable, with much being left to subsequent approvals. There is also concern that there is a lack of certainty regarding the scale and timing of the benefits and community compensation arising from the proposals and insufficient confidence in how they will be secured, operated and enforced.
- 3.4 It is therefore recommended that the Council should raise a holding objection to the Northern Runway DCO proposals given the significant concerns raised by officers and the fact that the evidence does not currently exist to demonstrate that the airport can grow and be operated in a responsible manner which contains its adverse environmental impacts within prescribed acceptable and agreed enforceable limits. Furthermore, it is not considered that effective mechanisms are in place to ensure that the economic benefits from the expansion will be maximised for local residents or that adequate supporting infrastructure and appropriate community compensation will be provided. This is essential to protect the amenity and health of local residents and ensure local residents can still secure some benefit from national infrastructure which is recognised will have an adverse impact locally.

### **4. Background**

- 4.1 The Government Aviation National Policy Statement (ANPS), June 2018, makes clear (para 1.39) that, alongside the development of a third runway at Heathrow, the Government is also '*...supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have positive and negative impacts, including noise levels*'.
- 4.2 The ANPS further states (para 1.42) that:

*'As indicated...above, airports wishing to make more intensive use of existing runways will still need to submit an application for planning permission or development consent to the relevant authority, which should be judged on its individual merits. However, in the light of the findings of the Airports Commission on the need for more intensive use of existing infrastructure....., the Government accepts that it may well be possible for existing airports to demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow'*.

- 4.3 The Government also published its *Beyond the Horizon: The Future of UK Aviation: Making Best Use of Existing Runways* in 2018, with para 1.5 supportive of all airports who wish to make the best use of their runways, subject to environmental issues being addressed.
- 4.4 The Government also made clear on its ongoing support for the ANPS and the making best use policy in its Jet Zero Strategy (DfT 2022) which sets out the framework for achieving net zero aviation in the UK by 2050. In the growth scenarios modelled for Jet Zero, consideration was given to Gatwick Airport expanding to 386,000 air traffic movements (ATMs) per annum.
- 4.5 The Crawley Borough Local Plan 2015-2030 is the adopted development plan for Crawley, setting out policies that provide the basis for planning decisions within the borough. The council is currently in the process of preparing a new Local Plan which, once adopted, will supersede the existing Local Plan, covering the period 2024 to 2040. Following several periods of public consultation, the Submission Local Plan was submitted to the Secretary of State for independent examination on 31 July 2023.
- 4.6 The Adopted Local Plan includes numerous policies that are relevant to considering airport growth, with a site-specific policy for the airport itself setting out the Council's support for growth of the airport to 45mppa as a single runway operation subject to environmental safeguards.
- 4.7 The Submission Local Plan includes similar policies to enable growth as a single runway operation but without a passenger cap because significant growth at the airport has proved possible without any planning permission being required. The Gatwick policies have been expanded to include specific references to the need to protect the health of the local community, support bio-diversity net gain, ensure the adequacy of the airport's infrastructure to accommodate the growth and to ensure the maximisation of benefits for Crawley's local economy and communities.
- 4.8 Both plans require the safeguarding of land to ensure any future proposals for a potential wide spaced runway, if required by national policy, are not compromised by development in the shorter term.
- 4.9 Both plans also include a policy regarding airport related car parking which will only be permitted when justified by demonstrable need in the context of a sustainable approach to surface transport access to the airport, and only within the airport boundary. Policies in both plans also control the use of airport-related employment space within the airport boundary.
- 4.10 Other relevant policies include those relating to noise, air quality, flooding, water stress, design, employment and skills, tree replacement, landscaping and biodiversity, heritage transport and infrastructure.
- 4.11 This DCO application was submitted to the Planning Inspectorate on 6 July 2023 and was accepted as such on 3 August 2023 despite concerns raised by the Council and the surrounding local authorities regarding the meaningfulness of the pre submission public consultation and engagement.
- 4.12 GAL has formally published notices of the acceptance of the DCO application and has set a deadline for Relevant Representations from interested bodies to be submitted by 29 October 2023.

## **5. Description of the DCO Proposals**

- 5.1 The DCO application proposes to make best use of Gatwick Airport's existing runways and infrastructure by enabling dual runway operations from the existing main and northern

runways – the latter being proposed for routine use whereas it is currently only used infrequently as it is restricted to use as a standby/emergency runway.

5.2 The application proposes alterations to the northern runway and investment in a range of infrastructure and facilities, largely within the confines of the existing airport boundary, but also including major road enhancements to improve access to Gatwick and the operation of the local transport network. The proposals include:

- Repositioning the centreline of the existing northern runway 12 metres further north to enable dual runway operations;
- Reconfiguration of taxiways;
- Pier and stand alterations (including a new pier);
- Reconfiguration of specific airfield facilities;
- Extensions to the existing airport terminals (north and south);
- Provision of additional hotel and office space;
- Provision of reconfigured car parking, including new surface and multi-storey car parks;
- Surface access (including highway) improvements including;
  - Additional eastbound lane on the M23 Spur
  - A new flyover over the South Terminal roundabout
  - A westbound flyover connection between Airport Way and the A23 London Road with a signalised junction to the A23 London Road
  - Significant carriageway and pedestrian/cyclist improvement to Longbridge Roundabout where the A23 London Road meets Povey Cross Road, the A217 and A23 Brighton Road
  - A third westbound lane on Airport Way to improve the capacity and safety and allow a better connection with a new flyover at North Terminal roundabout
  - A new signalised junction to be introduced with a new connector road to the North Terminal roundabout being provided to replace the existing slip road provision
  - The inclusion of a range of improvements to existing active travel infrastructure provision as well as new connections such as the proposed path for pedestrians and cyclists between Longbridge Roundabout and North Terminal roundabout.
- Demolition, relocation and expansion of Central Area Recycling Enclosure (CARE) facility;
- Provision of an additional water treatment facility;
- Reconfiguration of existing utilities, including surface water, foul drainage and power; and
- Landscape/ecological planting and the creation of environmental mitigation.

5.3 It is anticipated that, by 2047, the proposals would enable Gatwick to serve 80.2 million passengers within a cap of 386,000 ATMs per annum.

## **6. Information & Analysis Supporting Recommendation**

6.1 The DCO application was submitted to the Planning Inspectorate following a pre-application engagement and consultation phase which started in 2018, although some delay occurred during the Covid-19 pandemic. A formal Preliminary Environmental Information Report consultation was carried out by GAL in late 2021 followed by a focused consultation on highway improvement changes and other projects update in June 2022. The Council's responses to these consultations followed presentations and discussion with councillors through seminar sessions.

6.2 As part of the engagement, GAL set up Topic Working Group sessions with local authority officers and our consultants to discuss ongoing assessment issues and the evidence arising to support GAL's proposals. A major issue identified regarding the Adequacy of Consultation was the fact that GAL had not shared much of the background environmental

assessment work to support the conclusions arising in their studies. GAL had also not entered into negotiation with the Council (and other local authorities) on the detailed drafting of proposed 'Requirements' (similar to planning conditions) or Section 106 obligations. This has led in part to the Council's concerns regarding the appropriateness or robustness of the assessment work undertaken and the outcomes in terms of the potential impacts or the mitigation required to limit, remove or control any potential adverse environmental, social or economic impacts arising.

6.3 Appendix A sets out a proposed Relevant Representation drafted by officers with the support of consultants. The representation sets out the views with respect to the demonstration of need for the proposals within the context of national and local aviation planning policy and raises concerns with the drafting of the DCO itself, the control mechanisms, and the proposed S106 obligations. It focuses on key issues relating to the borough including the impacts on the:

- Historic environment
- Landscape, townscape and visual impact
- Ecology and nature conservation
- Water environment
- Traffic and transport
- Air quality
- Noise and vibration
- Climate change and greenhouse gases
- Socio-economic impacts
- Health and wellbeing
- Agriculture use and recreation
- Cumulative impacts.

## **7. Implications**

- 7.1 The environmental, social and economic impacts are dealt with in summary within the appended draft Relevant Representation. These will be further explained and supported by detailed evidence through written representations to be submitted during the examination.
- 7.2 The local authority will also be required to submit a Local Impact Report (LIR) which is a highly technical factual document, setting out the positive and negative impacts of the DCO proposals within the areas defined and will specifically highlight key matters within each of the areas as required. The LIRs are not intended to contain a balancing exercise between positive and negative impacts of the development, nor does it need to take the form of a formal committee report. It is currently proposed that an LIR will be drafted on a county area basis jointly with West Sussex CC and Horsham and Mid Sussex DCs. An LIR is also being prepared jointly by Surrey CC, Reigate and Banstead BC, and Mole Valley and Tandridge DCs.
- 7.3 The Council is in partnership with six other local authorities in commissioning Sharpe Pritchard and King's Counsel to provide legal advice and to support the Council's case during the examination.
- 7.4 The Council has set aside funding from its reserves to support the extensive amount of officer and consultant work which is required on the DCO. Funding has also been secured from DLUHC's NSIP Innovation and Capacity Fund, and from GAL through Planning Performance Agreements. There will be ongoing revenue implications on the Development Management team as the Council will need to discharge most of the Requirements in the DCO, including the detailed designs of all the proposed buildings as well as any associated enforcement issues arising. Appropriate fees to resource this work should be secured through the DCO itself.

## 8. Background Papers

[Planning Inspectorate - National Infrastructure Planning projects – Gatwick Airport Northern Runway project](#)

[Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of England, June 2018, DfT](#)

[Jet Zero Strategy - Delivering net zero aviation by 2050, July 2022, DfT](#)

[Crawley Borough Local Plan 2015 – 2030, December 2015](#)

[Draft Crawley Borough Local Plan 2024 – 2040, May 2023 \(For Submission Publication Consultation: May – June 2023\)](#)

### **Report author and contact officer:**

Jean McPherson (Group Manager, Development Management) [Jean.Mcpherson@Crawley.gov.uk](mailto:Jean.Mcpherson@ Crawley.gov.uk)

Sallie Lappage (Strategic Planning Manager) [Sallie.lappage@Crawley.gov.uk](mailto:Sallie.lappage@Crawley.gov.uk)

James Freeman (DCO Consultant) [jamesfreeman@jcfplanning.com](mailto:jamesfreeman@jcfplanning.com)