

Dear Sir / Madam

Application by Gatwick Airport Limited Seeking Development Consent for the Proposed Gatwick Airport Northern Runway Project (Ref: TR020005)

Comments on the Secretary of State's letter dated 9 December 2024 and responses thereto

We refer to the letter dated 9 December 2024 sent on behalf of the Secretary of State for Transport ("SoS") and the response to that letter from the applicant.

We are extremely concerned about the wording associated with proposed requirements 15 and 16 (Air Noise Limits) and other points e.g. passenger limit, need to take account of latest CCC recommendations and government CO2 commitments, insulation proposals and local transport proposals.

In particular we consider that the requirement as drafted is a gross departure from national aircraft noise policy in both the short and long terms and would have extensive harmful effects for local communities and those under flight paths.

In our view the SoS's proposals fail to comply with policy in the following key respects.

Sharing of benefits

The Aviation Policy Framework (APF) states that *"as a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows."*

In addition, the ANPS says that noise envelopes must *"... achieve a balance between growth and noise reduction"*.

The SoS's noise envelope proposals do not achieve the APF policy principles or achieve a balance between growth and noise reduction as required by the ANPS.

The applicant's Central Case baseline forecast is that the 2029 Leq 16 hour Day 51 dB contour will cover 120.1 km², whereas the SoS's proposal is for a limit of 125 km², an increase on the baseline position. Given the SoS has not proposed any offsetting noise benefits, it follows that the policy requirements for noise to reduce as capacity grows and for the benefits of growth to be shared would not be achieved by her proposals.

In order to be policy compliant day and night period noise limits should either reduce from the baseline position at a pace and to an extent that achieves the required balance or mandate offsetting noise benefits, such as a ban on night flights. In the absence of either proposal, the SoS's requirement could not in our view survive scrutiny against the tests set out in the APF and the ANPS.

Night flights

The SoS has proposed night period noise limits broadly consistent with those suggested by the applicant. If these limits were implemented the SoS would have removed the possibility of banning night flights as a means of striking a balance between the aviation industry and local communities, and made it virtually impossible to achieve outcomes consistent with government noise policy.

We note that the ANPS requires a ban on scheduled night flights between 11pm and 7am if Heathrow was to develop a third runway and that the ANPS is clearly stated to be an important and relevant consideration for applications for any airport nationally significant infrastructure project in the South East of England, not just Heathrow.

We also note that the proposed summer night period limits provide headroom for additional night flights in the summer period and offer no protection in the winter period. By making specific reference to a night flight ban in the ANPS Parliament has made clear that relying solely on future government night flight restrictions is not a sufficient measure and does not provide sufficient community protection where an airport is seeking consent for major expansion.

The SoS should mandate a ban on night flights as a condition to any approval of the DCO. In addition, the SoS should require that a comprehensive package of measures is put in place to incentivise the use of the quietest aircraft at night outside the hours of a ban, as also required by the ANPS.

Noise level certainty

We understand that the SoS's noise limit proposals relate to the 92-day summer period 16 June to 15 September inclusive. If that is the case, they do not satisfy the APF requirement that noise envelopes should give communities certainty about future levels of noise, because there would be no restrictions on noise outside the core summer period. Instead noise levels would be completely unlimited for 75% of the year including extremely busy times such as Easter, Christmas and the Autumn holidays. That would be both wholly unacceptable to communities and wholly non-compliant with policy.

The noise envelope requirements should cover all periods of the year, providing for policy compliant reduction in noise and benefit sharing at all times, or delivering alternative benefits, such as a ban on night flights.

Inappropriate metrics

The SoS's proposed noise envelope uses a single, average noise, metric, Leq. It is widely accepted that Leq does not portray aircraft noise as experienced by communities, and all relevant policy and guidance advises against its use as a sole metric.

The APF says “... we recommend that average noise contours should not be the only measure used when airports seek to explain how locations under flight paths are affected by aircraft noise.”

The CAA’s noise envelope guidance, CAP 1129, recommends using a “combination of parameters” and states that “where unilateral agreement cannot be achieved using standard metrics, consideration should be given to designing envelopes using other metrics provided that they are scientifically valid and robust”.

The ANPS requires noise envelopes to be tailored to local priorities and to be defined in consultation with local communities.

The SoS’s proposed noise envelope metrics do not meet any of these tests. Any noise envelope should include a suite of metrics and limits to be agreed with all stakeholders.

Noise envelope limit reviews

The SoS has proposed noise limits that would apply from the sixth year of dual runway operations but removed any provision for reviews of those limits thereafter.

That is an extraordinary position for the SoS to take. Every stakeholder involved in the inquiry, including the applicant, advocated that there should be a process for renewing noise envelope limits periodically with a general expectation that limits would reduce over time. The Examining Authority endorsed that view and made specific recommendations in that respect.

Failure to mandate a review mechanism would mean that the noise limits at Gatwick would become out of date and ineffective with no means for updating them. That would be a wholly irresponsible approach to policy delivery and entirely unacceptable to communities around the airport.

Yours faithfully

Penshurst and Fordcombe Parish Council