



Gatwick Northern Runway Development Consent Order Application TR020005

Reigate & Banstead Borough Council

Relevant Representation

26 October 2023

Introduction

1. Reigate and Banstead Borough Council (the Council) is a host authority for the Gatwick Northern Runway Development Consent Order application (the Project). We have been working with Gatwick Airport Limited (GAL) and the Gatwick Airport local authorities throughout the pre submission process and continue to do so. The reference to the Gatwick Airport local authorities includes the following bodies:

Crawley Borough Council
East Sussex County Council
Horsham District Council
Kent County Council
Mid Sussex District Council
Mole Valley District Council
Reigate and Banstead Borough Council
Surrey County Council
Tandridge District Council
West Sussex County Council

Council's Overarching Position

2. Reigate and Banstead's Local Plan Core Strategy 2012 (Reviewed 2019) supports a single runway two terminal airport at Gatwick Airport. The proposal will effectively introduce a new runway into full time operation which will create significant detrimental environmental impacts on the borough, particularly to the south of Horley Town Centre. As a result, we have very significant concerns with regards to the Project.

The structure of this representation

3. This representation sets out a summary of the Council's concerns with the following aspects of the application: the draft DCO, the pre-application process, project site & description, the needs case, the proposed A23 London Road bridges, landscape and townscape, ecology, water, traffic and transport, air quality, noise, climate change, socio-economic concerns, the Code of Construction Practice, the Design and Access Statement, health and wellbeing, agriculture and recreation and the Council's additional concerns.

The Draft DCO

4. The Council has wide-ranging concerns about the draft Development Consent Order (dDCO) [AS-004]. These will be shared with the applicant in due course and will be set out in the Council's Local Impact Report. A summary of the Council's main concerns (which is not exhaustive) is set out below:

- I. the definition of “commencement” and, in particular, the implications arising from certain operations which fall outside that definition, and which do not appear to be controlled (article 2(1), interpretation).
- II. the drafting of article 3 (development consent etc. granted by Order)
- III. the drafting of article 9 (planning permission) and confirmation regarding which planning permission and conditions the applicant is concerned about.
- IV. the drafting of article 23, which concerns trees and hedgerows.
- V. the time limit for exercising compulsory purchase powers under article 31 (time limit for exercise of authority to acquire land compulsorily).
- VI. the timing of the vesting of special category land in the applicant under article 40 (special category land).
- VII. the inclusion of Work Nos. 26, 27, 28 and 29 (which all concern hotels) in Schedule 1 (authorised development).
- VIII. the drafting of several requirements (Schedule 2) including: the drafting of “start date” (R.3(2) (time limits and notifications); the 14-day notification period in R3(2); why some documents must be produced “in accordance with” the certified documents and others must be produced either “in general accordance” or “in substantial accordance” with them; the drafting of R.14 (archaeological remains); and of those which concern noise (e.g. R.15 (air noise envelope), R.18 (noise insulation scheme)); the ambiguous drafting in R.19 (airport operations).
- IX. the 8-week deadline in Schedule 11 (procedure for approvals, consents and appeals) for determining significant applications (e.g. The waste recycling facility).

The Pre-application Process

5. The Council has engaged with GAL throughout the pre-application process, responding to consultations and participating in the topic working groups. Unfortunately, the first opportunity we had to see key pieces of information has been post submission. This was disappointing given that extensive consultation is meant to be a feature of the DCO regime and that a front-loaded approach to consultation is meant to lead to well-developed applications which are better understood by those affected by them.

Project Site & Description

6. We are concerned that the plans use a variety of definitions including the dDCO limits, limits of works, operational land and airfield boundaries which are confusing for both the existing and future airport boundary. The description of the boundaries needs to be clarified throughout the dDCO documents to ensure consistency and facilitate comparisons.

7. The verdant vegetation barrier from Church Meadows, Riverside Garden Park through to the M23 junction has taken more than a generation to achieve with the result that a highly significant separation barrier has been grown between Horley and the airport along with providing a classic 'parkway' appearance. However, this has been omitted from the description. Furthermore, no clear plan has been prepared to mitigate/replace it. This omission must be addressed.

Needs Case

8. The level of increase in capacity attainable from the Project has been overstated by GAL and as a consequence, levels of usage – the demand forecasts – have been overstated. Moreover, the methodology by which these forecasts have been derived is not robust.
9. A consequence of this overstatement of demand is that the limit size of the noise contour in the Noise Envelope has been set too large and will not provide an effective control or incentive to reduce noise levels at the Airport.
10. The wider economic benefits of the proposed development have been overstated due to the failure to adequately distinguish the demand that could be met at Gatwick from the demand which could only be met at Heathrow and the economic value that is specific to operations at Heathrow. The methodology by which the wider catalytic impacts in the local area has been assessed is not robust and little reliance can be placed on this assessment.

The proposed A23 London Road Bridge

11. A major impact will be the increased width of the new A23 London Road bridge of about 22 metres and associated road widening, including the introduction of segregated footpaths and cycle tracks on both sides of the road, part of which will cut into the historic Church Meadows. The width of the bridge combined with a loss of grass verges on the Reigate side will be a move away from the vestiges of a more rural appearance. We are unclear if alternative options were considered regarding the impact of a wider bridge over the A23 London Road.

Landscape & Townscape

12. The Outline Landscape and Ecology Management Plan (oLEMP) [APP-113] lacks detail on landscape protection measures, mitigation for ecology, heritage, drainage and visual impacts. The zonal approach adopted is considered too vague and the document as worded would not give the local planning authority adequate control to safeguard these impacts during the construction the Project.
13. We note that ES Chapter 8 Landscape, Townscape and Visual Resources [APP-033] states that the removal of vegetation on the edge of the A23

would result in major adverse effects for users of the informal footpath at Riverside Garden Park. We would consider it will take around 25 to 30 years for cleared trees and vegetation to regrown mature tree line, exceeding the 2047 projections referred to the supporting documentation. This will have a major adverse effect on the local community's enjoyment of the space for more than a generation, but no mitigation has been proposed for the intervening period. This must be addressed.

Ecology

14. The Council's concerns with the ecological impact of the Project are summarised in paragraphs 15 to 22.
15. The scheme will have a detrimental impact on a tree and vegetation buffer that exists between the A23/ M23 Spur and neighbouring areas in Reigate and Banstead.
16. Regarding baseline information, the Phase 1 Habitat Survey identified in the Ecology Survey Report [APP-953] should have extended beyond the Project site boundary to identify wildlife corridors and potential enhancement opportunities in the surrounding landscape.
17. The Applicant has not quantified the numbers of trees and amount of habitat that will be lost in ES Chapter 9 Ecology and Nature Conservation [APP-034]. The Applicant should quantify losses and replacement habitat. Additional compensation is required for the mature woodland loss.
18. The oLEMP and Code of Construction Practice (CoCP) [APP-082] lack critical detail on outline methodology for tree protection and ancient woodland buffer zones, along with tree protection plans.
19. The Biodiversity Net Gain (BNG) metric should be supplied in Excel format.
20. Bat roost surveys of trees is required.
21. More detail is required on proposed receptor sites and outline mitigation for reptiles and Great Crested Newts.
22. Ecological impacts will extend beyond the Project site boundary and therefore the Applicant should adopt a landscape scale approach to assessing and addressing ecological impacts, including the need to provide off site mitigation, compensation and BNG.

Water

23. In the Planning Statement [APP-245] reference is made to the proposed flood risk mitigation. However, it is not clear how the timing of the River Mole works (Work No.39) and Car Park Y attenuation tank (Work No.30(a)) will be secured; similarly, it is not clear where the culverts and syphons are secured. This is of particular concern in that whilst the

highway drainage strategy would reduce flows to the River Mole and the Gatwick Stream, until those works are in place there will be an increased risk to properties in Longbridge Road which have already experienced flooding.

24. It is unclear what the impact of the drainage design and engineering solutions will be on ecology, including sediment build up, flood overspill, and pollution control measures.
25. The Council is concerned about the lack of detail on the realignment of the culvert to the northwest side of the M23 spur bridge, something which needs to take place for the bridge widening works.

Traffic and Transport

26. Surrey County Council is the local highways authority covering Reigate and Banstead. They and their consultants, Atkins, have been looking closely at the scheme's traffic and transport assertions and implications. We have seen their submission and endorse it. In addition, we have a number of our own local specific concerns, and these are summarised in paragraphs 27 to 41.
27. Regarding modelling, the Council supports Surrey County Council's view that the modelling has been too heavily biased towards Crawley rather than Horley and the wider area to the north. The proposal will introduce more traffic to the Horley area and would aggravate existing congestion points in Reigate and Redhill.
28. The road widening and associated bridge works, particularly around Longbridge Roundabout and up to the M23 Junction 8, will particularly impact residents and businesses in the south of Horley.
29. Until now the Applicant has made no mention of the land take requirements around the entrance to Woodroyd Avenue from the A23 London Road and permanent acquisition of rights. Woodroyd Avenue is a key point of access for the local communities living in this part of south Horley. It is vital that this route is kept open to all throughout the works.
30. There is concern about the proposed use of the service road running between the garages to the south off Woodroyd Avenue located between the petrol station and the blocks of flats. The service road is used to access the bin store associated with the flats by the Council's waste and recycling vehicles. We are unclear how the access will be maintained for non-Project works traffic and other users. We also seek clarity on the access road which is sought through the dDCO and its long term maintenance.
31. The Council did not know about the proposed access road from the South Terminal Roundabout Works Compound to Balcombe Road until the

application documents were published, which is disappointing. In any event, this will encourage more vehicles to use residential Balcombe Road unless no left turn from the site is enforced. The proposed access road will be subject to embankment works and the diversion of a culvert at the Balcombe Road end which would need to be taken into account.

32. We are concerned that GAL appear to have proposed a less ambitious sustainable transport mode share target than previous documents aimed for and that efforts to meet them in a business-as-usual scenario have been neglected.
33. In GAL's document *Second Decade of Change (2023)*, it is reported that "*By 2030, Gatwick aims to achieve 60% passenger and staff travel to the airport by public transport and zero and ultra-low emissions journey modes.*" This 60% target applies to both passengers and staff separately, with the following detailed targets:
 - 52% of passenger journeys by public transport by 2030, with remaining journeys by zero and ultra-low emission modes; and
 - 48% of staff journeys by public transport, shared travel and active travel by 2030; with remaining journeys by zero and ultra-low emission modes.
34. However, data provided in Tables 8.6.2 (landside passenger two-way rail demand and mode share) and 8.6.3 (landside passenger two-way bus/coach demand and mode share) of the Transport Assessment [APP-258] paint a different picture. The data shows that, in 2029, the 24hr future baseline for public transport mode share (comprising rail mode share (42%) and bus/coach mode share (7%)) would be 49%. The 24hr future baseline for public transport mode share with the Project (comprising rail mode share (43%) and bus/coach mode share (8%)) would be 51%. (The Council acknowledges that the latter figure would be 52% by 2032). Targets for staff are also missed.
35. We would like to understand (i) why the targets in the *Second Decade of Change* and the dDCO application (both published in 2023) are now just aspirational and not consistent with the Surface Access Commitments (SAC) and (ii) what will be required to meet those targets in the future baseline and scheme scenarios in specific years.
36. The Council would like GAL to propose an alternative set of commitments that follow the principle of staged growth, such as those being pursued by Luton Airport in their DCO application. These commitments would prevent growth until interim surface access commitments had been met and thus ensure that sustainable travel was at the heart of Gatwick's growth, rather than a target after growth.

37. Rail will be key to supporting modal shift, but no new rail proposals are included in the application, just a few minor service frequency improvements that are already planned and are separate to the Project.
38. Rail service improvements should be targeted for the very early morning and late night rail services to the west and east to enable air passengers and staff to access the airport using public transport in time for the additional morning and late evening flights planned by the Applicant.
39. The annualised modal car shift commitment described in paragraph 12.8.10 of ES Chapter 12: Traffic and Transport [APP-037] will have limited effect at driving modal shift change from private cars to public transport. The use of action plans will postpone genuine improvements and it is only the introduction of aircraft slot controls that will ensure change.
40. The Surface Access Commitments [APP-090] include funding to support local authorities in implementing additional parking controls or in enforcement action against unauthorised off-airport passenger parking sites. Whilst this is welcome, it is unclear exactly what and when such support will become available and how access to funding will be made.
41. The Council considers that the Active Travel infrastructure proposed is unsatisfactory, especially considering the ambitious sustainable mode share targets set. The Council has previously highlighted support for a new direct north south cycle route from Horley through Riverside Gardens, over the proposed signalised North Terminal A23 junction leading to the North Terminal as a means to improve Active Travel rather than the more circuitous route via Longbridge Roundabout. This route would help support GAL's objective to achieve their sustainable mode share targets.

Air Quality

42. The Council's key concerns in relation to air quality and the proposed development at Gatwick centre primarily on the potential impacts on the existing air quality management area (AQMA) in Horley, including the Horley Gardens Estate, and also properties to the north of the M23 spur road within the borough, during both the construction and operational phases of the Project.
43. The airport also has an impact on the Council's AQMA in Hooley on the A23 in the north of the borough.
44. The main concerns centre on the impact of the pollutants – nitrogen dioxide, and particulate pollution (PM₁₀ and PM_{2.5}), and with nitrogen dioxide the tendency for the overall fall in pollution exposure to mask underlying limited falls or even increases in the airport contribution to residents' exposure to nitrogen dioxide.

45. The Council also has very significant concerns about residents' exposure within the Horley AQMA to ultrafine particles (UFP). This issue was first flagged to the airport back in 2012, concerns were raised again with the airport in 2019 following a university and council research programme and is in line with DEFRA advice issued in 2022 that, *'In addition to NO₂, there is growing evidence of the health impacts associated with Ultra-Fine Particulates (UFP) linked to airport activities'*.
45. The other main areas of concern are:
- I. The separation of construction and operational assessments over the period 2029 to 2032 is likely to result in an underestimation of the 'true' pollutant concentrations experienced by residents during this period.
 - II. The lack of modelling for the 2047 assessment year with and without development i.e. when the airport is at full capacity.
 - III. The lack of a dust management plan for the construction phases of the Project.
 - IV. There appears to be no reporting of the webTAG assessment - specifically the air quality costs associated with the development.
 - V. The lack of an air quality action plan in the air quality section, or any quantification of the emission reduction such measures might produce.
 - VI. The health impact assessment of UFP understates the potential health impact as it appears to assume exposure is correlated to PM_{2.5} exposure – which is not the case, especially in the vicinity of an airport.
 - VII. The lack of any plans to undertake long term residential real time monitoring of UFP, both number and size distribution, using equipment used on the UK national network. This is particularly disappointing given the significant exposure of residents on the Horley Gardens estate.
 - VIII. The local authority real time (NO_x, PM, ozone) and diffusion tube monitoring needs to be funded (revenue and capital replacement costs) to 2047 or 389,000 movements i.e. to full capacity, and not 2038 with reviews, as currently proposed.

Noise

46. The borough is affected by air, ground, airport related road traffic, and other airport related noise sources in the south of the borough especially in Horley, including the Horley Gardens Estate, which will also be heavily affected by construction noise (and a number of other impacts) if the proposed development goes ahead.
47. Elsewhere in the borough residents under and in the vicinity of the Route 4 and Route 3 departure routes from the airport – amongst the busiest routes out of the airport – are already heavily affected by aircraft noise and will see a significant increase in overflight with the proposed development.
48. The Council would point out that one of the key messages over the past 10 years that we have had from local residents and community groups as a consequence of various changes (Route 4) and trials (ADNID 2013) that the airport has undertaken, is that the ‘average’ noise metrics such as L_{eq} metrics on their own do not adequately reflect residents’ noise experience on the ground, often with an L_{eq} metric suggesting that there are no noise issues whereas the residents find that there are. There is also support in the literature for this position especially at night as reported by the DfT in the 2017 Night Flight Restrictions at Gatwick, Heathrow and Stanstead consultation document where it stated that ‘*averaging metrics indicators are insufficient to fully predict sleep disturbance and sleep quality*’.
49. The Council’s main noise-related concerns arising from the Project include (but are not restricted to) the following:
 - I. A failure to adequately share improvements in aircraft noise with both local residents and other affected communities around the airport as it develops over the short to medium term.
 - II. The Noise Envelope is not fit for purpose and the Council’s concerns include: the consultation process, technology scenario used, metrics used (type and duration), noise contours used, oversight and enforcement process including the lack of local authority involvement, control mechanisms to prevent a breach, and sanctions in the event of a breach of the Envelope.
 - III. The air noise insulation scheme, including the fact that it is only based on average L_{eq} contours rather than single mode contours and is confined to L_{eq} metrics. There are also concerns about the noise level at which the differing schemes start, a lack of measures to prevent overheating in noise insulated homes especially in the summer months at night, and that there appears to be no provision for the on-going maintenance / replacement costs of the equipment with this cost simply passed to the house / building owner.
 - IV. Road traffic noise levels including the long term impact of noise (to 2047) on residents, including those within noise important areas (NIAs) in Horley and especially Longbridge Road.

- V. Construction noise, including the proposed hours of work.
- VI. There is no offer of compensation for people affected by the nuisance they are likely to experience for which they would otherwise have common law rights to apply for.

Climate Change

- 50. The climate impact statements documented in ES Chapter 15 [APP-040] and Climate Change and Appendix 15.8.1 Climate Change Resilience Assessment [APP-187] are lacking in consistency in the way they are articulated in that some are missing an 'impact'. This end result is what should determine the consequence rating and could arguably have led to an underestimation of risk. The Applicant should update all climate impact statements to have a clear end impact and risk ratings should be reviewed and revised accordingly.
- 51. The lack of identification of additional mitigation / adaptation measures is a key omission from the Climate Change Resilience Assessment [APP-187] and the Urban Heat Island Assessment [APP-186]. Whilst the Applicant may not have assessed any of the risks as 'significant', the identification of further adaptation measures that can increase asset resilience should be noted, especially considering the potential underestimation of risk detailed above. The Applicant should identify and include in the report further adaptation measures that can be implemented in design, construction or operation to further reduce the Project's vulnerability to climate change.
- 52. There was a lack of consideration of several climate variables including storm events, wildfire and fog, which is a key omission in the Climate Change Resilience Assessment [APP-187]. The Applicant should give further consideration to the risks associated with these variables and include in the report where appropriate.

Greenhouse Gases

- 53. Overall, the Greenhouse Gases Assessment documented in ES Chapter 16: Greenhouse Gases [APP-041] is not considered a comprehensive Greenhouse Gas (GHG) Assessment since it does not adequately assess the impact of the Project in relation to carbon. A number of fundamental issues that need to be addressed to ensure carbon has been effectively assessed. The key concerns are summarised in paragraphs 54 to 64:

Legislation, Policy and Guidance

- 54. The Applicant has not considered all the latest up-to-date guidance with PAS2080:2023, and the latest IPCC AR6 report not referred to. PAS2080:2023 emphasises decisions and actions that reduce whole-life carbon more than PAS2080:2016 referred to in the report. The AR6 report considers many new updates concerning GHG Assessment, which should be reviewed as detailed in the Council's PADSS.

Baseline Information review

55. The scope of the GHG emissions arising from airport buildings and ground operations does not cover maintenance, repair, replacement or refurbishment emissions. This under accounts the operational GHG emissions.

Assessment of significant effects

56. Airport expansion, demand management, and reliance on nascent technology are three key areas raised by the Climate Change Committee (CCC) that could jeopardise the UK's net zero trajectory. The GHG Assessment fails to consider the risks of the Jet Zero Aviation Policy and how this could compromise the UK's net zero trajectory in alignment with the concerns raised to the UK Government by the CCC.
57. The GHG Assessment does not assess the cumulative impact of the Project in the context of eight of the biggest UK airports planning to increase to approximately 150 million more passengers a year by 2050 relative to 2019 levels. Hence, this will greatly increase the UK's cumulative aviation emissions, which may have significant consequences on the UK's net zero trajectory.
58. No carbon calculations were carried out in the ES for well-to-tank emissions, which is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard and goes against the UK Government's carbon accounting methodology from BEIS (2022). This results in a gross underestimation of the GHG emissions associated with aviation since an approximately 20.77% (BEIS, 2023) uplift would be required on all aviation emissions. This would result in 1,106,530tCO₂e not being accounted for in 2028 during the most carbon-intensive year.
59. It is not clear if a conversion was undertaken from CO₂ to CO₂e for aviation emissions. That would result in a 0.91% increase in all aviation emissions (BEIS, 2023).

Mitigation, enhancement and monitoring

60. Purchasing Renewable Energy Guarantee of Origin (REGO) certificates does not mean that GAL will receive 100% renewable electricity. In reality, on low wind and solar energy generation days, much of the electricity supplied on green energy tariffs still comes from fossil fuel production. Consequently, GAL cannot rely upon REGO certificates to justify its zero-carbon commitment.

Socio-Economic concerns

61. The wider economic benefits of the Project appear substantially overstated and this is material to assessing the balance between such benefits and any environmental impacts.
62. Appendix 17.9.3: Assessment of Population and Housing Effects [APP-201] identifies an existing labour shortage in Reigate & Banstead using both Cambridge Econometrics and Experian forecasting. (Tables 5.2.1 and 5.2.4). Whilst it has been forecasted that there could be c800 new jobs associated with the Project in Reigate & Banstead, this does not take

account of housing affordability. In 2023 average house prices in the Borough were the equivalent of 14.38 times average local income. We are concerned that many of the long term jobs will be low value which means that many of the new employees will require more affordable housing than that available in the borough and may have to rely on housing support. This will be further aggravated by the current growing dependency on private rental accommodation, which is already under extreme pressure in the borough, including in Horley. These factors have not been considered by the Applicant in the needs case.

63. Appendix 17.8.1 The Employment, Skills and Business Strategy [APP-198] has deferred key issues to an Implementation Plan (Para 4.2.2). While GAL have highlighted the economic benefits of the scheme, there is no definitive set of proposals, targets, or monitoring of change included in the dDCO or control documents. A detailed Implementation Plan should be prepared to ensure that the local communities most impacted by the environmental impacts created by the scheme have the most to gain economically. This should include targeted employment skills training and recruitment, and enhanced procurement opportunities for local businesses. At present there is no certainty that economic benefits will be delivered locally.

Code of Construction Practice

64. The Code of Construction Practice lacks detail. Of particular concern are the two proposed works compounds in Reigate & Banstead at Car Park B and north of the South Terminal Roundabout. More detail on the layouts, access, massing, construction worker accommodation, what is being stored on site and for how long, perimeter treatments and the location and size/ height of the concrete batching plant at the South Terminal Roundabout Compound should be included in the Code of Construction Practice rather than being relegated to a post approval decision. In addition, the South Terminal Compound will back onto the proposed Horley Business Park site and is likely to make the site less attractive for investment for as long as the compound is present.

Design and Access Statement

65. GAL's aspirations to become a more global airport is not matched by the quality of the proposed. Details of the built elements is minimal and lacks ambition. The Design and Access Statement [APP-253] (D&AS) lacks a cohesive vision, ignores Government aims to 'Build Beautiful' and removes important landscape softening features. Despite relying on a growing number of passengers, no significant design improvements are proposed other than larger handling facilities. Instead, the start to finish customer experience should be revisited. Controlling design by Requirement risks missing key opportunities to form a more integrated design solution to the proposal and using this approach could result in a poorer quality design solution than currently indicated.

Health and Wellbeing

66. It appears that an Equality Impact Assessment (EqIA) has not been undertaken for the Project. This is surprising given the range of impacts it would have on different groups. An EqIA is needed to help ensure that that individuals are not being disadvantaged or discriminated against during the construction or operation phases of the proposal.
67. We consider that the health impact methodology used in ES Chapter 18: Health and Wellbeing [APP-043], which focuses on wider areas, fundamentally misses the harm local people immediately adjacent to the widened A23 will suffer once the tree and vegetation line is removed. The methodology defined in document ES Appendix 18.4.1: Method Statement for Health and Wellbeing [APP-205] does not include a definition or map of the 'local' area and as a result the outputs from the assessment are misleading.
68. Riverside Garden Park and Church Meadows are the only publicly accessible open spaces in southern Horley where people can exercise and enjoy nature, which is good both for physical and mental wellbeing. Physical and mental wellbeing is missing from the effects on the local population listed in paragraph 18.11.9 of ES Chapter 18: Health and Wellbeing [APP-043].

Agriculture and Recreation

69. Riverside Garden Park is an important local amenity which will be fundamentally harmed for 25-30 years. Located in the Zone 6 Surface Access Corridor and shown on the Special Category Land Plans [AS-016], the Project will remove an important tree and vegetation barrier between Riverside Garden Park and the A23 as part of the proposed road widening, River Mole, and London Brighton Railway line bridge works. To date only outline proposals, included in the oLEMP [APP-113], and relating to the edge of Riverside Gardens and the widened A23 Brighton Road have been provided. It is important that the visual amenities and sense of tranquillity found in the park today are eventually restored and that the Council has a role in consenting this.
70. The proposed extension to the east of Riverside Gardens into a relandscaped/ replanted Car Park B as part of a land swap will need to be agreed with the Council, in accordance with the Requirements.
71. It is not clear that the proposed replacement land to be provided under article 40 (special category land) of the dDCO [AS-004] is appropriate as there is no assessment of the qualitative amenity, its purpose, or future management.
72. It would also seem that the transfer would not be until the highways works are completed and construction workers accommodation removed.

73. Moreover, this site has archaeological interest and it is unclear how Car Park B would be integrated into Riverside Gardens Park if there is a significant archaeological find and what alternatives might be made available.
74. One element that has not been addressed in the extension to Riverside Gardens Park is the access over the culvert (which is a very steep climb) and access for maintenance from Horley. We are concerned that by putting these details into a subsequent decision-making process contained in the requirements planting solutions could be weakened if development consent is granted.
75. Similarly, the proposed cycle/ pedestrian ramp into Riverside Gardens would need to be agreed along with soft landscaping and linkages with the cycle path network. It is unclear what signage would be provided, details of the ramp are needed, as is information about how and when it would be softened by vegetation.
76. At this stage we consider the lighting of the cycle path through Riverside Gardens would be problematic due to the presence of bats. This would reduce the use of the route in the evenings and at night.

Church Meadows

77. This site would be lost for recreational uses and fundamentally harmed during the surface access works. The proposed mitigation is only indicative and includes a footbridge over the River Mole. We are concerned who will maintain the Meadows after completion of the works. The D&AS [APP-253] includes a pond on the Meadows on the Reigate side of the River Mole. We have not found this in other documents and clarity is sought along regarding this proposal, as is a maintenance programme.

London-Brighton Railway/ A23 Bridge works

78. The closure of the north south footpaths 355a and 360 and footbridge over the London – Brighton railway line to the north of the A23 Brighton Road will impact users of 362a (shown on the Rights of Way and Access Plans [APP-018]). Moreover, Table 4.1.1 of the Public Rights of Way Management Strategy [APP-215] does not include the period when the footpath will be shut, only the duration. It is considered important that one of the north south footpaths including NRP21 remains open during the construction phase to enable Horley workers to access the airport by foot or bicycle without having to take a 25 minute detour to the east or west. On the restoration of the footpaths after the works paragraph 4.1.1 refers to surfaces being restored to “a suitable condition”. However, this is too vague, and all footpath restorations should be agreed with the appropriate local authority to ensure the footpath is useable following the works. We also note that the footbridge to the north of the main railway line A23 bridge works is included in the dDCO but it is unclear how this will be used as an access point for works related use. This is of concern as the alley

way passes between residential properties in The Crescent and multiple works associated vehicles parking in The Crescent would cause issues for local residents.

Horley Business Park

79. Reigate & Banstead's Development Management Plan 2019 includes policy HOR9 which allocated land for use as a Strategic Business Park. This site is important to meet local employment floorspace needs and strategic employment needs in the wider area. In the north of the site a town park would be provided for the local community. The dDCO includes a works compound on the site of this policy allocation that would prevent the business park from coming forward in the next 15 years. One of the key access points onto the proposed business park will be via the South Terminal Roundabout just where the South Terminal Roundabout Works compound and concrete batching plant is proposed. Whilst there are no detailed development proposals for the site at present, the location of the works compound and bridge/ road widening works will significantly delay the delivery of the business park, detracting investment in the site and occupancy. Without the ability to bring forward the business park, as a result of the proposed compound, there exists a real risk that the local employment needs of this Borough and the wider area will not be met, causing significant harm to the local economy. We would seek that the compound be avoided or relocated, or as a minimum designed to include a northbound road access towards the business park to facilitate later works on the business park site. It is unreasonable that the dDCO will enable the dDCO promoter to benefit from new hotels and carparks on sites that could serve as an alternative highways compound whilst stifling the development of a strategically important employment site. The local plan policy is dismissed as an inconvenience and much greater scrutiny to alternative compound sites ought to be given. Government advocates a Plan led system but, in this case, the Local Plan is not being given the weight that should be afforded to it by the proposer.

Balcombe Road to Peeks Brook Lane

80. The embankment works will result in significant loss of tree cover extending the length of the current footpath, according to the Special Category Land Plans [AS-016]. A new access road to a new highway drainage pond off Peaks Brook Lane is proposed (see the Rights of Way and Access Plans [APP-018]). This will result in further tree and vegetation loss and will edge into countryside land to the north at Rough's Corner. This area is already at risk from flooding but it is unclear what measures will be included to ensure that the future access road and footpath will not become flooded.

Additional Concerns

81. Schedule 11 to the dDCO [AS-004] sets out the procedure for approvals, consents and appeals; however, paragraph 3 (fees) is blank. The Explanatory Memorandum [AS-006] says Schedule 11 "will provide for the

payment of fees in respect of the discharge of requirements on a basis to be set out in this Schedule”. The Applicant should provide its fee proposal as soon as possible.

82. It is not clear how certain Works (for instance, hotels and commercial space) fall within the scope of the DCO regime. An explanation should be provided.
83. We note that there is a proposal to merge the four community/ environmental funds into a single entity, however the details on this proposal are extremely limited and this should be agreed with funding and scale of allocations to different areas affected by the proposal as part of the Project mitigation.

Conclusion

84. The Council considers there are fundamental issues with this DCO application, including (i) the technical methodologies used, (ii) lack of key detail and (iii) the Applicant’s unwillingness to accept reasonable passenger caps to help protect the environment and well-being of communities, until technology and change catches up. The Council is preparing a Local Impact Report and Written Representation in collaboration with the Gatwick Airport local authorities. These documents will set out the Council’s concerns in greater detail.