

Gatwick Northern Runway Development Consent Order Application TR020005

Reigate & Banstead Borough Council 20044474

**Principle Areas of Disagreement Summary Statement (PADSS)
Version 2 Deadline 2 Submission Clean Version**

26 March 2024

Principal Areas of Disagreement Summary Statement (PADSS) from Reigate & Banstead Borough Council			Version Number: V2.0 Submitted at: 26 March 2024	
	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
	PROJECT SITE & DESCRIPTION			
1.	Plans and definitions	A variety of definitions including the dDCO limits, limits of works, operational land and airfield boundaries are used which are confusing for both the existing and future airport boundary.	Clarification is sought	Likely
2.	Loss of Vegetation Barrier along A23	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.	Inclusion sought together with details of its replacement. Further iteration of the oLEMP required.	Likely
	NEEDS CASE			
3.	The capacity deliverable with the NRP Proposed Development	Modelling by GAL of the capacity deliverable with the NRP has assumed that 1 minute separations can be achieved between all departing aircraft using the two runways. This is not possible with the existing structure of SIDS, particularly given	Full modelling of the interaction between the use of the two runways and the respective	Uncertain – subject to GAL transparently undertaking and sharing the relevant

		<p>the commitment not to use WIZAD SID in the night period, and so additional delays to aircraft will arise so increasing delays above those stated in the Application documents. Consequently, the achievable capacity, at a level of delay acceptable to the airlines, will be lower than stated.</p>	<p>departure routes needs to be undertaken and the delay information provided at a sufficiently granular level (hourly) to enable the delays to be properly understood and the capacity attainable validated. Work is ongoing between York Aviation and the Applicant regarding a joint local authority SoCG on operations/capacity and needs/forecasting. As this is a work in progress, the PADSS for these elements have not been updated but will be at Deadline 5, as requested by the ExA</p>	<p>simulation modelling.</p>
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4.	<p>The forecasts for the use of the NRP are not based on a proper assessment of the market for Gatwick, having regard to the latest Department for Transport forecasts and having regard to the potential for additional capacity to be delivered at other airports. The demand forecasts are considered too optimistic.</p>	<p>The demand forecasts have been developed 'bottom up' based on an assessment of the capacity that could be delivered by the NRP (see point above). It is not considered good practice to base long term 20 year forecasts solely on a bottom up analysis without consideration of the likely scale of the market and the share that might be attained by any particular airport. In this case, top down benchmarking against national forecasts has failed to properly allow for the developments that may take place at other airports and the extent to which the overall level of demand across the London system is reliant on the assumption that a third runway would be delivered at Heathrow.</p>	<p>Robust market analysis and specific modelling of the share of demand that might be achieved at Gatwick in competition with other airports, not limited simply to traffic, including that from other regions of the UK, that has historically used the London airports. See above.</p>	<p>Uncertain – subject to GAL producing robust modelling to underpin its forecasts of demand.</p>
5.	<p>Overstatement of the wider, catalytic, and national level economic benefits of the NRP.</p>	<p>The methodology used to assess the catalytic employment and GVA benefits of the development is not robust, leading to an overstatement of the likely benefits in the local area. The national economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement</p>	<p>The catalytic impact methodology needs to properly account for the specific catchment area and demand characteristics of each of the cross-section of airports</p>	<p>Uncertain – subject to remodelling of impacts by GAL.</p>

		effects, as well as other methodological concerns.	to ensure that the catalytic impacts of airport growth are robustly identified. The national economic impact assessment should robustly test the net impact of expansion at Gatwick having regard to the potential for growth elsewhere and properly account for Heathrow specific factors, such as hub traffic and air fares. See above	
6.	Employment Growth and housing.	ES Appendix 17.9.3 Assessment of Population and Housing Effects	Inconsistency of housing availability and affordability for future airport employees. In Reigate & Banstead. affordability ratio last year was 14.38. This was increasing demand for private rental housing which itself	Likely – additional work to economic case needed.

			<p>was under stress. These factors do not appear to have been factored into the local growth scenario and raises questions on local employment growth in the borough from the new jobs at Gatwick particularly as many of the new jobs will be low value. Economic impacts need to consider housing affordability.</p> <p>This was discussed in ISH3 and in the Surrey JCs' LIR Chapter 15 Socio Economic – Housing Supply paras 15.70 – 15.75</p>	
7.	Employment, Skills and Business Strategy	Lack of Employment, Skills and Business Implementation Plan	An implementation plan with robust monitoring is needed to ensure that local communities are	Uncertain

			benefitting from having an enlarged Gatwick on their doorstep. Following Socio-Economic Topic Working Group meeting on 12th December 2023 and Issues Tracker response 3.29 continue to wait for a detailed Implementation Plan	
	HISTORIC ENVIRONMENT			
8.	Impact of the A23 London Road/River Mole bridge and road widening on the Listed St Bartholomew's Church and conservation area and historic Church Meadows	Relates to the visual impacts of the works on the listed church and conservation area	Consideration of alternatives to reduce land take from Church Meadows. Issues Tracker 7.15 response states alternatives considered.	Uncertain
	ECOLOGY			
9.	The extent of loss of mature broadleaved	It is not clear from the application document how much woodland is being lost and how much is being enhanced / replanted. The same is true for	The applicant should quantify losses and	Likely

	<p>woodland (and other habitats)</p>	<p>other habitats. The ecology chapter for the ES does not quantify the amount of loss or compensation. A reference is made to these figures being included in Biodiversity Net Gain (BNG) assessment however this information is not clear within the BNG report (screenshots of the BNG metric have been provided – but this is difficult to navigate and is difficult to review). The impact assessment should quantify the loss to accurately describe the impact. In addition, this information would aid with understanding and transparency.</p>	<p>replacement habitat in the Ecology chapter for the ES. Additional compensation is required for the mature woodland loss. Especially considering the lag time for newly planted woodland to mature and reach target condition.</p> <p>The BNG metric should be supplied in excel format – to aid with review of information. Habitat parcels should be clearly referenced in figures and the excel metric so that the two can be easily cross referenced and to aid with clarity over what compensation / enhancement is proposed.</p>	
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<p>10.</p>	<p>Bat roost surveys of trees have not been undertaken</p>	<p>The ecology chapter for the ES states:</p> <p><i>'A total of 43 trees within the surface access improvements boundary were identified as having bat roost potential and of these 36 would be lost. They comprised nine with High roost potential, 28 with Medium roost potential and six with Low roost potential'.</i></p> <p>No bat roost surveys of 'high' or 'medium' trees proposed for removal have been carried out to inform the baseline and impact assessment. This contravenes policy in relation to protected species.</p> <p>ODPM circular 06/2005 states:</p> <p><i>'The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.....</i></p> <p><i>It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the</i></p>	<p>Bat roost surveys of trees are required before determination. Rare bat species have been recorded during other bat surveys and as such, there is uncertainty and lack of information on the status of roosting bats within the application.</p>	<p>Unlikely given survey timing restrictions</p>
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		<p><i>result that the surveys are carried out after planning permission has been granted'.</i></p> <p>Given that rare species of bats have been recorded roosting within the application site (informed by radio tracking surveys), these surveys are required to inform impacts and mitigation / compensation for roosting bats.</p>		
11.	Lack of information on reptile and great crested newt (GCN) mitigation	<p>The ecology chapter for the ES states that reptile and GCN mitigation will involve translocation to receptor sites and where relevant, European Protected Species Licences would be applied for post DCO consent. However, no detailed information is provided for the reptile and GCN mitigation strategy, for example:</p> <ul style="list-style-type: none"> • Where are the receptor sites? Reference is made to Longbridge Roundabout, Museum fields and other mitigation areas but there is no detail as to which one of these has been chosen to be the receptor locations for reptiles and GCN. • No methodology or timings information for the mitigation strategies. <p>Whilst it is appreciated that this is outline consent, an outline mitigation strategy is still required for reptiles and GCN.</p>	<p>Additional information has been provided in the Applicant's SoCG response. This should be included within the submission documentation. It remains unclear whether residual impacts have been assessed appropriately without having an outline mitigation strategy in place.</p>	Likely

12.	No compensation provided for loss of ponds	The ecology chapter states that no replacement ponds will be provided within the application site due to airport airstrike safety. This is fully justified however, it is not understood why off-site provision of new ponds has not been considered.	It remains unclear why replacement ponds could not be provided off-site – preferable within the nearby Biodiversity Opportunity Areas to maximise ecological opportunities / outcomes.	Uncertain
13.	BNG baseline assessment methodology	The BNG baseline has been calculated excluding those areas of the site which will not be impacted by the proposals (i.e airfield grassland). This is a non-standard approach and it is assumed that this approach has been adopted so that net gain can be achieved from a lower baseline value (i.e. net gain is easier to achieve as baseline value is lower).	The BNG assessment should follow standard practice. The baseline BNG value of the site should include all habitats within the DCO application boundary. It is currently unclear whether the application would achieve net gain as the baseline value which has been used does not include all habitats	Likely

			within the DCO application site.	
14.	Need to adopt a landscape scale approach to assessing and addressing ecological impacts	Ecological impacts will extend beyond the Project Site boundary with potential impacts on bat populations, riparian habitats downstream of the airport and the spread of non-native aquatic species. Disturbance and habitat severance within the airport, including the removal of woodland, trees and scrub along the A23, will impact the functioning of wildlife corridors, notably bat commuting routes both within the Site and the wider landscape. Maintenance of habitat connectivity across the airport and wider landscape remains a concern.	GAL should adopt a landscape scale approach to assessing and addressing ecological impacts, including the need to provide off site mitigation, compensation and BNG. RBBC would expect enhancements to green corridors and improved habitat connectivity to extend beyond the confines of the airport, along key corridors such as the River Mole and Gatwick Stream. The local authorities are requesting a landscape and ecology enhancement fund to target landscape enhancement.	Uncertain

15.	Additional opportunities for biodiversity enhancement	Many potential opportunities for biodiversity enhancement, both within and outside the Site, were never explored. For example, conversion of 'amenity grassland' currently present on road verges and roundabouts within the Site to wildflower grassland through reduced mowing and/or re-seeding with wildflowers, and the improved management of Gatwick Stream.	Explore further opportunities for biodiversity enhancement, both within and outside the Site. The local authorities are requesting a new role to manage the above fund and support delivery of projects.	Uncertain
16.	Security of long term positive management of the two biodiversity areas managed by GAL, the North West Zone (NWZ) and Land East of the Railway Line (LERL)	The North West Zone (NWZ) and Land East of the Railway Line (LERL) are of considerable biodiversity value and key components of the ecological network. Any loss or degradation could have significant impacts on the effectiveness and viability of the proposed mitigation areas. ES Ch. 9 Section 9.6.172 states that 'Positive work through the GAL Biodiversity Action Plan (BAP) is likely to continue ...'.	The Applicant's SoCG response confirms that the NWZ will be included in the LEMP for the River Mole and the LERL within the LEMP for works in that area. SCC would like to see this confirmed within an updated oLEMP.	Likely
17.				Resolved

18.	Gatwick Greenspace partnership	<p>The Planning Statement refers to the Gatwick Greenspace Partnership ‘GAL works closely with Gatwick Greenspace, which benefits people, wildlife and the countryside. Gatwick Greenspace is one of the Sussex Wildlife Trust’s Living Landscape projects and works across 200 square kilometres of countryside between Horsham, Crawley, Horley, Reigate and Dorking. Its aim is to inform, educate and involve a diverse range of people and work with local landowners including the Forestry Commission, the Wildlife Trusts and the Woodland Trust, plus local authorities to support them in managing their land more sustainably and in partnership with others. GAL has supported the Gatwick Greenspace Partnership with the introduction of an Assistant People and Wildlife Officer overseeing habitat management and coordinating volunteers who help maintain and improve the 75 hectares of woodland, grassland and wetland around the airport. As part of this Project, it is proposed to continue to support this initiative via the new NRP Section 106 Agreement’</p>	Clarification required as to why this has not been included within the S106 provided in Feb 2024 as set out in the Planning Statement.	Likely
WATER				
19.	Increased flood risk to Longbridge Road	<p>Adjacent to confluence of Gatwick Stream, River Mole and Highways drainage channel are houses in Longbridge Road which risk being flooded. Not clear if proposer’s on airport flood control measures would reduce flood impact along Longbridge Road</p>	RBBC would welcome opportunities to reduce floodrisk in this locality. Chapter 9 of the	Uncertain

			Surrey JCs' LIR provides additional context.	
	TRAFFIC AND TRANSPORT			
20.	Proposed Surface Access Interventions	<p>Surface Access Commitments (SAC) Interventions include:</p> <ul style="list-style-type: none"> • Financial support for enhanced regional express bus or coach services and local bus services; • Funding to support local authorities in implementing additional parking controls or in enforcement action against unauthorised off-airport passenger parking sites; • Charges for car parking and forecourt access to influence passenger travel choices; • Introducing measures to discourage single-occupancy private vehicle use by staff, incentivise active travel use and increase staff public transport discounts; • Use of the Sustainable Transport Fund to support sustainable transport initiatives; and • Provision of a Transport Mitigation Fund to support additional measures should these be needed as a result of growth related to the Airport. 	<p>RBBC wish to understand the details behind these proposals, including the typical parking and access charge, size of Sustainable Transport Fund and Transport Mitigation Fund to provide confidence that the measures can and will be delivered. Following ISH4, it is clear that the ambitions of the Second Decade of Change are just an aspiration and that there remain fundamental challenges regarding rail capacity to contribute meeting the modal shift.</p>	Uncertain

			This is considered in the Surrey JC's LIR Chapter 10 Securing the Surface Access Strategy para 10.178-10.185	
21.	Ability to achieve modal shift	The proposal will increase airport capacity in the early morning slots. However, for most passengers checking in before 7pm – 2 to 2.5 hours before their departure there is only very limited public transport	Improvements to public transport including rail services from 4am to deliver modal shift targets.	Unlikely – the promoter will argue this is beyond their remit. However, unless such improvements are achieved, modal shift improvements to 60% of passengers is unlikely to be achieved in our view and therefore a cap on flights before 8am should be introduced until the modal shift for those passengers is achieved.
22.				Addressed
23.				Refer to dDCO commentary
24.			Issues tracker response 5.82	Addressed

25.			Issues tracker response 5.83	Addressed
AIR QUALITY				
26.	Monitoring (Conventional) (AQ13 in LIR)	<p>The commitment to funding the council's monitoring needs to be to 2047 or 389 000 movements whichever occurs later and then after this period subject to review, not 2038 as in the current document.</p> <p>Reason The airport based on the emissions inventory will see an overall increase in emissions of 4.3% between 2038 and 2047 with a 7.9 % increase in aviation emissions (the dominant local pollution source) over this period, given pollution levels from the airport are actively increasing over this period monitoring using type approved monitoring needs to remain in place.</p> <p>This is in line with the council's final action tracker:</p> <p>AQA 1 in action tracker: Continued funding of RG1, RG2(6) and RG3 sites on an annual basis, and also capital replacement (every 10 years RG1 and RG3 and every 7 years RG2) of these sites as per current s106 agreement, with an appropriate CPI uplift every 5 years, out to a minimum of 2047.</p> <p>Funding of the CBC owned monitor.</p>	Commitment to funding the council's monitoring to 2047 or 389 000 movements whichever occurs later (not 2038).	Uncertain Please note: For all air quality matters further information has been provided by the Applicant at Deadline 1 including a 567 page technical note on air quality and a new version of Environmental Statement air quality figures. This information is currently being reviewed by our air quality specialists. This means that we are unable to update the resolution status or otherwise on air quality matters within the PADDs. This will be done at the next opportunity within the Examination

				Timetable and separately in further communication with the Applicant. This applies to all points herein for air quality.
27.	Monitoring Ultrafines (AQ07 in LIR)	<p>Para 13.9.19 p.65 GAL commits to participating in national aviation industry body studies of UFP emissions at airports including those reviewing how monitoring could be undertaken.</p> <p>The council has no issue with GAL participating in national schemes but this does little to address the impact of ultrafines on the local community, and how concentrations are changing as a result of rapid growth from the DCO and thus the potential health impact on the local community. Therefore, there is a need for GAL to fund in full from 2025 the monitoring of ultrafine particles at one of the council's real time monitoring sites examining both particle size and particle number to the same standard as that used on the UK national network. The funding needs to continue to 2047 or until the airport reaches 389,000 total movements – whichever occurs later.</p>	Funding of ultrafine particle monitoring by GAL (particle size and particle number) to standards used on the UK national network. Funding till 2047 or until the airport reaches 389,000 total movements – whichever occurs later. Funding to cover capital replacement (10 year basis) and annual running costs.	Uncertain

28.	Use of the Sussex air guidance (AQ06 in LIR)	<p>No provision of the webTAG calculation of the damage cost of the road traffic pollution. Para 13.12.6 in Chapter 13 states the costs associated with air pollution are considered under the Socio-Economic Effects of Chapter 17. However, these cost calculations do not appear to be in chapter 17.</p> <p>The local authorities had agreed that for the road traffic element the TAG damage cost approach was acceptable for calculating the air quality cost rather than the method in the Sussex Air Guidance. (Jan 23)</p>	<p>Provision of TAG calculations for air quality. Correct sign post to TAG calculations now provided.</p> <p>Uncertainty remains over if applicant will now apply damage cost to mitigation measures in line with the next stage of Sussex guidance.</p>	Uncertain.
29.	Air Quality Action Plan – Operational (AQ05 in LIR)	<p>The mitigation and enhancement measures that are planned as part of the operational phase of the project for air quality need to be clearly set out as an action plan.</p> <p>At present it simply refers to the carbon action plan, but it is unclear which of these measures are intended to benefit air quality, nor is any indication given as to the likely reduction such measures are likely to deliver either in terms of emissions or concentrations.</p> <p>The current approach appears contrary to what was agreed in the topic working group of 16th Jan 23, when it was stated: GAL will include an Air Quality Action Plan in addition to the mitigation sections in the ES, and also the draft action plan</p>	Provision of air quality action plans measures in single document, with quantification of emissions / concentration reductions, and costings.	Uncertain/Likely

		<p>presented to the LAs in the topic working group on 21/10/22.</p> <p>AQA 3 in action tracker The key recommendation is for the applicant to prepare a robust Air Quality Mitigation Plan to mitigate and/or offset the airport and airport traffic-related emissions.</p>		
30.	Air Quality Action Plan – Construction Dust Management Plan / Monitoring (AQ01 in LIR)	<p>Dust management plan needs to be provided. While some elements of the plan may be site specific there is no reason why a draft version of the plan cannot be shared at this stage.</p>	<p>Provision of Dust Management Plan or outline DMP should be developed during the examination and the CoCP updated accordingly to secure the DMP.</p>	Likely
31.	Air Quality Action Plan – Construction Emissions Management (Traffic/ NRMM) (AQ02 in LIR)	<p>A commitment needs to be made to only use on road vehicles that meet the London Low Emission Zone standards– and for NRMM equipment to meet London's 'Low Emission Zone' for Non-Road Mobile Machinery standards with equipment meeting Stage IV requirements from 2024, and stage V from 2030.</p> <p>The current wording refers to 'encourage' rather than it being a mandatory requirement. Given the proposed project has a construction period extending over 14 years it needs to be using the lowest emission equipment available for the type of plant being used.</p>	<p>Commitment in CoCP.</p> <p>CoCP has been updated (p15) though still seeking clarification of '<i>where applicable</i>'</p>	Likely

32.	2047 assessment scenario (AQ12 in LIR)	<p>The 2047 base and with development scenario need to be modelled in full.</p> <p>In 2038 over 50 % of the NOx pollution at some sites on the Horley Gardens Estate is due to the airport, and in practice is likely to be higher still given the model does not reflect the falling levels of pollution from background sources. Therefore, the airport is the dominant significant local source in 2038.</p> <p>Based on the emissions inventory the airport will see an overall increase in emissions of 4.3% between 2038 and 2047 with a 7.9 % increase in aviation emissions (the dominant pollution source of the airport component) over this period. Given the airport is both the dominant local source of pollution and emissions are increasing between 2038 and 2047 this needs to be modelled to understand the impact of the rising emissions on the local community.</p>	Contour mapping and source apportionment outputs for 2047 base and 2047 with development.	Uncertain
33.	Ultrafines Health Assessment (Linked to need for ultrafines monitoring - AQ07 in LIR)	<p>The health impact assessment of ultrafine particles understates the potential health impact as it appears to assume exposure is correlated to PM_{2.5} exposure.</p> <p>At this stage clarification is needed on what assumptions have been made in relation to correlations between ultrafine particle concentrations and PM_{2.5} concentrations in the qualitative health assessment of ultrafines,</p>	Depends on clarification response.	

		especially in relation to the aviation derived ultrafines component.		
34.	Modelling 2029 to 2032	<p>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.</p> <p>For residents of the Horley Gardens Estate there is rapid growth in aviation pollution between 2029 and 2032, while construction traffic is likely to be elevated throughout this period and not just in 2029.</p> <p>There is no information in either the air quality chapter or the Surface Access Commitments document of how air quality data will be reviewed to check that changes are not more adverse than predicted, nor what measures would be taken if a significant adverse deterioration was monitored.</p>	Depends on clarification response.	
	NOISE			
35.	Information provision	During the DCO process for Noise GAL have refused to supply and blocked access to information that the local authorities including Reigate & Banstead have asked for to help inform the topic working group meetings that have developed this DCO submission.	There are a number of key areas that the authority has issues with, and as such additional matters maybe added to the	Uncertain

			PADDs list as the process continues.	
36.	Interpretation of national policy (Air Noise)	The Council disagrees with the Applicant's interpretation of national policy in respect of aviation noise which appears to have influenced their approach to the work. As a result the benefits of technological improvements are not being shared sufficiently with affected communities and the total adverse impacts of noise are not being mitigated. The approach does not appear consistent with the Noise Policy Statement for England.	The relevant chapters and appendices need to be updated so that assessment of impact and assessment of impact is suitably revised.	Concern is likely to be addressed but likelihood of agreement between parties is uncertain.
37.	Local Planning Policy (Air Noise)	Local planning policies in relation to noise are briefly referred in sections 14.2.61 to 14.2.62 of Chapter 14 the Environmental Statement. There is no explanation of the policies, the weight given to them and how they have influenced the design, assessment of impact and mitigation of the proposal. This is contrary to the 'Balanced Approach' required by UK and international policy.	The undertaker needs to clearly explain how they have had regard to (or otherwise) local planning policy. This is not only in relation to noise but also for wider impacts on land use planning including provision for housing and other noise sensitive development that will be affected by the NRP. The policies are understood to be	Uncertain

			material planning considerations.	
38.	Threshold and scope of LOAELs and SOAELs (Air Noise)	The ES only considers the Leq metric for LOAELs and SOAELs. In doing so it makes reference to national policy. The consideration only of Leq as a metric is too narrow and other metrics should be applied to the decision processes within the project to inform impact and mitigation. In determining the LOAELs and SOAEL more recent data, including planning decisions and revised health assessment criteria need to be applied. The consideration only of the Leq metric does not represent all the effects of air noise across the borough.	Inclusion of assessment for a wider range of criteria, including but not exclusively, awakenings, N above contours in addition to the Lden and Lnight.	Uncertain
39.	Health LOAELs and SOAELs (Air Noise)	Health impact of noise (Chapter 18 – health and wellbeing) is likely to be significant under estimate of the noise impact in view of the choice of LOAELs and SOAELs	Significance of effects is calculated using more recent data. Considered in Surrey LIR Appendix C (RBBC Noise 14)	
40.	Modelling Scenario (Air Noise)	Absence of a 2029 scenario modelled using 2019 ATMs i.e. 2029 noise modelling scenario is run using 284,987 ATMs to demonstrate the extent to which the airport is sharing the benefits of quieter aircraft with the local community, and to assess the health impacts of the airport growth in its totality. This data would then help inform the setting of the noise envelope on the basis of the	Production of the noise contours in first instance.	Likely

		airport is allocated 50 % of the noise improvement for its growth.		
41.	Noise Envelope (Air Noise)	There are issues with all aspects of the noise envelope as currently proposed.	Very significant changes are required. Considered in Noise Envelope Surrey LIR Appendix C (RBBC Noise 22 to 32)	Uncertain
42.	Noise insulation	The noise insulation scheme is not sufficient to protect those who will suffer adverse effects of noise and the consequences of the installation of noise insulation. There are multiple issues with the scheme, by way of example we disagree that the thresholds of qualification are set at the correct level and for the correct parameters; consider it has no regard to overheating created as a result of the installation of noise insulation measures; disagree that once installation is complete all ongoing maintenance / running and potential replacement costs are borne by the householder / person in charge of the premises; and everyone should be eligible for the scheme whether or not they have qualified previously.	The applicant will need to improve the offering based on consideration of a wider range of determinants and having regard to multiple use types; make separate provision for prevention of overheating; define qualifying areas based on single mode noise contours. Considered in Surrey LIR Appendix C (RBBC Noise 13, 16 to 21)	Uncertain

43.	Noise Barrier	There is a need for a noise barrier on the A23 south of the Longbridge roundabout.	Considered in Surrey LIR Appendix C (RBBC Noise 9)	Unlikely unless required as part of DCO
44.	Draft DCO (Noise Control)	<p>The control of air noise, by metric and operational limitation, is under-represented in the DCO including (but not exclusively) the noise envelope requirements, use of routes, night flying restrictions, limitation on passenger numbers and freight movements; and conditional slot management.</p> <p>For example there is no commitment in the work to a movement cap in the core night period (23:30 to 06:00) in the winter (3,250 movements), and summer (11,200 movements) periods.</p>	A substantial review of the DCO to ensure there is adequate representation of, amongst other things, noise and associated operational controls, enforcement mechanisms, access to information, noise envelope scrutiny group, funding of a local authority costs including staff and specialists as required to oversee the DCO. Noise Envelope considered in Surrey LIR Appendix C (RBBC Noise 22 to 32)	Uncertain

			Movement Cap considered in Surrey LIR Appendix C (RBBC Noise 15)	
45.	<p>Lack of ongoing research to test adequacy of proposals</p> <p>For example: Surrey LIR Appendix C (RBBC Noise 33)</p>	<p>The ES utilises models to predict noise levels, the impacts, the locations of the impacts and inform mitigation. All decision making is based on the knowledge described in the ES at the time of the determination of the application.</p> <p>There are no proposals for research to improve understanding as part of an iterative development of an environmental impact and management system.</p>	<p>We expect Gatwick to fund work, that is commissioned by the local authority or Gatwick (at the discretion of the host authority) into a wide range of matters including improving the noise contours so that lower noise levels can be effectively modelled; establishing local population attitudes to noise; validating effectiveness of noise insulation works; techniques to tackle overheating in noise insulated properties. Once the work is</p>	Uncertain

			completed it is then used to improve systems or adapt the mitigation appropriately or both as is the case with the work.	
46.	Construction Noise	Potential issues on various topics subject to clarification and around the working hours 'off' airport.	Subject to further clarifications. Considered in Surrey LIR Appendix C (RBBC Noise 1 to 8)	Uncertain
46a.	Ground Noise Surrey LIR Appendix C (RBBC Noise 13)	Number of issues with the ground noise model discussed in Surrey LIR (Appendix C RBBC section) suggests a major reworking of this section is needed.	Production of ground noise contour maps (LAeq,T and LAm _{ax}) for the assessment years as done for road traffic noise and air noise. Slow transition case needs to be modelled as any ground noise insulation scheme should be based on the realistic worst case as a	Uncertain

			precautionary measure.	
46b.	Ground Noise - Insulation	Properties at risk of noise impact from DCO not insulated before opening	<p>Houses that need insulation should be identified prior to the commencement of the project opening (currently 2029) and insulated, not after the project has opened.</p> <p>Commitment to annual monitoring of the combined air noise and ground noise levels at specified locations to check no additional properties would qualify for noise insulation.</p> <p>Considered in Surrey LIR Appendix C (RBBC Noise 1 to 8)</p>	Uncertain

46c.	Air Noise: General. Community Annoyance.	Community Annoyance. Compensation in line with GAL's 2014 proposals	<p>Annual contribution of £1,300 (with annual CPI uplift) towards the council tax of all residential households within the 54 dB LAeq, 16hr actual contour.</p> <p>Payment made following the publication of the actual contours for the previous year.</p> <p>Payments would be made only to residential properties built and addresses registered at the commencement of the project.</p> <p>Considered in Surrey LIR Appendix C (RBBC Noise 34)</p>	
CLIMATE CHANGE				

	Environmental Statement Chapter 15 Climate Change			
	Baseline Information Review			
47.				Addressed
	Assessment of significant effects			
48.				Addressed
49.				Addressed
	Mitigation, Enhancement and Monitoring			
50.				Addressed
	5.3 Environmental Statement - Appendix 15.5.2 Urban Heat Island Assessment			
	Mitigation, enhancement and monitoring			
51.				Addressed
	5.3 Environmental Statement - Appendix 15.8.1 Climate Change			

	Resilience Assessment			
	Assessment of significant effects			
52.				Addressed
53.				Addressed
54.				Addressed
55.				Addressed
56.				Addressed
57.				Addressed
58.				Addressed
59.				Addressed
	5.1 ES Chapter 20 Cumulative Effects and Inter-Relationships			
60.	Disagree with the assessment that 'cumulative effects are not relevant'.	We understand that a conclusion may be drawn that cumulative impacts from nearby projects maybe be 'insignificant', but we disagree with the statement that 'An assessment of cumulative effects is not relevant'. For example, nearby projects could exacerbate the urban heat island impact of the project or increase the impact of flooding to the site or access to the site.	The assessment should be reconsidered and reworded to reflect that it is not irrelevant.	Likely
	KEY CONCERNS			
	GREEN HOUSE GAS EMISSIONS			
	Environmental Statement			

	Chapter 15 Climate Change			
	Legislation, policy and guidance			
61.	It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/ CORISA.	It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/CORISA.	Can the Applicant please confirm in the need case for the scheme if it considered the impact of ETS/CORISA?	Likely
62.				Addressed
	Baseline Information review			
63.	GHG emissions from airport buildings and ground operations in the ES [TR020005] (Table 16.4.1) does not appear to include maintenance, repair, replacement or refurbishment emissions.	<p>The scope of the GHG emissions from airport buildings and ground operations does not appear to cover maintenance, repair, replacement or refurbishment emissions. This would under account operational GHG emissions.</p> <p>It is not clear what is captured under “other associated businesses”.</p>	Under the IEMA GHG Assessment methodology used in the ES [APP-041], the Applicant is required to update the carbon assessment and assess all material emissions over the whole life of the proposed Scheme. If an exclusion is undertaken, this	Likely

			must be evidenced and be <1% of total emissions, and where all such exclusions total a maximum of 5%.	
	Assessment of significant effects			
64.				Addressed
65.				Addressed
	Conclusions			
66.	No consideration is provided in the ES around the risk of the Jet Zero Strategy and the impact this would have on the significance of the assessment.	Group for Action on Leeds Bradford Airport and Possible submitted a judicial review in October 2022 of the UK Aviation Jet Zero strategy. The CCC has consistently stated that the Government needs to " <i>implement a policy to manage aviation demand as soon as possible</i> " ¹ . The GHG Assessment does not acknowledge any of these concerns and risks of the Jet Zero strategy, which the GHG Assessment hinges on.	The Applicant needs to consider the issues raised in the UK Aviation Jet Zero strategy's judicial review and the CCC's concerns. Please reflect on how these concerns could impact the UK's net zero trajectory.	Likely
67.	Summary	In summary, 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	The Applicant needs to address the comments raised above and update the GHG	Likely

¹ <https://www.theccc.org.uk/wp-content/uploads/2022/06/Policy-implementation-timeline-Aviation.pdf>

		<p>raised to the UK Government by the CCC and in the judicial review.</p> <p>Additionally, the GHG Assessment does not assess the cumulative impact of the Project in the context of the eight of the biggest UK airports planning to increase to approximately 150 million more passengers a year by 2050 relative to 2019 levels.</p>	<p>Assessment to adequately consider the risk of the UK Aviation Jet Zero strategy and the cumulative impact of the Project.</p>	
	<p>5.3 Environmental Statement - Appendix 16.9.1 Assessment of Construction Greenhouse Gas Emissions</p>			
68.	<p>It is not clear if carbon calculations were carried out during the construction lifecycle stage in the ES [TR020005] for well-to-tank (WTT) emissions.</p>	<p>Excluding WTT is non-compliant with the GHG Protocol Corporate Accounting Standard, referenced in the GHG ES Methodology [TR020005] in Section 16.4.18 where scope 3 emissions were included. This also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24.</p>	<p>Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter</p>	<p>Likely</p>

			<p>16 of the ES, APP-041].</p> <p>Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.</p>	
69.	<p>The RICS distances were referenced in Table 4.1.1 of the ES [TR020005] for the average material haulage distances. However, the RICS transport distances were not applied comprehensively.</p>	<p>Currently, only 100km was considered for construction related A4 emissions, which is not in alignment with the recommended RICS transport distances. Furthermore, no global shipping emissions were considered as part of the GHG assessment, which is not in alignment with the RICS global transport scenario. This therefore under accounts the construction transport emissions.</p>	<p>The Applicant needs to update the transport assessment in compliance with the RICS methodology quoted in the ES to ensure shipping transport emissions are accounted for. This can then be used to inform appropriate transport efficiency mitigation measures as part of</p>	Likely

			the CAP under Appendix 5.4.2 in the ES [APP-091]. ²	
	5.3 Environmental Statement - Appendix 16.9.2 Assessment of Greenhouse Gas Emissions for Airport Buildings and Ground Operations (ABAGO)			
70.	In Table 2.1.1 it is confirmed that the carbon calculations do not include well-to-tank (WTT) emissions, which is not aligned to the GHG Protocol Standard mentioned in the GHG ES	Not accounting for WTT is non-compliant with the GHG Protocol Corporate Accounting standard (referenced in the GHG ES Methodology [TR020005] in Section 16.4.18). This also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24	Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter	Likely

² <https://www.rics.org/profession-standards/rics-standards-and-guidance/sector-standards/building-surveying-standards/whole-life-carbon-assessment-for-the-built-environment>

	Methodology [TR020005].		16 of the ES, APP-041]. Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.	
71.	In Section 1.2.1, it is not clear if carbon calculations are carried out for maintenance, repair, replacement or refurbishment emissions.	Maintenance, repair, replacement or refurbishment emissions are not indicated to be scoped in the GHG ABAGO assessment. These emission sources could potentially account for a significant portion of the ABAGO emissions.	Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter 16 of the ES, APP-041].	Likely

			Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.	
	5.3 Environmental Statement - Appendix 16.9.4 Assessment of Aviation Greenhouse Gas Emissions			
72.	It is not clear how or if Applicant converted CO ₂ emissions from aircraft to CO ₂ e.	It is not clear if the Applicant undertook a conversion from CO ₂ to CO ₂ e as this would impact the aviation emissions by around a 0.91% increase BEIS (2023) ³ . Therefore, if not accounted for, this would increase aviation GHG emissions by approximately 48,441 tCO ₂ e in 2028 in the most carbon-intensive year where	Can the Applicant please confirm if a conversion was undertaken from CO ₂ to CO ₂ e? If not, the Applicant is required to update the GHG Aviation	Addressed

³ <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2023>

		5.327 MtCO ₂ e was estimated to be released (Table 5.2.1).	Assessment to account for this.	
73.	In Aviation methodology well-to-tank (WTT) emission sources are not confirmed to be accounted for which is against the GHG Protocol Standard mentioned in the GHG ES Methodology [TR020005].	Not accounting for WTT is non-compliant with the GHG Protocol Corporate Accounting standard, referenced in the GHG ES Methodology [TR020005] in Section 16.4.18 where scope 3 emissions were included. Furthermore, this also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24. This would result in an underestimation of the GHG emissions associated with aviation since a 20.77% (BEIS, 2023 ⁴) uplift would be required on all aviation emissions. Therefore, this would result in 1,106,530tCO ₂ e not being accounted for in 2028 (the most carbon-intensive year), where 5.327 MtCO ₂ e was estimated to be released (Table 5.2.1).	Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter 16 of the ES, APP-041]. Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions	Likely

⁴ <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2023>

			and where all such exclusions total a maximum of 5%.	
	SOCIO-ECONOMIC			
74.	00881- Book 5 Appendix 17.8.1 Employment, Skills & Business Strategy	Require Implementation Plan	Required to assess that local communities will benefit first from Gatwick Growth. Following Socio-Economic Topic Working Group meeting on 12th December 2023 continue to wait for a detailed Implementation Plan	Uncertain
75.	00881- Book 5 Appendix 17.8.1 Employment, Skills & Business Strategy	Need for Agreed monitoring requirements	To assess outcomes from economic growth. Will be dependent on monitoring included with Implementation Plan but progress by Applicant still to shared.	Uncertain
	AGRICULTURE & RECREATION			

76.	Church Meadows	Restoration - The Design and Access Statement 8.3.9.4 includes a pond but this is excluded from other documents	The Applicant has confirmed that there is no pond at Church Meadows	Addressed
77.	Riverside Gardens Park	Detailed tree and vegetation Removal Report	Arboriculture Study submitted 12 March 2024 to ExA . RBBC to review and respond at Deadline 3	Likely
78.	Riverside Garden Park	Mitigation of land take and impact on Riverside Gardens Park.	Tree and vegetation planting scheme to restore Riverside Gardens Park post DCO work and reduce impact of widened road – to be agreed with RBBC	Uncertain
79.	Riverside Garden Park	Construction Impacts	Code of Construction Practice submitted 12 th March by applicant and being reviewed by RBBC Will respond at Deadline 3	Uncertain
80.	Carpark B addition to Riverside Gardens	Proposal to gift this land to RBBC to replace lost sections of Church Meadows and Riverside Gardens.	Agreement will be needed with RBBC on any need for decontamination, redesign and	Likely – indicative scheme already exists.

			planting of the car park along with suitable access both for users and maintenance purposes before it is vested to RBBC.	
81.	Cycle ramp into Riverside Gardens Park	Key detail missing	Need detail of the ramp including new vegetation and linkages with existing paths and delivery timescales	Uncertain
82.	Footpaths/ cycle route 360 beside London Brighton Railway Line and associated bridge works.	These paths will be closed during the widening of the A23 bridge over the railway lines. Due to the scale of works proposed it essential that a north south pedestrian/ cycle route is retained close by and that the routes are fully restored	TR020005-000898-5.3 ES Appendix 19.8.1 Public Rights of Way Management Strategy Schedule of works needs to highlight that a north south pedestrian path will be retained. That notification of the closures and reopening is well publicised, and that restoration of paths is undertaken to a standard acceptable to the	Likely

			local authorities. At present the document doesn't appear to seek Local Authority agreement.	
83.	Railway Line Footbridge north of A23 Bridge works	Concern that the alleyway from The Crescent and footbridge will be used as point of access during A23 Railway Line bridge widening works.	The Crescent should not be used as a parking area for vehicles associated with the DCO works as it will negatively impact on local residents. Response from GAL on Issues Tracker	Likely
84.	Cycle Route NRP21	The route under the A23 will be closed during the road/ bridge works. Alternative north south safe cycle and pedestrian routes must be maintained throughout the closure along with effective communications by the proposer and their contractors. Before re-opening the route should be relayed on the approaches and through the tunnel to encourage more use and an awareness campaign should be run on the re-opening, by the proposer.	Certainty needs to be included in the support documentation.	Likely
85.	Balcombe Road to Peake Brookes Lane Access Route	A new access road to a new highway drainage pond off Peaks Brook Lane is proposed (See Document 809 Book 4 Rights of Way and Access), will result in further tree and vegetation	First mentioned with original submission documents. Some	Likely

		loss, and will edge into countryside land to the north at Rough's Corner.	additional materials provided at Deadline 1 to be reviewed by officers at Deadline 3. Still unclear on changes to drainage layout and details of the access route and how access will be controlled especially as there is a home immediately adjacent to the Balcombe Road access point .	
	WORKS COMPOUNDS			
86.	Car Park B Works Compound	We understand that two storey accommodation will be used to house 40 construction workers on site.	Detail is required on the location of these units, their proximity to the residential properties in The Crescent and their appearance. Clarity still sought.	Likely
87.	South Terminal Roundabout Works compound and	This compound will block future redevelopment of the RBBC Local Plan Development Management Plan site policy HOR9 Strategic Business Park. It could also result in a new	Reprioritising the road works so that the Railway Line Bridge widening,	Uncertain

	impact on delivery of HOR9 Strategic Business Park	ransom strip across the main access to the proposed business park from the South Terminal Roundabout. Whilst a compound will be required for the Highway construction works, we consider that this should be relocated to another location away from the Site Allocation such as T3. Failing that the longevity of the compound's existence should be reduced and time limited to support the HOR9 site' delivery. More detail is needed on the temporary uses on the compound.	South Terminal Junction Grade separation and Balcombe Road Bridge works are completed prior to the opening of the northern runway so as to minimise the blockage to the development of the HOR9 site. The significance of the HOR9 Strategic Business Park Site is considered in Surrey LIR Socio-Economic Chapter	
88.	Construction works access from South Terminal Junction Works Compound via Balcombe Road	Balcombe Road is a narrow predominantly residential road	Works access should be restricted to using the southern end of Balcombe Road thereby avoiding the residential properties.	Likely
	dDCO			
89	Article 40 (special category land)	Timing of vesting of special category land	Vesting of open space should be subject to the satisfaction of the relevant body to	Uncertain

			ensure that appropriate agreed mitigation measures have been implemented	
90	Article 49 (48)	Article 49 draft DCO (version 5) (Defence to proceedings in respect of statutory nuisance). Unclear why such a provision is needed to accommodate additional 13 mppa growth i.e. the DCO increment, given airport has grown by 27.8mppa since the introduction of legislation without this defence, and is forecast to grow by an additional 20.6 mppa (under the base case) also without this defence.	Article to be removed. If retained scope needs to be significantly reduced. For example, the council notes that in the model provisions (The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009) the only exemption was for: (g) noise emitted from premises so as to be prejudicial to health or a nuisance;	Uncertain

			<p>In addition, if retained article 49(1)(b) to be amended as follows – changes in italics:</p> <p>b) is a consequence of the construction, maintenance or operation of the authorised development and that it cannot, <i>to the reasonable satisfaction of the local authority</i> reasonably be avoided.</p>	
91	Drafting of Requirement 15 (air noise envelope)	The Air Noise Envelope is not considered fit for purpose as it does not align with policy requirements. In addition, there is no role for any local authority control in this requirement. A mechanism should be included in the DCO to require the CAA to involve the local authorities and other key stakeholders in scrutinising noise envelope reporting.	<p>The air noise envelope provision should include:</p> <ul style="list-style-type: none"> -A “mitigate to grow approach” An Environmental Scutiny Group (ESG) including local authorities -Appropriate enforcement powers for the ESG 	Uncertain

			<p>-Establish appropriate sanctions for technical and limit breaches</p> <p>-Integrate existing noise controls into the noise envelope</p>	
92	Drafting of Requirement 19 (airport operations)	<p>Greater specificity is required.</p> <p>R.19(2) would restrict dual runway operations to 386,000 <u>commercial</u> air transport movements per annum. The Councils consider a control on <u>total</u> air transport movements per annum would be preferable.</p> <p>R.19(3) allows the use of the northern runway between the hours of 23:00 - 06:00 when the southern runway is not available for use “for any reason”. The Councils consider “for any reason” to be too broad and considers the use of the northern runway between these times should only be used when the southern runway is not available because of planned maintenance and engineering works.</p> <p>The requirement needs to restrict use of the northern runway to departures.</p> <p>The requirement needs to include a night movement cap.</p>	Revisions required	Uncertain

93	Drafting of Requirement 20 (surface access)	<p>The dDCO gives too much flexibility in allowing the development to proceed with only retrospective checks to see if the mitigation proposed is delivering results. This is reactive and ineffective, in particular in considering whether the development is appropriate for the communities who may be affected by the adverse impacts of the development and whether there is sufficient amelioration of those impacts. R20 appears to say that the operation can only be carried on if there is adherence to the surface access commitments but when those surface access commitments are considered more carefully, they are toothless in terms of constraining any activity at the airport.</p> <p>The intention is that the surface commitments will be a certified document, and Requirement 20 requires the operation to be in accordance with those commitments. For example, the mode shift target of 55% has to be tested three years after the commencement of operations. If this is not achieved, the monitoring arrangements in the SAC envisage a reporting process and preparation of action plans for future activity. However, there is no commitment to curtail operations either during the period of the preparation of action plans or until such time as the targets are met. Therefore, this target does not actually constrain the operation of the airport.</p>	<p>SCC considers it as more appropriate to have clear steps set out in the DCO to regulate the growth and clear sanctions should the mitigation measures not be achieved.</p> <p>The Luton airport expansion is currently before the Secretary of State with proposals which seek to manage growth as the Authorities suggest, i.e. green controlled growth (which is set out in Part 3 of Schedule 2 of the Luton dDCO. The Secretary of State will have to decide, in deciding that development consent order, whether those controls are necessary, but it is clearly relevant that</p>	Uncertain
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			the operator and promoter of that development consider that managed growth is workable and they are putting that forward as the way in which they will achieve both their growth but also achieve the environmental objectives.	
94	DCO schedules and plans	Amendments required to address inconsistencies and errors as detailed in Surrey LIR.	Revisions required	Likely
95	Finalisation of Section 106 Agreement	Substantial revisions required to draft S106.	A draft was shared in Feb 2024. The local authorities have provided initial comments to the Applicant.	Uncertain