

Proposed Modifications for Policies GAT2: Safeguarded Land and DD5: Aerodrome Safeguarding (December 2023)

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1. Introduction

1.1 Crawley Borough Council had suggested modifications to Policy GAT2: Safeguarded Land, and Policy DD5: Aerodrome Safeguarding in its Written Statement for Matter 5 (CBC/MIQ/005a). At the Hearing sessions on Wednesday 22 November there was a brief discussion about possible modifications to the Safeguarded Land policy, relating to Policy GAT2 or potentially EC2 but this was not fully discussed. There was also no time to discuss the proposed modifications to Policy DD5. Following these Hearings, the council has met with and discussed these matters in detail with Gatwick Airport Limited and agreement has been reached on further suggested modifications for these policies. The letter included in Appendix 1 attached letter confirms GAL's support for these modifications.

2. Policy GAT 2: Safeguarded Land

2.1 At the Hearing Session on 22 November, when considering Policy EC2 and the Main Employment Area at Lowfield Heath which falls within safeguarding, GAL suggested it may be possible to include replacement employment buildings as development which may be acceptable. The council considered this would be beneficial to employment uses within the borough but that any change should be made to Policy GAT2 and apply to any employment building constrained by safeguarding, not just those within Lowfield Heath.

2.2 However, following further discussion with GAL, it has been agreed not to include redevelopment of employment buildings within the GAT2 Policy, and no changes are proposed to Policy EC2. Revised GAT2 wording has been agreed to clarify the types of small-scale development which are acceptable within areas subject to safeguarding for a potential future southern runway, and to give further guidance as to the types of changes which are acceptable for employment buildings.

2.3 The proposed wording regarding temporary uses was already referred to and explained in Question 5.27 of CBC/MIQ/005a and proposed as a modification in Schedule of Suggested Modifications, version 2 (Post-Submission Document Reference: CBC/CBLP/07b).

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- 2.4 The proposed wording for Policy GAT 2 and paragraph 10.19 is set out in full below and is included in the updated Schedule of Suggested Modifications, version 5, 15 December 2023 (Examination Document Reference: CBC/CBLP/07e).

CBC Suggested Modifications to Policy GAT2: Safeguarded Land

Safeguarding for a second runway

The Local Plan Map identifies land that is safeguarded from development which would be incompatible with expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy) together with a commensurate increase in facilities that contribute to the safe and efficient operation of the expanded airport.

Small scale development such as changes of use, minor building works and residential extensions within this area will normally be acceptable. Improvements to existing employment buildings including small scale extensions and refurbishment will normally be acceptable provided it will not lead to a significant intensification or significant increase in the scale of development. Where appropriate, planning permission may be granted on a temporary basis. The airport operator will be consulted on all planning applications within the safeguarded area.

Planning applications for noise sensitive development will be considered on the basis of Air Noise Map – Additional Runway – Summer Day – 2040 as shown at Plan 31 of the Gatwick Airport Master Plan and in the Local Plan Noise Annex.

[10.18 and other paragraphs following 10.19 unchanged]

10.19 For the purpose of policy interpretation small-scale development also includes development such as residential extensions, ~~updating or refurbishment of buildings~~, some changes of use, or other minor building works such as changes to the external appearance. ~~development.~~ Small scale improvements to employment buildings and refurbishment will normally be acceptable within a similar footprint, provided that there is not a significant intensification of development on the site, either individually or cumulatively with other extensions. Appropriate temporary uses may include those that are short term, with a defined end date and which don't involve significant construction. Incompatible development within safeguarded land is regarded as development which would add constraints or increase the costs or complexity of the development or operation of an additional runway. The airport operator will be consulted on all applications within the safeguarded area for a second runway.

3. Policy DD5: Aerodrome Safeguarding

- 3.1 As set out in the council's response to Question 5.15, CBC/MIQ/005a, the council has already proposed modifications to the supporting text of Policy DD5, as set out in the Crawley Borough Council Schedule of Suggested Modifications, July 2023 (Submission Document Reference: CBLP/07) in accordance with the text which Gatwick Airport Ltd requested in its response to the Further Publication Consultation (Submission Document Reference: KD/CS/01j, page 77).
- 3.2 These modifications have been further considered by GAL's Aerodrome Safeguarding Officer and some additional amendments are proposed particularly in relation to bird strike and lighting. No changes are proposed to Policy DD5 itself. GAL's letter in, Appendix 1, highlights the latest amendments to these modifications.
- 3.3 All the suggested Modifications are set out in full below and are included in the updated mods updated Schedule of Suggested Modifications, version 5, 15 December 2023 (Examination Document Reference: CBC/CBLP/07e).

CBC Suggested Modifications to Policy DD5: Aerodrome Safeguarding

Policy DD5: Aerodrome Safeguarding

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 takeoff, ~~and~~ landing and ~~while~~ whilst manoeuvring on the ground and flying in the vicinity of the airport. This in turn helps ensure the safety of people living and working nearby.

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 development or construction equipment that might be used (such as cranes) which could create a potential risk to the airport aerodrome through impacts on ~~radar~~ CNS (Communication, Navigation & Surveillance) equipment and Instrument Flight Procedures (IFPs) or building induced turbulence. It also considers the potential risks to aviation created by large landscaping schemes, the creation of new water bodies & SuDS (Sustainable Drainage Schemes) and large areas of flat/shallow pitched roofs which could ~~lighting designs and new water bodies which could~~ attract birds hazardous to aviation. Proposed lighting needs to be carefully designed to ensure that there is no impact on aircrew or ATC. This is not an exhaustive list.

5.40 As part of aerodrome safeguarding, Public Safety Zones (PSZ) are identified at either end of runways. Within these areas, development is restricted to minimise the risk of death or injury in the event of an aircraft accident on take-off or landing. The objective is that there should be no increase in the number of people living, working or congregating in PSZ areas, and that over time the number should be decreased as circumstances allow.

5.41 Gatwick Airport is ~~an EASA~~ CAA (Civil Aviation Authority) certified aerodrome. Therefore, the council is required to consult Gatwick Airport Limited on all planning applications where aerodrome safeguarding applies. The safeguarded area is neither the responsibility nor the proposal of the local planning authority.

Policy DD5: Aerodrome Safeguarding

Development will only be supported if it is consistent with the continued safe operation of Gatwick Airport.

Where required, the Local Planning Authority will consult with the airport operator and/or the operator of technical sites (e.g. radar stations) on relevant proposals in the aerodrome safeguarded areas and in the Public Safety Zones.

Proposals that cannot be mitigated to the satisfaction of the statutory consultees are considered a hazard to aircraft safety, and will be refused.

Development that would lead to an increase in the number of people living, working or congregating within the Public Safety Zones will be refused.

Reasoned Justification

5.42 Aerodrome safeguarding is a legal requirement by way of ICAO (International Civil Aviation Organisation) & ~~EASA (European Aviation Safety Agency)~~ CAA 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. Evidence⁶² 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.

5.43 Policy DD5 has been included to raise awareness of the requirements of Aerodrome Safeguarding and the Public Safety Zone, to ensure the safe operation of Gatwick Airport is taken into account in the design of development. The whole borough of Crawley is covered

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by the Aerodrome Safeguarding area, and this is shown on the Local Plan Map. Aerodrome Safeguarding also applies outside of Crawley Borough, and developers may need to liaise with Crawley's neighbouring Local Authorities to clarify if development is subject to Aerodrome Safeguarding outside of the Crawley administrative area.

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 ~~airport~~ aerodrome, including those relating to ~~navigational-aids~~ **CNS (Communication, Navigation & Surveillance) equipment and Instrument Flight Procedures (IFPs)** or on developments which may increase bird-strike risk, create building-induced turbulence or include lighting that could pose a hazard to the safe operation of the ~~airport~~ aerodrome.

5.45 Control of Development in Airport Public Safety Zones (Department for Transport, 2021) requires Local Plans to identify where Public Safety Zones have been established, displaying these on the Local Plan Map. For Gatwick Airport, Public Safety Zones are established in relation to both its main operational runway, and its northern standby runway. There is a general presumption against most kinds of new development and against certain changes of use and extensions to existing properties within the zones. In particular, the following development types will not be permitted:

- new or replacement dwelling houses or new non-residential development;
- mobile homes;
- caravan sites;
- other residential buildings.

5.46 Only very specific forms of development, as identified in the government guidance document 'Control of Development in Airport Public Safety Zones', may be permissible within the Public Safety Zone. Where development is proposed within the Public Safety Zones, reference should be made to the government guidance.

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/ and **CAST (Combined Aerodrome Safeguarding Team) at Combined Aerodrome Safeguarding Team/Civil Aviation Authority** (caa.co.uk).

Appendix 1: Gatwick Airport Limited letter to Crawley Borough
Council on Local Plan Policies GAT2 and DD5, December 2023



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13TH DECEMBER 2023

Sallie Lappage
Crawley Borough Council
Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

Sent by email to
sallie.lappage@crawley.gov.uk

Dear Ms Lappage

**Crawley Local Plan 2024 - 2040 Examination
Proposed Modifications to Policy GAT2 and DD5**

I write in response to your email dated 12th December 2023 in respect of the proposed modifications to Policies GAT2 and DD5 of the submission version Crawley Borough Local Plan 2024-2040.

For completeness I include the Suggested Modifications to **Policy GAT2: Safeguarded Land Safeguarding for a second runway** as tabled in your email yesterday, and **Policy DD5: Aerodrome Safeguarding** as tabled in Clem Smith's email dated 6th December.

Policy GAT2

The Local Plan Map identifies land that is safeguarded from development which would be incompatible with expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy) together with a commensurate increase in facilities that contribute to the safe and efficient operation of the expanded airport.

Small scale development **such as changes of use, minor building works and residential extensions** within this area will normally be acceptable. **Improvements to existing employment buildings including small scale extensions and refurbishment will normally be acceptable provided it will not lead to a significant intensification or significant increase in the scale of**



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development. Where appropriate, planning permission may be granted on a temporary basis. The airport operator will be consulted on all planning applications within the safeguarded area.

Planning applications for noise sensitive development will be considered on the basis of Air Noise Map – Additional Runway – Summer Day – 2040 as shown at Plan 31 of the Gatwick Airport Master Plan and in the Local Plan Noise Annex.

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Gatwick Airport Ltd's Response

I write to confirm that GAL agrees to the proposed modifications to Policy GAT2 and DD5 as set out in this letter above. For clarity, the proposed text in blue is CBC's suggested wording, blue text with yellow highlights is GAL's suggested additions, and text in red with a strike-through are suggested omissions – all of which is agreed.

We consider that due to the technical nature of the proposed modifications to Policy DD5 that these should be additional modifications to the Local Plan. We have prepared the proposed modifications to Policy DD5 in consultation with GAL's Aerodrome Safeguarding Officer.

Yours sincerely,

Tim Norwood
Chief Planning Officer