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30 September 2019

Dear Sir / Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Gatwick Airport Limited (GAL) (the Applicant) for an Order granting Development Consent for the Gatwick Airport Northern Runway (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your letter dated 3 September 2019 consulting Mole Valley District Council (MVDC) (the Council) regarding its opinion as to the information to be provided in the Environmental Statement (ES) relating to the proposed development of the Gatwick Airport Northern Runway.

The Council has had regard to Volumes 1, 2 and 3 of the Environmental Impact Assessment (EIA) Scoping Report prepared by the Applicant and wishes to make the following comments:

**General comments**

The Council is concerned that at this stage, there is too much uncertainty as to the extent of the Proposed Development for its significant effects to be fully identified and therefore for a robust Scoping Opinion to be provided.

There is particular uncertainty regarding the location and scale of a number of parts of the Proposed Development that would be significant themselves. These include construction of new hotels and office blocks, a wastewater treatment works, relocation of the Central Area Recycling Enclosure (CARE waste processing) facility, and various potential environmental mitigation proposals. The location and scale of highway works is also rather unclear and the Council seeks clarity on whether these would qualify in their own right as a Nationally Significant Infrastructure Project.

The Council questions whether all of the individual projects that form part of the Proposed Development are directly related to the increase in passenger throughput at the airport. For

example, proposed projects such as three new hotels and two office blocks are presented as necessary to achieve passenger growth from 61 million passengers per annum (mppa) to 74mppa, however we note that growth from 46mppa to 61mppa appears to require significantly less provision of this type. We would suggest that these elements are functionally separate from the use of the Emergency Runway and therefore should not form part of the Development Consent Order (DCO) unless there is any evidence forthcoming to suggest otherwise.

## **Chapter 1 – Introduction**

### **1.3 – Overview of the Project:**

**1.3.1** – The runway referred to as the ‘northern runway’ or ‘standby runway’ is actually called the Emergency Runway under condition 3 of the relevant planning permission CR/129/1979. It should therefore be referred to as such throughout the Scoping Report and the DCO process.

## **Chapter 2 – Consenting Process**

### **2.2 – Planning Policy:**

**2.2.10** –The Council anticipates publishing a draft Local Plan, entitled Future Mole Valley, for consultation early in 2020. This emerging local planning policy should therefore be considered in due course.

### **2.3 – Consultation Process:**

**2.3.5** – The Council would encourage early engagement by the Applicant with communities potentially affected by the Proposed Development.

**2.3.12** – Diagram 2.3.1 should be updated to include Local Authority Leaders within the same group as the Local Authority Chief Executive Officers. We would also welcome statutory bodies being included within the topic working groups to ensure effective joint working and for transparency purposes.

## **Chapter 3 – Need and Alternatives Considered**

### **3.1 – Need for the Project:**

The Council believe that further assessment should be undertaken to justify the substantial increase in passenger throughput at the airport through the Proposed Development, given the Government’s commitment to achieving an emissions’ reduction target of 100% by 2050, as set out in the Climate Change Act 2008 (2050 Target Amendment) Order 2019. Furthermore, the Section 42 public consultation document on the Expansion of Heathrow Airport (Third Runway) set out that Heathrow will not reach capacity until 2050, raising questions over the need for further runway capacity in the South East in the near future.

## **Chapter 4 – Existing Site and Operation**

### **4.3 – Proposed/Consented Projects:**

The Council seeks clarity on which of the proposed/consented projects either require planning permission or have already gained it, to establish the deliverability of each and to understand the implications if a project were not able to be delivered.

## **Chapter 5 – Project Description**

### **5.2 – Overview of the Project:**

**5.2.5** – The Council seeks clarity on the baseline data to be used in the EIA. There is uncertainty as to the growth that will be achieved through the Applicant’s Master Plan ‘scenario 1’ that seeks to utilise technology and more efficient operations to make best use of the existing main runway, and the growth that will be achieved through the Proposed Development itself. The Applicant’s baseline assumption of 61mppa relies on various proposed and/or consented projects however there is no further detail on the deliverability of such projects or indeed the likelihood that these will be implemented. An accurate assessment of the overall impact of the Proposed Development cannot be undertaken without clarity over the baseline it is being compared against.

**5.2.18** – The proposed CARE facility, that is stated to have a biomass boiler flue height of approximately 50m, has the potential for significant environmental effects in its own right. The EIA must therefore include full details regarding the location of this facility, the waste to be handled, the outputs and any necessary mitigation measures.

**5.2.43** – There is concern that the overall net increase in car parking spaces of approximately 17,500 may surpass demand, which could in turn reduce car parking prices and make driving to the airport more popular. This would have an effect on assumptions made about the number of car journeys to and from the airport in the EIA.

**5.2.44** – Improvements to bus services and facilities or other modes of sustainable transport have been wrongly omitted. These should be included as an important part of the Proposed Development.

**5.2.50** – It is likely that highway works beyond those proposed at the North and South Terminal Junctions will be required to ensure that the residual cumulative impacts of the Proposed Development on the highway are not severe. These may include increased segregation of sustainable modes of transport or additional capacity through widening. Therefore, the potentially significant impacts of the development on the transport network and the scope of mitigation measures required have not been fully established. The scope of the development should only be finalised once the Applicant has undertaken and completed the Transport Assessment, Airport Surface Access Strategy and any transport modelling as outlined in paragraph 7.6.61.

**5.2.52** – It is premature to assume that further works to the rail station are unnecessary considering that studies have not yet been undertaken to confirm this.

### **5.4 – Summary of Key Parameters:**

**5.4.1** – The Proposed Development will see an increase in the number of on-airport employees and include facilities such as car parking to facilitate this growth. Employment related trips are more likely to originate locally so have a disproportionate impact on the local transport network. The change in the number of on-airport employees should therefore be included in the summary of key parameters to ensure the impacts of additional employees are fully taken into account.

## **Chapter 6 – Approach to EIA**

### **6.2 – Proposed Approach to the EIA Process:**

**6.2.11** – Whilst supportive of the approach taken in choosing assessment years to reflect the assumptions about Heathrow Airport’s third runway opening date of 2026 as a ‘best case’ and 2030 as a ‘worst case’, the Council are aware that the Applicant has not also included scenarios in which the third runway at Heathrow is delayed beyond 2030, and does not open at all. Whilst it is government policy that Heathrow should deliver a third

runway by 2030, there is concern that this development simply may not be deliverable in such timescales. Furthermore, it is premature to assume that the proposed development at Heathrow shall go ahead until the relevant Development Consent Order has been granted. Therefore, it is appropriate that the Applicant also considers both 'delayed third runway at Heathrow' and 'no third runway at Heathrow' scenarios.

**6.2.35** – The Council is supportive of following the Rochdale Envelope approach that assumes an absolute worst case, highest environmental impact scenario in the EIA process. However, at this stage there is uncertainty as to both the baseline and the extent of the Proposed Development that therefore makes it difficult to understand what exactly the worst case scenario is.

## **Chapter 7 – Proposed Scope of Assessment**

### **7.1 – Historic Environment:**

**7.1.1** – For the avoidance of doubt, the Council would like to make clear that not all of the Mole Valley Local Plan 2000 policies listed as relevant to the Historic Environment were saved following review of the 2000 Local Plan in 2007. Policies ENV40, ENV41, ENV44, ENV45, and ENV46 were not saved and are therefore not applicable.

**7.1.39** – No assessment is proposed to be undertaken with regard to the potential effects on the importance of designated heritage assets located within the more urbanised areas of Horley and Crawley. While this concerns land outside the Council's remit, we are concerned that this is an insufficient approach as there are designated heritage assets such as listed buildings, within the built up areas of Horley and Crawley, that are within close range of the airport or near to areas where development is planned through the Project. Such heritage assets have the potential to be affected by the development and should therefore be included in the scope of the EIA.

### **7.2 – Landscape, Townscape and Visual Resources:**

**7.2.4** – The Council disagrees with the proposed Zone of Theoretical Visibility (ZTV). This is proposed to be based on existing building heights, which extend to 40m in height as per Table 4.6.1. However, the proposed CARE facility biomass boiler flue height of 50m is considerably taller than any existing structure and the impact of this must therefore be taken into account through the EIA process. We would request that the ZTV is based on the height of the tallest structure of the Proposed Development.

**7.2.24** – The potential effects of any proposed development at the western end of the runway, including the potential noise mitigation and relocated Fire Training Ground, should be considered.

### **7.3 – Ecology and Nature Conservation:**

**7.3.1** – For the avoidance of doubt, the Council would like to make clear that not all of the Mole Valley Local Plan 2000 policies listed as relevant to Ecology and Nature Conservation were saved following review of the 2000 Local Plan in 2007. Policies ENV9 and ENV10 were not saved and are therefore not applicable.

**7.3.13** – The Scoping Report fails to refer to Sites of Nature Conservation Importance (SNCI), designated under Policy ENV12 of the Mole Valley Local Plan 2000 and Policy CS15 of the Mole Valley Core Strategy 2009. These sites are designated as they contain flora and fauna of county or regional value. They play a valuable role in nature conservation and should therefore be considered accordingly. The SNCIs within the 5km study area, available to view on the Council's Proposals Map, are:

- Withy Gill, Hookwood
- Edolph's Copse, Charlwood

- Rickett's Wood, Charlwood
- Pockmire's Wood and Beggar's Gill, Charlwood
- Leg of Mutton Wood / The Jordans, Newdigate
- Duke's Copse, Newdigate
- Newdigate Brickworks
- Hammond's Copse, Newdigate

**7.3.14** – The potential impacts of the development on Priority Habitats and Species, as defined in the National Planning Policy Framework, should be fully assessed through the EIA process.

**7.3.43** – The Proposed Development should provide biodiversity net gains in accordance with national policy set out in the 25 Year Environment Plan (2018).

## **7.5 – Water Environment:**

**7.5.1** – For the avoidance of doubt, the Council would like to make clear that not all of the Mole Valley Local Plan 2000 policies listed as relevant to the Water Environment were saved following review of the 2000 Local Plan in 2007. Policies ENV64 and ENV66 were not saved and are therefore not applicable.

**7.5.17** – The suggested under-capacity in the pumping system and pollution storage lagoons in times of heavy rainfall must be addressed through the Proposed Development to ensure that no contaminated water enters the River Mole.

**7.5.87** – The Council would suggest that the cumulative effects on water supply from the Proposed Development and other known development in the area are considered through the EIA. Furthermore, mitigation measures should be fully considered to reduce consumption and encourage greywater recycling.

## **7.6 – Traffic and Transport:**

**7.6.1** – For the avoidance of doubt, the Council would like to make clear that not all of the Mole Valley Local Plan 2000 policies listed as relevant to Traffic and Transport were saved following review of the 2000 Local Plan in 2007. Policy MOV1 was not saved and is therefore not applicable.

**7.6.6** – Existing baseline conditions should also take account of the significant number of employees that work on-airport.

**7.6.12** – The Council questions the Applicant's assertion that there is sufficient overall capacity in the rail network for Gatwick to continue to grow its rail mode share over the next decade. We would suggest that through the EIA, a full assessment of the rail network's capacity is undertaken to ensure that the growth in passenger throughput can be accommodated, as well as increasing rail mode share for access to the airport.

**7.6.18** – The Applicant should also recognise the various other local highway network routes that provide access to the airport.

**7.6.20** – The Council is concerned by the Applicant's apparent assumption that Highways England's M23 Smart Motorway improvement scheme will add spare capacity to the strategic network serving Gatwick. We are aware of Highways England's apparent concerns with the impacts on the strategic road network associated with the allocation of Horley Business Park and growth at Gatwick will only exacerbate this problem.

**7.6.34** – The Council believes that all highway modelling and assessment should be undertaken prior to finalising the scoping area, as otherwise it is impossible to know which parts of the local highway network might require mitigation.

**7.6.41** – The Council is concerned that the Area of Detailed Modelling (as shown in Figure 7.6.1) does not encompass a wide enough area. The boundary does not include large urban conurbations such as Brighton and Hove, Tunbridge Wells, Guildford and some areas of South London that should be included to fully understand the potential

impacts on the highways network. To miss out these areas negates to include a significant proportion of the regional population that use the highways network.

## **7.7 – Air Quality:**

**7.7.21** – Pollutant concentration predictions must also consider and reflect the impact of the proposed replacement CARE facility.

**7.7.23** – Sensitive receptors for air quality should also include airport users, passengers and employees.

**7.7.24** – Air quality assessments should include direct links to the Health Impact Assessment, in order to understand the likely impacts on residents of any change to air quality surrounding the airport.

**7.7.30** – Air quality assessments should clearly outline the split between emissions from airport related road traffic, and non-airport related traffic.

**7.7.40** – The proposal to scope out pollutants other than NO<sub>x</sub>, NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> is not supported, as the effects of any emissions from the replacement CARE facility should be assessed. The Applicant should also commit to monitoring of ultrafine particles around the airport in the future.

## **7.8 – Noise and Vibration:**

**7.8.8** – The Council believes that using summer 2018 noise contours as the baseline is insufficient, even if used alongside the Noise Preferential Routes. Gatwick Airport is at near capacity during the summer months on which these contours are based, whereas much of the growth of the airport will be achieved by peak spreading outside of the busiest periods (as per Diagram 4.5.1). It is therefore necessary to produce L<sub>den</sub> and L<sub>night</sub> contours that are based on flights year round and which therefore take into account flights outside the busy summer period. We therefore request that summer LAeq noise contours, year-round L<sub>den</sub> and L<sub>night</sub> contours and the Noise Preferential Routes are used as the baseline. Additionally, World Health Organisation guidelines should be taken into account and noise should therefore be modelled from 45dB L<sub>den</sub> for average noise exposure, and 40dB L<sub>night</sub> for night noise exposure.

**7.8.24** – Whilst it is understood that the specific study area for noise and vibration effects cannot be determined until noise levels resulting from the development have been modelled, the Council would request that both the primary and secondary noise metrics are used to determine this area so that noise levels, frequency of noise events and increase in overflight are considered.

**7.8.27** – Any likelihood in increase in the number of aircraft go-arounds should be assessed through the EIA, as these events can have great noise impacts on local communities.

**7.8.27** – It is expected that much of the construction of the development will take place at night, the only period of relative quiet for residents near to the airport. A full assessment of the noise impacts from construction on local communities, as well as exploration of potential mitigation measures, is therefore necessary.

**7.8.31** – When preparing N65 Day and N60 Night contours, all aircraft over the respective decibel noise level should be included, regardless of their altitude.

**7.8.36** – The regular use of the Emergency Runway will bring departures 210 metres closer to communities to the north of the airport. The noise impact on these communities should be fully assessed as part of the EIA by modelling the noise footprint of departures of Code C aircraft from both runways in each runway direction.

**7.8.40** – Reconfiguration of the Juliet taxiway and creation of end-around taxiways will bring taxiing aircraft closer to local communities. The potential noise impacts of this should be fully assessed, as well as the effectiveness of any mitigation measures proposed such as bunds. Similarly, an increase in the number of aircraft using Gatwick

will bring an increase in maintenance and ground runs, likely in differing locations to present. The impact of this should be fully assessed against the present locations and frequency.

**7.8.44** – An increase in cargo throughput at the airport will lead to an increase in heavy goods vehicle movements, of which the noise impact should be assessed as part of any road traffic noise assessments. Furthermore, the noise impacts of an increase in airport trips on rural roads must be assessed through the EIA process.

**7.8.52** – The Council is of the opinion that LAeq contours should not be used to inform the areas eligible for mitigation, as these contours do not account for an increase in overflight and therefore do not accurately represent all of the residents and communities that are affected by aircraft noise. Instead, assessments should be undertaken in all areas overflown by aircraft associated with Gatwick.

## **7.9 – Climate Change and Carbon:**

**7.9.8** – The Government’s commitment to achieving an emissions’ reduction target of 100% by 2050, as set out in the Climate Change Act 2008 (2050 Target Amendment) Order 2019, should be considered.

## **7.10 – Socio-economic Effects:**

**7.10.1** – There is uncertainty as to the scale and location of future growth in the region beyond the timescale of current Local Plans. The EIA should therefore use a range of potential future growth scenarios, which include major strategic developments that are potentially forthcoming but not yet allocated in a development plan, to ensure that the necessary future infrastructure improvements are fully understood.

**7.10.5** – The baseline conditions should include the existing number of employees and the predicted number of employees anticipated from the baseline scenario.

**7.10.24** – The Applicant has proposed to scope out the effect of the development on the population during both construction and operational phases. The Council opposes this proposal; it is our belief that the increase in the number of on-airport jobs, as well as further indirect employment growth, has the potential to increase the demand for housing in the immediate locality to the airport. It is yet to be proven that a wide labour catchment area will see no significant impacts on population levels or housing and community infrastructure needs, and this should therefore be included in the scope of the EIA.

**7.10.16** – The Applicant should assess the impacts of on-airport job generation on the local labour market. There is a concern that job growth at the airport could exacerbate the labour shortage of lower skilled workers in the local area and have negative consequences on other non-airport related employment sectors.

## **7.11 – Health and Wellbeing:**

**7.11.1** – For the avoidance of doubt, the Council would like to make clear that not all of the Mole Valley Local Plan 2000 policies listed as relevant to Health and Wellbeing were saved following review of the 2000 Local Plan in 2007. Policies REC2, REC7, REC8 and CF1 were not saved and are therefore not applicable.

## **7.13 – Waste:**

**7.13.1** – The emerging Surrey Waste Local Plan should be considered.

**7.13.9** – Opportunities to reuse waste within the site should be explored.

## **7.14 – Major Accidents and Disasters:**

**7.14.47** – The Council is concerned that transport accidents on the runway, taxiway and apron, as well as in the air, have been scoped out of the EIA process. We believe the

increased complexity of airfield operations expected from a two-runway configuration will increase the risk of such accidents and they should therefore be assessed accordingly.

## **Chapter 8 – Topics Proposed to be Scoped out of the EIA Process**

### **8.7 – Airspace Change Process:**

**8.7.3** – The Council understands that the redesign of airspace across London and the south east of England is part of a separate process called Future Airspace Strategy Implementation (FASI) South. However, where the DCO process runs in tandem with FASI South, it may be the case that information becomes available during the course of the EIA process that is relevant to the proposed development. The EIA process should therefore consider the impacts of indicative flight path designs – likely geographic areas and prototype routes that are likely to become operationally viable flight path options – as and when they become available, as well as any other relevant information that arises.

The Council awaits further engagement with the Applicant through topic working groups in due course and shall use this mechanism to raise any forthcoming issues that arise that have not been addressed in the EIA Scoping Report.

Please do not hesitate to contact us should you require any further information.

Yours faithfully,

Jack Straw  
Executive Head of Service (Place & Environment)