

Gatwick Northern Runway TR020005

PRINCIPAL AREAS OF DISAGREEMENT SUMMARY STATEMENT – DEADLINE 2 UPDATE

March 2024



Our ref: 20044834

Your ref: TR020005

Kevin Gleeson
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Via E-Mail to:

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Dear Mr Gleeson,

GATWICK NORTHERN RUNWAY PROJECT – PRINCIPAL AREAS OF DISAGREEMENT SUMMARY STATEMENT – DEADLINE 2 UPDATE

This document has been submitted in accordance with the requirements set out in the Rule 8 letter to update the Examining Authority of the progress of negotiations between National Highways and the Applicant in respect to the matters identified in National Highways Principal Areas of Disagreement Summary Statement (PADSS).

To provide clarity for the reader, National Highways has identified in each matter the latest position. This will either be the latest position provided in National Highways Statement of Common Ground with the Applicant at Deadline 1 or, where additional information was submitted by the Applicant at Deadline 1 has sought to address a matter, a Deadline 2 update position has been provided.

A clean and tracked change version has been submitted by National Highways in order to assist the Examining Authority in identifying any changes to the position between both parties or the respective likelihood of the matter being resolved within the timeframes of the examination.

Principal Areas of Disagreement Summary Statement

Principal Areas of Disagreement Summary Statement (PADSS) from National Highways					
PADSS / SoCG Reference Number	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	Concern Addressed
1 2.7.1.1	Draft Development Consent Order (TR020005/APP/AS-004) Article 6 – Limits of Deviation (LoD)	Subparagraph (4) applies LoD's that appear excessive for the proposed highways works. Without information, or justification, National Highways has a concern that a design which is not compliant with DMRB may be permitted under the terms of the DCO.	National Highways requests that the Applicant either justifies this flexibility or reduces the LoD's accordingly and presents any updates in a table format similar to that utilised as part of the A66 Northern Tran-Pennine Project (TR010062/APP/REP9-013). Alternatively, conditions would need to be in place and secured in the DCO whereby utilisation of wider LoD's would require the express consent of National Highways where deviation may impact the SRN. Updated position (Deadline 1 SoCG): National Highways request that Gatwick's position is updated to reflect the latest status of negotiations, whereby Gatwick have confirmed that revised Limits of Deviation are currently being discussed between both parties.	High	
2 2.7.1.2	Land Plans (TR020005/APP/AS-015)	National Highways has reviewed the Land Plans (TR020005/APP/AS-015) and Book of Reference (TR020005/APP/AS-010) and notes that the Applicant is wishing to exercise compulsory acquisition powers over existing National Highways land and by association the SRN. National Highways considers the breadth of the rights to be acquired under Schedule 7 to the dDCO are currently too wide.	National Highways cannot accept this approach and recommends that the Applicant: <ul style="list-style-type: none"> revert within the Land Plans any existing land under National Highways ownership to solely temporary possession in line with the approach that has been undertaken on the London Luton Airport Expansion Scheme that is currently in examination (TR020001/APP/AS-011). Seek to agree with NH temporary possession of the land required for the construction of the scheme. Where, exceptionally, the Applicant requires permanent rights over any existing National Highways land ownership, these are to be identified and communicated to National Highways, with a clear justification provided, to demonstrate the need for a permanent right being acquired. This will be considered by National Highways and any concerns will be highlighted to the Examining Authority. Updated position (Deadline 1): The existence of Protective Provisions does not provide a response to the requirement to provide a compelling case for acquisition.	High	

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3 2.7.1.3	Draft Development Consent Order (TR020005/APP/AS-004) Schedule 7 - Land in Which Only New Rights etc. May be Acquired	The purpose for which powers are taken over land is unclear.	The Applicant should set out the specific rights it is seeking over National Highways interests. Updated position (Deadline 1): The Applicants response to this issue does not provide a compelling case in the public interest for the powers sought and does not comply with guidance that compulsory acquisition powers should be limited to what is necessary. Advice Note 15 is clear that powers to acquire rights and impose restrictive covenants should not be justified in general terms.	High	
4 2.7.1.4	Draft Development Consent Order (TR020005/APP/AS-004) Article 27 – Compulsory acquisition of land	It is not clear what ancillary purposes the Applicant seeks to “use” all of the Order land. The relevant compulsory acquisition guidance (Planning Act 2008: procedures for the compulsory acquisition of land (September 2013 Department for Communities and Local Government) makes clear, that the Applicant will need to demonstrate that the interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate.	National Highways seeks clarification on article 27(1)(b) and National Highways considers that article 27 (1)(b) should be deleted in its entirety. Updated position (Deadline 1): The Applicants response does not respond to the unprecedented and unclear wording relating to “use”, nor does it provide a justification for its used. The mere fact that National Highways must consent to the use of the powers, does not circumvent for the scope of the powers being properly defined.	High	
5 2.7.1.5	Draft Development Consent Order (TR020005/APP/AS-004) Article 31 – Time limit for exercise of authority to acquire land compulsorily.	10 years is an excessively long period of time for land to be subject to compulsory acquisition powers given the limited scale of the development. Schemes which have obtained periods longer than 5 years are typically those which are significantly more complex and linear.	National Highways recommends this is reduced to 5 years unless the Applicant is able to provide a reasonable justification. Updated position (Deadline 1): The mere reference to precedent does not justify the use of the elongated period on this Scheme.	High	

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6 2.7.1.6	Draft Development Consent Order (TR020005/APP/AS-004) Schedule 2, Requirement 20	The Applicant's approach to securing its proposed Transport Mitigation Fund is unclear. The provision secures the Surface Access Commitments which includes "Commitment 14: Transport Mitigation Fund" but there is no securing mechanism under the DCO or detail regarding what this would comprise. The Planning Statement suggests that this would further be secured by the Section 106, but again no details are provided and it is difficult to see how this would secure necessary interventions on the Strategic Road Network.	<p>The Applicant should clarify the scope of the Transport Mitigation Fund and, seek to implement a Requirement which defines:</p> <ul style="list-style-type: none"> • The scope of the Transport Mitigation Fund • The level of commitment within the Transport Mitigation Fund. • The relevant thresholds which would trigger the activation of the Transport Mitigation Fund. • The parties to be consulted during the development of any Transport Mitigation Fund proposals. • The parties that would act as the approval body for the Transport Mitigation Fund proposals. <p>Updated position (Deadline 2): A draft Section 106 Agreement has been shared with the Local Authorities and National Highways with discussions ongoing. National Highways will review the draft legal agreement submitted at Deadline 2 and will respond at Deadline 3 with proposed changes in order to protect National Highways position.</p> <p>National Highways has submitted into the Examination at Deadline 2 a "mark-up" version of the Surface Access Commitments document in order to outline the changes that would be required to satisfy National Highways concerns. National Highways will await any response from the Applicant at future deadlines.</p>	Medium	

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7 2.7.1.7	Draft Development Consent Order (TR020005/APP/AS-004) and Transport Assessment Report (TR020005/APP/258) Business as Usual Upgrades	<p>The Transport Assessment sets out that the future baseline “also includes improvements planned as part of the Applicants Capital Investment Plan (CIP), intended to address increases in airport-related and background demand that would occur without the Project. These comprise the signalisation of North Terminal and South Terminal roundabouts and associated physical changes to increase capacity.”</p> <p>As powers for this work are not being taken in the DCO, they will not be delivered under the terms of the DCO nor is there any certainty of when or how this would be delivered. National Highways seeks:</p> <ul style="list-style-type: none"> a) a sensitivity test to show impacts if this was not delivered and / or: b) a requirement as set out in the column to the right. 	<p>National Highways therefore requests the insertion of the following Requirement, to secure the assumption made in the Applicant’s Transport Assessment. The wording is provided below.</p> <p>“24. Gatwick North Terminal and South Terminal Roundabout Signalisation</p> <p><i>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 the South Terminal roundabout signalisation scheme is completed and open for traffic.</i></p> <p><i>(2) In this paragraph, “the North Terminal and the South Terminal roundabout signalisation scheme “means the proposed intervention referred to in paragraph 13.2.8 to 13.2.11 of the Transport Assessment and shown diagrams 13.3.1 and 13.3.2 of the Transport Assessment, or any other intervention on those roundabouts agreed with National Highways.</i></p> <p>Updated position (Deadline 1):</p> <p>National Highways requests a Requirement, to secure the assumption made in the Applicant’s Transport Assessment.</p> <p>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:</p> <p>24. Gatwick North Terminal and South Terminal Roundabout Signalisation</p> <p>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</p> <p>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.</p>	Medium	

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8 2.7.1.8	Draft Development Consent Order (TR020005/APP/AS-004) Schedule 9 – Protective Provisions Clause 2 - Interpretation	National Highways disagrees with the current definition of condition surveys within the Protective Provisions drafted by the Applicant. National Highways is concerned that it does not make clear, all aspects which must be covered in the condition survey and excludes a number of assets, including drainage which are critical to the safe operation of the SRN.	National Highways requests that the section relating to condition survey be updated to include the following: “condition survey” means a survey of the condition of National Highways’ structures and assets <i>(including, but not limited to, drainage and cabling) and pavements</i> within the Order limits that <i>in the reasonable opinion of National Highways</i> , may be affected by the specified works <i>and further to include, where the undertaker, following due diligence and assessment, identifies a specific part of the highways drainage system maintained by National Highways, that National Highways reasonably considers may be materially and adversely affected by a specified work, a CCTV survey of specified drains;</i> Updated position (Deadline 1): Discussions between the parties on the wording of PPs is on-going.	High	
9 2.7.1.9	Draft Development Consent Order (TR020005/APP/AS-004) Schedule 9 – Protective Provisions Clause 5 – Prior approvals and security	It is National Highways’ view that the list of elements that are subject to prior approval by National Highways is insufficient to protect National Highways’ interests.	National Highways requires the inclusion of: Article 32 (Private Rights of Way) Article 35 (Acquisition of subsoil or airspace only) Article 36 (Rights under or over streets) Article 45 (Use of airspace within the Order Land) Updated position (Deadline 1): Discussions between the parties on the wording of PPs is on-going.	High	

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10 2.7.1.10	Statement of Reasons (TR020005/APP/AS-008) Appendix B – Status of Engagement with Statutory Undertakers	<p>National Highways is concerned that in a few cases land ownership is not captured correctly within the Application documents.</p> <p>National Highways has reviewed the Land Plans, Book of Reference and Statement of Reasons and has identified a number of inconsistencies such as those listed below:</p> <p>Identifies plot 1/014 as being a National Highways' plot. National Highways is not listed in the Book of Reference (BoR) against this plot and Surrey CC are the highway authority. Similarly, plot 1/036 is listed against National Highways name in Appendix B but not Appendix A.</p> <p>As part of National Highways review of the Land Plans, Book of Reference and Statement of Reasons, National Highways has also identified discrepancies in title ownership, ownership boundaries and third-party rights. National Highways will issue to the Applicant a comprehensive list of these inconsistencies in order for these matters to be addressed in full.</p>	<p>National Highways recommends that the Applicant carry out a review of the plots referred to in Appendix B and confirm to National Highways that it is accurate.</p> <p>National Highways will be undertaking a parallel review and reserves the right to highlight any additional issues during the examination period.</p>	Medium	

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11 2.20.2.2	Transport Assessment (TR020005/APP/258) Cumulative Sensitivity Test	<p>National Highways considers that the application is not accompanied with sufficient modelling information to enable National Highways, nor the Examining Authority, to understand the impact of the Scheme.</p> <p>National Highways has been in receipt of a series of sensitivity tests that have not been included in the Applicant's DCO application. However, National Highways believes that these sensitivity tests conducted in isolation, do not demonstrate a reasonable worst-case scenario to assess the impacts to the SRN.</p>	<p>National Highways therefore requests that a cumulative sensitivity test is conducted by the Applicant which includes the following:</p> <ul style="list-style-type: none"> • TAG Unit M4 – Appendix B.3 to account for the impact of covid on traffic demand. • The removal of the M25 J10-16 Smart Motorway scheme. • The rephrasing of the completion of Lower Thames Crossing in 2032. • M23 Junction 9 sensitivity testing. • The latest published forecasts included in the National Trip End Model (NTEM) 8.0. • The latest published National Road Traffic Projections (NRTP) 2022. <p>Subject to the results of the above sensitivity test, National Highways may require the Applicant to undertake further assessments.</p> <p>It is important that the outcomes of these assessments are provided in a timely manner, to enable National Highways to review the information within the examination timeframe.</p> <p>Updated position (Deadline 1): National Highways has requested that VISSIM modelling is provided in order to enable National Highways to review the operational performance of the network under the cumulative sensitivity test scenario. Until such time National Highways can review this information we cannot confirm acceptable impacts on the network. National Highways awaits further information to be provided by the Applicant as outlined in their position.</p>	Medium	

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12 2.20.1.1	Transport Assessment (TR020005/APP/258) Staff Travel Survey	<p>The Transport Assessment Report outlines that there is an existing Airport Surface Access Strategy (ASAS) requirement to undertake a staff travel survey in early 2023. However, National Highways notes that this information has not been included in the Applicant's submission.</p> <p>National Highways is concerned that, without sight of this information, National Highways cannot assess whether the assessments relying on historical data remain an accurate depiction which may undermine the conclusion of the Transport Assessment (TR020005/APP/258).</p>	<p>National Highways requests an update on the status of this travel survey. If completed, National Highways requests an update to the report, to outline how the updated survey data impacted any reporting.</p> <p>If this survey has not been completed, National Highways requests that this survey is completed at the earliest opportunity to allow the updated survey data to be reviewed within the timescales of the examination.</p> <p>Updated position (Deadline 1): National Highways request that the 2023 Staff Travel Survey Data is introduced into the examination in order for National Highways to ascertain if staff travel patterns are representative of what is in the base model.</p>	Medium	
13 2.20.4.1	Transport Assessment (TR020005/APP/258) Section 14	<p>Key to mode split assumptions for employee trips to Gatwick, are the packages of interventions to incentivise the use of sustainable travel modes, over car travel for staff.</p> <p>Section 14.5.2 states that the Applicant "is committed to implemented incentives for active travel. The precise nature of those measures will need to be defined in due course and in future ASAS, In consultation with employers and staff."</p> <p>The Applicant is therefore basing their mode split assumptions on incentivisation measures which have not been defined, agreed or secured. Furthermore, the Applicant does not give clear detail in this section on how active travel assumptions affect forecast work trips to Gatwick.</p>	<p>National Highways requests that the Applicant provides further detail on the possible incentivisation measures and how any active travel assumptions relate to an increase in non-car work trips to Gatwick.</p> <p>Updated position (Deadline 1): National Highways request that additional clarity on how incentivisation measures are to be secured and welcomes updates from the Applicant in due course.</p>	High	
14 2.20.3.1	Transport Assessment (TR020005/APP/258) Section 15	<p>Whilst Annual Average Daily Traffic (AADT) flow changes have been reported, these are aggregate in nature and peak hour flow changes are considered by National Highways, to be more appropriate in the case of the Airport. There is also no reporting by the Applicant regarding delay or journey time changes, associated with the change in flows due to construction traffic, but also associated with changes to the road layout during the highway works.</p>	<p>National Highways requires more detail on for the construction phase traffic flows to enable sufficient understanding of the impacts on the highway network and any associated mitigation required.</p> <p>Updated position (Deadline 1): National Highways has requested that VISSIM modelling for the construction period is provided in order to enable National Highways to examine the operational performance of the network under the different construction phases.</p>	Medium	

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15 2.20.1.2	Transport Assessment Report Annex B: Strategic Transport Modelling Report (TR020005/APP/260) Section 6.8	In Section 6.8, the Applicant describes the issues with the use of the data for the base model. National Highways notes that the rail model has not been updated using post-Covid rail and passenger data.	National Highways therefore requests that the Applicant justify this approach and consider any corresponding impacts on the traffic forecasts. Furthermore, National Highways requests that the Applicant confirms whether this approach has been considered as acceptable by other relevant interested parties, notably Network Rail.	Medium	
16 2.20.3.2	Transport Assessment Report Annex B: Strategic Transport Modelling Report (TR020005/APP/260) Paragraph 7.2.3 and 7.2.4	In paragraph 7.2.3, the Applicant states “However, by 2047, there would be little difference between air passenger demand at Gatwick with or without Heathrow R3.” Also, paragraph 7.2.4 states “In terms of public transport, the network and catchments serving the two airports are different and therefore the cumulative effects of additional runways at Gatwick and Heathrow are unlikely to be significantly different to those modelled for the Project”. National Highways is concerned that this conclusion is not supported by any detail to enable National Highways to make an informed assessment.	The Applicant is requested to provide additional information to justify this position. Updated position (Deadline 1): The Applicant has provided a sufficient response and clarification. This matter is agreed.	High	Yes Matter concluded at Deadline 1
17 2.20.1.3	Transport Assessment Report Annex B: Strategic Transport Modelling Report (TR020005/APP/260) Paragraph 7.3.18	The Applicant states “However, an August day is not the busiest in terms of the local road network where traffic volumes can be 1-2% below the annual average condition.” However, National Highways notes that, in Figure 31, the information presented demonstrates that weekday arrivals by car are 41% in August and 27% in June.	National Highways therefore requests that the Applicant clarify why June provides the reasonable worst-case scenario for traffic when reporting the associated impact on the SRN. Updated position (Deadline 1): National Highways welcome the clarification from the Applicant, and considers this matter now agreed. National Highways will consider any further response from the Applicant in its response to National Highways' relevant representation.	High	Yes Matter concluded at Deadline 1
18 2.20.1.4	Transport Assessment Report Annex B: Strategic Transport Modelling Report (TR020005/APP/260) Paragraphs 8.3.4, 8.3.5 and 8.3.6	In section 8.3 of this report, the Applicant notes that “the busiest month for construction vehicle activity is December 2026 with 38,450 construction vehicles for the busiest shift across that month, comprising 16,360 construction workforce or Person Owned Vehicles (POVs) and 22,090 other construction vehicles as a mix of HGVs, LGVs and Liveried Vans and a two-shift day”. National Highways notes that the Applicant has provided no explanation as to how these figures are derived and therefore cannot assess the accuracy of these figures.	National Highways therefore requests that the Applicant provides the justification for how these figures are derived. If these figures are based on an outline construction plan, this should be shared with National Highways. Updated position (Deadline 1): National Highways will await receipt of the Applicants further information for review.	High	

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19 2.20.3.3	Transport Assessment Report Annex E: Highway Junction Review (TR020005/APP/263) General	National Highways has previously requested that the Applicant provide maximum queue length profiles (at one-to-five-minute intervals) throughout all modelled periods for the M23 SB off-slip approach to the signals from the VISSIM model. This information has not been provided by the Applicant in either Annex C or Annex E of the Transport Assessment Report.	National Highways requests that this information is provided. Updated position (Deadline 1): National Highways awaits further information to be provided by the Applicant as outlined in their position.	Medium	
20 2.20.4.5	Environmental Statement Appendix 5.4.1: Surface Access Commitments (TR020005/APP/090) Section 4	The mode share aspirations used by the Applicant are ambitious and currently the measures do not give National Highways the confidence that these commitments can be achieved. National Highways notes that these commitments will include the need to provide additional bus/coach services. However, this is not in the Applicant's remit to provide. The biggest mode share shift reported by the Applicant is to rail journeys. However, the Applicant only outlines the possible measures that could be implemented to meet this commitment. The Applicant notes that they would only provide reasonable funding for a minimum of five years for any additional services.	National Highways requests details as to how these measures could be secured, in order to ensure that this commitment can be achieved. National Highways requests additional details on any agreements that are in place or alternatively what securities can be established for the continuity of this programme after the five-year commitment ends. Updated position (Deadline 2): National Highways has submitted into the Examination at Deadline 2 a "mark-up" version of the Surface Access Commitments document in order to outline the changes that would be required to satisfy National Highways concerns. National Highways will await any response from the Applicant at future deadlines.	Low	
21 2.20.4.6	Environmental Statement Appendix 5.4.1: Surface Access Commitments (TR020005/APP/090) Paragraph 5.2.7	National Highways notes that the Applicant reports that additional parking provision would only be provided where there is demand. National Highways is concerned that the Applicant has not outlined how this demand would be assessed nor what thresholds would trigger the need for additional parking. Furthermore, the Applicant does not provide details on how any additional parking provision would be secured.	National Highways asks that the Applicant provides additional information regarding how additional parking needs would be assessed and secured. Updated position (Deadline 2): National Highways has submitted into the Examination at Deadline 2 a "mark-up" version of the Surface Access Commitments document in order to outline the changes that would be required to satisfy National Highways concerns. National Highways will await any response from the Applicant at future deadlines. National Highways has reviewed the Car Parking Strategy Technical Note [TR020005/REP1/051] and notes that these matters are also to be addressed as part of the S106 agreement, which still remains under discussion.	Medium	

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22 2.20.3.4	General	<p>National Highways notes that only minor improvements are proposed at M23 Junction 9 and that no further works are currently proposed.</p> <p>National Highways has not yet seen conclusive evidence (through modelling) that the Applicant's proposals will not have a detrimental impact on the safe and effective operation of the wider SRN. National Highways' concern is that it is currently not able to confirm whether further mitigations beyond the current limits of the proposed highway enhancements are necessary.</p>	<p>National Highways requests that the Applicant provide justification, through modelling, for the works at M23 Junction 9.</p> <p>Updated position (Deadline 1): National Highways awaits further information to be provided by the Applicant as outlined in their position.</p>	Medium	
23 2.20.5.1	General	<p>Where the eastbound carriageway meets M23 Junction 9, National Highways has reviewed its records and highlights the presence of a number of existing departures from standards being in effect in this area.</p> <p>Based upon the Applicant's documentation, National Highways is not able to conclude whether these departures from standard remain in the end-state design, are modified but still feature sub-standard components or have been removed as part of the proposals.</p> <p>Any departure from standard needs to be brought to National Highways' attention at the earliest opportunity to ensure appropriate mitigation is implemented to ensure the safe operation and maintenance of the SRN.</p>	<p>National Highways requests that Applicant review these existing departures in the context of the proposed surface access works to ensure that these departures are either removed or updated to reflect the proposed works, including any additional mitigation requirements.</p> <p>Updated position (Deadline 1): National Highways notes the Applicants position and discussions are on-going.</p>	High	
24 2.20.5.11	Environmental Statement Appendix 5.2.2: Operational Lighting Framework (TR020005/APP/077) Paragraph 5.1.3	<p>National Highways notes that a consultation exercise with existing users could be considered appropriate by the lighting designer. However, it is National Highways' view that the Applicant should be engaging with National Highways and other Local Authorities. Without such engagement, critical elements of lighting which could be highlighted by the operators of the road network, may be omitted or excluded from the operational lighting strategy.</p>	<p>National Highways requests that the Applicant implements a working group with both National Highways and the affected Local Authorities to ensure that the lighting strategy is holistic.</p> <p>Updated position (Deadline 1): National Highways welcomes this clarification from the Applicant. National Highways consider that this matter may be agreed subject to confirmation from the Applicant on where this right to be consulted on is secured in the DCO / control document.</p>	High	

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25 2.20.5.2	Parameter Plans (TR020005/APP/019)	The Applicant's proposals are to introduce and refine the three-lane entry to the M23 Junction 9 circulatory. However, the proposals do not demonstrate what, or if any, alterations to the circulatory and / or Northbound merge are required. Currently there is a segregated left turn lane into the Northbound merge from the existing Eastbound Spur arrangement, but it is not clear based upon the Applicant's proposals if this is to be retained, removed or altered.	National Highways requests that the Applicant provides further detail for this location and incorporate any of these associated works as a listed works number in the Work Plans and the dDCO. Updated position (Deadline 1): National Highways will maintain its position until a time where by the engagement meetings focusing on the M23 Spur Proposals are concluded to the satisfaction of both parties.	High	
26 2.20.5.3	Streets, Rights of Way and Access Plans (TR020005/APP/018)	The Applicant has identified through the use of pink linework that the proposed footway or cycleway improvements are part of the surface access works. However, this detail does not allow National Highways to distinguish between different types of features such as footpaths, shared footway / cycleways or segregated footway / cycleways.	National Highways requests that the Applicant distinguish clearly on the Streets, Rights of Way and Access Plans, the different types of pedestrian and cyclist routes to be implemented. Cross section or details of the width of each provision is also requested for National Highways to consider the suitability of these provisions in accordance with the DMRB CD143. Updated position (Deadline 2): National Highways thanks the Applicant for submission of updated documentation at Deadline 2 providing the level of information requested [TR020005/REP1/014]. Having read this material in conjunction with the Applicant's responses to matters arising from Issue Specific Hearing 4 in Annex A [TR020005/REP1/065], National Highways has raised additional matters within its Comments on Submissions Received at Deadline 1 document. National Highways request that the applicant review these comments in conjunction with the updates Streets, Rights of Way and Access plans and, subject to a satisfactory response being provided, both parties can work towards closing this matter.	High	

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27 2.5.1.1	Environmental Statement Appendix 5.3.1: Buildability Report Part B (TR020005/APP/080)	<p>For the Airport Way Eastbound Link from the A23, the Applicant is proposing extensive works to this section of the SRN which seemingly arise from a need to include the new footway link below the road along the embankment.</p> <p>National Highways is concerned of the level of disruption that the works would generate to implement a new footway link in this area and whether any alternative solutions were considered.</p>	<p>The Applicant is to provide clarity on whether this is the sole reason for the change and whether alternative solutions were considered in this area that would not require extensive works to realign the carriageway.</p> <p>Updated position (Deadline 1): National Highways request that the Applicants position is updated to reflect the latest stages of negotiations as shown below:</p> <p>As agreed at the design TWG on 9th January, the final alignment for this link will be reviewed and developed at the detailed design stage in consultation with National Highways. The vertical and horizontal alignments of the link combined with the design of the footway link to the north all influence the nature of the scheme impacts at this location and will require additional ground investigations and contractor input to determine the final solution. Design refinement can be accommodated within the Limits of Deviation for the scheme.</p> <p>This has been added to the scheme action tracker as an action to be addressed at the detailed design stage after the DCO has been granted.</p>	High	
28 2.22.5.1	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) General	<p>The Applicant is proposing a series of attenuation ponds and detention basins in proximity to an operating airport.</p> <p>The presence of open attenuation ponds risks an increase in migrating birds in the vicinity of the airport, which in turn risks an increase in the risk of bird strikes for landing or departing aircraft.</p>	<p>The Applicant will need to confirm whether these systems will have a permanent water level and what measures are proposed to minimise the risk of bird strikes to aircraft, given any new open water features proposed for the SRN.</p> <p>Updated position (Deadline 1): National Highways request that the surface water drainage strategy is updated to cover both the permanent and transitional phases during operation whilst the reed bed systems become established.</p>	High	
29 2.22.5.2	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) General	<p>Changes to the highway alignment may result in existing drainage chambers being sited in running lanes.</p> <p>Chambers in running lanes present a safety risk to road users and maintenance operatives and it is National Highways position that all chambers are sited outside of running lanes to ensure the safe operation and maintenance of the SRN.</p>	<p>National Highways requests that all drainage chambers in running lanes are relocated out of traffic areas.</p> <p>Updated position (Deadline 1): National Highways are content with the Applicants position and information shared in joint drainage design meetings.</p>	High	Yes Matter concluded at Deadline 1

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30 2.22.5.3	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) General	Third party connections to the SRN drainage network should not form part of the proposed drainage strategy. National Highways cannot confirm, based upon the details provided in the Applicant's submission that third party connections do not connect into National Highways SRN network. Any third-party connection represents a liability to National Highways which may impact the performance of the SRN network if not properly maintained or designed in accordance with National Highways requirements.	National Highways mandates that there should be no new third-party connections to the SRN drainage network, and any existing third-party connections should be removed where possible. Updated position (Deadline 1): National Highways welcomes the commitment on the drainage and third-party connections, but requests confirmation from the Applicant on how and where this is secured in the DCO / control documents.	High	
31 2.22.3.1	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) Catchment 4	National Highways requires any surface access works to mitigate the impact of climate change, ensuring no increase in flood risk as a consequence of changes to the SRN. Furthermore, National Highways has a responsibility to ensure that highway runoff is treated sufficiently prior to discharge. Based upon the Applicant's submission, National Highways is not able to assess whether the Applicant's proposals for Catchment 4 accord with National Highways water quality requirements.	National Highways requests clarification from the Applicant regarding which attenuation or treatment measures are proposed for the runoff from Catchment 4. Updated position (Deadline 1): Providing a betterment as outlined in the SoCG meets the expectation and, subject to WSCC accepting as the LLFA, then no further issues.	Medium	Yes Matter concluded at Deadline 1
32 2.22.5.4	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) Catchments 4 and 5	All existing networks should be reviewed and brought in line with the latest allowances for climate change.	The Applicant will need to confirm that the drainage edge of pavement and conveyance systems in existing highway areas will be designed to DMRB CG501. This should be secured under one of the control documents. Updated position (Deadline 1): National Highways are content with the Applicants position and information shared in joint drainage design meetings.	High	Yes Matter concluded at Deadline 1

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33 2.22.5.5	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annex 2 Surface Water Drainage Strategy (TR020005/APP/148) Catchment 1	It is not clear to National Highways what, if any changes, are being undertaken to the existing basin serving Catchment 1.	National Highways requests that the Applicant clarifies whether any amendments to the existing basin serving Catchment 1 is proposed and that the capacity of the existing edge collection and conveyance systems have been assessed, to ensure that they confirm to DMRB CG501. Updated position (Deadline 1): National Highways are content with the Applicants position. However, to note that National Highways are not consulted on requirement 10 (Surface and foul water drainage). However, National Highways are protected by the PPs which require the Applicant to comply with DMRB.	High	Yes Matter concluded at Deadline 1
34 2.20.5.4	Surface Access Highways Plans – General Arrangements (TR020005/APP/020) Airport Way Rail Bridge Parapets	The Applicant proposes to widen the Westbound deck and provide parapets to the latest design requirements of DMRB CD377 – Requirements for Road Restraint Systems. However, the Applicant makes no reference to the Eastbound carriageway. Failure to identify this, risks the Applicant underestimating the scope of the works and therefore the level of disruption to the SRN	If no assessment has taken place, National Highways requests that the Applicant implement a Road Restraint Risk Assessment Process (RRRAP) for the Eastbound alignment to assess if the existing parapet and approach road restraint system will meet current standards. Updated position (Deadline 1): National Highways request that the Applicants position is altered to the following: Gatwick are aware that the parapet in question is subject to a wider replacement programme and will continue to engage with National Highways to streamline any replacement works to minimise disruption to road users where possible.	Medium	
35 2.20.5.5	Surface Access Highways Plans – General Arrangements (TR020005/APP/020) Balcombe Road Underbridge	National Highways notes that the mainline and slip road bridges will be sited near one another. National Highways is concerned that the proximity of these structures will generate additional maintenance challenges or restrictions.	National Highways requests that the Applicant considers maintenance requirements and agree these principles with National Highways, to provide confidence that all activities can be undertaken safely. Updated position (Deadline 1): National Highways notes the Applicant's position and this matter can be agreed.	Medium	Yes Matter concluded at Deadline 1

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36 2.20.5.6	Structure Section Drawings (TR020005/APP/022) Drawing 41700-XX-B-LLO-GA-200178	This drawing provides a section through the Balcombe Road Underbridge. For the Gatwick Spur Eastbound carriageway Section C - C, this section denotes the presence of the noise barrier but does not indicate there being any structural parapet or edge restraint system on the parapet edge beam.	<p>The Applicant is to confirm whether there is edge restraint being provided on this area and, if required, ensure that this drawing is updated.</p> <p>Updated position (Deadline 2): National Highways has reviewed the proposals by the Applicant and recommends the Applicant considers the following two options:</p> <p>If maintenance activities require operatives to access to the rear of the noise barrier, a pedestrian parapet system is to be installed on the structure to act as an edge restraint to minimise the risk of falling.</p> <p>If there are no maintenance activities required to the rear of the noise barrier, the noise barrier is to be repositioned on the structure to sit on the plinth, thereby restricting any unauthorised access to the structure. If this solution is considered by the Applicant, the relocation of the noise barrier may need to be considered as part of any acoustic assessments.</p>	High	
37 2.20.5.7	Structure Section Drawings (TR020005/APP/022) Drawing 41700-XX-B-LLO-GA-200175	This drawing provides a section; however, the section does not indicate there being any structural parapet on the north side of the noise barrier.	<p>The Applicant is to confirm whether there is edge restraint being provided on this area and, if required, ensure that this drawing is updated.</p> <p>Updated position (Deadline 2): National Highways has reviewed the proposals by the Applicant and recommends the Applicant considers the following two options:</p> <p>If maintenance activities require operatives to access to the rear of the noise barrier, a pedestrian parapet system is to be installed on the structure to act as an edge restraint to minimise the risk of falling.</p> <p>If there are no maintenance activities required to the rear of the noise barrier, the noise barrier is to be repositioned on the structure to sit on the plinth, thereby restricting any unauthorised access to the structure. If this solution is considered by the Applicant, the relocation of the noise barrier may need to be considered as part of any acoustic assessments.</p>	High	

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38 2.20.5.8	Structure Section Drawings (TR020005/APP/022) General	All engineering sections do not outline that headroom requirements have been met in accordance with DMRB CD127.	National Highways requests that the Applicant incorporate labels or linework which denotes the headroom envelope on the elevation detail. Updated position (Deadline 2): National Highways welcomes the commitment that the assessment and reporting will be undertaken in accordance with DMRB CD127. National Highways request clarity on where this is secured as part of the Protective provisions.	High	
39 2.10.3.1	Geotechnical Design Matters General	With regards to geology and ground condition impacts, a moderate risk of slope instability for an area along the A23 has been identified. This could create a potential safety risk to the SRN and its users.	National Highways requests details from the Applicant to be assured that the design has put in place appropriate mitigation, in order to ensure that any issues of slope instability are managed. Updated position (Deadline 2): National Highways welcomes the commitment that the assessment and reporting will be undertaken in accordance with DMRB CD622. National Highways request clarity on where this is secured as part of the Protective provisions.	High	
40 2.2.3.1	Environmental Statement Chapter 13: Air Quality (TR020005/APP/038) General	National Highways has an air quality KPI, agreed with the Department for Transport and based on the Pollution Control Mapping model, to bring links into compliance with legal NO ₂ limits in the shortest possible time. There are six compliance links surrounding the proposed site boundary, with one located within the Applicants site. These are located on roads including the A23 (located within the proposed site boundary), A264, A2220, A2004, A2011 and A2219. All these compliance links were predicted to comply with the set standard (EU Limit Value of 40µg/m ³ as an annual mean for NO ₂) in 2018 and National Highways is concerned that the Applicant's proposals risk an exceedance being generated to the EU Limit Value.	National Highways requires the Applicant to provide evidence that the proposed SRN mitigation scheme will not exacerbate pollutant levels along these links and that the proposed scheme will not lead to an exceedance in the EU Limit Value of 40µg/m ³ as an annual mean for NO ₂ along these links. Updated position (Deadline 2): In the Applicant's Deadline 1 Submission Document – Supporting Air Quality Technical Notes to Statements of Common Ground (Book 10) [TR020005/REP1/050], the Applicant provides further details to demonstrate impacts on compliance links. The Applicant confirms an exceedance limit value at one 4m verification point (P_165) but confirms there is no exceedance at the nearby qualifying feature (P_164). The verification point is predicted to experience an increase in annual mean NO ₂ concentrations of 0.2 µg/m ³ . The Applicant confirms there is no issue with compliance due to the operation of the scheme. No further actions on this point are required.	High	

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41 2.2.3.2	Environmental Statement Chapter 13: Air Quality (TR020005/APP/038) Paragraph 13.10.25	In Paragraph 13.10.25, the largest change in all pollutants due to the construction 2024 scenario is predicted to be at R_147 Sutton Common Road, 12km to the north of the M25, which is reported to experience a moderate adverse impact. National Highways is concerned that anomalous results like the above, demonstrates uncertainty which undermines the validity of the traffic model used for the assessment.	National Highways therefore requests that the Applicant outlines how the largest air quality impact associated with the Scheme, will be at a location that is 12km to the north of the M25 and therefore not in the localised proximity of the Scheme. Updated position (Deadline 2): In the Applicant's Deadline 1 Submission Document – Supporting Air Quality Technical Notes to Statements of Common Ground (Book 10), the Applicant acknowledge an error in the assessment of air quality impacts at the location of receptor R_147, which artificially increased the impact reported at this location. They state that without the error, the impact is “likely” to be 0.1 µg/m ³ . They state that the correction of this error does not affect the overall conclusion of the assessment. They also state that the error affected one isolated link and that the validity of the assessment is not undermined. The use of the word “likely” in the Applicant's Technical Note suggests that the model has not been updated to correct the error, However, it is accepted that the change in traffic flow data that is provided on nearby links would result in a smaller impact than that reported in the ES. No further actions on this point are required.	Medium	
42 2.2.2.1	Environmental Statement Appendix 13.4.1 Air Quality Assessment Methodology (TR020005/APP/158) Paragraph 4.15	National Highways notes a dispersion site roughness of 0.2m has been used in the air quality dispersion modelling, however there is a limitation associated with this method choice. Sensitive receptor locations associated with National Highways' network may not be suited to a roughness factor of only 0.2 and therefore turbulence on the SRN may be underestimated.	National Highways requests that the Applicant justify the use of the 0.2m site roughness factor and how this can be considered for the SRN as a reasonable worst case for assessing any impacts to air quality. Updated position (Deadline 1): Can evidence please be provided that such an approach was agreed with National Highways? According to CERC, the publishers of the software used to model the dispersion of emissions, a surface roughness value of 0.2m can be used to represent agricultural areas. Whilst this is a reasonable assumption for open rural areas, it is not so for any urban areas or wooded areas, where a surface roughness of 0.5m to 1m would be more appropriate, or any large urban areas where a surface roughness of 1.5m would be more appropriate. From review of the air quality figures, it is clear that the model includes receptors located in areas characterised as urban, wooded and large urban. At receptors within these locations, the use of the 0.2m surface roughness in the model is likely to underpredict the contribution of emissions to pollutant concentrations. This would likely have repercussions on the model verification and potentially the total pollutant concentrations and impacts reported.	Medium	

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43 2.2.2.2	Environmental Statement Appendix 13.4.1 Air Quality Assessment Methodology (TR020005/APP/158) Paragraph 3.10.7 to 3.10.13	The Defra Emissions Factors Toolkit (EFT) has been used to derive emission factors. DMRB LA 105 guidance does not appear to have been referenced by the Applicant nor the use of the recommended gap analysis tool for long term trends emission calculation.	National Highways requests that the Applicant provides evidence that local monitoring data has been assessed to confirm that the direction taken to adopt the approach to future rates of improvement in air quality is appropriate. Updated position (Deadline 1): The use in previous modelling is not sufficient justification. The Applicant's response points out that the Project is not a National Highways scheme. Whilst this is the case, there is an argument that because the Project has such an impact on the Strategic Road Network, that use of guidance designed for the assessment of air quality impacts on the Strategic Road Network is an appropriate tool for use. It is noted that no sensitivity test has been applied to NOX emissions, beyond a comparison with the policy for decarbonisation. Some additional consideration of less optimistic NOx vehicle emission factors would have been beneficial.	Medium	
44 2.14.2.1	Environmental Statement Chapter 8: Landscape, Townscape and Visual Resources (TR020005/APP/038) Paragraph 8.4.22 to 8.4.24	National Highways has reviewed Chapter 8 of the Environmental Statement and notes that the magnitude of impact and sensitivity are stated as being derived from DMRB methodologies. However, upon review it does not appear that the Applicant's LVIA methodology accords to this DMRB guidance. The Applicant's assessment methodology is based upon approaching sensitive and susceptibility as the same. This is not in accordance with the Guidelines for Landscape and Visual Impact Assessment.	National Highways requests that the Applicant separate out the criteria of landscape and visual value, susceptibility, and sensitivity in accordance with DMRB and GLVIA3 and the thresholds for significance reviewed and justified, given the current approaches negates significant effects to all but high or very high receptors. Updated position (Deadline 1): National Highways notes the updated position of the Applicant, The Applicant should ensure sufficient information is available from the assessment for National Highways to understand the impact to its customers adjacent to the network who may be impacted by the works delivered by the Applicant. Of particular concern would be loss of assets providing a screening function for the SRN, which if not replaced would represent a risk for National Highways in future.	Medium	

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45 2.14.2.2	Environmental Statement Chapter 8: Landscape, Townscape and Visual Resources (TR020005/APP/038) Paragraph 8.4.5	National Highways notes that the Applicant has assessed the magnitude of landscape and visual impacts together. This does not reflect stated industry guidelines and it is important that these criteria are assessed separately to allow National Highways the ability to review and understand the relevant impact to the SRN.	National Highways requests that the criteria should be separated out, to reflect stated industry guidelines which require separate assessments of landscape and visual matters. Updated position (Deadline 1): The Applicant should ensure sufficient information is available from their assessment for National Highways to understand the impact to its customers adjacent to the network who may be impacted by the works delivered by the Applicant. Of particular concern would be loss of assets providing a screening function for the SRN, which if not replaced would represent a risk for National Highways in future.	Medium	
46 2.14.3.1	Environmental Statement Chapter 8: Landscape, Townscape and Visual Resources (TR020005/APP/038) Paragraph 8.4.6	The assessment matrix sets out the likely effects based upon receptor sensitivity and the magnitude of impact. National Highways notes that the Applicant's supporting text outlines that only effects of major or substantial are significant. This means that of a total 25 assessment scenarios only 5 (20%) can be significant. National Highways considers this to be disproportionately low to the scale of the proposed development.	National Highways recommends that the Applicant alters the criteria of significant effects to allow for moderate to contribute to the classification of significant. The current assessment approach risks the Applicant not being proportionate in their assessment of potential effects on customers. Updated position (Deadline 1): The Applicant should ensure sufficient information is available from their assessment for National Highways to understand the impact to its customers adjacent to the network who may be impacted by the works delivered by the Applicant. Of particular concern would be loss of assets providing a screening function for the SRN, which if not replaced would represent a risk for National Highways in future.	Low	

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47 2.14.3.2	Environmental Statement Chapter 8: Landscape, Townscape and Visual Resources (TR020005/APP/038) Paragraph 8.4.33	<p>National Highways notes that the Applicant establishes in paragraph 8.4.33 the principle that an accumulation of moderate effects, e.g., as experienced by a visual receptor during a journey may be regarded as a significant cumulative effect when considered in combination. This principle is further reinforced by paragraph 8.4.32's third bullet, which sets out that cumulative moderate effects may increase the overall adverse effect on a receptor.</p> <p>However, National Highways notes that in paragraph 8.11.16, the Applicant states that motorists on the A23/M23 spur would have moderate cumulative effects, but these would not be significant. National Highways notes that this conclusion is contrary to the above principles, and it is National Highways view that the Applicant has not provided the appropriate supporting information to justify the impact not being significant.</p> <p>National Highways are concerned that the predicted medium and long term effects associated with this assessment have been underestimated by the Applicant.</p>	<p>National Highways requests that the Applicant justifies why vehicle users on the A23/M23 with medium to long term cumulative views, and therefore sequential moderate effects, would not result in significant effects as per the DMRB methodology.</p> <p>Updated position (Deadline 1): National Highways has highlighted a risk of non-compliance with industry standard guidance for landscape character and visual amenity assessment. National Highways request that the Applicant provides information from their assessment in order to enable National Highways to understand the impact to its customers adjacent to the network who may be impacted by the works delivered by the Applicant. Of particular concern would be loss of assets providing a screening function for the SRN, which if not replaced would represent a risk for National Highways in future.</p>	Medium	
48 2.14.3.3	Environmental Statement Chapter 8: Landscape, Townscape and Visual Resources (TR020005/APP/038) Paragraph 8.9.159	<p>The Applicant notes that pedestrians adjacent to the A23 and in proximity to Longbridge Roundabout are predicted to experience a discordant change across the majority of their view, yet the magnitude of impact is predicted to be medium. With reference to the LVIA methodology in Table 8.4.5, this could be classified as a high magnitude.</p> <p>National Highways is concerned that the Applicant is underestimating the magnitude of this impact.</p>	<p>National Highways requests that the Applicant justifies the conclusion of a medium magnitude of impact and provides additional detail to demonstrate why the impact is not higher, given the stated change and proximity to receptors.</p> <p>Updated position (Deadline 1): National Highways has highlighted a risk of non-compliance with industry standard guidance for landscape character and visual amenity assessment. National Highways request that the Applicant provides information from their assessment in order to enable National Highways to understand the impact to its customers adjacent to the network who may be impacted by the works delivered by the Applicant. Of particular concern would be loss of assets providing a screening function for the SRN, which if not replaced would represent a risk for National Highways in future.</p>	Medium	

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49 2.14.4.1	Environmental Statement Appendix 8.8.1: Outline Landscape and Ecology Management Plan – Part 1 (TR020005/APP/113)	<p>National Highways notes that, as part of the Applicant's surface access landscape proposals, the Applicant is proposing to provide a series of environmental features such as amenity grassland, meadow grassland, wet grassland, scrub / woodland edge. Intermittent scrub, woodland and hedgerows.</p> <p>National Highways has reviewed the Applicant's material and are not able to confirm, based upon the level of information provided, that the SRN verge design proposals meet the below standards in ensuring that the strategy is feasible for the long term management of the SRN by National Highways maintenance operatives. The Applicant will therefore need to provide further detail to demonstrate to National Highways that all environmental mitigation areas comply with:</p> <ul style="list-style-type: none"> • DMRB LD 117 – Landscape Design • GS 701 – Asset Delivery Asset Maintenance Requirements • GN 801 – Asset Delivery Asset Inspection Requirements 	<p>National Highways requests that the Applicant provide further detail to demonstrate that the SRN verge proposals align to the referenced design criteria and follow National Highways maintenance requirements.</p> <p>Updated position (Deadline 1): National Highways request that the Applicant provide detail on the planting specification for new assets within its landholding. Whilst provision of more ecologically valuable grassland is welcomed it must be considered within the context of the operation of the SRN. Cutting regimes may be limited to once or twice a year and therefore the Applicant should ensure the target outcome is feasible in the long term. Any tree planting on verges must be spaced at a safe distance from the carriageway edge in accordance with LD 117 to ensure the planting does not represent a safety risk or maintenance liability.</p>	Medium	
50 2.13.1.1	Environmental Statement Chapter 7: Historic Environment (TR020005/APP/032) Paragraphs 7.9 to 7.13	This chapter fails to use the unique identifiers from the Historic Environment Baseline and therefore it is not clear which heritage assets on Figures 7.6.1 and 7.6.2 are impacted or changed. This prevents proper assessment by National Highways	National Highways requests that a clear heritage asset-by-asset impact assessment needs to be prepared, so that the balancing of harm against public benefit can be assessed in areas that are relevant to the SRN.	High	
51 2.16.1.1	Environmental Statement Appendix 14.9.4: Road Traffic Noise Modelling (TR020005/APP/174) Table 8.4.1	National Highways has reviewed the appendix to the Noise and Vibration chapter of the Environmental Statement and notes that in Table 8.4.1 surveys were of 10-minute durations. It is National Highway's view that 10-minute survey periods are not sufficient to provide data suitable for validation of the road traffic noise model in the case of the Airport.	<p>National Highways requests that the Applicant justifies what steps have been taken to independently validate the road traffic noise calculations and, if National Highways judge this to be insufficient, then it is requested that longer term monitoring, close to the A23 and M23 where road noise can be said to dominate over aircraft noise, be undertaken.</p> <p>Updated position (Deadline 1): The Applicant needs to submit information using a consistent metric version otherwise the quantification of the change to units on National Highways land holding could be challenged. National Highways will await receipt of the Applicants technical note for review.</p>	Medium	

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52 2.8.3.1	Environmental Statement Chapter 9: Ecology and Nature Conservation (TR020005/APP/034) Paragraph 9.15 and 9.9.187	A total of 43 trees within the surface access improvements boundary were identified as having bat roost suitability (9 high and 28 medium). In line with Bat Conservation Trust (BCT) Guidelines, National Highways would normally expect those trees to have been further surveyed and assessed to determine if there are any roosting bats present. This is typically achieved through tree climbing and presence / absence emergence / re-entry surveys.	National Highways requests that the Applicant confirms whether any further surveys have been conducted on those trees having been identified of having bat roost suitability and can the Applicant advise if a letter of no impediment has been obtained for any loss of roost and whether this has this been agreed with Natural England. Updated position (Deadline 1): National Highways notes the Applicants position and will await receipt of the report referenced.	Medium	
53 2.8.1.1	Environmental Statement Chapter 9: Ecology and Nature Conservation (TR020005/APP/034) Paragraph 9.4.29	The Applicant has undertaken a badger survey of the site area; however, National Highways would expect badger surveys to cover 250m either side of the centreline of the works as in a minimum, in relation to the proposed surface access works in accordance with DMRB LA118 Appendix A.1.1.	National Highways requests that the Applicant should therefore justify the decision that has been made and why the guidance in DMRB LA118 Appendix A.1.1 has not been followed. Updated position (Deadline 1): National Highways welcomes the commitment to carry out pre-condition surveys for badgers but requests confirmation from the Application how and where this is secured in the DCO / control documents. Should findings of any surveys generate any additional mitigation requirements on National Highways assets this is to be agreed with National Highways.	Medium	
54 2.8.1.2	Environmental Statement Chapter 9: Ecology and Nature Conservation (TR020005/APP/034) Paragraph 9.6.115	The Applicant notes that crossing point surveys were conducted at two locations, the River Mole Corridor and Riverside Park based upon radio tracking surveys undertaken in 2019. However, National Highways notes that no such assessment was considered for the South Terminal Junction. National Highways are concerned that the exclusion of the South Terminal Roundabout may result in an underreporting of potential effects.	National Highways queries why the South Terminal Junction, which will elevate the carriageway above existing conditions, was not considered under the same monitoring regime. Updated position (Deadline 1): It is the Applicants responsibility to ensure they have sufficient information to secure a licence from Natural England. National Highways requests confirmation from the Applicant on how such mitigation/monitoring is secured in the DCO/control documents. Should the issue generate mitigation or monitoring actions which will be transferred to National Highways then the Applicant must ensure this is discussed and agreed with National Highways.	Medium	

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55 2.8.4.1	Environmental Statement Chapter 9: Ecology and Nature Conservation (TR020005/APP/034) Paragraph 3.13.10	Overall, the Project claims to provide 20% Biodiversity Net Gain (BNG), however given the significant effects of woodland, particularly in association with woodland loss during enabling works for the surface access improvements along the A23, there is a concern that National Highways will fail to meet the requirement to have no net loss on its estate affected by the Applicant's proposals.	National Highways itself has a biodiversity Key Performance Indicator (KPI) to achieve no net loss to the SRN by 2025, and to have a net positive impact on nature in Roads Period 3 and beyond. National Highways considers that land forming part of the SRN can be used and could deliver a route for providing enhancement, which the Applicant should provide in light of the specific policies in the Airports National Policy Statement (ANPS) (paragraph 5.91, 5.96, 5.104) which are important and relevant policies for the Applicant's application. In light of those policies in the ANPS, National Highways therefore requires the Applicant to provide further information to demonstrate that, within the limits of the SRN, that the proposed mitigation conserves and enhances habitats to maximise biodiversity and achieves at least no net loss.	Medium	
56 2.8.2.1	Appendix 9.9.2: Biodiversity Net Gain Statement (TR020005/APP/136) Paragraphs 3.1.5 and 3.1.6	National Highways notes that the baseline habitat score for the area is 332.48 units and baseline watercourse score is reported at 4.20 biodiversity units. However, metric 4.0 was used for the condition assessment of area-based habitats and metric 3.1 was used for the watercourses. National Highways are concerned as to the reasoning behind why the same metric has not been used by the Applicant and furthermore, why ditches have not been considered as part of this assessment.	National Highways requests that the Applicant justifies the use of different metrics for the condition assessment of area-based habitats versus that used for the watercourses. Updated position (Deadline 1): National Highways requests that Appendix 9.9.2 is updated to account for the typographical error. The Applicant needs to submit information using a consistent metric version otherwise the quantification of the change to units on National Highways land holding could be challenged.	Medium	
57 2.8.3.2	Appendix 9.9.2: Biodiversity Net Gain Statement (TR020005/APP/136) Paragraphs 4.5	Woodland losses of -66.54 units are highlighted as a concern for National Highways, as most of these units are roadside and are not sufficiently replaced.	National Highways therefore seeks clarification as to how the Applicant has ensured that no net loss has been achieved on the SRN regarding the surface access works. Updated position (Deadline 1): National Highways would welcome continued discussion on this point and a contribution from the Applicant to provision of woodland elsewhere to ensure the National Highways KPI is not compromised and to comply with the metric trading rules (noting the issue with safeguarding for the airport is likely to result in a trading issue for the Project).	Low	

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58 2.8.3.3	Appendix 9.9.2: Biodiversity Net Gain Statement (TR020005/APP/136) Annex 1	<p>All area-based habitats have been assigned by the Applicant of having low strategic significance (SS) without a justification for why.</p> <p>National Highways notes that the Baseline River Units have considered the River Mole and Gatwick Stream to have high SS, therefore there is a potential undervaluation of habitats within the Applicant's assessment for the SRN.</p>	<p>National Highways requests that the Applicant justifies their assessment.</p> <p>Updated position (Deadline 1): National Highways requests that the Applicant justifies their assessment of SS. The Applicant must ensure compliance with the guidance published by Natural England to prevent any BNG outputs from being undervalued.</p>	Medium	
59 2.8.4.2	Appendix 9.9.2: Biodiversity Net Gain Statement (TR020005/APP/136) Annex 3	<p>Chapter 9 and Annex 3 states that habitats will be lost and recreated between 2024 and 2038, with the Applicant's assessment stating that certain areas of the site will be lost and created throughout this period.</p> <p>The Applicant has not utilised the 'delay in starting habitat creation' format to provide clarity to National Highways when this mitigation is proposed to be implemented.</p>	<p>To appropriately report this, the 'delay in starting habitat creation' function should be used to clearly set out when these habitats will be created. National Highways requests that the Applicant addresses this, by means of a table detailing the phasing of habitat lost and created.</p> <p>Updated position (Deadline 1): National Highways notes the Applicants position and will await receipt of the updated BNG metric once work is complete.</p> <p>Note: To appropriately report this, the 'delay in starting habitat creation' function should be used to clearly set out when these habitats will be created. National Highways requests that the Applicant addresses this, by means of a table detailing the phasing of habitat lost and created.</p>	Medium	
60 2.1.3.1	Environmental Statement Chapter 19: Agricultural Land Use and Recreation (TR020005/APP/044) Paragraph 19.4.1 and Table 19.13.1	<p>The Applicant notes that the assessment has considered DMRB LA109, Geology and Soils, amongst other guidance documents. However, in Table 19.13.1 a moderate adverse effect has been determined for agricultural land quality (temporary medium term and permanent term) but has nevertheless been considered by the Applicant as 'not significant' since Best and Most Versatile (BMV) land is not affected.</p> <p>National Highways is concerned that the level of justification provided by the Applicant, in accordance with DMRB LA109, is insufficient in order to enable National Highways to make a judgement on whether this effect is significant or not significant.</p>	<p>The Applicant will need to provide further justification to demonstrate to National Highways, why this moderate impact is not considered a significant effect.</p> <p>Updated position (Deadline 1): The position of the Applicant is noted in that no 'best and most versatile' (NPPF, 2023) (ALC Grades 1, 2, 3a) will be impacted. The Applicant's response satisfies the query.</p>	High	

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61 2.22.3.2	Environmental Statement Appendix 11.9.2: Water Framework Directive Compliance Assessment (TR020005/APP/143) Table 4.3.1	National Highways has reviewed the assessment completed by the Applicant and notes that the assessment does not include the lengths of existing culverts for the subject watercourses.	National Highways therefore requests that the Applicant add length-for-length impacts and mitigation / re-naturalisation assessments to demonstrate the overall benefits more clearly. Updated position (Deadline 2): National Highways requests that the position the Applicant has outlined in its Statement of Common Ground with National Highways [TR020005/REP1/036] should be updated in the respective reports and submitted into the examination.	Medium	
62 2.22.2.1	Environmental Statement Appendix 11.9.6: Flood Risk Assessment (TR020005/APP/147) Paragraph 5.2.11	This section of the appendix outlines that the calibration of the River Mole fluvial model has been carried out using the 'undefended' scenario. As any defences would normally be present and thus reflected in any observed levels or flows, it is not clear why the Applicant has utilised an undefended scenario for calibration. National Highways understands that the calibration events will have occurred prior to the construction of the Flood Alleviation Scheme, but the undefended scenario described in Annex 5 has many flood storage areas and defences removed.	National Highways therefore requests that the Applicant provides additional detail on this calibration process to provide confidence in the results and the quality of the input data used in the design. Updated position (Deadline 2): National Highways consider this matter closed and requests that the Applicant updates the Flood Risk Assessment as outlined in its Statement of Common Ground with National Highways [TR020005/REP1/036] in respect to model validation instead of model calibration.	High	
63 2.22.2.2	Environmental Statement Appendix 11.9.6: Flood Risk Assessment (TR020005/APP/147) Paragraph 6.3.4	National Highways notes that the storage volume of Pond F is proposed to be reduced by the scheme due to widening of Airport Way. The conclusion in this assessment that this does not impact flood risk is based on a 'conceptual model', using conservative assumptions. National Highways questions why the impact on the reduction in volume at Pond F has not been explicitly modelled using one of the InfoWorks Integrated Catchment Models (ICM). The use of a conceptual model, in National Highway's view, could potentially provide an underestimation of the attenuation volume needed to accommodate storm events (including an allowance for climate change) in accordance with the Design Manual for Roads and Bridges.	The Applicant is therefore requested to provide justification for the assessment methodology used relating to the reduction in volume at Pond F. Updated position (Deadline 2): National Highways requests that evidence of this modelling needs to be provided as part of a revised Flood Risk Assessment and would seek confirmation from this has also been approved or accepted by the Environment Agency.	Medium	

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64 2.22.3.3	Environmental Statement Appendix 11.9.6: Flood Risk Assessment (TR020005/APP/147) Paragraphs 7.2.31 and 7.2.32	<p>This section of the flood risk assessment provides peak water levels compared to road levels. However, National Highways notes that the Applicant has not completed any blockage assessments to understand the impact on water levels and by association any SRN assets if a blockage at these structures were to occur.</p> <p>Furthermore, freeboard is stated to be in excess of 400mm, but all of the crossing points are not referred to in this section. It is also National Highways' view that it is not uncommon for the uncertainties in the hydraulic modelling to cause changes in peak water levels of similar orders of magnitude to the reported 400mm freeboard figure (for example headloss assumptions at structures, uncertainties in flow estimates).</p>	<p>National Highways requests that the Applicant justifies the use of 400mm freeboard and complete blockage assessments, to quantify the residual flood risk should a blockage occur at the structures listed in Paragraph 7.2.31.</p> <p>Updated position (Deadline 2): National Highways request that the Applicant undertake their assessment in line with the requirements of CD356, which stipulates the need for a freeboard value of 600mm.</p>	Low	
65 2.22.3.4	Environmental Statement Appendix 11.9.6: Flood Risk Assessment (TR020005/APP/147) Annex 2 Figure 10.1.8 and 10.1.9	<p>In Annex 2 Figure 10.1.8 and 10.1.9 provided by Applicant, the figures depict two culverts over watercourses (EX-CU1 and EX-CU2), however no details have been provided by the Applicant in regard to their sizing or whether they have been assessed.</p> <p>It is not clear how these existing culverts have been assessed from a flood risk assessment perspective.</p>	<p>The Applicant is to confirm sizing and provide details of any assessment of the impact on flood risk and freeboard for EX-CU1 and EX-CU2 on Gatwick Spur road.</p> <p>Updated position (Deadline 2): National Highways request that the survey should be conducted prior to detailed design, and the outcomes of the survey assessed by the Applicant, to confirm the flood risk impact associated with those two culverts.</p>	Low	
66 2.22.3.5	Environmental Statement Appendix 11.9.6: Flood Risk Assessment Annexes 1-2 (TR020005/APP/148) Annex 2 A2.42	<p>Concerning existing culverts EX-CU2 and EX-CU4, the Applicant outlines that these culverts are to be "extended to accommodate proposed road widening at these locations. Further information on the condition and capacity of the existing culverts are to be obtained following completion of the DCO process to inform the detailed design proposals."</p> <p>National Highways is concerned that the assessment is based on assumptions that have not been validated and may underestimate the flood risk impacts and any subsequent remedial works required.</p>	<p>The Applicant is requested to clarify when these surveys will be conducted and whether there is a risk that the proposed order limits are sufficient to accommodate any mitigation that may be required.</p> <p>Updated position (Deadline 1): Matter can be turned to agreed on the basis that the risk is held with the Applicant and they are committed to undertaking surveys during detailed design.</p>	Medium	

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67 2.22.2.3	Environmental Statement Appendix 11.9.3: HEWRAT Water Quality Assessment (TR020005/APP/144) General	In accordance with the HEWRAT guidance, the Applicant's assessment should consider National Highways' outfalls beyond the works, which fall within the cumulative assessment ranges of 100m/1km. National Highways concern is that the Applicant has not considered all outfalls that fall within the cumulative assessment ranges of 100m/1km. This is crucial to National Highways, in order to ensure that the SRN is not put in a position as a consequence of the Scheme that thresholds or Environmental Quality Standards (EQS's) are breached.	The Applicant shall therefore need to consider all National Highways' outfalls within the cumulative assessment and also if there are discharges within 100m/1km of these on the same reach of a watercourse. Updated position (Deadline 2): National Highways team are currently reviewing the Applicants position and will respond in due course.	Medium	
68 2.22.2.4	Environmental Statement Appendix 11.9.3: HEWRAT Water Quality Assessment (TR020005/APP/144) Table 3.4.1	National Highways notes that the spillage risk assessments have been limited to outfalls 0 to 11 but does not consider outfalls 12 and 13.	National Highways requests clarity from the Applicant as to why all outfalls have not had spillage risk assessments completed. Updated position (Deadline 2): National Highways requests that the position that the Applicant has outlined in its Statement of Common Ground with National Highways [TR020005/REP1/036] should be updated as part of a revised HEWRAT report submitted into the examination.	Medium	
69 2.20.3.5	Environmental Statement Chapter 12: Traffic and Transport (TR02005/APP/037) Section 12.1.3	National Highways notes that Chapter 12 of the Environmental Statement has been undertaken in accordance with the Guidelines for the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic 1993. This guidance has subsequently been superseded by the new IEMA guidance document Environmental Assessment of Traffic and Movement which was published in July 2023. National Highways is concerned that the Applicant has not provided any reference to the latest revised guidance in their application and how this may have changed the assessment or conclusions.	National Highways request that the Applicant undertakes a review of Chapter 12 in accordance with the latest IEMA guidance and amend the chapter where necessary. Updated position (Deadline 1): National Highways recognises that the Applicant has submitted a technical note on the Impact of the Latest IEMA Guidance in response to Procedural Decision Notice PD-006 (AS-119). National Highways has reviewed this information and has no further comments to make.	High	

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70 2.4.3.1	Environmental Statement Chapter 15: Climate Change (TR020005/APP/040) Table 15.4.1	<p>In Table 15.4.1, issues considered within the assessment, the Applicant has considered the following aspects:</p> <ul style="list-style-type: none"> • Construction Period: Construction and Demolition within Airport Boundary • Construction Period: Delivery of construction and demolition activities within existing airport boundary, including construction of upgraded highway junctions. • Operational Period: Performance of the Project with respect to climate change resilience and adaptation. • Operational Period: Mitigation areas beyond existing airport boundary. <p>National Highways is concerned that the Applicant's assessment does not consider the ongoing impact of maintaining any of the proposed assets.</p>	<p>The Applicant should clarify whether the assessment has considered the ongoing impact of maintaining any proposed assets, as well as the adjacent SRN as a consequence of the increase in vehicle traffic caused by the development.</p> <p>Updated position (Deadline 1): Matter remains under discussion.</p> <p>Presumably the Applicant will be expecting any emissions from increases to vehicle traffic and maintenance of the road network to be attributed to the relevant highway authority. Where this is National Highways, we would expect to see whole life carbon calculation and assessment to ensure consistency with our requirements for carbon accounting.</p>	Medium	
71 2.4.2.1	Environmental Statement Chapter 15: Climate Change (TR020005/APP/040) Table 15.5.4	<p>The Applicant has applied the methodology of temperature points to inform the Urban Heat Island (UHI) Assessment, however this assessment compares the Scheme to London City Airport which is a significant distance away from the cell grid used for the other two points of comparison.</p>	<p>National Highways proposes that it would be more prudent to include the Crawley datapoints mentioned in the UHI assessment, at the datapoints available. This would enable the Applicant to undertake a comparison against the Crawley data points. Furthermore, the Applicant could build upon this with a comparison of a rural area near London City Airport against London City Airport, where the differences between airport and rural area for the two locations can be compared.</p> <p>Updated position (Deadline 1): Matter remains under discussion.</p> <p>National Highways interest in this matter would be to understand whether any resilience measures intended for our network comply with our standards, including allowances required for climate change in drainage infrastructure and flood resilience. Critical to this is provision of information that satisfies National Highways that none of the changes proposed to our network would create new or exacerbate existing flooding hotspots.</p>	Medium	

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72 2.4.4.1	Environmental Statement Chapter 15: Climate Change (TR020005/APP/040) Table 15.9.1	The Applicant has reviewed Table 15.9.1, which outlines the mitigation, monitoring and enhancement measures for In-combination Climate Change Impacts (ICCI) assessment. National Highways notes that there is little evidence in terms of operation preparedness or embedded mitigation in place which is accounted for in this table.	National Highways requests that the Applicant clarifies the existing plans within the submission or submits additional plans into the examination which look at similar impacts from an operational point of view for National Highways to assess. Updated position (Deadline 1): Matter remains under discussion. National Highways interest in this matter would be to understand whether any resilience measures intended for our network comply with our standards, including allowances required for climate change in drainage infrastructure and flood resilience. Critical to this is provision of information that satisfies National Highways that none of the changes proposed to our network would create new or exacerbate existing flooding hotspots.	Medium	
73 2.11.3.1	Environmental Statement Chapter 16: Greenhouse Gases (TR020005/APP/041) General	National Highways has reviewed both chapters 15 and 16 of the Environmental Statement and notes that the conclusions drawn within the greenhouse gasses assessment and all the emissions categories as being Minor Adverse. It is National Highways' view that the reporting of the Applicant's proposals as Minor Adverse does not align to the decision-making framework that is set by the Government in the National Planning Policy Statement for National Networks (NPSNN).	National Highways requests further detail from the Applicant on the assumptions and calculations for these matters reported in the Environmental Statement. Whilst National Highways notes that the reporting appears to align to the IEMA guidance, National Highways requests clarity on how this Minor Adverse effect align to the Applicant's decision-making framework. Updated position (Deadline 2): Matter remains under discussion. National Highways request clarity from the Applicant whether they have utilised the latest 2022 IEMA guidance as part of their assessment.	Medium	
74 2.11.3.2	Environmental Statement Chapter 16: Greenhouse Gases (TR020005/APP/041) LA 114 compliance for changes to traffic flow	For the reporting of carbon and greenhouse gas emissions, the Applicant needs to be clear on whether the proposed changes to traffic flow are sufficient in order to trigger the scoping criteria in LA 114 Climate. If these thresholds outlined in LA 114 are triggered, then National Highways may need to account for operational greenhouse gas emissions as part of its corporate reporting.	National Highways therefore requests clarity from the Applicant on the changes to traffic flows in respect to the criteria set out in LA 114. Updated position (Deadline 1): Matter remains under discussion. National Highways will respond as part of a review of any further detail or clarification provided as part of the Applicant's response to the Relevant Rep submitted at Deadline 1.	Medium	

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75 2.11.2.1	Environmental Statement Chapter 16: Greenhouse Gases (TR020005/APP/041) Paragraph 16.1.2, Table 16.2.1 and 6.4.1	<p>The Applicant summarises the emission sources covered by this chapter and concludes that it will cover the following:</p> <ul style="list-style-type: none"> • Construction • Airport buildings and ground operations • Surface access areas • Air traffic movements <p>However, the assessment fails to consider both long term operation and maintenance.</p>	<p>National Highways requests that the Applicant clarifies whether B2-B5 emissions in accordance with BS EN 17472 have been included in this assessment.</p> <p>Further to the above, the Applicant should also clarify if the assessment has considered modules D emissions in accordance with BS EN 17472 relating to effects beyond the boundary of the Scheme.</p> <p>Updated position (Deadline 1): Matter remains under discussion. National Highways will respond as part of a review of any further detail or clarification provided as part of the Applicant's response to the Relevant Rep submitted at Deadline 1.</p>	Medium	
76 2.11.2.2	Environmental Statement Appendix 16.9.3: Assessment of Surface Access Greenhouse Gases (TR020005/APP/193) Paragraph 3.1.8	<p>National Highways notes that this paragraph indicated that the Transport Decarbonisation Plan (TDP) has been used to represent a realistic worst case. For National Highways schemes, the TDP would typically only be utilised as a sensitivity test. As a consequence, this could lead to the assessment having not taken a realistic worst-case assessment based upon greenhouse gas emissions from road traffic. Furthermore, National Highways queries what emission factor toolkit has been utilised in this assessment, as the use of a higher percentage change in fleet mix could impact the modelling outcomes for air quality as well as greenhouse gas emissions.</p>	<p>National Highways therefore requests that the Applicant provides details of which emissions factor toolkit has been utilised in this assessment and provide additional details to demonstrate how their assessment constitutes a worst-case assessment.</p> <p>Updated position (Deadline 1): Matter remains under discussion. National Highways will respond as part of a review of any further detail or clarification provided as part of the Applicant's response to the Relevant Rep submitted at Deadline 1.</p>	Medium	
77 2.5.1.2	General Matters	<p>National Highways notes that the surface access works will require extensive utility works, however no details have been provided by the Applicant which outlines when these works could be undertaken.</p>	<p>National Highways requests the Applicant advises when any utility works are proposed to take place.</p> <p>This will enable National Highways to determine when works are likely to commence on the SRN.</p> <p>Updated position (Deadline 1): National Highways request clarity whether the utility works will be undertaken as part of either the programmed surface access works, airside works or would require their own enabling works. National Highways also request clarity regarding whether the utility works at present consider the need for any temporary diversions which may create more onerous construction and traffic management phases.</p>	High	

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78 2.5.1.3	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.0	National Highways recognises that, due to the complex works that comprise the surface access works, there will be a need to undertake works during night time closures. However National Highways notes that the Applicant's submission provides insufficient detail on the required closures to enable National Highways to fully understand the impact on the operation of the SRN.	Whilst it is acknowledged that any construction assumptions would be illustrative, a reasonable worst-case scenario should be provided in order to determine there are no severe impacts on the SRN. Where mitigation is shown to be required, this should be secured in a framework, noting that construction methodology may need to be adapted. Updated position (Deadline 1): National Highways request any modelling that has been undertaken is provided in order for National Highways to review.	High	
79 2.5.1.4	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.3	For the proposed North Terminal Roundabout, although construction of some elements are covered in detail and associated phasing schedules / graphic are provided. National Highways notes that there is little detail relating to how the works to the roundabout itself will be undertaken. Roundabouts are considered to be higher risk locations during normal operation, however when roundabouts are then subject to a complicated and multiple phased series of roadworks, these associated risks increase, and the overall capacity reduces.	National Highways requests that the Applicant provides evidence and phasing information that demonstrates that the works to the roundabout can be undertaken safely, with minimal disruption and within the programme timescales allocated for the works. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	Medium	
80 2.5.1.5	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.3	For the Inter-Terminal Shuttle Viaduct, the proposed Westbound realignment of Airport Way results in the alignment moving closer to the railway viaduct, with a proposed retaining feature to be installed between these two assets. National Highways notes that the proposed phasing plans or associated text in the buildability report does not provide details on how this might be built and maintained.	National Highways requests details of how the proposed retaining wall will interact with the existing structure and its associated foundations and how this may impact both construction and long-term maintenance activities. Updated position (Deadline 1): National Highways don't feel that the current information sign posted within the Applicants position provides enough detail National Highways request that the Applicants position is discussed further as part of on-going discussions on the proposed structures.	Medium	

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81 2.5.1.6	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.3	For the Airport Way Bridge over A23 in the Westbound direction, the Applicant's submission does not provide details relating to the proposed vertical profile, cross section and crossfalls. National Highways therefore does not have sufficient information to demonstrate that these elements meet required standards.	National Highways requests these details to ensure that the proposed works will meet the required standards and can be deemed to not have a negative impact on the existing structure and the cross section of the structural deck. Updated position (Deadline 2): National Highways has reviewed the updated structure section drawings submitted at Deadline 1 [TR020005/REP1/015]. National Highways requests that the section on drawing number 41700-XX-B-LLO-GA-200174 is updated to provide clarity on the minimum carriageway width across this structure in order to ensure compliance with CD 127. All other drawings in this series should also provide the same level of detail.	Medium	
82 2.5.1.7	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.3.28	National Highways notes that the construction phasing of the Airport Way Rail Bridge works would require the operation of the carriageway to be reduced to a single lane, which would include peak time operation. However National Highways notes that the Applicant's submission provides insufficient detail on the required traffic management to enable National Highways to fully understand the impact on the operation of the SRN.	Whilst it is acknowledged that any construction assumptions would be illustrative, a reasonable worst-case scenario should be provided in order to determine there are no severe impacts on the SRN. Where mitigation is shown to be required, this should be secured in a framework, noting that construction methodology may need to be adapted. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	High	
83 2.5.1.8	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Section 7.4.50	For the works to widen the M23 above Balcombe Road, National Highways notes that a single-lane contraflow may be necessary to enable the installation of sheet piles. However National Highways notes that the Applicant's submission provides insufficient detail on the required traffic management to enable National Highways to fully understand the impact on the operation of the SRN.	Whilst it is acknowledged that any construction assumptions would be illustrative, a reasonable worst-case scenario should be provided in order to determine there are no severe impacts on the SRN. Where mitigation is shown to be required, this should be secured in a framework, noting that construction methodology may need to be adapted. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	Medium	

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84 2.5.1.9	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 1 (TR020005/APP/080) Appendix B and C	For the A23 River Mole & Long Bridge works, the Applicant has outlined a series of construction phases that will require complex traffic management. National Highways are concerned that the reduction in capacity during construction will have an adverse impact on both the local road network and SRN.	National Highways requests that the Applicant provides details of any assessments undertaken to confirm that these works and associated traffic restrictions will not result in West bound traffic backing up onto the SRN link to the North Terminal roundabout, resulting in subsequent disruption to the operation of this critical roundabout into Gatwick Airport. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	Medium	
85 2.5.1.10	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 2 (TR020005/APP/081) Appendix F	For the proposed Airport Way Railway Bridge Works, National Highways notes that Stage two would require lane one of the Westbound carriageway to have a full-closure. During Stages eight and nine, the Westbound edge beam and parapet is proposed to be removed. National Highways are concerned that the reduction in capacity during construction will have an adverse impact on both the local road network and SRN.	National Highways requires that the Applicant demonstrates that the proposed traffic management works will not have an adverse impact on the operation of the SRN and, where a significant impact is anticipated, agree the proposed mitigation actions in combination with National Highways and the affected Local Authorities. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	Medium	
86 2.5.1.11	Environmental Statement Appendix 5.3.1: Buildability Report Part B Part 2 (TR020005/APP/081) Appendix G	For the South Terminal Roundabout Access, vehicle access is required to both the central island and the compound from the roundabout circulatory carriageway. National Highways is concerned that the Applicant has not provided sufficient information to demonstrate how construction vehicle movements associated with the works in the central island and the site compound will safely access the SRN in a controlled manner. National Highways will require these principles to be fully detailed and agreed with National Highways.	National Highways requests that the Applicant provide additional detail regarding construction vehicle movements at the South Terminal Roundabout. This access and egress strategy will need to be agreed with National Highways and the agreed principles incorporated into the Outline Construction Traffic Management Plan (TR020005/APP/085). Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review. Furthermore, National Highways requests that the Applicant provide additional detail regarding construction vehicle movements at the South Terminal Roundabout. This access and egress strategy will need to be agreed with National Highways and the agreed principles incorporated into the Outline Construction Traffic Management Plan. National Highways sent comments to the applicant on the study on 8th February 24, and awaits a response to matters raised.	Medium	

Principal Areas of Disagreement Summary Statement (PADSS) from National Highways					
PADSS / SoCG Reference Number	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	Concern Addressed
87 2.5.1.12	Environmental Statement Appendix 5.3.2: Code of Construction Practice (TR020005/APP/082) Section 6.2	The Applicant commits to establish a Traffic Management Working Group. However, the Applicant does not provide details of how this group would operate or which parties would be involved in this working group.	National Highways requests that this working group also include National Highways, and each affected Local Authority in order to ensure that each party can contribute, and a collective decision can be made to ensure that no part of the SRN or local road network are adversely impacted. Updated position (Deadline 1): National Highways notes the Applicant's position that the TMWG will be established prior to construction commencing. However, to inform the CTMP, these meetings will need to be held well in advance and regularly during the construction preparation stage to agree on principles before the Scheme moves to construction.	High	
88 2.5.1.13	Environmental Statement Appendix 5.3.2: Code of Construction Practice (TR020005/APP/082) Annex 1	The Applicant has not provided any specific details or strategy to ensure that the road network remains adequately drained and that the water quality at discharge points is maintained during the execution of the works.	National Highways requests that the Applicant provides further details on how the drainage network will function during this transitional period and how water quality will be maintained and monitored. Updated position (Deadline 1): National Highways request the Applicant outlines where in the DCO commitment is provided to ensure water quality will be monitored and maintained during construction. If there is no commitment, then National Highways welcomes further discussion with the Applicant on how this can be secured.	Low	
89 2.5.1.14	Environmental Statement Appendix 5.3.2: Code of Construction Practice (TR020005/APP/082) Annex 3	National Highways notes that there are significant airside works planned to be undertaken concurrently with the surface access works. These activities are likely to introduce significant additional traffic to the SRN at a time when network capacity will be constrained by temporary traffic management and lane closures.	National Highways requests that the Applicant shares their detailed construction phase modelling in order for National Highways to review the implications to the operation of the SRN. This will then enable National Highways, in conjunction with the Applicant, to seek to agree any potential programme changes which could mitigate the impact of construction activities on the SRN. Updated position (Deadline 1): National Highways request any detailed VISSIM modelling that has been undertaken for the construction phasing in order for National Highways to review.	Medium	

Principal Areas of Disagreement Summary Statement (PADSS) from National Highways					
PADSS / SoCG Reference Number	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	Concern Addressed
90 2.7.1.27	Draft Development Consent Order (TR020005/APP/AS-004) Schedule 2, Requirement 6	<p>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.</p> <p>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.</p> <p>This relates to the controls provided under Requirement 6 of the Draft Development Consent Order [TR020005/REP1/004], where the Applicant:</p> <p><i>“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.”</i></p> <p>This provision sets a requirement for the Applicant to use reasonable endeavours to obtain a provisional certificate in respect of the highway works <i>“by the third anniversary of the commencement of dual runway operations”</i>. 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.</p>	<p>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.</p> <p>In addition to the above amendments to Requirement 6, National Highways also requests that the wording <i>“use reasonable endeavours”</i> 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.</p>	Medium	

Principal Areas of Disagreement Summary Statement (PADSS) from National Highways

PADSS / SoCG Reference Number	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	Concern Addressed
91	DCO and Protective Provisions Project Control Framework (PCF) Schedule 9 – Protective Provisions	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 requests that the Applicant commits to undertaking detailed design, construction, and handover into maintenance in accordance with National Highways' PCF. This 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 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.	Medium	
92	Eastbound Connector Road Merge from South Terminal Roundabout General Arrangements (TR020005/APP/020)	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.	High	

Principal Areas of Disagreement Summary Statement (PADSS) from National Highways					
PADSS / SoCG Reference Number	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	Concern Addressed
93	M23 Westbound Diverge General Arrangements (TR020005/APP/020)	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 acceptable from a safety and operational perspective.	National Highways has 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.	Medium	
94	Provision of Emergency Areas (EA) / Place of Relative Safety (PRS) on the M23 Spur General Arrangements (TR020005/APP/020)	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.	Medium	