



Gatwick Airport Northern Runway
National Infrastructure Project

TR020005

**Principal Areas of Disagreement Summary
Statement**

Version 2 (With Track Changes)

Deadline 2 submission 26th March 2024

Interested Party Reference: 20044737

Introduction

Mid Sussex District Council has significant concerns about the application. In preparing this document, the Council has focused on its principal areas of concern and has aimed to provide as concise a summary as possible of these. The brevity of this document does not reflect the scale of the Council's concerns.

This is Version 2 of the PADSS and updates Version 1 submitted in October 2023 (AS-065). A track change and clean version have been submitted at deadline 2.

Please Note:

The PADSS have been reviewed without reference to the Applicants project changes to the DCO, which were accepted into the Examination by the ExA on 8 March 2024. Commentary on these project changes will provided via a Written Representation to be submitted at Deadline 3 and will be correspondingly handled through the next iteration of the PADSS to be submitted at Deadline 5.

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, when the ExA request this is next submitted into the Examination.

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 and means that Mid Sussex is unable to update the resolution status or otherwise on air quality matters within the PADSS. This will be completed and submitted to the ExA at Deadline 3 and separately in further communications with the Applicant. This applies to all points herein for air quality.

Principal Areas of Disagreement Summary Statement (PADSS) from Mid Sussex District Council		Version Number: 1 .0 Submitted at: October 2023 26 March 2024	
Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily	Likelihood of concern being addressed during Examination

		address the concern	
TOPIC: Aviation need, capacity and forecasting			
The capacity deliverable with the 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 the commitment not to use WIZAD SID in the night period, and so additional delays to aircraft will arise increasing delays above those stated in the Application documents. As a consequence the achievable capacity, at a level of delay acceptable to the airlines, will be lower than stated.	Full modelling of the interaction between the use of the two runways and the respective 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.	Moderate – subject to GAL transparently undertaking and sharing the relevant simulation modelling. <u>Please note: 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, when the ExA request this is next submitted into the Examination.</u>
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	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	Robust market analysis and specific modelling of the share of demand that might be achieved at Gatwick in competition with	Moderate – subject to GAL producing robust modelling to underpin its forecasts of demand.

delivered at other airports. The demand forecasts are considered too optimistic.	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 (Heathrow, Gatwick, Stanstead, City, Southend, Luton) is reliant on the assumption that a third runway would be delivered at Heathrow.	other airports, not limited simply to traffic, including demand from other regions of the UK, that have historically used the London airports.	
Overstatement of the wider, catalytic, and national level economic benefits of the NRP.	The methodology used to assess the catalytic employment and GVA benefits of the development is not robust, leading to an overstatement of the wider catalytic, and national level economic benefits of the wider NRP in the local area.	GAL must revisit the methodology in the light of these concerns.	Moderate - 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.
TOPIC: Noise			
Assessment of significant effects for air noise	How the significant effects have been identified and the robustness of conclusions.	Provide a thorough assessment of significant effects that identifies how communities will be impacted by air noise	Likely
Assessment of significant effects for ground noise	How the significant effects have been identified and the robustness of conclusions.	Provide a thorough assessment of significant effects that identifies how communities will be impacted by air noise	Likely

Methodology used to model air noise	Further detail of the methodology used to model air noise impacts is needed.	GAL should provide more detailed information used to model air noise	Likely
Methodology used to model ground noise	Further detail of the methodology used to model ground noise impacts is needed.	GAL should provide additional information used to model ground noise	Likely
Noise Envelope	Significant concerns relating to the definition, management and enforcement of the Noise Envelope	A Noise Envelope that is fit for purpose, with a regulatory framework that is able to scrutinise and take action if required.	Uncertain
Noise Insulation Scheme	Lacks clarity as to what measures will be applied and where.	A fit for purpose scheme that provides mitigation for those properties that will suffer most severe noise impacts.	Likely
TOPIC: Air Quality			
Assessment Scenarios – there are a number of clarifications required to understand the Assessment Scenarios utilised in the air quality assessment. Such as those scenarios where both construction and operational activities happen at the same time. There are also variations between application documents on how scenarios are described.	The concern is that the scenarios assessed in the ES do not provide a realistic worst case assessment.	Further information is required to understand what scenarios have been assessed,	Likely <u>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</u>

			<p><u>figures. This information is currently being reviewed by our air quality specialists. This means that Mid Sussex is 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.</u></p>
<p>Study Areas – Further information on the road traffic study area within the air quality assessment is required. Needed to understand which routes have been affected by changes in traffic</p>	<p>Without this information it is not possible to fully understand the air quality assessment of road traffic air quality effects. i.e. which routes are affected in which scenario.</p>	<p>Further information required to understand the study areas that have been assessed, to determine if changes are required.</p>	<p>Likley</p>
<p>Model verification – remains a series of queries to be considered to establish if the air quality model verification is robust. For example, no reference is made to 2022 data which should have</p>	<p>The concern is that air quality predictions may not be as robust.</p>	<p>Further information is requested to understand how robust air quality predictions are.</p>	<p>Likley</p>

been available during the preparation of the air quality assessment			
Air Quality Action Plan - A combined operational air quality action plan (AQAP) has not been prepared to draw together carbon action plan and surface access commitments. It is also noted that the approach differs from previous discussions where a draft AQAP was provided in 2022. The proposed air quality action plan could be informed by monetisation of air quality impacts.	This is a matter of local concern as shown in the local guidance prepared by Sussex authorities in 2021.	Further information on the monetisation of air quality impacts and further liaison is proposed to discuss the potential benefits of a targeted approach to the continued development of an AQAP.	Uncertain
Operational air quality monitoring – linked to the uncertainty around the effectiveness of modal shift measures. There is no information of how air quality data will be reviewed to check that change are not more adverse than predicted, nor what measures would be taken is a significant adverse deterioration was monitored.	The concern is that it is unclear how operational monitoring would trigger air quality mitigation	Further information is requested to understand how air quality will be monitored, evaluated and reported to local authorities along with the further steps that would be taken should air quality deteriorate further than predicted. Thereafter, it can be confirmed what amendments may t may not be required etc.	Uncertain
Habitat Regulation Assessment - The HRA utilises the predicted air quality results for NOx, ammonia and nitrogen deposition to determine whether there	The concern is that the scenarios utilised do not represent a realistic worst case for the Proposed Development.	Clarification on scenarios is required, as described above	Likely

<p>are habitat integrity risks to European designated sites. The HRA concludes there are none in relation to air quality both for the proposed development in isolation and in combination. However, this is based on the scenarios assessed within the air quality chapter that need further review to determine if the scenarios represent a realistic worst case.</p>		<p>in the air quality chapter review.</p>	
<p>TOPIC: Climate Change</p>			
<p>Baseline Information – time periods for climate change projections are not far enough into the future to represent the worst case scenarios</p>	<p>The most distant time period chosen for assessment was 2040-2069 (2060s) (paragraph 15.5.2 of ES Chapter 15 Climate Change), however, some asset components are assumed to be operational in perpetuity. These climate change projections are not adequately far enough into the future to represent the worst case scenario.</p>	<p>The Applicant should collect additional data from the furthest time period available e.g. 2100 to ensure the most conservative projections are accounted for. Data available includes:- PPCE (Probabilistic Projections of Climate Extremes) for future climate extremes – available between 1961 and 2100. Probabilistic projections (25km) – up to 2070-2099 (2080s) is available.</p>	<p>Likely</p>
<p>Inconsistency and lack of detail in some climate impact statements.</p>	<p>The climate impact statements (detailed in ES chapter 15 Table 15.8.5 and Table 15.8.6) are lacking</p>	<p>The Applicant should update all climate</p>	<p>Uncertain</p>

	<p>in consistency in the way they are articulated in that some are missing an 'impact'. They have a cause e.g. 'increased flooding' and an 'event' e.g. flooding of electrical equipment' but no end 'impact' e.g. resulting in increased maintenance requirements or resulting in operational downtime. This end result is what should determine the consequence rating and could arguably have led to an underestimation of risk.</p>	<p>impacts statements to have a clear end impact so that all risks are articulated in a consistent way.</p>	
<p>Lack of identification of additional mitigation / adaptation measures.</p>	<p>Whilst the Applicant may not have assessed any of the risks as 'significant', the identification of further mitigation or adaptation measures seems to be an omission in the report. If there are design decisions or operational management measures that can be put in place to increase resilience they should be noted and communicated along with an indication of who is responsible and the timing of implementation. For example, Appendix 5.3.2 Code of Construction Practice lists a number of 'options for climate resilience measures' which should also be included in this report.</p>	<p>The Applicant should identify further adaptation measures that can be implemented in design, construction or operation to further reduce the project's vulnerability to climate change.</p>	<p>Uncertain</p>
<p>Disagree with the assessment that 'cumulative effects are not relevant'</p>	<p>We understand that a conclusion may be drawn that cumulative impacts from nearby projects may 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.</p>	<p>The assessment should be reconsidered and reworded to reflect that it is not irrelevant.</p>	<p>Likely</p>
<p>TOPIC: Greenhouse Gases</p>			
<p>Jet Zero Aviation policy</p>	<p>Assessment fails to consider the risks of the Jet Zero Aviation policy and how this could compromise the UK's net zero trajectory.</p>	<p>Identified issues to be addressed.</p>	<p>Likely</p>

Cumulative impact	GAL have not assessed the cumulative impact of the project in the context of the overall UK airport expansion in passenger numbers.	Identified issues to be addressed.	Likely
Assessment methodology	No carbon calculations for well to tank emission and conversions from CO ₂ to CO ₂ e have been undertaken. Such calculations, could potentially increase the total emissions by around 20%. Therefore, millions of tonnes of CO ₂ e are not accounted for, which is non-compliant with the GHG Protocol Corporate Accounting Standard and GHG accounting best practice.	<u>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%.</u>	Uncertain <u>Likely</u>
<u>The unsustainable growth of airport operations may result in significant adverse impacts to the climate.</u>	<u>The increased demand in GAL's services may lead to unsustainable surface access transportation and airport operation growth, which may significantly impact the climate.</u>	<u>To monitor and control GHG emissions during the project construction and operation it is suggested a control mechanism to similar to the Green Controlled Growth Framework submitted as part of the London Luton Airport Expansion Application, is provided. Implementing such a framework would</u>	<u>Uncertain</u>

		<p><u>make sure that the Applicant demonstrates sustainable growth while effectively managing its environmental impact. Within this document, the Applicant should define monitoring and reporting requirements for GHG emissions for the Applicant's construction activities, airport operations and surface access transportation. Similar to the London Luton Airport Green Controlled Growth Framework, emission limits and thresholds for pertinent project stages should be established. Should any exceedances of these defined limits occur, the Applicant must cease project activities. Where appropriate the</u></p>	
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		<p><u>Applicant should undertake emission offsetting in accordance with the Airport Carbon Accreditation Offset Guidance Document to comply with this mechanism.</u></p> <p><u>In addition, and where reasonably practical, the airport will seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community around the airport. Offsets should align with the following key offsetting principles i.e. that they should be:</u></p> <ul style="list-style-type: none"><u>o additional in that would not have occurred in the absence of the project</u>	
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		<ul style="list-style-type: none"> <u>o monitored, reported and verified</u> <u>o permanent and irreversible</u> <u>o without leakage in that they don't increase emissions outside of the proposed development</u> <u>o Have a robust accounting system to avoid double counting and</u> <p><u>Be without negative environmental or social externalities.</u></p>	
<p><u>If the Applicant does not provide infrastructure or services to help decarbonise surface transport emissions it may have the potential to result in the underreporting of the Proposed Development's impact on the climate. The full impact of the Proposed Development on the government meeting its net zero targets cannot be identified.</u></p>	<p><u>The Applicant must actively promote the transition to a decarbonised economy, incentivising airport users to adopt low-carbon technologies like electric cars and public transportation systems.</u></p>	<p><u>The Applicant should provide infrastructure within the Airport to support the anticipated uptake of electric vehicles and provide electric vehicle charging infrastructure.</u></p> <p><u>Additionally, to support this</u></p>	<p><u>Uncertain</u></p>

		<p>movement, the Applicant should support a Green Bus Programme such as the expansion of the network of hydrogen buses used in the Gatwick/Crawley area into Mid Sussex with accompanying infrastructure.</p>	
<p><u>GAL does not identify the risks associated with using carbon offset schemes.</u></p>	<p><u>Document 5.4.2, Section 1.14</u></p> <p><u>This states that, "In 2016/17, we achieved 'Level 3+ - Neutrality' status under the Airport Carbon Accreditation scheme, which is a global carbon management certification programme for airports (Ref 1.1). GAL has been working hard to reduce carbon emissions under GAL's control (from a 1990 baseline) and offset the remaining emissions using internationally recognised offset schemes."</u></p> <p><u>The scientific community has identified various risks around using offsetting schemes to claim net zero or carbon neutrality. GAL should specifically state which offset scheme they intend to use so research can be conducted into the trustworthiness of the scheme</u></p>	<p><u>GAL should state if they comply with the Airport Carbon Accreditation Offset Guidance Document which specifies the type of offsetting Schemes that need to be used.</u></p> <p><u>In addition, and where reasonably practical, GAL should seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community around the airport. Offsets should align with the following key</u></p>	<p><u>Likely</u></p>

offsetting principles
i.e. that they should
be:

- additional in
that would not
have occurred
in the
absence of
the project
- monitored,
reported and
verified
- permanent
and
irreversible
- without
leakage in
that they don't
increase
emissions
outside of the
proposed
development
- Have a robust
accounting
system to
avoid double
counting and
- Be without
negative
environmental
or social
externalities.

TOPIC: Traffic and Transport			
<p>Traffic & Transport section of Environmental Statement (Chapter 12 Traffic & Transport [APP-037]) undertaken in accordance with historical and replaced guidance.</p>	<p>The Traffic & Transport Chapter has been undertaken in accordance with guidance contained within Guidelines for the Environmental Assessment of Road Traffic (IEMA 1993). New IEMA guidance entitled, Environmental Assessment of Traffic and Movement, which updates and replaces the referenced 1993 guidance, was issued in July 2023. Further details are available here:</p> <p>This information also has implications for the assessment of Air Quality</p>	<p>The Traffic & Transport Chapter should be reviewed to ensure it accords with the relevant latest IEMA guidance. It should be amended if necessary.</p>	<p>Uncertain</p>
<p>Surface Access Commitments (SACs) and target mode shares</p>	<p>Concerns are held about the SACs that underpin the creation of a new Surface Access Strategy and the approach to meeting and monitoring these commitments.</p> <p><u>There is considered to be a lack of detail and robustness to the SACs and lack of clarity or suitable control should the SACs not be met. The Highway Authority is advocating an alternative approach similar to that adopted by Luton Airport to control growth against meeting surface access modal splits. The specific concerns, relating to the SACs, are set out in the Joint West Sussex LIR but include:</u></p> <ul style="list-style-type: none"> <u>• Commitment 1, to ensure 55% of passenger journeys is made by public transport is not considered ambitious or of sufficient challenge. Prior to the Pandemic the airport achieved 47.8% public transport modal share in the 12 months up to March 2020.</u> <u>• Target mode shares set out as Commitments are only set out as percentages. The percentages masks trends in absolute numbers and permit</u> 	<p>SACs to be reviewed and amended.</p>	<p>Uncertain</p>

	<p><u>significant increases in car trips to and from the airport.</u></p> <ul style="list-style-type: none"> <u>Insufficient evidence and justification are provided to demonstrate how the mitigation proposed can provide sufficient sustainable and active travel infrastructure to successfully meet the some of the target modal splits.</u> <u>Commitments are made in relation to bus and coach service provision. Determination of mode of travel takes into a variety of factors rather than just provision of service. The Applicant has not assessed or considered the attractiveness of modes or how this could be increased.</u> <u>Should the SACs not be met the proposed approach allows for higher levels of vehicular traffic than is targeted by the SACs for a substantial period of time. The Applicant will produce an Action Plan to address the failure to meet the targets. This does not provide sufficient control and the Highway Authority advocate a Green controlled Growth approach, similar to that adopted by Luton Airport.</u> <p>We are also concerned about how they will help deliver improvements to sustainable travel modes in Mid Sussex.</p>		
Lack of Car Parking Strategy	Without an overarching Car Parking Strategy the need cannot be understood and neither can future car parking demand be robustly managed.	Car Parking Strategy to monitor and manage on-site and off-site airport related parking.	Likely <u>Note: The Applicant submitted a Car Parking Strategy at Deadline 1 (REP1-051). The JLAs have made a number of comments on this</u>

			<u>document, including matters for the Applicant to address. These are set out in the WSCC JLAs response to documents published at Deadline 1.</u>
TOPIC: Socio-Economic			
Assessment Methodology	Several of the baseline data sources in ES Chapter 17 Socio-Economic [APP-042] and Appendix 17.9.3 [APP-201] are out of date which is a concern given the reliance on these sources to inform the various assessments. Up-to-date baseline data should be sourced to inform assessments. This should include obtaining relevant data from local authorities.	Assessment undertaken using up to date information	Likely
Assessment Methodology	Despite being raised as a gap in the assessment at several Socio-economic Topic Working Group meetings, there is still no assessment of effects undertaken at a local authority level. The impacts of the project on key variables such as employment, labour market, housing (including affordable), social infrastructure and temporary accommodation need to be assessed given they affect both functioning and decision making at the local level.	GAL should undertake an assessment of project impacts on each local authority located within the Northern West Sussex Functional Economic Market Area (FEMA) to adequately understand the extent of impacts at a local level.	Uncertain
Magnitude of impacts definition	Appendix 17.9.3 Paragraph 17.4.25 [APP-201] presents tables defining the scale of magnitude of impacts for construction and operational periods of the project. The use of numbers and percentages to	The Applicant should review these numbers to determine their	Uncertain

	quantify impact can be challenging especially given all study areas are different and can be influenced by a number of different factors. It is not clear how these the ranges were defined to inform the assessment.	appropriateness given the study areas for the project. The Applicant should also provide the rationale for the job ranges provided.	
Assessment of impacts on labour supply	Appendix 17.9.3 Paragraph 5.2.14 [APP-201 states that the project is only expected to be a determinant in whether there is labour shortfall or surplus in the HMA for one area (Croydon and East Surrey) where the project tips surplus into supply in a single year. The basis for this conclusion does not appear robust, as based on the analysis the project is shown to exacerbate labour shortfall issues across multiple areas. Furthermore, if underlying inputs in the model are changed to reflect the fact that the labour market is already more constrained as has been modelled, it is likely shortfalls would be greater across many of the areas.	Given the limitations in its approach, the Applicant justify the basis of the assessment which concludes that the project is only expected to be a determinant in whether there is labour shortfall or surplus in the HMA for one area. The applicant should revisit the assessment which should be undertaken at a local authority level.	Uncertain
Economic Skills and Business Strategy [APP-198] - Lack of information on implementation plan, performance, measurable targets, funding and financial management, monitoring and reporting. Route map from ESBS to Implementation Plan is not identified.	Options identified in the ESBS are not necessarily directly aligned with local specific issues and need. The document states that performance, financial management, monitoring and reporting systems will be set out in detail in the Implementation Plan. It is unclear why the Applicant is unable to provide further details on these arrangements within the ESBS in	The Applicant as part of ESBS should provide more detail on potential tailored initiatives that would specifically align with and support local	Uncertain

	<p>order to provide sufficient reassurance that appropriate systems will be in place. The ESBS also provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO vs. provision and outputs offered in a Business as Usual (BAU) scenario. Furthermore, the ESBS does not set out any process for how the Implementation Plan would be developed. Given the Applicant is currently suggesting that the majority of the relevant content for the local authorities will be set out in the Implementation Plan, it is essential that the Applicant provides further details on the process for delivering this.</p>	<p>communities. This should include relevant baseline information to demonstrate local need, which should appropriately consider the variations between local authorities. The Applicant should provide some details on performance, financial management, monitoring and reporting which can be developed further as part of an Implementation Plan. The Applicant should also clearly explain the difference of BAU and DCO scenarios in terms of provision & outputs. A route map should be provided which explains the process from ESBS to Implementation Plan, aligned to areas of identified local need and outcomes.</p>	
<p>TOPIC: Historic Environment and Landscape</p>			

The assessment of the potential for noise impact on the High Weald AONB	The Council is not yet satisfied that there will not be more intensive use of flightpaths that are currently infrequently used (i.e. route 9/WIZAD). The Council is concerned that noise impacts on the High Weald Area of Outstanding Natural Beauty have not been robustly assessed	Provision of robust evidence regarding the use of Route 9 which can then inform a robust assessment of potential increased overflight and noise on the High Weald AONB.	Likely
The assessment of the potential for noise impact on the Historic Parks and Gardens	The Council is not yet satisfied that there will not be more intensive use of flightpaths that are currently infrequently used (i.e. route 9/WIZAD). The Council is concerned that noise impacts on the Historic Parks and Gardens have not been robustly assessed	Provision of robust evidence regarding the use of Route 9 which can then inform a robust assessment of potential increased overflight and noise on the Historic Parks and Gardens.	Likely
TOPIC: Draft Development Consent Order			
The drafting of the draft DCO	As currently drafted the Development Consent Order does not provide sufficient controls to manage development proposals.	The Draft Development Consent Order to be reviewed taking into account the specific comments made in Relevant Representation and (forthcoming) Local Impact Report.	Likely