



Our ref: 20044834

Your ref: TR020005

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Via E-Mail to:

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Dear Mr Gleeson,

GATWICK NORTHERN RUNWAY PROJECT - WRITTEN REPRESENTATION

This letter constitutes National Highways' Written Representation in respect of the Development Consent Order (DCO) application by Gatwick Airport Limited (the Applicant) for consent to expand Gatwick Airport (the Airport). National Highways is a statutory consultee in the planning process and is responsible for infrastructure that is directly impacted by the Applicant's proposals.

This response comprises:

- This Letter
- Annex A – Written Representation
- Annex B – Table of Acronyms

Following the submission of National Highways' Relevant Representation, submitted on the 27 October 2023, National Highways has continued to engage with the Applicant regarding matters raised in its Relevant Representation and to establish an agreed Statement of Common Ground (SoCG) that reflects the current status of agreement between both parties.

Due to the strategic importance of the Applicant's proposals on the Strategic Road Network (SRN), National Highways introduced a robust Relevant Representation which outlined National Highways' position in respect to the Applicant's proposals and should therefore act as the primary point of reference. However, this Written Representation has been prepared to highlight any new matters which should be read



in conjunction with the Relevant Representation, covered under the following headings:

- Traffic Modelling
- Construction
- Surface Access Works
- DCO and Protective Provisions
- Business As Usual (BAU) Works
- Commentary on the Applicant's Notification of Proposed Project Changes

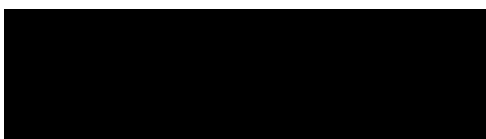
In addition to the matters covered within this Written Representation in Annex A, National Highways confirms its intention to attend the compulsory acquisition hearings that are scheduled to take place in the week commencing 29th April 2024. Furthermore, National Highways has engaged with the Applicant in regard to the Land Rights Tracker and will continue to proactively work with the Applicant to ensure future updates to the tracker reflects the current status of negotiations (and National Highways' interests in the land).

National Highways is keen to resolve the concerns raised both within the Relevant Representation and this Written Representation to enable the development to proceed, whilst safeguarding the safe and efficient operation of the SRN in accordance with our statutory obligations.

National Highways has a specific obligation to deliver economic growth through the provision of a safe and reliable SRN, in line with the provisions set out in DfT circular 01/2022: the strategic road network and the delivery of sustainable development. The circular sets out how National Highways will work with developers to ensure that specific tests are met when promoting a scheme. This includes ensuring the transport impact is understood, any mitigation (or other infrastructure) is designed in accordance with the relevant standards and that environmental impacts are appraised and mitigated accordingly. The Applicant's proposals directly impact on infrastructure for which National Highways is responsible.

Should it assist the Examining Authority (ExA), National Highways will respond to any written questions that the panel may have and is willing to attend an appropriate hearing to detail the impacts of the Authorised Development on the SRN.

Yours sincerely,



Peter Fisher
Head of 3rd Party Infrastructure

Annex A – NH Written Representation for Application Reference TR020005

Traffic Modelling

The Applicant has continued to engage proactively on the matters raised in National Highways' Relevant Representation and the Applicant has presented outputs of their work to address National Highways' concerns.

National Highways is satisfied that initial reporting of the cumulative test scenario, contained within the Accounting for Covid-19 in Transport Modelling [TR020005/AS/121], when compared to the Applicant's original submission documents, demonstrates that the strategic model is responding as anticipated, and that background traffic demand reduces overall.

However, National Highways requests that the Applicant re-runs the VISSIM models containing the same parameters and assumptions of the cumulative test scenario to enable National Highways to determine whether the Applicant has demonstrated that the SRN would be able to continue to operate safely and efficiently.

Construction

National Highways has received further details from the Applicant in respect of the construction phasing of the South Terminal Roundabout. However, these additional details have not satisfied National Highways' concerns and those matters raised in National Highways' Relevant Representation remain open.

Additional comments that have been identified are provided below:

The construction phase of the South Terminal Roundabout will require the Applicant to construct the temporary "longabout" arrangement as shown in Figure 1 and extracted from page 46 of the Appendix 5.3.1 Buildability Report [TR020005/APP/081]. National Highways is concerned that this arrangement introduces short queue lengths within the east and west quadrants of the junction which could compromise the operational efficiency of this layout. National Highways therefore requests the Applicant to provide details of the modelling and associated max queue lengths for this temporary layout.



Figure 1 - Proposed Longabout Temporary Traffic Layout at South Terminal Roundabout

Following the completion of the works associated with the South Terminal flyover structure, the Applicant proposes to then proceed with construction works associated with the reinforced earthwork embankments as shown in Figure 2. During this phase, the South Terminal roundabout would revert to a typical roundabout arrangement. National Highways has received a layout which indicates that this temporary signalled roundabout layout would consist of a two-lane circulatory carriageway on both the western, northern and eastern quadrants of the junction, with the southern quadrant being a three-lane arrangement.

National Highways is concerned that this layout would reduce traffic capacity at the South Terminal roundabout at a point in time where all traffic would continue to utilise the roundabout. When compared to the existing, proposed and interim Business as Usual layout presented by the Applicant, this temporary layout would appear to offer less capacity, with only two lanes on the western and northern quadrants when compared to the existing three-lane arrangement currently in place.

During this phase of the works, the Applicant would also proceed with the construction of the reinforced earth embankment. National Highways is not clear from the information provided where works access to both the east and west approach reinforced earthwork embankments are located. National Highways requests further details from the Applicant in relation to these access arrangements in order to assess whether they would be safe and not compromise the operational performance of the slip roads, which under this phase would continue to act as the mainline carriageway.



Figure 2 - Proposed Temporary Traffic Layout at South Terminal Roundabout During Reinforced Embankment Construction

Whilst the concerns raised above are primarily focused upon the construction works associated with South Terminal Roundabout, these issues exemplify National Highways' desire to understand the impacts on the SRN during construction. National Highways therefore requests that the Applicant provides VISSIM modelling that reflects all the construction stages that will be required to implement the surface access works, clearly denoting any assumptions that have been made in respect to traffic management restrictions such as lane closures, narrow lanes, and contraflows which may impact operational efficiency.

Surface Access Works

National Highways has continued to review the surface access arrangements and has highlighted to the Applicant a number of additional concerns which are set out below:

Eastbound Connector Road Merge from South Terminal Roundabout

The Applicant's current proposal for the Eastbound Connector Road Merge from South Terminal Roundabout is not considered acceptable to National Highways. This is due to the two-lane exit from the South Terminal Roundabout currently transitioning into a short two to one taper arrangement which subsequently leads into a merge connector road cross section which, in accordance with Design Manual for Roads and Bridges (DMRB) CD122, exceeds the capacity for a one lane plus hard shoulder cross section. The combination of these factors may give rise to an increased risk of side swipe and shunt style collisions in an area where it is anticipated that road users will be unfamiliar with the highways network.

National Highways requests that the Applicant reviews the proposal in line with the feedback provided and explore alternative options for consideration. As part of the options appraisal process, consideration should be given to identifying accompanying mitigation measures that would be necessary to ensure that each option operates safely.

M23 Spur Westbound Diverge

National Highways has highlighted to the Applicant that the current proposed taper and ghost island taper for the M23 Spur Westbound Diverge does not meet the requirements of a rural diverge layout in accordance with DMRB CD122 Table 3.32. The presence of these sub-standard features introduces two non-compliances to the proposed network in this region, the other being the sub-standard weaving length between M23 Junction 9 and the Westbound Diverge. These departures from standard were not previously highlighted to National Highways by the Applicant. From the information provided National Highways is not able to conclude whether this solution is appropriate from a safety and operational perspective.

National Highways has therefore requested that the Applicant reviews the options in this location, including assessment and any further mitigation for the risks associated with these proposed departures. This further information should enable National Highways to provide advice on the acceptability of proposed options.

Segregated Left Turn Lane at M23 Junction 9

National Highways requests that the Applicant provides a detailed narrative, outlining the reasoning and engineering decisions that led to the proposal to change the existing segregated left turn lane to the proposed give way arrangement presented in the DCO Application. This reasoning is essential, alongside the further VISSIM modelling as mentioned under Traffic Modelling and Construction above, in order for National Highways to understand from a safety and operational perspective whether the Applicant's proposed layout is acceptable.

Provision of Emergency Areas (EA) / Place of Relative Safety (PRS) on the M23 Spur

As part of the Applicant's proposal to change the M23 Spur to an All Purpose Trunk Road (APTR), it is proposed that the existing EA (which is a provision of a smart motorway) would be removed in accordance with DMRB standards for an APTR.

National Highways has requested that the Applicant carries out a full GG104 Risk Assessment and agrees with National Highways any amendments or alternative

provision identified as a result to ensure the continued safe and effective operation of the SRN.

Maintenance and Operational Responsibility of A23 London Road / North Terminal Link Signal Controlled Junction

Preliminary maintenance boundaries submitted by the Applicant to National Highways identify that the National Highways operational responsibility for the signalised junction of the A23 London Road / North Terminal Link Signal Controlled Junction would terminate at the stop line of the North Terminal Link, with operational responsibility for the rest of the junction being under the direction of West Sussex County Council.

Whilst National Highways agrees with the principles of this arrangement for some elements such as pavement, lighting, signage and road markings, one aspect National Highways has highlighted to the Applicant as a matter for further discussion is the signal infrastructure. It is National Highways' current preference that the operation and maintenance responsibility for all signal infrastructure at this junction resides with National Highways.

It is recognised, however, that this matter will need to be agreed between National Highways, West Sussex County Council and the Applicant. Therefore, National Highways will continue discussions with the relevant parties and, subject to an agreement being reached, will introduce details of this agreement into the examination where necessary, or update the ExA as the examination progresses.

DCO and Protective Provisions

Project Control Framework (PCF)

The Applicant's proposal will introduce significant changes to the existing Strategic and Local Road Network. Once surface access works are complete National Highways will be transferred the long-term operation and maintenance obligations for the proposed surface access works on the SRN. Therefore, it is imperative for National Highways that a rigorous approval process is implemented to ensure that detailed design, construction, and handover into maintenance is established.

National Highways would therefore request that the Applicant commits to undertaking detailed design, construction, and handover into maintenance in accordance with National Highways' PCF process. This framework is used by National Highways as part of its own major projects implementation and would benefit the Applicant as it will assist in the efficient agreement of design and mitigate the risk of delayed endorsement of works in line with protective provisions.

National Highways seeks to agree with the Applicant the details of how the PCF approach will be applied to the SRN works. National Highways will be seeking

agreement with the Applicant on this point, but until such time as the matter is resolved, National Highways reserves its position on additional provisions within its Protective Provisions, or a side agreement if necessary.

Requirement 6 and the Surface Access Works

National Highways is concerned that the Applicant's DCO as drafted offers no security that the surface access works are linked to when these works are actually required from an operational perspective.

National Highways' understanding of the Applicant's traffic modelling is that it relies on comparing a future baseline of 2029 – where the highways works (within the scope of the Draft Development Consent Order (dDCO)) are not present – to a future baseline of 2032 where the second runway is assumed to be operational.

This relates to the controls provided under Requirement 6 of the Draft Development Consent Order [TR020005/AS/127], where the Applicant:

“Must use reasonable endeavours to obtain a provisional certificate from National Highways pursuant to paragraph 8 of Part 3 of Schedule 9 in respect of the national highway works by the third anniversary of the commencement of dual runway operations, unless otherwise agreed with National Highways, said agreement not to be unreasonably withheld or delayed.”

This provision sets a requirement for the Applicant to use reasonable endeavours to obtain a provisional certificate in respect of the highway works “by the third anniversary of the commencement of dual runway operations”. It is National Highways' view that this wording would enable the Applicant to achieve full passenger capacity with no requirement to have actually delivered the surface access works for another three years. In effect, this provides insufficient control over future airport operations and how they relate to impacts which may arise.

National Highways requests that Requirement 6 is, at the very least, amended such that the surface access works are in place prior to the operation of the second runway. This relates to National Highways' concern that the modelling only shows 2029 and 2032, and not whether capacity is forecast to be exceeded in the interim years prior to the surface access works being completed. In other words, interim growth between 2029 and 2032 may necessitate the highway works being in place sooner than the Requirement currently legally requires. National Highways therefore requests that Requirement 6 of the draft DCO [TR020005/AS/127] is amended so that the surface access works are in place prior to the commencement of the second runway operations.

Furthermore, between 2029 and 2032, the Applicant will also need to consider, alongside any interim growth, the temporary construction phasing and traffic management works that may reduce capacity on the highways in order to demonstrate

that the reported demand can be accommodated through the construction period. National Highways refers the reader to the construction section of this written representation for further details.

In addition to the above amendments to Requirement 6, National Highways also requests that the wording “*use reasonable endeavours*” is removed from Requirement 6. National Highways believes it is not enough for the Applicant to simply use reasonable endeavours to obtain a certificate. All works to the SRN must require a certificate.

Controls

National Highways maintains that the Applicant’s proposed control documents relating to highway works and the long-term operation of the Strategic Road Network are inadequate. National Highways proposes to submit into the examination “mark ups” of the Surface Access Commitments [TR020005/APP/090] by Deadline 2 and the outline Traffic Management Plan [TR020005/APP/085] by Deadline 4. National Highways considers these specific suggestions will be helpful to the ExA and notes that the ExA and Secretary of State have the discretion to recommend and require respectively changes made to the Applicant’s proposed certified documents (see article 52(2) of the dDCO).

Business as Usual (BAU) Works

The BAU works, as reported in Section 8 of the Applicant’s Strategic Transport Modelling Report [TR020005/APP/260], are factored into the Future Baseline and would include, but are not limited to, the signalisation of both the North and South Terminal Roundabout.

National Highways previously requested in its Relevant Representation and Principal Areas of Disagreement Summary Statement (PADSS) that the Applicant considers the introduction of a new Requirement 24 as follows:

24. Gatwick North Terminal and South Terminal Roundabout Signalisation

24. (1) No part of the airport may operate above the passenger capacity permitted at the airport on the date of this Order coming into force, until the North Terminal and South Terminal roundabout signalisation scheme is completed and open for traffic

Following receipt of both the Applicant’s response to Procedural Decision Notice PD-007 [TR020005/AS/114] and planning application reference CR/125/79, National Highways now understands that Gatwick is not constrained by a set passenger capacity. As a consequence, National Highways has updated this position to the following:

24. Gatwick North Terminal and South Terminal Roundabout Signalisation

24. (1) No part of the authorised development may begin, until the North Terminal and South Terminal roundabout signalisation scheme is completed and open for traffic

This proposed requirement reflects the assumption made in the Applicants traffic modelling that the signalisation is in place prior to the construction of the Project.

This wording will be reflected in National Highways' PADSS which will be issued at Deadline 2 (26th March). National Highways understands that the Applicant is proposing a securing mechanism for the BAU works and National Highways will therefore reserve its right to provide comments on this wording upon its submission into the examination.

Commentary on the Applicant's Notification of Proposed Project Changes

National Highways notes that the Applicant's proposed changes, originally notified on the 4th December 2023, were published in full on the 21st January 2024. National Highways reserves its right to make any representations upon ExA acceptance of the changes into the examination and subsequent completion of a review of the documentation, at subsequent deadlines.

Annex B - Table of Acronyms

Acronym	Description
APTR	All Purpose Trunk Road
BAU	Business as Usual
DCO	Development Consent Order
dDCO	Draft Development Consent Order
DMRB	Design Manual for Roads and Bridges
EA	Emergency Areas
ExA	Examining Authority
PADSS	Principal Areas of Disagreement Summary Statement
PCF	Project Control Framework
PRS	Place of Relative Safety
SoCG	Statement of Common Ground
SRN	Strategic Road Network
VISSIM	Verkehr In Städten – SIMulationsmodel (modelling software)