

# **Gatwick Northern Runway**

**TR020005**

## **National Highways Comments on any Submissions Received by Deadline 1**

March 2024

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# **1 Comments on any Submissions Received by Deadline 1**

This document has been prepared by National Highways to set out its position in respect to matters raised by either the Applicant or other Interested Parties as part of their Deadline 1 submissions. National Highways position has been provided in order to provide clarity to the Examining Authority on points of agreement, disagreement or where additional clarity is being sought in order to resolve the matters raised by National Highways as part of its Relevant Representation **[TR020005/RR/3222]** and Written Representation **[TR020005/REP1/088]**. These can be found in Table 1.1 below.

Table 1-1 National Highways Comments on any Submissions Received by Deadline 1

Reference	Examination Library Reference Number	Statement	National Highways Comment
<b>The Applicants Cover Letter – Deadline 1</b>			
Page 2	REP1-001	Where the Applicant is entering into a SoCG with an IP, the response to the issues raised in their RR and any Principal Areas of Disagreement Summary Statement (PADSS) are set out in the SoCGs (Doc Ref. 10.1.1 to 10.1.18). The responses to the issues raised by these stakeholders therefore do not feature within the Relevant Representation Report.	<p>National Highways notes the Applicant's intended strategy for dealing with the representations made by National Highways as part of its relevant representation.</p> <p>However, in accordance with the Rule 8 letter <b>[TR020005/APP]</b>, there will only be 1 interim version of the SoCG issued at Deadline 5 prior to the final SoCG being prepared at Deadline 9. National Highways therefore queries whether the frequency of these updates facilitates the necessary written dialogue process that will be required to satisfactorily resolve National Highways matters.</p> <p>For example, within the SoCG submitted at Deadline 1, the Applicant advised of material to be submitted at Deadline 1, however other additional information did not receive a prescribed deadline. National Highways requires further clarification from the Applicant as to when this information will be introduced.</p> <p>National Highways requests that each of its submissions are responded to by the Applicant going forwards. This ensures that the Examining Authority is up to date on the latest issues between the parties.</p>
<b>Draft Development Consent Order [REP1-004]</b>			
Article 2	REP1-004	"airport" means London Gatwick Airport, an airport within the meaning given in Part 1 of the Civil Aviation Act 2012(b ) comprised of the area shown on the airport boundary plan;	National Highways notes that this definition has been updated to refer to "London Gatwick Airport, an airport" and that the airport boundary plan is now a certified document. National Highways consider that this resolves the concern raised in its Relevant Representation <b>[TR020005/RR/3222]</b> and Statement of Common Ground <b>[TR020005/REP1/036]</b> at 2.7.1.11. Separately we have requested a shapefile of the airport boundary plan from the Applicant to ensure its accuracy against our records.
Article 8	REP1-004	Consent to transfer benefit of Order	National Highways notes that article 8 continues to allow the Applicant to transfer the benefit of the Order (which includes a highways NSIP) without prior notification to National Highways. This is considered unreasonable given the scale of the potential impact on the STRATEGIC ROAD NETWORK, and the limited/administrative impact on the Applicant. National Highways requests this is amended, as per its concern set out at 2.7.1.14 of its SoCG <b>[TR020005/REP1/036]</b> .
Article 16	REP1-004	16.—(1) The undertaker may, for the purposes of the authorised development and with the consent of the street authority (such consent not to be unreasonably withheld or delayed and no consent to be required in respect of airport roads), form and layout means of access, or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.  ... (3) If a street authority which receives a valid application for consent under paragraph (1) fails to notify the undertaker of its decision before the end of the period of 56 days beginning with the date on which the application was made, it is deemed to have granted consent.	National Highways welcomes the amendment to this article which requires the consent of the street authority prior to the Applicant exercising powers under article 16. This was originally requested by National Highways in its Relevant Representation <b>[TR020005/RR/3222]</b> and the concern set out at 2.7.1.18 of National Highways' SoCG <b>[TR020005/REP1/036]</b> can be considered materially resolved.
Article 18	REP1-004	Traffic regulations	National Highways notes that the Applicant has not addressed its concerns on timeframes in this article which are out of sync with other transport DCOs (this is relevant given the highway NSIP forming part of the authorised development). National Highways requires 12 weeks' notice under article 18(5) and 56 days under 18(8), for the reasons set out in the SoCG at 2.7.1.19 and 20 <b>[TR020005/REP1/036]</b> . The Applicant should make the amendments to the draft DCO or justify why this is unnecessary.
Article 32	REP1-004	Private rights of way	National Highways continues to have concerns around how wide this power is, as set out at para 2.7.1.22 of the SoCG <b>[TR020005/REP1/036]</b> . National Highways requests that the Applicant expressly make clear which private rights of restrictive covenants belonging to National Highways will cease to have effect and provide justification for each plot in

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			which restrictive covenants and rights are likely to be affected, or provide drafting (as set out in the SoCG) to expressly preserve National Highways' interests.
Article 37	REP1-004	Temporary use of land for carrying out the authorised development	National Highways continues to have concerns around the Applicant's approach towards temporary possession powers, as set out at para 2.7.24 of the SoCG <b>[TR020005/REP1/036]</b> . In accordance with the relevant compulsory purchase guidance, the Applicant should be seeking proportionate powers which are no more than reasonably necessary. National Highways would only expect temporary powers to be used where works are within the highway boundary and no change is made to the classification. The Applicant should remove National Highways' land from the scope of permanent compulsory acquisition powers and instead take temporary powers.
Article 45	REP1-004	Use of airspace within the Order land	The scope of this power remains unclear to National Highways, as set out in the SoCG at 2.7.1.25 <b>[TR020005/REP1/036]</b> . The Applicant claims in the SoCG that this is a temporary power, however the drafting implies that the Applicant may "enter into and use" airspace over the Order land as may be required for the "construction, operation and maintenance" of the authorised development. The Applicant is not required to acquire the land, and so in effect, has a permanent right to occupy airspace over the STRATEGIC ROAD NETWORK. The Applicant should expressly make clear that this is a temporary power does not apply to the STRATEGIC ROAD NETWORK and is, in any event, subject to a time limit which aligns with other compulsory acquisition / permanent power.
Schedule 2 Requirement 6	REP1-004	National highway works	National Highways has raised concerns around the reference to the provisional certificate in this Requirement, in the SoCG at 2.7.1.27 <b>[TR020005/REP1/036]</b> . The Applicant should carry out further modelling to confirm when the highway works should be in place, and then the requirement should be re-drafted to ensure that the works are in place at the point at which they are required. National Highways refers to its Deadline 1 submission <b>[TR020005/REP1/088]</b> which sets out its concerns in this regard.
Schedule 2 Requirement 12	REP1-004	Construction traffic management plan 12.—(1) No part of the authorised development is to commence until a construction traffic management plan has been submitted to and approved in writing by CBC (in consultation with the relevant planning authority West Sussex County Council, Surrey County Council and National Highways on matters related to their function). (2) The construction traffic management plan submitted under sub-paragraph (1) must be substantially in accordance with the outline construction traffic management plan. (3) The authorised development must be constructed in accordance with the construction traffic management plan referred to in sub-paragraph (1), unless otherwise agreed in writing with CBC (in consultation with West Sussex County Council, Surrey County Council and National Highways on matters related to their function).	National Highways welcomes the amendments to this Requirement which expressly consult National Highways on the construction traffic management plan.
Schedule 2 Requirement 13	REP1-004	Construction workforce travel plan 13.—(1) No part of the authorised development is to commence until a construction workforce travel plan has been submitted to and approved in writing by CBC (in consultation with West Sussex County Council, Surrey County Council and National Highways on matters related to their function). (2) The construction workforce travel plan submitted under sub-paragraph (1) must be substantially in accordance with the outline construction workforce travel plan. (3) The authorised development must be constructed in accordance with the construction workforce travel plan referred to in sub-paragraph (1), unless otherwise agreed in writing with CBC (in consultation with West Sussex County Council, Surrey County Council and National Highways on matters related to their function).	National Highways welcomes the amendments to this Requirement which expressly consult National Highways on the construction workforce travel plan.
Schedule 2 Requirement 20	REP1-004	Surface access 20. From the date of the commencement of dual runway operations the operation of the authorised development must be carried out in accordance with the surface access commitments unless otherwise agreed with CBC.	National Highways maintain significant concerns around the wording of this Requirement. The surface access commitments relate to the STRATEGIC ROAD NETWORK and it is therefore wholly inappropriate for the Applicant to be able to agree amendments to those commitments without National Highways' consent.

Reference	Examination Library Reference Number	Statement	National Highways Comment
<b>Statement of Common Ground between Gatwick Airport Limited and The Environment Agency</b>			
2.22.3.1	REP1-034	We would consider the proposed development of the airfield and surface element to have a flood risk vulnerability classification of essential infrastructure in line with Table 2 Flood and Coastal Risk Change of the National Planning Policy Framework Planning Practice Guidance. Therefore, the Higher Central Allowance climate change figure(s) should be adopted when considering climate change for development in Flood Zones 2, 3 and 3b. This is noted by the applicant in paragraph 3.7.8. This proposal must consider the credible maximum scenario as a sensitivity test to assess how sensitive the proposal is to changes in the climate for future scenarios. For this proposal, the credible maximum scenario would be the Upper End climate change figure of a 40% increase in peak river flows. This requirement is noted by the applicant in paragraph 3.7.11.	National Highways notes the matters highlighted by the Environment Agency in its Statement of Common Ground with the Applicant. National Highways will continue to monitor the outcomes of these matters in the event that the conclusions of these discussions lead to updates in the model, which may impact the peak water levels at the crossing points and thus National Highways assets.
2.22.3.2	REP1-034	Paragraphs 3.7.8 to 3.7.78 describe the total percentage uplifts to be applied in terms of peak river flows for various elements of the proposal. As the proposed works would take place over a period with the various project elements having suggested development design lives ranging from 40 to 100 years, this would span different epochs of predicted climatic change. Therefore, there is a need to consider a range of increases in peak river flow as part of the Flood Risk Assessment.	National Highways notes the matters highlighted by the Environment Agency in its Statement of Common Ground with the Applicant. National Highways will continue to monitor the outcomes of these matters in the event that the conclusions of these discussions lead to updates in the model, which may impact the peak water levels at the crossing points and thus National Highways assets.
<b>Legal Partnership Authorities Post Hearing Submission Issue Specific Hearing 2</b>			
Section 4.2	REP1-212	The Authorities have a particular concern as to how the works for the contractors' construction compound, which sits to the north of the southern roundabout works (as shown in figure 5.2.1.f in PDLA-008), impacts on a proposed Local Plan allocation for a business park in Reigate and Banstead. Currently, the Authorities see the two as incompatible which is unacceptable because the construction compound frustrates the ability to bring forward an important Local Plan allocation. In general terms, the Authorities would note that there is a need for a greater degree of specificity across Schedule 1 and specific concerns in relation to timing are further detailed in the Authorities respective LIRS.	<p>National Highways engagement with the Applicant regarding the safe operation of a construction access off South Terminal Roundabout remains ongoing. National Highways will engage on any longer-term proposals for the land through the local plan consultation/formal process.</p> <p>The Applicant provided a technical note with further information; however, National Highways have not yet received a response to comments raised. The Applicant has not sufficiently demonstrated how the construction traffic impact on the Strategic Road Network has been used to inform the decisions in relation to preferred location sizes and uses for the construction compound, and it can be operated safely. These matters need to be addressed to the satisfaction of National Highways before they are considered resolved in both National Highways' Principal Areas of Disagreement Summary Statement [TR020005/RR/3222] and the Statement of Common Ground with the Applicant [TR020005/REP1/036].</p> <p>National Highways will continue to monitor the concerns raised by other Statutory Bodies in the event that any other concerns may need to be escalated in National Highways submissions</p>
<b>Legal Partnership Authorities Post Hearing Submission Issue Specific Hearing 4</b>			
Section 1	REP1-214	<p>The Authorities also have some specific concerns about some of the assumptions which have featured in the modelling. This is in particular in the modelling of the baseline in chapter four, particularly with regard to some of the assumptions that are made for the baseline scenarios as to the quantum of car parking that would be available. There are two particular locations where the Authorities are not currently persuaded that what the Applicant proposes ought to be included in a baseline scenario:</p> <p>1) The first of those is the Applicant's ability to achieve 2,500 spaces via robotic parking, which the Applicant is suggesting it could do in the exercise of its permitted development rights under Class F of the GPDO 2015. The exercise of that PD right requires consultation with the local planning authorities and in the exercise of that consultation, the Authorities would want, if consulted, to understand how such a scale</p>	National Highways notes the issues raised by the Legal Partnership Authorities and will remain abreast of the issue as it proceeds through the examination in order to consider whether these matters may impact National Highways representations in respect to the traffic modelling and surface access commitments provided by the Applicant.



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		<p>of increase could be consistent with the surface access obligations which are set out in the current section 106 agreement; and</p> <p>2) The second point relates to the Hilton Hotel where there is a multi-storey car park which in the future baseline is proposed to provide some 820 spaces. The Authorities are not persuaded that the planning permission for that car park has been implemented, and so they do not think that it should form part of the future baseline.</p>								
<b>The Applicant's Response to Actions from Issue Specific Hearing 4: Surface Transport</b>										
Appendix A 3.2.2	REP1-065	For unsegregated shared use routes for pedestrians and cyclists clause E/3.5 sets out that "Widths of unsegregated shared use routes shall be a minimum of: 1) 3.0 metres where there are 200 users an hour or more; or 2) 2.0 metres where there are less than 200 users per hour."	In conjunction with the points raised below for unsegregated shared routes, where the potential for edge restraints may reduce the overall available space allocation, National Highways request clarity on the numbers of users per hour.							
Appendix A Table 2	REP1-065	<table border="1"> <tr> <td>North Terminal Link - North</td> <td>c11</td> <td>Footway</td> <td>4</td> <td>1.6</td> <td>3</td> <td>1.6</td> </tr> </table>	North Terminal Link - North	c11	Footway	4	1.6	3	1.6	Where C11 passed under the Airport Way flyover, it is National Highways assumption that this area is the point at which width of the footway decreases to 3m. However National Highways request the Applicant consider the need for whether the abutment face of the structure may act as an edge shyness provision in accordance with CD143 Table E/1.5, therefore reducing the theoretical width of the available footway below 3m.
North Terminal Link - North	c11	Footway	4	1.6	3	1.6				
Appendix A Table 2	REP1-065	<table border="1"> <tr> <td>Perimeter Road North - North</td> <td>c2, c3, c4, c42</td> <td>Shared-use</td> <td>3</td> <td>0.5</td> <td>3</td> <td>0.5</td> </tr> </table>	Perimeter Road North - North	c2, c3, c4, c42	Shared-use	3	0.5	3	0.5	For shared use provision C41, National Highways notes that the Applicant is to repurpose the existing traffic island as a shared use crossing point. Whilst this does not form part of National Highways network, National Highways queries whether the width of this traffic island, viewed in conjunction with the signage that would be required on the island, is too small to suitably accommodate cyclists waiting to cross.
Perimeter Road North - North	c2, c3, c4, c42	Shared-use	3	0.5	3	0.5				
<b>The Applicant's Written Summary of Oral Submissions – ISH2 Control Documents /DCO</b>										
5.1.3	REP1-063	The Applicant does not consider that there is any need for the DCO to constrain the phasing or timing of the provision of these works by reference to ATMs or other metrics. The sequencing of the authorised development is a matter which the Applicant is best placed to decide, making real-time decisions about the order and timing of works based on need and well-ordered construction.	<p>National Highways an overall interest in the phasing and duration of construction works, and the cumulative impact on the Strategic Road Network.</p> <p>National Highways continues to engage with the Applicant to confirm that the impacts of construction stage activity on the Strategic Road Network are understood, and appropriate mitigation is included in the DCO, where necessary.</p>							
10.1.5	REP1-063	The Transport Assessment [AS-079] assumes that dual runway operations will commence in 2029 and concludes that the proposed highway improvement works need to be delivered within three years of the commencement of dual runway operations to accommodate the resulting increased demand from the Project on the highway network around the airport. On the basis that the highway improvement works are completed within this timeframe, the modelling shows "no significant queuing or congestion indicated at any location" [122]. The highway works provide the necessary additional network capacity to accommodate the increase in airport-related demand arising from the other components of the Project	<p>National Highways continues to engage with the Applicant to review the traffic model, baseline and forecast assessments to confirm that the impacts of proposals on the Strategic Road Network are understood, and appropriate mitigation is included in the DCO, where necessary.</p> <p>National Highways has made representations in its written submission at Deadline 1 [TR020005/REP1/088] to request 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. Furthermore, between 2029 and 2032, the Applicant will also need to consider, alongside any interim growth, the temporary construction phasing and traffic management works that may reduce capacity on the highways in order to demonstrate Page 9 of 11 that the reported demand can be accommodated through the construction period.</p>							
<b>The Applicant's Written Summary of Oral Submissions - ISH4 Surface Transport.</b>										
3.1.9	REP1-059	In response to concerns raised by Mustafa Latif-Aramesh (BDB Pitmans) on behalf of National Highways (NH) about the transport and traffic modelling, HS confirmed that the Applicant is engaging in further discussions with NH to seek to resolve these concerns. The Applicant confirmed that it was preparing sensitivity tests using the VISSIM models and assuming post-Covid conditions, building on the work examining post-Covid conditions in the strategic model (reported in Accounting for Covid-19 in Transport Modelling [AS-121]). The Applicant also confirmed that it would provide further information to NH about the performance of the network in 2029 and 2032, in relation to the timing of delivery of the Project highway works, as part of the post-Covid sensitivity testing in the VISSIM models. The Applicant confirmed that it could supply NH with a summary of the outcomes of the 2023 staff survey.	<p>National Highways notes that the Applicant will be providing further detail in relation to the performance of the Network and ask that the Applicant clarify which deadline this will be made available and whether it will reside within a technical note covering wider issues or will be introduced as a single submission to allow National Highways to have clarity for its review of future deadline submissions.</p> <p>National Highways notes that the Applicant has committed to providing further details on the 2023 Traffic Survey at Deadline 2.</p>							

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4.2.4	REP1-059	In response to matters raised by Govia Thameslink Railway ("GTR") and NR on passenger modelling, the Applicant confirmed it is engaged in ongoing dialogue with NR and GTR. The Applicant explained there is a Memorandum of Understanding in place with GTR for both parties to support an increase in rail mode share at the Airport and promote more journeys using rail and it continues to work closely with them. In response to the points raised, the Applicant explained the importance of looking at the impacts of the Project rather than the wider challenges the rail network is experiencing at present.	National Highways shares the concerns of GTR in respect of railway capacity, specifically the risk of a lack available rail capacity to achieve modal shift targets. Should the modal shift targets not be achieved there is a high probability that GAL customers will access the airport via other means, including by road and private car. As a result of this, the Applicant's Transport Assessment may underrepresent the impact of the proposals on capacity, congestion, safety and journey time reliability on the Strategic Road Network.
6.1.5.4	REP1-059	Rather than pursue outcomes which would be unachievable in practice, the Applicant's mode share commitments reinforce the continued shift towards travel by non-car modes by passengers and staff. In addition, the Applicant has also identified aspirational mode share targets, beyond those commitments in the Surface Access Commitments [APP-090], which will frame the development of future Airport Surface Access Strategy action plans.	National Highways queries how these future Airport Surface Access Strategy Action Plans would be secured or accountable when compared to the surface access commitments contained in the Development Consent Order Application [TR02005/APP/090].
7.1.6	REP1-059	The Applicant confirmed that inclusive design principles have been taken into account in the development of the preliminary design with respect to key design criteria such as gradients and this will be further developed in detailed design stage and will be subject to approval by relevant highways authorities.	Can the Applicant please list the guidance or standards that have been utilised in implementing inclusive design principles?
<b>The Applicant's Response to Matters Raised at Open Floor Hearings 1 and 2</b>			
10.9.1 Section 35a	REP1-061	<b>Cllr Jonathan Essex</b>  Gatwick's planned growth has significant impacts that are not effectively recognised in the DCO application. Gatwick air pollution, flooding and traffic models haven't been shared, so the Environment Agency and National Highways have refused to comment on them. Now the DCO has started, they should be made public	National Highways wishes to respond to the statement by Cllr Essex that is has refused to comment on air pollution, flooding and traffic models. National Highways is an Interested Party and Statutory Consultee to the DCO application and is commenting on matters that impact on the Strategic Road Network in line with the examination timetable. We continue to engage with the Applicant, and will request additional information to confirm assessments and mitigation proposals where this is required.
Section 3c C – Traffic and Transport	REP1-061	<b>Sally Pavey on behalf of CAGNE</b>  The M23 is a SMART motorway and dangerous	At National Highways road safety is the highest priority. England's motorways and major A roads (the Strategic Road Network) are some of the safest in the world, but National Highways ambition remains that no-one should be harmed while travelling or working on the Strategic Road Network. National Highways is working with partners across sectors and industries to help collectively achieve this ambition. The latest safety data for smart motorways, published in the <a href="#">3<sup>rd</sup> progress report</a> dated September 2023, continues to show that overall, all three types of smart motorway are safer than conventional motorways in terms of deaths or serious injuries, but National Highways take public concern on this subject extremely seriously and are focussed on eliminating risks from the network.  National Highways in its relevant and written representations [TR020005/RR/3222] and [TR020005/REP1/088] has highlighted a number of matters where the Applicant needs to provide further details in order to satisfy National Highways that the Strategic Road Network will continue to operate safely and efficiently under these proposals.
<b>Supporting Air Quality Technical Notes to Statements of Common Ground</b>			
Appendix A	REP1-051	Drawing Title - Verification Zones	National Highways notes that in Appendix A of the Support Air Quality Technical Notes document, the Applicant provides a figure showing verification zones. Based on that figure and the verification zones taken forward to the assessment, can the Applicant please provide justification for zone called "Brighton Road" and why this zone is different to the surrounding Gatwick zone.
<b>Local Impact Report (Crawley Borough Council, Horsham District Council, Mid Sussex District Council and West Sussex County Council)</b>			
4.26	REP1-068	These schemes are on the National Highways network. The Authorities understanding is that the Applicant supported National Highways in applying for Designated Funds funding for these works, but this was unsuccessful, and the scheme is not currently funded. It is not guaranteed to come forward by 2029 as	National Highways confirms that it is acting as a third party and is not funding the capital delivery of the surface access works or those works titled as business as usual presented in the Applicant's submission. National Highways continues to negotiate with the Applicant on commuted lump payments for the continued operation and maintenance of any proposed infrastructure which will subsequently form part of the strategic road network upon completion of the surface access works.



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		stated by the Applicant in paragraph 4.4.9 of the ES (APP-029). These highway improvements cannot be assumed in the baseline.	<p>National Highways outlined in its updated position statement in the Statement of Common Ground with the Applicant at Deadline 1 <b>[TR020005/REP1/036]</b> with a request to alter the wording of Requirement 24 as follows:</p> <p>24. Gatwick North Terminal and South Terminal Roundabout Signalisation 24. (1) No part of the authorised development may begin, until the North Terminal and South Terminal roundabout signalisation scheme is completed and open for traffic</p> <p>This proposed requirement has been requested in order to reflect the assumption made in the Applicants traffic modelling that the signalisation is in place prior to the construction of the authorised works.</p>
9.6	REP1-068	The extent of loss of mature broadleaved woodland is of particular concern and additional compensation measures will be required to ensure no adverse impacts on broadleaved woodland habitat and bats. If, due to airport safeguarding, it is not possible to provide sufficient compensatory planting within the site, off-site woodland creation is required.	<p>National Highways shares the councils concerns in respect to the quantity of woodland loss, notably on National Highways current estate bordering the surface access works.</p> <p>National Highways itself has a biodiversity Key Performance Indicator (KPI) to achieve no net loss to the STRATEGIC ROAD NETWORK by 2025, and to have a net positive impact on nature in Road Investment Period 3* (2025-2030) and beyond. National Highways considers that land forming part of the Strategic Road Network 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.</p> <p>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 Strategic Road Network, that the proposed mitigation conserves and enhances habitats to maximise biodiversity and achieves at least not net loss.</p> <p><i>* Roads Investment Periods are where National Highways receives funding from the Department for Transport in five-year cycles. Road Investment Period 1 ran from 2020 to 2015. National Highways are now in Road Investment Period 2 which runs from 2020 to 2025.</i></p>
9.51	REP1-068	The extent of loss of mature broadleaved woodland, notably that which forms a linear corridor through the north of the Project, is of particular concern as it will have significant ecological impacts over the long-term on semi-natural broadleaved woodland and the assemblage of bat species (as reported in APP-034, Section 9.9.380). At least 14 species of bat have been recorded in or immediately adjacent to the Project, including the rare Bechstein's, Alcahoie and barbastelle bat. The woodland habitats were found to be particularly important for bats. ES Chapter 9 page 9-154 states that 'The long-term loss of woodland resulting from highway improvements in combination would have a significant effect on bat 109 behaviour until new woodland planting had established	<p>National Highways shares the councils concerns in respect to the ecological impact on bat species.</p> <p>National Highways notes the Applicant is conducting further bat surveys and request that this material is submitted into the examination at the earliest opportunity.</p>
Table 10.1 10.1.F	REP1-068	The possibility of a blockage within the flood structures may be more likely especially due to the ever increasing effect of climate change. The Applicant should identify potential flood flash points and test the scenario where there will be blockage and where possible use this to influence the design. The Applicant should also explain how they should intend to deal and manage with the residual risks.	National Highways shares the council concerns in respect to the risk of blockages in watercourses and has requested that 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 of the Flood Risk Assessment <b>[TR020005/APP/147]</b>
14.120	REP1-068	Paragraph 14.4.16 (APP-039) states that the road traffic noise study area extends 600 m from new highway works associated with the Project as required by DMRB. The DMRB guidance does acknowledge that a 600 m study area can be appropriate for many schemes but clarifies that the study area should be adjusted to include potentially affected receptors and reasonable stakeholder expectation. No justification for use of the 'default' 600 m study area is given but paragraph 14.4.17 does clarify that all roads in the strategic model have been screened for changes in road traffic noise.	National Highways requires the Applicant to undertake its noise assessments in accordance with the DMRB guidance.
14.124	REP1-068	As stated in paragraph 14.4.23 (APP-039), baseline monitoring of road traffic noise was carried out at three locations in Riverside Garden Park, adjacent to the A23,	National Highways shares the concerns of the council and 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.

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		but for only 10 minutes at each location. As such, results from the monitoring exercise were not used to validate the road traffic noise predictions.	
Table 17.1 17.1G	REP1-068	Increased levels of crowding on local bus services due to a forecast increase in demand for bus and coach services from 8,600 daily passengers in 2029 to 13,400 in 2047.	National Highways shares the concerns of the council and National Highways maintains that the Applicant's proposed control documents relating to highway works and the long-term operation of the Strategic Road Network are inadequate. National Highways proposes to submit into the examination "mark ups" of the Surface Access Commitments [TR020005/APP/090] by Deadline 2.  How mode share commitments will be secured and maintained in the long term are a key matter for National Highways.
Table 17.1 17.1M	REP1-068	The Applicant is heavily reliant on existing rail services and the introduction of parking charges to meet the target modal splits set out within the Surface Access Commitments.  Should these modal splits not be achieved there is likely to be a larger highway impact than is forecast.	National Highways shares the concerns of the council and National Highways maintains that the Applicant's proposed control documents relating to highway works and the long-term operation of the Strategic Road Network are inadequate. National Highways proposes to submit into the examination "mark ups" of the Surface Access Commitments [TR020005/APP/090] by Deadline 2.  How mode share commitments will be secured and maintained in the long term are a key matter for National Highways.
17.74	REP1-68	There is concern that these modal split commitments are less ambitious than previously suggested and included in earlier Gatwick documentation. The Preliminary Transport Assessment Report (PTAR) dated September 2021 set more ambitious targets for both passenger and staff travel and to a shorter horizon year of 2030. This report stated the target was for 60% sustainable travel (active travel and public transport) for passengers and 60% of staff journeys by sustainable modes (public transport, active travel modes and group travel provided by individual employers for their staff), by 2030. The DCO submission is only targeting 55% of passengers and staff travel to be sustainable and by 2032.	National Highways proposes to submit into the examination "mark ups" of the Surface Access Commitments [TR020005/APP/090] by Deadline 2 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.
17.83	REP1-68	Should the commitments within the Surface Access Commitments (APP090) not be met, as appears to be forecast by the modelling, the Applicant commits to producing an action plan to identify such additional interventions which they consider reasonably necessary to correct the issues of non-achievement. If two successive Annual Monitoring Report (AMR) show the targets have not been met, the Applicant commits to providing a further action plan which will be provided to the TFSG so that the group can consider this and comment on it and either approve or reject the plan. Given the annual nature of the AMR, long periods of time could pass when the SACs are not being met and it is not clear whether the additional measures put forward by the Applicant are successfully addressing the identified issues. There also does not appear to be any sanction should the SACs be regularly missed.	National Highways shares the concerns of the council and National Highways maintains that the Applicant's proposed control documents relating to highway works and the long-term operation of the Strategic Road Network are inadequate. National Highways proposes to submit into the examination "mark ups" of the Surface Access Commitments [TR020005/APP/090] by Deadline 2.  How mode share commitments will be secured and maintained in the long term are a key matter for National Highways.
<b>Local Impact Report (Surrey County Council, Mole Valley District Council, Reigate and Banstead Borough Council)</b>			
6.98	REP1-097	Overall, the Project will result in extensive losses of existing trees and other green infrastructure which currently provide multi-functional benefits to residents, including through their role as ecological habitats and as a visual, noise and pollution buffer between the edge of Horley and the A23, M23 and airport. Much of the vegetation to be lost comprises mature, deciduous trees, tree blocks and belts. Whilst the Project provides for replacement planting, there will be a long-term vegetation 'deficit' of at least 15 years during which there will be ongoing harm to visual and landscape receptors, including through open views of construction compounds, tall plant, machinery and new airport buildings and infrastructure whilst replacement planting matures. Due to the temporal deficit, such harm cannot be mitigated through replacement planting alone and therefore compensation for the losses of trees and green infrastructure is required. Whilst the proposed Environmental	National Highways share these concerns, notably the loss of established woodland with National Highways estate.  National Highways will continue to seek with the Applicant a financial contribution in order to ensure that the Scheme results in no net loss to the National Highways estate. Please see section 2.8.3.2 of National Highways' position in its Statement of Common Ground with the Applicant [TR020005/REP1/036] which explains how the Scheme is placing National Highways in a worse off position so far as biodiversity on its estate is concerned.

Reference	Examination Library Reference Number	Statement	National Highways Comment
		Mitigation Areas are welcome, we would question whether these, together with replacement planting, would suitably mitigate for the long-term adverse effects of the Project on landscape and townscape character, visual amenity and green infrastructure within the locality; particularly as some of the mitigation areas would not be completed until many years after the commencement of the Project. As set out in the Ecology chapter we therefore request financial contributions from the Applicant to a landscape and ecology enhancement fund for off-site projects, to be secured via Section 106 legal agreement.	
7.42	REP1-097	No bat roost surveys of 'high' or 'medium' trees proposed for removal have been carried out to inform the baseline and impact assessment. This contravenes policy in relation to protected species. ODPM circular 06/2005 states: 'The presence of a protected species is a material consideration when a planning authority is considering a development proposal Gatwick NRP: Joint Surrey Councils Local Impact Report – Ref: TR020005 75 that, if carried out, would be likely to result in harm to the species or its habitat.....It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted'. The absence of surveys is of concern to the authorities. Roosts of rare Bechstein's bat have been recorded within trees within the site. As such, there could be additional roosts located along the A23. Without the results of these required surveys, it is unknown whether impacts upon bats have been appropriately addressed or whether the amount of mitigation proposed is suitable.	National Highways share these concerns with the respective Local Authorities. Within the Statement of Common Ground [TR020005/REP1/036] the Applicant has advised that bat surveys are being undertaken and will be reported when completed. In order to ensure that National Highways has the opportunity to comment on these reports, National Highways requests that these are submitted into the examination at the earliest opportunity.
10.95	REP1-097	Regarding the new signal-controlled junction on the A23 London Road (APP-020 - sheet 1) the JSCs are concerned that the new signal-controlled junction on the A23 London Road will result in queuing back that will affect the Longbridge Roundabout and provision of the left turn from the North Terminal onto the A23 London Road makes it easier for staff to drive to/from work, thus working against the Applicant's ambitious sustainable mode share targets, especially as the Active Travel infrastructure proposed is considered deficient. Queuing information has been requested from GAL accordingly.	National Highways share the concerns of the Local Authorities in respect to the safe operation of the North Terminal Junction with the A23.  In National Highways written representation submitted at Deadline 1 [TR020005/REP1/088], it is National Highways current preference that the operation and maintenance responsibility for all signal infrastructure at this junction resides with National Highways. National Highways welcomes a proactive discussion between National Highways, the Applicant and West Sussex County Council to agree the principles of this proposal.
<b>Written Representation of Kent County Council Deadline 1 Submission</b>			
Surface Transport Para 7.3	REP1-080	KCC notes in Transport Assessment [AS-079] Table 12.5.4 that National Highways recognises that "it would appear disproportionate to expect the developer of Gatwick NRP to redesign the entire interchange to cope with a relatively small increase in traffic figures over those which would naturally occur". Further consultation with National Highways is apparently ongoing, yet KCC is not aware of any plans to include this intersection in a future Road Investment Strategy (RIS) pipeline. As this junction is forecast to carry around half the road trips associated with the airport – according to Transport Assessment [AS-079] Diagram 12.3.2 – it will be important to include it in the monitoring of the Surface Access Commitments [APP-090] and work with National Highways on any required mitigation.	National Highways has set out its position that there are a number of significant concerns about the modelling, which are not yet resolved. These are fully set out in National Highways' Relevant Representation [TR020005/RR/3222], the Statement of Common Ground [TR020005/REP1/036] and the Post Hearing Submissions [TR020005/REP1/086]. The ExA is requested to further note that National Highways is not yet content that the modelling justifies the specific monitoring and mitigation put forward, particularly the impacts on the wider Strategic Road Network including the M25 and M23 motorways. At Deadline 2, National Highways proposes to put forward amendments to the Surface Access Commitments which are, at minimum, required whether or not the modelling concerns are resolved.

Reference	Examination Library Reference Number	Statement	National Highways Comment
<b>Written Representation of Network Rail Infrastructure (NR) Deadline 1 Submission</b>			
<a href="#">Link to Written Rep</a> Para 2.1  Para 2.8 to 2.10	REP1-090	<p>National Highways has reviewed the Deadline 1 Submission of NR based on its shared interest in surface access to the airport. National Highways has summarised the key themes raised by NR as follows:</p> <ul style="list-style-type: none"> <li>•The Applicant's proposals rely on the rail network to achieve its sustainable mode share which in turn relies on there being a reliable rail service and sufficient capacity to meet the demand.</li> </ul> <p>The Applicant has not proposed any investment in the rail network to meet the additional demand arising from the Northern Runway Project. Without this investment, Network Rail are concerned that the rail system will not have sufficient capacity and reliability at key times to ensure that Gatwick's sustainable mode share targets are realised, and rail passenger experience is maintained or improved.</p> <ul style="list-style-type: none"> <li>•NR state that there is theoretical scope to provide a slight increase in total hourly train capacity, to a pre-Covid level of capacity, however, there is currently no funding for this. Beyond this there is no scope to increase the overall level of capacity without major reconfigurations of the service and/or significant new infrastructure. There is currently no public funding allocated or planned for such upgrades.</li> </ul>	<p><i>National Highways comments should be read in conjunction with comments on Written Representation of Govia Thameslink Railway (GTR). See REP1-185.</i></p> <p>National Highways shares the concerns of NR in respect of railway capacity, specifically the risk of a lack available rail capacity to achieve modal shift targets. Should the modal shift targets not to be achieved there is a high probability that GAL customers will access the airport via other means, including by road and private car. As a result of this, the Applicants Transport Assessment may underrepresent the impact of the proposals on capacity, congestion, safety and journey time reliability on the Strategic Road Network.</p> <p>As set out in the summary of principal areas of concern contained in our Relevant Representation (RR) <b>[TR020005/RR/3222]</b>, dated 27 October 2023, the predicted usage of the Strategic Road Network is fundamental to our understanding of the impacts of the Scheme and any mitigation required. The RR requested that the Applicant demonstrate the methodology used to determine the modal split is both reasonable and achievable to provide assurance in respect of the forecast demand on the STRATEGIC ROAD NETWORK.</p> <p>While National Highways continues to engage with the Applicant on these matters it requests that the ExA is similarly reassured that the rail capacity is sufficient to enable the forecast mode use to be achieved. National Highways will continue to monitor the outcome of the discussions between the Applicant and NR, specifically related to predicated usage and capacity of the rail service through Gatwick.</p>
<b>Written Representation of Reigate and Banstead Borough Council Deadline 1 Submission</b>			
Key Matters Para 8	REP1-094	<p>The Council is very concerned by the proposed location of the Works Compound adjacent to the South Terminal Roundabout and how this will hinder the delivery of the Horley Strategic Business Park on an allocated local plan site. Related to this we are also concerned by the late introduction of a works access road between the South Terminal Works Compound and Balcombe Road. These matters are considered in the Socio-economic (15) and Traffic and Transport (11) chapter of the Surrey Local Impact Report.</p>	<p>National Highways engagement with the Applicant regarding the safe operation of a construction access off South Terminal Roundabout remains ongoing. National Highways will engage on any longer-term proposals for the land through the local plan consultation/formal process.</p> <p>The Applicant provided a technical note with further information; however, National Highways have not yet received a response to comments raised. The Applicant has not sufficiently demonstrated how the construction traffic impact on the Strategic Road Network has been used to inform the decisions in relation to preferred location sizes and uses for the construction compound, and it can be operated safely. These matters need to be addressed to the satisfaction of National Highways before they are considered resolved in both National Highways' Principal Areas of Disagreement Summary Statement <b>[TR020005/RR/3222]</b> and the Statement of Common Ground with the Applicant <b>[TR020005/REP1/036]</b>.</p> <p>National Highways will continue to monitor the concerns raised by other Statutory Bodies in the event that any other concerns may need to be escalated in National Highways submissions</p>
<b>Written Representation of Transport for London (TfL) Deadline 1 Submission</b>			
<a href="#">Link to Written Rep</a> Para 1.4  Para 4.1-4.6	REP1-105  REP1-105  REP1-105	<p>National Highways has reviewed the Deadline 1 Submission of TfL based on its shared interest in surface access to the airport. National Highways has summarised the key themes raised by TfL as follows:</p> <p>TfL state that the aspirations to increase public transport mode share are not matched by the committed interventions to achieve this. TfL have called for an increase in the quantum and scope of the sustainable transport fund to help secure important rail interventions, alongside support for coach, bus and active travel.</p> <p>TfL have raised concerns regarding rail capacity and the extent to which the railway network can meet the forecast increase in journeys, and mode shift to sustainable</p>	<p>National Highways notes TfL's concern regarding the scope of the Sustainable Transport Fund proposed by the Applicant. Similarly National Highways is concerned that the proposed Transport Mitigation Fund is lacking in definition and requested in further clarity from GAL in our initial PADSS document contained in Annex A of our Relevant Representation (RR) dated 27 October 2023 <b>[TR020005/RR/3222]</b>.</p> <p>National Highways is concerned that mode share targets, particularly in respect of railway are rail are not achievable based on the current available capacity and lack of a funded programme of infrastructure improvements. Should the</p>



Reference	Examination Library Reference Number	Statement	National Highways Comment
		modes, without significant additional funding. These concerns are also reflected in the Written Representations of Network Rail Infrastructure and Govia Thameslink Railways (Reps REP1-090 and REP1-185 respectively).	<p>modal shift targets not to be achieved there is a high probability that GAL customers will access the airport via other means, including by road and private car. As a result of this, the Applicants Transport Assessment may underrepresent the impact of the proposals on capacity, congestion, safety and journey time reliability on the Strategic Road Network.</p> <p>National Highways' Relevant Representation (RR) dated 27 October 2023 <b>[TR020005/RR/3222]</b>, set out its position that the predicted usage of the STRATEGIC ROAD NETWORK is fundamental to our understanding of the impacts of the Scheme and any mitigation required. The RR requested that the Applicant demonstrate the methodology used to determine the modal split is both reasonable and achievable to provide assurance in respect of the forecast demand on the STRATEGIC ROAD NETWORK.</p>
Para 4.13	REP1-105	TfL state that additional work is needed to understand the impacts of the expansion on the wider strategic road network, in the context of the cancellation of the proposed M25 smart motorway between J10 and J16, which had been included in the modelling.	<p>As set out in our RR, National Highways considered the traffic modelling and transportation assessment to be flawed as it over estimates the capacity of the STRATEGIC ROAD NETWORK through the inclusion of the M25 J10-16 Smart Motorway, which is no longer programmed for implementation.</p> <p>National Highways continues to engage with the Applicant to review the traffic model, baseline and forecast assessments to confirm that the impacts of proposals on the Strategic Road Network are understood, and appropriate mitigation is included in the DCO, where necessary. These matters remain unresolved and have been highlighted in National Highways Relevant Representation <b>[TR020005/RR/3222]</b> and reinforced in its written representation <b>[TR020005/REP1/088]</b> submission at Deadline 1.</p>
<b>Written Representation of the Chartered Institute of Logistics and Transport (CILT) Deadline 1 Submission</b>			
<a href="#">Link to Written Rep</a> Para 9	REP-127	Surface Access-We have considered the Transport Assessment (APP-258) and Chapter 12 of the Environmental Statement (APP-037) and we consider that the assumptions, assessments and predictions, including mode share targets, are appropriate and satisfactory for this project.	<p>National Highways notes the position of the CILT with respect to mode share targets, however, there remains a specific concern that the current railway services and railway infrastructure has insufficient capacity to support the target for rail passenger numbers. This is reflected in the concerns of both Network Rail Infrastructure and Govia Thameslink Railway (Reps REP1-090 and REP1-185 respectively).</p> <p>National Highway is concerned that if the mode shift targets not to be achieved there is a high probability that GAL customers will access the airport via other means, including by road and private car. As a result of this, the Applicants Transport Assessment may underrepresent the impact of the proposals on capacity, congestion, safety and journey time reliability on the Strategic Road Network.</p>
<b>Written Representation of Govia Thameslink Railway (GTR) Deadline 1 Submission</b>			
<a href="#">Link to Written Rep</a>	REP1-185	<p>National Highways has reviewed the Deadline 1 Submission of GTR based on its shared interest in surface access to the airport. National Highways has summarised the key themes raised by GTR as follows:</p> <ul style="list-style-type: none"> <li>• GTR disputes elements of the Applicants Transport Assessment related rail capacity and has provided data on train loading demonstrating the need for additional capacity on the railway through Gatwick Airport.</li> <li>•GTR recognises the scope to increase in capacity, through additional train services, to pre-Covid levels however this would require additional funding.</li> <li>•GTR is concerned that if GAL funds road network expansion while railway capacity is constrained there will be modal shift away from rail to road making sustainable travel targets unattainable.</li> <li>•GTR states that passenger expectations are increasing with people becoming less tolerant of travelling in discomfort, resulting in customers choosing to travel by alternative modes.</li> </ul>	<p><i>National Highways comments should be read in conjunction with comments on Written Representation of Network Rail Infrastructure. See REP1-090.</i></p> <p>National Highways shares the concerns of GTR in respect of railway capacity, specifically the risk of a lack available rail capacity to achieve modal shift targets. Should the modal shift targets not to be achieved there is a high probability that GAL customers will access the airport via other means, including by road and private car. As a result, the Applicants Transport Assessment may underrepresent the impact of the proposals on capacity, congestion, safety and journey time reliability on the Strategic Road Network.</p> <p>As set out in the summary of principal areas of concern contained in our Relevant Representation (RR) <b>[TR020005/RR/3222]</b> dated 27 October 2023, the predicted usage of the Strategic Road Network is fundamental to our understanding of the impacts of the Scheme and any mitigation required. The RR requested that the Applicant demonstrate the methodology used to determine the modal split is both reasonable and achievable to provide assurance in respect of the forecast demand on the STRATEGIC ROAD NETWORK.</p> <p>While National Highways continues to engage with the Applicant on these matters it requests that the ExA is similarly assured that the rail capacity is sufficient to enable the forecast mode use to be achieved.</p>