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20TH JUNE 2023

Strategic Planning
Crawley Borough Council
Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ.

By email to: strategic.planning@ Crawley.gov.uk

Dear Sir / Madam,

TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) (AMENDMENT) REGULATIONS 2012

DRAFT CRAWLEY BOROUGH LOCAL PLAN 2024 – 2040 (MAY 2023) – SUBMISSION PUBLICATION CONSULTATION (REGULATION 19)

Gatwick Airport Limited (GAL) welcomes this opportunity to comment on the Submission Draft Crawley Local Plan (May 2023).

We responded to the previous Regulation 19 Submission Draft Crawley Local Plan consultations in March 2020 and June 2021, and we understand that these previous representations will be submitted in full to the Secretary of State as part of the Examination. We are consequently not seeking to repeat those previous representations but to make additional comments based on the policies as they appear in the latest draft Local Plan. For convenience, **Table 1** summarises our position in respect of representations at each Regulation 19 consultation.

In November 2022, we made representations to Systra, Crawley Borough Council's appointed engineer, in respect of the design of the Crawley Western Link Road. We do not consider these objections have been addressed in the latest iteration of Policy ST4, in particular, the Area of Search for the Link Road as now shown on the Policies Map. We have consequently expanded our objection to this policy and enclose a copy of our representations to Systra at **Appendix 1** to this letter.

This latest consultation does not raise any other new issues. However, some of our previous objections have not been addressed. We remain very concerned about the approach of the plan with



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regards to Safeguarded Land at Gatwick Airport. In particular, we continue to object strongly to the new proposal to allocate 47 hectares of land at 'Gatwick Green' as a strategic employment site (Draft Policies EC1 and EC4). The site is located to the east of Gatwick Airport within the boundary of the safeguarded area. For reasons set out in these and previous representations, we contend that the Council is wrong to have concluded that this allocation can be made without prejudicing the delivery of a second runway at Gatwick Airport. There are also other deficiencies with this allocation, which further support our contention that this allocation should be removed from the plan. These include:

- the site allocation is for c.47ha but the evidence base only identifies a need for 13.73ha;
- we have serious doubts about the need assessment for this employment allocation taking into account the varying forecasts of employment land requirements from the various employment studies underpinning the plan, together with the uncertainty arising from current economic conditions and the implications of water neutrality on housing and employment growth at the start of the plan period, and;
- there are serious shortcomings related to the acceptability of road access to what would potentially become a major logistics facility;
- there is uncertainty about whether appropriate public transport access can be delivered; and
- there is uncertainty about whether the Council has cooperated adequately with authorities on considering the functional economic market area as part of its economic evidence gathering.

We consequently request that the Gatwick Green allocation is deleted from draft plan Policies EC1 and EC4 as we consider it to be 'unsound'.

Continued Overleaf



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Table 1: Summary of GAL’s representations to the May 2023 Regulation 19 consultation on the draft Crawley Local Plan (DCLP) and comparison with those made to the 2020 and 2021 Regulation 19 versions of the DCLPs

Policy in May 2023 Regulation 19 DCLP	Policy in Jan 2021 Regulation 19 DCLP	Policy in Jan 2020 Regulation 19 DCLP	Status
GAT1: Development of the Airport with a Single Runway	GAT1: Development of the Airport with a Single Runway	GAT1: Development of the Airport	We broadly supported this policy in the 2020 and 2021 Regulation 19 DCLPs but objected to aspects of the wording of the policy and supporting text. We maintain our objections to aspects of the policy and supporting text where they have not been overtaken by subsequent amendments. The latest policy iteration introduces three changes comprising a rebalancing of the assessment approach through the inclusion of the word ‘adverse’; the introduction of an additional impact test and the introduction of a requirement for compensation in additional to any mitigation measures. We object to all these changes .
GAT2: Safeguarded Land	GAT2: Safeguarded Land	-	We support the reinstatement of this policy from the Crawley 2015 Local Plan (and the revised wording) but consider definition of the phrase ‘small scale’ is required.
GAT3: Gatwick Airport Related Parking	GAT3: Gatwick Airport Related Parking	GAT2: Gatwick Airport Related Parking	We supported this policy in 2020 and 2021. We maintain our support for this policy
GAT4: Employment Uses at Gatwick	GAT4: Employment Uses at Gatwick	GAT3: Employment Uses at Gatwick	We supported this policy in 2020 and 2021. We maintain our support for this policy
-	-	SD3: North Crawley Area Action Plan	We support the removal of this policy that was initially introduced in the 2020 Regulation 19 DCLP.



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EC1: Sustainable Economic Growth	EC1: Sustainable Economic Growth	EC1: Sustainable Economic Growth	We objected to this policy in the 2020 Regulation 19 DCLP. We wish to maintain objections to this policy insofar as it fails to acknowledge the economic benefits arising from Gatwick Airport and as it provides for the allocation of an industrial-led Strategic Employment Location at Gatwick Green, on land east of Balcombe Road and south of the M23 spur.
EC2: Economic Growth in Main Employment Areas	EC2: Economic Growth in Main Employment Areas	EC2: Economic Growth in Main Employment Areas	We objected to this policy in the 2020 Regulation 19 DCLP but note that the policy has now been changed. However, it still allows for major employment development in Lowfield Heath despite its location in the safeguarded land at Gatwick Airport. We consider this approach also conflicts with the scale of development envisaged under Policy GAT2. We maintain our objection to this aspect of the policy.
EC4: Strategic Employment Location (Gatwick Green)	EC4: Strategic Employment Location (Gatwick Green)	-	We continue to object most strongly to the introduction of this new allocation for an industrial-led Strategic Employment Location at Gatwick Green which is located in land that is safeguarded at Gatwick Airport for an additional runway and which will have a significant impact on the ability to implement the Gatwick Airport Masterplan 2019.
EC7: Visitor Accommodation	EC7: Visitor Accommodation	EC6: Visitor Accommodation	We objected to the policy in the 2020 Regulation 19 DCLP but note that the policy was amended in the 2021 document. We continue to support the revised policy .



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DD5: Aerodrome Safeguarding	DD5: Aerodrome Safeguarding	DD6: Aerodrome Safeguarding	We supported this policy in 2020 and 2021. We maintain our support for this policy but request changes to the supporting text to ensure technical accuracy.
DD6: Advertisements	DD6: Advertisements	DD7: Advertisements	We supported this policy in 2020 and 2021. We maintain our support for this policy.
IN1: Infrastructure Provision	IN1: Infrastructure Provision	IN1: Infrastructure Provision	We supported this policy in 2020 and 2021. We maintain our support for this policy.
IN2: The Location and Provision of New Infrastructure	IN2: The Location and Provision of New Infrastructure	IN2: The Location and Provision of New Infrastructure	We supported this policy in 2020 and 2021. We maintain our support for this policy.
EP4: Development and Noise (and Noise Annex)	EP4: Development and Noise (and Noise Annex)	EP4: Development and Noise (and Noise Annex)	We broadly supported this policy in the 2020 Regulation 19 DCLP but considered that the policy wording and the supporting Noise Annex required changes. We continue to support the policy but continue to invite changes to its text; the supporting text relating to sensitive development from aviation; and the Noise Annex in relation to the thresholds set for noise sources.
H3d: Housing Typologies: Upward Extensions	H3d: Housing Typologies: Upward Extensions	H3d: Housing Typologies: Upward Extensions	We supported the policy in 2020 but suggested a minor revision. The policy has been changed accordingly in 2021. We continue to support the policy as modified.
H8: Gypsy, Traveller & Travelling Showpeople Sites	H8: Gypsy, Traveller & Travelling Showpeople Sites	H8: Gypsy, Traveller & Travelling Showpeople Sites	We objected to this policy in the 2020 Regulation 19 DCLP. The reintroduction of Safeguarded Land (Policy GAT2) addressed our concern, and we now have no objections to this policy provided Policy GAT 2 is retained.



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ST1: Development and the Requirements for Sustainable Transport	ST1: Development and the Requirements for Sustainable Transport	ST1: Development and the Requirements for Sustainable Transport	We supported the policy in the 2020 Regulation 19 DCLP but suggested a minor revision. We note that the policy has not been changed. We continue to support the policy but still wish for our suggested revision to be made.
ST3: Improving Rail Stations	ST3: Improving Rail Stations	ST3: Improving Rail Stations	We objected to the policy in the 2020 Regulation 19 DCLP but note that the policy has now been changed. We continue to support the revised policy.
ST4: Safeguarding a Search Corridor for Crawley Western Relief Road	ST4: Safeguarding a Search Corridor for Crawley Western Relief Road	ST4: Safeguarding a Search Corridor for Crawley Western Relief Road	We continue to object to the revised area of search where this conflicts with the Gatwick Airport Safeguarded Land (GAT2), including the proposal for an interim solution.

Two points are core to our representations:

1. The Gatwick Airport Master Plan published in July 2019, is an important consideration in the preparation of the Local Plan and GAL have made clear the intention to bring forward a Development Consent Order (DCO) application which will enable the routine use of our existing northern runway starting from the early years of the new Local Plan. Indeed, as you are aware, work is underway so that the DCO application can be made in Summer 2023. Although the proposed Northern Runway Project will be subject to a different consenting process examined by the Planning Inspectorate, with a decision by the Secretary of State, it is nonetheless crucial that the emerging Local Plan should recognise the Gatwick Airport Master Plan 2019 and anticipate the airport’s plans for expansion through the Northern Runway Project plus provide the appropriate planning framework to deal with the outcome of the DCO decision once it is known.
2. In addition, with the potential for an additional wide-spaced runway and associated infrastructure to the south of the current airport boundary coming forward during the lifetime of the Plan period (to 2040), the emerging Local Plan should demonstrate that it continues to provide for and safeguard the land around the airport for such potential future airport expansion, a requirement which is clearly laid down in existing national policy (e.g. para 106(e) of the National Planning Policy Framework.

We would be pleased to engage further with the Planning Policy Team as the plan moves forward to examination stage.



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If you have any further queries, please do not hesitate to contact me.

Yours faithfully,

**Chief Planning Officer
Gatwick Airport Ltd**



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REPRESENTATIONS BY GATWICK AIRPORT LTD TO THE DRAFT CRAWLEY BOROUGH LOCAL PLAN 2024 – 2040 (MAY 2023) – SUBMISSION PUBLICATION CONSULTATION (REGULATION 19)

GAT1: Development of the Airport with a Single Runway

1. In our response to the 2020 Regulation 19 DCLP we broadly supported Policy GAT1 but objected to some of the detailed wording of the policy. We suggested some minor amendments to the wording of the policy and the supporting text to address these objections. Most of these changes have been made, although, in view of the fact that the 2021 Regulation 19 DCLP reinstated a policy for the safeguarding of land for a second runway (GAT2), the changes we suggested to the final paragraph of the policy are no longer required.
2. We object to the description of Gatwick Airport in the GAT1 policy title and the opening text to the policy as ‘a single runway, two terminal airport’. We consider this description fails to recognise that the main runway and the northern runway both form part of the airport’s existing operations, although it is accepted that these runways are not currently operational at the same time. We also consider that the stance of the policy predetermines any response the Council may make to the current Northern Runway Project or the addition of a new runway in the safeguarded land at some future time. Consequently, this limitation should be deleted from the policy.
3. We note that Criterion (ii) has now been substantially amended through a rebalancing of the assessment approach through the inclusion of the word ‘adverse’; the introduction of an additional impact test and the introduction of a requirement for compensation in addition to any mitigation measures. We object to all of these changes.
4. The revised ‘balance’ assessment fails to take into account and give proper weight to the positive benefits arising from sustainable growth at the airport. We consequently request that the word ‘adverse’ be removed from the policy. Alternatively, to ensure the policy can provide a properly balanced assessment of any growth proposals, the final sentence should be amended to include reference to the benefits of the proposals so that the policy does not just focus on any adverse impacts (refer to wording in square brackets in the proposed policy below).
5. We consider it is unnecessary to include the phrase “health and living conditions of the local community” as these impacts are already covered through the list of environmental considerations set out in the criterion and so it is unnecessarily repetitive.
6. The proposed requirement for compensation is an attempt to protect private interests and is inappropriate to be included within a planning policy. Compensation is not a planning matter and is dealt with under separate legislation. The consideration of any planning application will include a balanced assessment of any benefit and harm arising from a proposal together with the



extent and effectiveness of any mitigation proposed. The application will be determined on the basis of this balanced assessment of its impact, and it would be inappropriate to address any harm which cannot either be mitigated, or which is not outweighed by the public benefits, through payments to private interests.

7. We note that the addition of a new criterion (iii) addressing biodiversity and support the approach set out therein subject to the deletion of the words “...or as a last resort, like for like compensation is secured;” Such ‘compensation’ will be addressed through the mitigation measures referred to, either on or off-site, and so these words are unnecessary and introduce a degree of repetition and ambiguity into the policy.
8. We also note the additions to the penultimate paragraph of the Policy but have no comments on these alterations.
9. For convenience, the revised wording to the policy we now propose is set out below:

“Within the airport boundary as set out on the Local Plan Map, the council will support the development of facilities which contribute to the sustainable growth of Gatwick Airport as a single runway two terminal airport provided that:

i. The proposed use is appropriate within the airport boundary and contributes to the safe, secure and efficient operation of the airport; and

*ii. The impacts of the operation of the airport on the environment ~~and the health and living conditions of the local community~~, including noise, air quality, flooding, surface access, visual impact and climate change, are ~~minimised~~, **controlled and where necessary satisfactory safeguards are in place to ensure impacts can be adequately mitigated [where they are not outweighed by the benefits of the proposals]** ;*

iii. Biodiversity net gain is provided and significant harm to biodiversity is avoided. Where this is not possible, suitable safeguards are in place to ensure impacts can be adequately mitigated ~~or, as a last resort, like for like compensation is secured;~~

*iv. Adequate supporting infrastructure, **as necessary, particularly** for surface access, **can be put in place;** and*

*v. **Where considered necessary and appropriate,** the benefits to Crawley’s local economy and community are maximised.*

The control or mitigation, compensation, of impacts as appropriate, and any associated infrastructure and benefits, will be expected to be secured through an appropriate package of planning conditions (Requirements for a DCO) and / or S106 obligations.



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~~*Where development to enable sustainable growth at Gatwick Airport will be a Nationally Significant Infrastructure Project, criteria i-v above will be taken into account by the Council in preparing its Local Impact Report. (Deletion as proposed by PINS following pre-inquiry conference 20 April 2020).*~~

GAT2: Safeguarded Land

10. In 2021, we previously supported the introduction of the new Policy GAT2. We maintain our support in principle for the policy.
11. We nevertheless believe that the phrase 'small scale' requires definition as well as clarification as to whether it is intended to refer to both residential and other forms of development. This is of particular consequence due to the cross-referencing of Policy EC2 in respect of Lowfield Heath.
12. We consider that the previous wording of the policy advising what types of development were likely to be permitted in the safeguarded land was helpful and should be retained in the policy wording. The previous wording that stated "*minor development within this area, such as changes of use and small-scale buildings works, such as residential extensions, will normally be acceptable*" made clear what was meant by minor development and gave the decision maker and statutory consultees a clear steer on the intention of the policy. The proposed policy wording has been watered down to such an extent that it could give rise to a wide range of interpretations that we consider could lead to the approval of prejudicial development in the safeguarded land that conflicts with the intended purpose of retaining the land in the first place.
13. We also confirm that we do not object to the approval of temporary uses which do not prejudice the future delivery of a second runway which could be achieved through the reinsertion of the existing policy wording "*Where appropriate, planning permission may be granted on a temporary basis*" at the end of the draft policy
14. We previously objected to the loss of safeguarded land at Gatwick Airport through the new allocation of 47 hectares of land to the east of Gatwick Airport as a strategic employment site (see Draft Policies EC1 and EC4). We continue to vigorously object to this allocation (refer to further comments in respect of Policies EC1(v) and EC4 below).
15. We also objected to the potential loss of safeguarded land at Gatwick Airport in respect of the provision of the Crawley Western Relief Road. We continue to object to this policy (refer to comments in respect of Policy ST4 below).



GAT3: Gatwick Airport Related Parking

16. We previously supported Policy GAT3 for reasons set out in paragraphs 4.1 and 4.2 of our 2020 representations. As the policy remains unchanged, we continue our support for it.

GAT4: Employment Uses at Gatwick

17. We previously supported Policy GAT4 for reasons set out in paragraphs 5.1 and 5.2 of our 2020 representations. As the policy remains unchanged, we continue our support for it.

EC1(v): Sustainable Economic Growth and EC4: Strategic Employment Location

18. We objected to Policy EC1 of the 2020 Regulation 19 DCLP because it related to a proposal to bring forward a North Crawley Area Action Plan on land safeguarded for a second runway at Gatwick Airport (2020 Regulation 19 DCLP Policy SD3). Whilst the revised plan has removed Policy SD3, the revised economic growth strategy now provides for the allocation of an industrial-led Strategic Employment Location at Gatwick Green, on land east of Balcombe Road and south of the M23 spur. This is referred to at paragraph (v) of Policy EC1 with further detailed policy provision for this allocation at Policy EC4.

19. We continue to object to this aspect of the economic growth strategy and therefore object to paragraph (v) of Policy EC1 and to Policy EC4 as a whole. The reasons for our objections are set out below.

a) The allocation prejudices safeguarded land

20. Gatwick Green is proposed to be constructed on land that remains safeguarded for the expansion of Gatwick Airport. This is protected under national policy and so is not available for the proposed development. The Government's draft Aviation Strategy "*Aviation 2050 – The Future of UK Aviation*" (December 2018) contains useful wording at paragraph 3.66 where it says "*It is prudent to continue with a safeguarding policy to maintain a supply of land for future national requirements and to ensure that inappropriate developments do not hinder sustainable aviation growth*". The Government's strategic framework for the aviation sector "*Flightpath to the Future*" (May 2022) reconfirms the Government is supportive of airports bringing forward expansion plans by way of its existing policy frameworks for airport planning and makes no recommendations to alter its policy to safeguard land at Gatwick Airport.

21. This position is recognised in the National Planning Policy Framework (NPPF) which restates the Government's commitment to "*identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice*" (paragraph 106). The development of Gatwick Green for employment purposes would conflict with that



safeguarding and the 2019 Gatwick Masterplan which remains supportive of and continues to safeguard land for an additional runway at Gatwick Airport (Section 5.4).

22. The matter of safeguarding was addressed in the Inspector's Notes of the PINS advisory video conference (April 2020) in respect of land 'North of Crawley'. The Inspector concluded that the removal of safeguarding cannot be regarded as certain, there is no known timescale for its removal and that GAL continues to object to its removal. Consequently, the proposal to remove safeguarded land was, in that case, as a consequence considered "...unlikely to be effective". We consider that the circumstances which lead to that conclusion, also apply in this case. Furthermore, the Inspector's conclusion treats safeguarded land as a whole and does not give any support for parts of it to be eroded in a piecemeal fashion. These comments apply also to Policy ST4.

b) The scale of the Strategic Employment Land location at Gatwick Green is not justified

23. Gatwick Green was initially allocated as a 47ha site which should provide, "as a minimum", 24.1ha new industrial land, predominantly for B8 storage and distribution use to meet the perceived need identified in the borough. Any additional floorspace over the identified 24.1ha need would have to be justified through appropriate additional evidence.

24. Policy EC4 now indicates that the Gatwick Green Strategic Employment Location should provide a minimum 13.73ha of 'new industrial land' based on the most recent Employment Land Assessment (Northern West Sussex Economic Growth Assessment Supplementary Update for Crawley 2023). We note the scale of the requirement is considerably reduced from the 24.1ha policy requirement in the 2021 draft plan. It is only c.57% of the previous requirement, nevertheless, the scale of the allocation on the proposals map remains the same at 47ha; a site area over 3.4 times larger than identified in the evidence base.

25. The requirement for 13.73ha is based on the Experian forecasts of 638 additional jobs per year. The Northern West Sussex Economic Growth Assessment - Supplementary Update for Crawley (January 2023) acknowledges that these are 65% higher than the 413 jobs per year estimated by Oxford Economics (OE). The key difference between the forecasts is that Experian assumes that the recovery from the Covid pandemic would be complete by the end of 2022 whilst OE assumes it will not be until 2025 and that from 2026, the Crawley economy will grow by only 61 jobs per year.

26. ONS local level employment data for 2022 is not yet out for Crawley, but across the country as a whole, the economy has yet to return to pre-pandemic levels. Given the importance of Gatwick Airport to the local economy, and that its 2022 passenger numbers were only at 70% of pre-pandemic levels, it is likely that Crawley is further behind the rest of the country. It is therefore

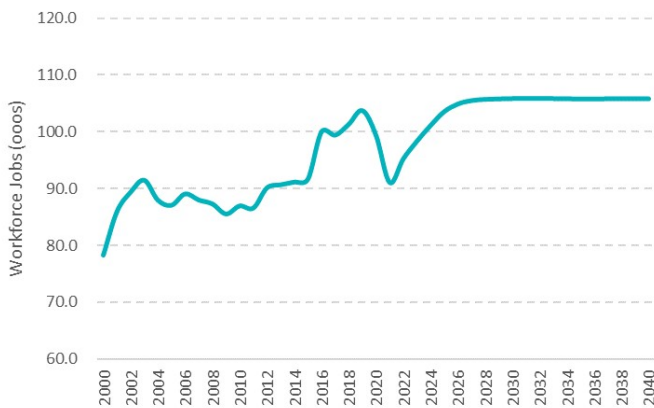


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more likely that the OE forecasts are correct and that employment growth in Crawley will be significantly lower than in the Experian forecasts which are used as the basis of the forecast employment land requirement.

27. If the OE forecasts are correct, then the level of employment in Crawley outside of the airport will barely increase over its 2019 baseline and the growth between 2022 and 2040 is in fact an artefact of the pandemic. This is illustrated by Figure 2.1 from the January 2023 Supplementary Update produced on behalf of Crawley Borough Council.



Source: OE (2022) / Lichfields Analysis

28. It therefore follows that, far from being the minimum required, the 13.73ha requirement being used to justify allocating Gatwick Green is likely to be a significant over-estimate of what is needed.

29. As the land is safeguarded by a national policy protection, we do not consider that there are any grounds for its removal from the Safeguarded Land at Gatwick Airport to provide a strategic employment allocation. Within this context, there is no justification within the evidence base for the removal of such a large area, even as an exception to the Safeguarded Land provisions, circumstances which we emphasise we do not consider to exist. The identified employment land need has reduced and so on that basis the scale of the allocation should also be reduced. It has not been and for some reason remains a rather oddly shaped allocation concurrent with the extent of the Wilky Group land ownership.

30. **Annex 1** to our previous representation examined the economic growth evidence base and drew 5 conclusions:

- i. The allocation failed to properly protect safeguarded land;
- ii. The interpretation of the economic land forecasts were not reliable;
- iii. The size of the allocation was excessive to meet the identified need;



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- iv. Crawley Council had failed to investigate and to understand the impact of the removal of the 47ha site from the safeguarded area on the implementation of the southern runway;
 - v. The council had failed to look at alternative scenarios either elsewhere in the borough or through the duty to cooperate.
31. We have reviewed the further employment land assessment produced in support of this version of the plan (Northern West Sussex Economic Growth Assessment - Supplementary Update for Crawley January 2023) and confirm that we consider our previous conclusions continue to remain valid (and indeed we return to some of them below).
32. In addition, we also have concerns about the approach and conclusions of the latest study which we consider reduces the validity of its conclusions. These are:
- i. Reference is made to the 'ongoing' water neutrality issues in the borough (paragraph 1.3) in the preamble but is not otherwise taken into account in the assessment in the context of the rate of delivery of either housing or employment space. Whilst we acknowledge that the Gatwick Green allocation is not within the Sussex North Water Supply Zone, all of the major housing allocations are, as well as the majority of the remainder of the urban area and the proposed urban extensions to the town. This matter has had and will continue to have a significant impact on the timing and rate of development delivery over the next few years.
 - ii. Reliance is placed on past trends but this ignores the interim impact of Brexit on the availability of workforce and the restrictions imposed through the Water Neutrality restrictions imposed by Natural England, both of which will impact on the rate of growth at the start of the plan period and so will reduce the reliability of an extrapolation of past trends. The latest Economic Growth Assessment gives no weight to these potential impacts.
 - iii. There is some reliance placed on the delivery of urban extensions to Crawley which are to be brought forward in the emerging plans of neighbouring districts (i.e. Horsham and Mid Sussex). Neither of these plans have passed through examination. At Horsham, the Regulation 19 consultation has been delayed until later in 2023 at the request of the acting Leader and in Mid Sussex, the Regulation 18 consultation was undertaken at the end of 2022 with the intention for the Regulation 19 plan to be published by Autumn 2023. However, at the 2023 election, there was a change in administration of the Council but the impact of this change on local plan strategy and timing, if any, has yet to be announced.



- iv. The methodology for converting the employment growth figures under the Labour Demand assessment to a floorspace equivalent through the application of employment density assumptions, include an additional 10% to reflect typical market vacancy in employment (paragraph 2.28 of the report). Later in the report, under the heading 'Net to Gross Employment Requirements' the net floorspace requirements are converted gross floorspace requirements by both floorspace and site area. Again, the methodology includes a 10% buffer or uplift as an allowance for such factors as delays in development sites coming forward, replacement of some ongoing losses of employment space and other relevant factors in the local market (paragraph 2.40). The floorspace/site calculations consequently include an uplift of 20% over the need identified by Experian.

c) The allocation will prejudice the delivery of a full second runway

33. The allocation of Gatwick Green is based upon a simple but ultimately uninformed assessment by the Council as to whether land illustratively shown in the 2019 Gatwick Airport Masterplan for long-stay surface parking produces an 'efficient' use of land (refer to supporting text paragraph 9.57 of the Regulation 19 CLP). This assumption was not based upon any discussions with GAL nor any detailed understanding of the land requirements to deliver a southern runway (the layout at Plan 20 in the 2019 Gatwick Airport Masterplan being purely indicative). The decision to make the allocation was made on the basis of an uninformed and incorrect assumption (at paragraph 9.57), driven in part by the Council's desire to secure an employment land allocation and its failure to cooperate with neighbouring authorities. Crawley Borough Council's view of the 'efficiency' of the currently intended use is not sufficient in itself to outweigh the safeguarding protection of the site under national strategy and policy.

34. Arup have undertaken a more detailed review of the expected transport related impact of the allocation of Gatwick Green and the resulting reduction of Safeguarded Land for a second runway. Their report and findings are attached as **Annex 2** to our letter of 29th June 2021.

35. The Arup assessment demonstrated that the loss of the Gatwick Green safeguarded land would compromise details of the on-airport parking strategy and would also result in a substantial change from the second runway scheme in terms of access strategy, highway design, construction, and car park operation which has not been tested in the local plan evidence base. We consequently maintain our objections as set out in **Annex 3** to our letter of 29th June 2021.

d) There has been no assessment as to whether the employment land requirement could be met elsewhere

36. The PINS advice note also states that with the safeguarding of land at North Crawley still in place, the Council should be proactively seeking to accommodate unmet economic needs in



nearby authority areas through the Duty to Cooperate. The Duty to Cooperate remains a requirement. There is no evidence that the council undertook such action post the April 2020 pre-inquiry conference with the Planning Inspectorate and prior to allocating Gatwick Green.

37. Similarly, there is no evidence that the Council investigated whether it was possible to meet the employment requirement by looking for other sites within the Borough or outside.

e) The Allocation cannot be accessed without severe detriment to highway network

38. Arup have reviewed the transport modelling for Gatwick Green and set out their analysis and conclusions at **Annex 3** to our letter of 29th June 2021. Their key areas of concern were:

- (i) The quantum of Gatwick Green development assessed within the traffic model;
- (ii) The assumptions made between the proportion of B8 warehouse and B8 parcel distribution for Gatwick Green and their effect on the traffic generated;
- (iii) The lack of highway mitigation identified, with reference to (i) and (ii);
- (iv) No clear allowance for Gatwick Airport growth having been made.

39. We do not consider that these matters have been addressed in the current evidence base and so we maintain our objections as set out in Annex 3 to our letter of 29th June 2021.

Conclusions

40. The allocation of Gatwick Green is a reaction to the PINS advice following the pre-inquiry conference on 20 April 2020 on the unacceptability of the proposal to remove safeguarding for the North Crawley Action Area Plan. It is not an allocation informed by a comprehensive strategy review of how to meet employment requirements as part of boroughwide development strategy. There is no evidence that any analysis was undertaken to understand the impacts of that allocation on the airport or to investigate how the employment land requirement could have been met through alternative means.

41. We consequently conclude that the Gatwick Green allocation is unsound on the basis that it:

- (i) It has not been positively prepared. The strategy of meeting employment land needs at Gatwick Green has not been informed through either an appropriate understanding or evidence base of the impact of the allocation nor has there been any examination of whether the unmet employment space need could be accommodated elsewhere in the district or in other districts;
- (ii) It is not justified as the size of the allocation is too large and the need for scale of the employment land requirement is not proven. Additionally, the impact of the removal of Gatwick Green from the safeguarded area on the ability to implement a new runway at



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Gatwick has not been investigated or understood, and the transport modelling underestimates the potential highway impacts and fails to address the access impacts;

(iii) It would not be effective given the removal of safeguarding cannot be regarded as certain, there is no known timescale for its removal and that GAL continues to object to its total or partial removal; and

(iv) Would not respect national policy in respect of safeguarding land for airport expansion.

42. We request that this allocation is deleted from the draft plan and that further work is undertaken, including through the Duty to Cooperate, to examine whether the allocation can be met elsewhere.

EC2: Economic Growth in Main Employment Areas

43. We objected to this policy in 2020 Regulation 19 DCLP because Lowfield Heath, which is within land safeguarded for a second runway, was included as one of the main employment areas where major economic related development would be allowed. We maintained this objection in 2021.

44. We wish to maintain our objection in 2023. We recognise that Lowfield Heath is an existing employment area and note that the supporting text cross-references the limits of development contained in Policy GAT2. However, in view of the fact that Lowfield Heath is within the safeguarded land, we consider that the policy itself should make it clear that the provisions of Policy GAT2 would take precedence over Policy EC2 in respect of Lowfield Heath and that there is a limitation on the scale of future development likely to be permitted at this location. This approach will ensure that there is no conflict between the policies, that the particular approach to the consideration of development at Lowfield Heath is clearly and unambiguously set down in policy and that it is recognised that a primary consideration in assessing any employment development in Lowfield Heath, would be the need to protect the safeguarded land from development that would add to the costs or complexity of delivering a second runway.

45. Further support for such additional control on development in Lowfield Heath derives from the inherent unsustainability of permitting major development only for it to subsequently have to be removed in the event a second runway is brought forward. This would not represent a sustainable approach to development.

46. We therefore suggest inserting a new paragraph in the policy before the final paragraph that allows some scope for development and redevelopment in Lowfield Heath to enable modernisation and continued use of existing premises, but not to allow major development:



“In Lowfield Heath, employment generating development, including extensions, improvements and redevelopment of existing premises will be permitted provided it would not lead to a significant intensification or increase of development.”

EC7: Visitor Accommodation

47. We objected to Policy EC6 in 2020 Regulation 19 DCLP. In 2021 we supported the alterations to the policy (renumbered EC7) which specifically excluded applications for hotel development at Gatwick from the need to apply the sequential test.

48. We note that the 2023 draft plan further strengthens Gatwick as a preferred location for hotel development and we support this change.

DD5: Aerodrome Safeguarding

49. We supported the inclusion of Policy DD5 (previously Policy DD6 in the 2020 Regulation 19 DCLP) but suggested some minor revisions to the policy and supporting text. We note that the policy has been amended to simplify its application to development proposals which cannot be satisfactorily mitigated. We support this change.

50. We also have comments on the supporting text at paragraphs 5.38 – 5.47 inclusive as follows to ensure their technical accuracy:

- **5.38** Aerodrome safeguarding is the process used to ensure the safe and efficient operation of airports. It is in place to help protect aircraft and passengers during take-off and landing and while flying in the vicinity of the airport. This in turn helps ensure the safeguarding of people living and working nearby.

Please amend to read as follows:

‘.....and passengers during take-off, landing and whilst manoeuvring on the ground and flying in the vicinity of the airport.....’.

- **5.39** Aerodrome safeguarding differs to the principle of safeguarding land for a possible additional runway to the south of Gatwick Airport. Instead, it relates to how a development could impact on safety. Aerodrome safeguarding assesses, for example, the height and design of proposed developments or construction equipment that might be used (such as cranes) which could create a potential risk to the aerodrome through impacts on radar or building induced turbulence. It also considers the potential risk to aviation created by large landscaping schemes, lighting designs and new water bodies which could attract birds hazardous to aviation.



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Please amend '..... impacts on radar.....' to say '*..... impacts on CNS (Communication, Navigation & Surveillance) equipment and Instrument Flight Procedures (IFPs)*'.

- **5.41** Gatwick Airport is an EASA certified aerodrome. Therefore, the Council is required to consult GAL on all planning applications where aerodrome safeguarding applies. The safeguarded area is neither the responsibility nor the proposal of the local planning authority.

Please remove the reference to EASA and replace with the following, '*Gatwick Airport is a CAA (Civil Aviation Authority) certified aerodrome*'.

- **5.42** Aerodrome safeguarding is a legal requirement by way of ICAO (International Civil Aviation Organisation) & EASA (European Aviation Safety Agency) and is embedded in the Town & Country planning process by way of ODPM/DfT circular 01/2003 'Safeguarding of aerodromes & military explosives storage areas' Direction 2002. Evidence suggests that, in general terms, the guidance in Planning circular 01/2003 is not being applied consistently by local planning authorities, and that for clarity, local plans with an officially safeguarded aerodrome should include a policy.

Please remove the reference to 'EASA' and replace with '*..... & CAA (Civil Aviation Authority).....*'.

- **5.44** Statutory consultation responses may require that restrictions are placed on the height or detailed design of buildings, structures or other development to avoid impacts on the aerodrome, including those relating to navigational aids or on developments, which may increase bird strike risk, create building induced turbulence or include lighting that could pose a hazard to the safe operations of the aerodrome.

Please remove 'Navigational Aids' and replace with '*..... CNS (Communication, Navigation & Surveillance) equipment and Instrument Flight Procedures (IFPs)*'.

- **5.47** Developers should refer to the Local List and also consult with the Gatwick Airport via gal.safeguarding@gatwickairport.com for advice on planning applications in the vicinity of the aerodrome. Developers should also refer for general awareness to the AOA (Airport Operators Association) technical aerodrome safeguarding advice notes available at www.aoa.org.uk/policy-campaigns/operations-safety .

Please add the following for general awareness, CAST (Combined Aerodrome Safeguarding Team) at [Combined Aerodrome Safeguarding Team | Civil Aviation Authority \(caa.co.uk\)](http://CombinedAerodromeSafeguardingTeam|CivilAviationAuthority(caa.co.uk))

- **Policy EC4: Strategic Employment Location** - Without prejudice to our comments on this policy above, we note that point (p) states that:



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'Ensure the height and design of buildings, lighting and other design aspects are consistent with the operational standards of Gatwick Airport and to respect aerodrome safeguarding requirements'.

If this policy is not deleted, this criterion should be cross referenced to Safeguarding Policy DD5 for completeness.

DD6: Advertisements

51. We continue our support for this policy (previously Policy DD7 in the 2020 Regulation 19 DCLP), for reasons set out in paragraph 8.1 of our representations on the 2020 Regulation 19 DCLP.

IN1: Infrastructure Provision

52. We note the reordering of the text in the second paragraph of the policy but continue our support for this policy for reasons set out in paragraph 10.1 of our representations on the 2020 Regulation 19 DCLP.

IN2: The Location and Provision of New Infrastructure

53. We continue our support for this policy for reasons set out in paragraph 11.1 of our representations on the 2020 Regulation 19 DCLP.

EP4: Development and Noise (and Local Plan Noise Annex)

54. The policy is largely unchanged from the 2020 Regulation 19 DCLP which we broadly supported. We considered that the policy is correct in its approach of:

- a. Avoiding noise sensitive development which would be exposed to "unacceptable" levels of noise
- b. Requiring mitigation measures where noise sensitive development would be exposed to noise levels above the Lowest Observed Adverse Effect Level.

55. We are pleased that the minor amendments we suggested to the policy at that time have been adopted.

56. However, in our 2021 Regulation 19 DCLP response, we objected on to the 'unacceptable level', in relation to aviation transport sources defined in part A of the policy specifically for New Sensitive Development as 60dB LAeq (and reflected in Table 1 of the Noise Annex), is not appropriate for reasons stated in paras 9.4 to 9.8 of our 2020 response.

57. Topic Paper 7 offers a justification of the LAeq 60dB level with reference to a single appeal decision for residential development, located very close to the extended centre line of



Manchester Airport's second runway. Given, however, the variety of developments that may be proposed in the Crawley area and their relative position to the runway infrastructure at Gatwick GAL does not consider that it should automatically follow that the LAeq 60dB level be adopted as 'unacceptable' for new noise sensitive development across the borough of Crawley.

58. In the 2015 Local Plan the unacceptable level for new housing was set at 66dB LAeq, reflecting planning guidance at that time and decisions on planning applications such as Forge Wood in 2011. With more recent studies showing sensitivity to noise having increased, we consider 63dB LAeq should be taken as the Significant Adverse Effect Level and this should be reflected in Table 1 of the Noise Annex instead of Leq 60dB.
59. We support the changes made to correct the Lowest Observed Adverse Effect Level (LOAEL) for aircraft noise is 51dB LAeq, 16 hour and 45dB LAeq, 8 hour night¹ and the requirement in Policy EP4 to incorporate noise mitigation into new noise sensitive development in areas where noise levels are above this. That mitigation should be developed in line with the Pro-PG Planning and Noise; New Residential Development, as referred to in the Noise Annex and at the developer's expense.
60. We support the clarification made in Topic Paper 7, paragraphs 6.5 and 6.6 that, with regards to acceptable levels of noise when planning for new housing, this is a very different situation to considering the noise levels when planning airport expansion.
61. We support the reference in paragraph 4.1.6 of the Noise Annex to possible updates to the Gatwick Airport noise contours shown in Figure 1 of the Annex. Should our Northern Runway Project be consented then appropriate noise contours would be included.

H3d: Upward Extensions (to Houses)

62. We supported Policy H3d in the 2020 Regulation 19 DCLP but suggested a minor revision to criterion (i) of the policy (aerodrome safeguarding) in paragraph 15.1 of our representations. We note that the policy and supporting text has been amended as suggested. We continue to support the policy as amended.

H8: Gypsy, Traveller & Travelling Showpeople Sites

63. We objected to this policy in the 2020 Regulation 19 DCLP. However, in view of the fact that the 2021 Regulation 19 DCLP reinstated a policy (Policy GAT2) to safeguard land for a second runway, we no longer object to this policy as amended provided that Policy GAT2 is retained.

¹ Consultation Response on UK Aviation Policy: A framework for balanced decisions on the design and use of airspace, October 2017, Section 2 Paragraph 2.72.



ST1: Development and the Requirements for Sustainable Transport

64. We supported this policy in the 2020 Regulation 19 DCLP but suggested a minor revision. We note that the policy has not been changed but we have no objections to the policy as worded.

ST3: Improving Rail Stations

65. We objected to the policy in the 2020 Regulation 19 DCLP. We note that the policy has been amended broadly in line with suggested changes we proposed. We therefore no longer object to this policy as amended.

ST4: Safeguarding a Search Corridor for Crawley Western Relief Road

66. We objected to this policy in the in the 2020 and 2021 Regulation 19 DCLP because the search corridor encroached into land safeguarded at Gatwick Airport for an additional runway. In July 2022, we attended a presentation by Systra which provided an update on the concept design work leading to the development of a Refined Area of Search. In September 2022, we were subsequently provided with additional documentation which presented a range of options and sought to justify the approach and selection of the Refined Area of Search.

67. The additional documentation referred to engagement with the major Stakeholders, including Gatwick Airport Limited, and indicated that the Refined Area of Search will be acceptable to all of the major stakeholders, with the exception of the area to the north of County Oak industrial estate. GAL responded to the presentation and subsequently circulated documentation on the 22nd November 2022. A copy of that letter is attached as **Appendix 1**.

68. The consultation response makes clear (see comments in paragraph 8.1.2) that GAL does not agree with this statement and that GAL continues to object to any indication of Local Plan development within the Gatwick Airport safeguarding area.

69. Notwithstanding this objection, the written justification in the 2023 Regulation 19 DCLP refers to this scoping exercise and reconfirms the routes shown are illustrative only (paragraph 17.28). It goes on to state that the exercise has significantly reduced the overlap into the safeguarded land, encroaching only where there is scope for the route to be compatible with the safe operation of an additional wide-spaced southern runway. The extent of the overlap is apparent on the Policies Map and the figure following paragraph 17.31. We object to this statement as it is not at this stage possible to make this assessment as the design proposals for an additional runway have not been prepared.

70. At the eastern end of the link road an interim approach is suggested which would allow the construction of the link road on safeguarded land which would be closed and re-provided elsewhere when the additional runway proposals come forward. The written justification



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acknowledges that the benefits of this interim option would need to be considered carefully, at the point of route feasibility assessment, against the costs of re-providing the route.

71. We object to this suggested interim approach. Whilst the cost/benefit analysis of this approach is a matter for the funders of the link road, GAL is concerned that once constructed the costs of relocating the route would be used as a justification for frustrating or limiting the additional runway proposals. The written justification notes (paragraph 17.30) that agreement with GAL is an essential part of further work. In the absence of such agreement, we object to the Refined Area of Search including land within the safeguarded area.
72. We also previously referred to the inherent inconsistency between Policies GAT2 and ST4. In order to bring the two policies into alignment, the criteria at part (a) of Policy ST4 should also include the land safeguarded at Gatwick Airport for an additional runway.
73. We reiterate the comments made in respect of safeguarding in our objection to Policy EC4. The matter of safeguarding was addressed in the Inspector's Notes of the PINS advisory video conference (April 2020) in respect of land 'North of Crawley'. The Inspector concluded that the removal of safeguarding cannot be regarded as certain, there is no known timescale for its removal and that GAL continues to object to its removal. Consequently, the proposal to remove safeguarded land was, in that case, considered "...unlikely to be effective". We consider that the circumstances which lead to that conclusion, also apply in this case. Furthermore, the Inspector's conclusion treats safeguarded land as a whole and does not give any support for parts of it to be eroded in a piecemeal fashion.

Enc.

Appendix 1 GAL letter to Crawley Borough Council dated 22nd November 2022 regarding the refined area of search for the Crawley Western Relief Road corridor

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APPENDIX 1

22ND NOVEMBER 2022

FAO:
Alberto Marcheselli
Systra
3rd Floor, 1 Carey Lane
London
EC2V 8AE

Sent by email only to: amarcheselli@systra.com

Dear Alberto,

CRAWLEY WESTERN LINK – FINAL PRESENTATION AND REPORTS SEPTEMBER 2022

I write further to the presentation given by Systra on 21st July 2022 and the following information that was circulated on 21st September 2022. Apologies for the delay in responding to the reports and supporting information, which is listed below.

- Northern Section Corridor Study Final Presentation, 21 July 2022
- Crawley Western Link Road – Northern Section Study, Refined Area of Search, 23rd March 2022
- Concept Design and Costing Report, 8th November 2021
- Various Appendices A to G

Gatwick Airport Limited's (GAL) safeguarding area

GAL's safeguarded land is discussed in Section 3.2 of the Refined Area of Search report. The report acknowledges that the safeguarding boundary constrains the space available for the Crawley Western Link Road (CWLR) route. GAL is concerned that, even though the safeguarded land is acknowledged and reference is made later in the report to GAL's previous request in 2021 to remove the safeguarded land from the proposals, that this request has been ignored and the two preferred route options would still encroach into GAL's safeguarded land.

In Para 1.1.1 of the report, it is stated that in relation to the safeguarded area "Where encroachment is unavoidable..." the aim of the study is to reach agreement with major stakeholders. The study clearly concludes that encroachment **is** avoidable (with shortlisted route options) but the approach to defining the area of search goes on to suggest the safeguarding may be disregarded if balanced against other criteria. It should be made clear that this is a judgment for the consultants and Crawley Borough Council as this impacts the shortlisting and analysis of the presented routes. GAL will continue to maintain its position of objecting to any proposals for development within the safeguarded area, in accordance with the safeguarding policy.

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Option Identification and Sifting Methodology

GAL considers that splitting the study area into three sections – Western, Middle and Eastern – is a sensible approach to assessing their suitability and enables a more granular consideration of the options. Within each of the three sections, the Refined Area of Search report considers the suitability of the long list of options.

GAL welcomes the removal of Options W5, MS6, ES4 and ES5 which are identified as causing 'considerable GAL safeguarding encroachment'. It is noted that Options WS1, WS3, WS4, MS2, MS3, MS4 and ES2 (slight encroachment) were retained for the purposes of the options sifting assessment, as were ES3 and ES3a which GAL has previously asked to be sifted out. At the end of the process, the retained options were:

- Western Section: WS1, WS2, WS3 and WS4
- Middle Section: MS1, MS2, MS3 and MS4; and
- Eastern Section: ES1, ES2, ES3, ES3a, ES12 and ES17

During the presentation the 'multi-criteria analysis' that informed the option sifting was shared with Gatwick. This includes ten criteria that are in turn weighted. The weightings are even for seven of the criteria (11.5%) with lower weightings for 'commercial/industrial impact' (7.7%), 'network performance' (7.7%), 'ease of delivery' (3.8%).

GAL would question the way in which Systra has arrived at the criteria for the sifting and the way in which they have been weighted. The justification in Paragraph 7.2.1 of the Refined Area of Search report is that *"a weighting factor has been applied to help align the scoring with the factors which are most important to the CWLR scheme"*. GAL considers that the approach to the sifting assessment is flawed as the methodology lacks transparency over how and why certain criteria have a higher or lower weighting; the weighting scores are so evenly balanced that the final scores for each route option are very close together, meaning no real front runner can be identified during the sifting exercise; in addition the assessment omits any consideration of planning policy constraints, including GAL's safeguarded land.

Paragraph 7.9.3 of the Refined Area of Search report acknowledges the significant encroachment of Route Options ES3 and ES3a but considers that this should be offset by the *"substantial positive aspects in comparison to other Eastern route options"* (Paragraph 7.9.3). The report goes on to say:

"It is acknowledged that these options are unlikely to be able to coexist with a Gatwick southern runway, but the possible significant interim positives prior to a potential future southern runway expansion may warrant further investigation. In this instance, an alternative option post- southern runway implementation must also be agreed upon as part of a business case analysis in order to make ES3 and ES3a a feasible option."

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Summary

Overall, whilst we understand the study and its reports to be matters for Crawley Borough Council, we have concerns over the reliance the Local Plan update may place on its outcomes. In particular, please note our comments on the sifting of options, the criteria used and the assessment itself. The wording of several sections (for example 5.3.5) seems to indicate an underlying assumption that the safeguarding can be give less weight or ignored, and indeed this is reinforced by the inclusion and assessment of options ES3 and ES3a, which appear to have been treated differently to other options with significant constraints. This indicates a tacit disregard for the safeguarding, which is a theme throughout the report. This is a matter for Crawley Borough Council to reflect in terms of the Local Plan, which in previous drafts accepted the current safeguarding status.

GAL objects to the inclusions of Route Options ES3 and ES3a and does not consider that the implementation of new road infrastructure constitutes an 'interim' solution as its diversion post-implementation would present a number of significant challenges. GAL therefore requests again that Route Options ES3 and ES3a are removed from the sifting options. GAL does not support the Refined CWLR area of search proposals due to their significant encroachment into safeguarded land.

Yours sincerely,

Lydia Grainger

**Planning Manager
Gatwick Airport Ltd**

Enclosures:

Appendix 1: GAL's Detailed Comments on Refined Area of Search Report

Appendix 2: GAL's Detailed Comments on Concept Design and Costing Report

Appendix 3: GAL's Detailed Comments on Traffic Modelling Note

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Appendix 1: GAL's Detailed Comments on Refined Area of Search Report

GAL has the following detailed specific comments relating to the Refined Area of Search report, as set out below.

- Please ensure references to the airport safeguarding correctly reflect this is a national safeguarding policy relating to Gatwick Airport, it is not "Gatwick's" safeguarding.
- Para 2.2.5 – clarification should be made in respect of the cross section for the CWLR middle section meeting both DMRB CD 127 and LTN 1/20 and the extent this is true for each of the different cross sections for the northern section (as shown in Figures 7 to 11).
- Section 3.2 – refer to comment above, please refer to the national safeguarding relating to Gatwick Airport, it is not "Gatwick Airport Limited's safeguarded area"
- Para 3.2.3 – the representation of the safeguarding changes are not accurate. The safeguarding area is consistent with one of three options from the 2019 Gatwick Masterplan referred to. The safeguarding area and masterplan presented at that time is the one developed for the Airports Commission and shared via a public consultation in April and May 2014, prior to the adopted Crawley Local Plan Policy GAT2. The masterplan option relating to the safeguarding was not revised between 2014 and 2019.
- Para 5.3.4 – the report should be explicit around the assumptions made for what is "believed" to be acceptable encroachment into the safeguarding land, and whose determination that is. It has not been verified in relation to any further analysis or masterplan design in relation to the operation of Gatwick Airport under a two-runway segregated operation, or taking account of any other operational, safety, masterplanning or environmental considerations. Appropriate reference should be made for statements relating to "standard runway cross section" (note, this should be checked for other paragraphs as well, e.g. 5.3.16 and 5.3.21).
- Para 5.3.5 – this is misleading, since all alignment options could be introduced before any airport expansion. What makes Option ES3 and ES3a different is that they would be introduced in the knowledge that they could not under any circumstances remain were Gatwick Airport to expand in accordance with the safeguarded area. As such, they represent a considerable risk and prospect of significant extra cost to Crawley Borough Council and West Sussex County Council to provide for the subsequent diversion or re-provision of the route. Note also that the location for the tie in at the A23 at Hydehurst Lane does not match the new roundabout location proposed in the GAL masterplan, which is clear from the illustration shown and therefore this statement should be removed or revised.
- Para 5.3.6 – this suggests there is access within the Gatwick Masterplan for general traffic along the southern edge of the safeguarded area that could accommodate the traffic from the CWLR Northern Section. This is not the case, the extent of public highway lies only to the east of the A23 and does not provide an access route west of the A23. This statement needs to be removed and the approach taken for general traffic in option ES3a reconsidered.

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- Para 6.3.4 – please correct the statement regarding encroachment into the safeguarded area. All options that encroach into the safeguarded area present an issue and should be considered a risk for adopting a preferred alignment that may impact on a future operational masterplan. Noting that further design work would be required for both the highway and airport infrastructure it is fair to note that for some options the degree of overlap within the safeguarding area is not sufficient to sift them out at this stage. You may consider that for the purposes of this study, this applies to all identified options with the exception of ES3 and ES3a.
- Section 7.2 – this section should make clear that neither the assessment criteria nor the weightings applied were discussed or agreed with stakeholders. We would note that a low weighting for ease of delivery, when there are considerable constraints and risks associated with the proposals yet a high weighting for cost, when only a very high-level costing exercise has been undertaken, seems illogical. Since there is little to distinguish between options in terms of a shift to active travel/public transport (noting variations of cross section) it is also surprising that this is given such a high weighting.
- Para 7.2.3 – although the issue of safeguarding, which is used as a sifting criteria (but was then discounted in respect of options ES3 and ES3a) is not repeated in the MCA scoring we note that public transport and active travel is included as both a criteria and a high weighting, which shows an inconsistent approach has been applied. We also note that the views of Gatwick Airport Limited in respect of certain shortlisted options have not been taken into account in any of the scoring.
- Section 7.4 and reference Appendix D – the differences between option WS1 and WS2 appear overstated in the scoring, in particular relating to residential impact, ease of delivery, stakeholder acceptability and cost. We would expect these to have much more similar scores given the level of assessment undertaken.
- Section 7.6 and reference Appendix D – there appears to be double-counting of the residential impacts of options MS3 and MS4, which is also cited under environmental constraints, leading to lower scores than options MS1 and MS2 in both criteria.
- Section 7.8 – the summary of the performance illustrates some inconsistencies and weaknesses in the assessment, in particular by not acknowledging the additional costs and risks associated with options ES3 and ES3a. Impact on commercial value is cited against the costs for option ES1 and ES2 yet land and property costs are excluded from the cost calculation and this indicates double-counting with the ease of delivery criteria, which also cites impact on commercial premises. The stakeholder acceptability criteria completely ignores Gatwick Airport Limited's views in respect of ES3 and ES3a. There is also reference to options ES1 and ES2 being assessed against other options under stakeholder and public acceptability rather than against the criteria itself. The cost and ease of delivery scores for options ES3 and ES3a should acknowledge the need for longer term costs and planning/delivery risk associated with their impact on the safeguarded area and these options should be scored lower accordingly. Failing to take future changes into account indicates the safeguarding issues have been ignored in the scoring for these options.
- Para 7.9.1 – the first statement is incorrect. The sifting was discussed with stakeholders, the assessment (criteria and scoring) was not.

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- Para 7.9.3 – please correct the statement that ES3 and ES3a “...are unlikely to be able to coexist with a Gatwick southern runway...” to “...will not be able to coexist...”. In this same paragraph the note regarding what would be included in the business case analysis of option ES3 and ES3a should be acknowledged and reflected in the scoring of these options. Currently it is not reflected in any way.
- Para 8.1.2 – we do not agree with the statement that the area of search “...will be acceptable to all of the major stakeholders...” even with the exception of the additional area identified for options ES3 and ES3a. Crawley Borough Council and its advisors may consider that the area of search is reasonable for the purposes of the Local Plan, given the need for further work both in relation to the Gatwick Airport Masterplan and any preferred highway alignment and design but including an overlap retains the risk that any alignment coming forward may not be acceptable and that GAL continues its position to object to any indication of Local Plan development within the safeguarding area. It is noted in particular that the study has not and cannot rule out options that wholly avoid encroachment into the safeguarded area.
- Para 8.3.1 – we would query the use of the word “robust”, given the high-level nature of some of the assessment, and a number of inconsistencies in the way the assessment criteria have been developed and applied.

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Appendix 2: GAL's Detailed Comments on Concept Design and Costing Report

GAL has the following detailed comments on the Concept Design and Costing Report, as set out below.

- Para 2.1.1 and 2.1.2 – the design standards do not make reference to LTN 1/20, as noted in the Refined Area of Search report and whether this would apply to both the 40m and 313.1m cross section.
- Para 3.1.3 – note that this paragraph acknowledges “delivery risks” associated with encroachment into the safeguarding area but these risks are not reflected in the assessment scoring.
- Para 3.3.1 – it may have been more instructive to provide a comparison with a route entirely outside the safeguarding area, given the relevance of the safeguarding to the study.
- Para 4.1.3 – it would be useful to set out what elements are included in the works and construction estimate, given the other costs are only additional percentages of this cost components. For example, does the construction cost only differ due to the linear extent of full or restricted cross-section?
- Para 5.2.1 – given that the Homes England proposals have been consulted upon it would seem logical to describe the impacts of adopting their proposed junction layout on the route options for the Western Section under consideration. As well as design and financially assessment, both planning and legal considerations should be considered for next steps to adequately reflect the constraints and risks of different options.

Appendix 3: GAL's Detailed Comments on Traffic Modelling Note

GAL has the following detailed comments on the Traffic Modelling Note (Appendix C and D).

- Para 1.1.1 – this section needs to introduce the context for the traffic flow information provided by Stantec and what status it has in regard to the Local Plan, including any assumptions regarding West of Ifield and other major developments in the area.
- Para 1.1.3 – the “additional housing and commercial space” should be described and the reference to Hydehurst Lane flow estimates explained further.
- Para 1.2.2 – there is insufficient explanation for the origin or context for the quoted 12% mode shift (from what, to what), how this relates to the modelling and if it is a risk to the design how this is accounted for in the assessment.
- Appendix D – whilst it is assumed that the LINSIG diagrams are showing AM and PM results there are no labels to confirm this is the case.