



Application by Gatwick Airport Limited for the Gatwick Airport Northern Runway Project
The Examining Authority's written questions and requests for information (ExQ1)
Issued on Thursday 28 March 2024

The following table sets out the Examining Authority's (ExA) first round of written questions and requests for information (ExQ1). Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 5 January 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IP) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on general matters is identified as 'GEN.1.1'. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team. Please contact: GatwickAirport@planninginspectorate.gov.uk and include 'Gatwick Airport Northern Runway Project – ExQ1' in the subject line of your email.

The deadline for responses to ExQ1 is **Deadline 3** in the Examination Timetable (**Friday 19 April 2024**). If necessary, the Examination Timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.



Abbreviations used:

AADT	Annual Average Daily Traffic
ANAS	Aircraft Noise Attitudes Survey
ANPS	Airports National Policy Statement
APF	Aviation Policy Framework
AQMA	Air Quality Management Area
ARELS	Airport-Related Employment Land Study
ARN	Affected Road Network
Art.	Article
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
BoR	Book of Reference
CA	Compulsory Acquisition
CA Guidance	Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, DCLG, September 2013
CAA	Civil Aviation Authority
CAGNE	Communities Against Gatwick Noise and Emissions
CAGR	Compound Annual Growth Rate
CAP	Carbon Action Plan
CBC	Crawley Borough Council
CCC	Climate Change Committee
CLe	Critical Level
CLo	Critical Load



CoCP	Code of Construction Practice
CTMP	Construction Traffic Management Plan
CWMP	Construction Workforce Travel Plan
DAS	Design and Access Statement
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
dDCO	Draft Development Consent Order
EA	Environment Agency
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
ES	Environmental Statement
ESBS	Employment, Skills and Business Strategy
ExA	Examining Authority
FRA	Flood Risk Assessment
GACC	Gatwick Area Conservation Campaign
GAL	Gatwick Airport Limited
GDP	Gross Domestic Product
GHG	Greenhouse gas
HA	Highway Authority
HDC	Horsham District Council
HRA	Habitats Regulations Assessment
HRAR	Habitats Regulations Assessment Report
IAG	International Airlines Group



ICE	In-Combination Effects
IP	Interested Party
ISH	Issue Specific Hearing
JSCs	Joint Surrey Councils
KCC	Kent County Council
km	kilometre
LCY	London City Airport
LEMP	Landscape and Ecology Management Plan
LEP	Local Enterprise Partnership
LHR R3	London Heathrow Runway Three
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LSE	Likely Significant Effects
LTN	London Luton Airport
m	metre
mppa	Million passengers per annum
MSCP	Multi-Storey Car Park
MSDC	Mid Sussex District Council
NE	Natural England
NH	National Highways
NH₃	Ammonia
NIS	Noise Insulation Scheme
NNNPS	National Networks National Policy Statement



NO₂	Nitrogen Dioxide
NO_x	Nitrogen Oxides
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NRP	Northern Runway Project
NSIP	Nationally Significant infrastructure Project
OL	Order Limits
PEIR	Preliminary Environmental Information Report
PINS	The Planning Inspectorate
PM_{2.5}	Particulate matter less than 2.5 micrometres in diameter
PM₁₀	Particulate matter less than 10 micrometres in diameter
PRoW	Public Rights of Way
R	Requirement
RBBC	Reigate and Banstead Borough Council
RHA	Relevant Highway Authority
RPA	Relevant Planning Authority
RR	Relevant Representation
s	Section (of Act)
SAC	Special Area of Conservation
SAF	Sustainable Aviation Fuel
SCC	Surrey County Council
SME	Small and Medium Sized Enterprise
SMP	Soil Management Plan



SMS	Soil Management Strategy
SoR	Statement of Reasons
SoS	Secretary of State
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SWMP	Site Waste Management Plan
TA	Transport Assessment
TDC	Tandridge District Council
TP	Temporary Possession
TTT	Thames Tideway Tunnel
t/yr	Tonnes per year
WFD	Water Framework Directive
Work No.	Work Number
WR	Written Representation
WSCC	West Sussex County Council
WSI	Written Scheme of Investigation

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The [Examination Library](#) will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:



'Question reference: issue reference: question number', eg *'GEN.1.1'* refers to question 1 in this table.

Please Note: These Written Question have been prepared based on submissions made up to and including Deadline 1. They do not reflect submissions made at Deadline 2. Consequently, if you consider that your answer to any question has been provided at Deadline 2, please do not repeat the information in detail but provide the appropriate reference to where the answer can be found.



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ExQ1	Question to:	Question:
GENERAL AND CROSS-TOPIC		
GEN.1.1	The Applicant	<p>Environmental Statement Non-Technical Summary</p> <p>In respect of the Environmental Statement (ES) Non-Technical Summary [APP-217] please amend:</p> <ul style="list-style-type: none"> a) The contents page that omits the Section 7.7 Transport from the contents; and b) Paragraph 1.4.5 which contains a formatting error in respect of Diagram 1.4.1.
GEN.1.2	The Applicant	<p>Existing Use of Northern Runway</p> <p>Paragraph 1.3.2 of ES Chapter 1 [APP-026] states that a planning condition has prevented the northern runway from being used at the same time as the main runway. Additionally, paragraph 2.5.4 of the Planning Statement states that the Development Consent Order (DCO) application proposes to remove the condition.</p> <p>How would this condition be removed if the DCO were granted?</p>
GEN.1.3	The Applicant	<p>Safety Implications of Moving Northern Runway</p> <p>Paragraph 3.4.7 of ES Chapter 3 [APP-028] indicates that the existing northern runway is located 198 metres to the north of the main runway.</p> <p>Would moving it further north have safety implications for the development to the north of the runway? Why was the existing northern runway not planned to be further north in 1979?</p>
GEN.1.4	The Applicant	<p>Alternatives</p> <p>In ES Chapter 3 [APP-028] three scenarios are considered – Do Minimum (Scenario 1), making best use of its existing runways (Scenario 2) and a second runway (Scenario 3).</p> <p>Are these realistic alternatives to the Proposed Development?</p>
GEN.1.5	The Applicant	<p>Second Runway to the South</p> <p>Paragraph 3.7.2 of ES Chapter 3 [APP-028] states that Gatwick Airport Limited (GAL) is not actively pursuing the option of a second runway to the south of the existing runway:</p> <ul style="list-style-type: none"> a) Clarify this statement. b) How is this land reflected in local planning policy and can the safeguarded land be released? If not, why not?
GEN.1.6	The Applicant	Use of Taxiways

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Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>According to ES paragraph 5.2.9 [APP-030] modifications to the existing Taxiways Lima and Tango are proposed to create independence in routing to and from the northern runway for large aircraft, while avoiding the need to move Taxiway Juliet 27 metres further north along its entire length.</p> <p>Explain why Taxiway Juliet might otherwise have to be moved?</p>
GEN.1.7	The Applicant	<p>Use of Stands</p> <p>Table 5.2.2 of the ES [APP-030] describes the Number of Proposed Stands.</p> <p>Do these numbers represent existing and new stands?</p>
GEN.1.8	The Applicant	<p>Link Between Construction and Passenger Growth</p> <p>Table 5.3.1 of the ES [APP-030] provides an Indicative Sequencing of Construction Works.</p> <p>Do these works relate directly to the growth in passenger numbers. If so, how does this operate? If, not, why not?</p>
GEN.1.9	The Applicant	<p>Construction Programme</p> <p>Section 5.3 of the ES [APP-030] describes the approach to construction which is anticipated to take place up until 2038.</p> <p>If tighter environmental standards were introduced over this timescale, how would they be incorporated into the controls or standards which are currently envisaged?</p>
GEN.1.10	The Applicant	<p>Evolution of Code of Construction Practice</p> <p>Paragraph 5.3.82 of the ES [APP-030] explains that construction would be undertaken in accordance with a Code of Construction Practice (CoCP) [APP-082].</p> <p>Would the CoCP evolve over the construction timeframe?</p>
GEN.1.11	The Applicant Crawley Borough Council (CBC)	<p>Development at Gatwick Airport – Supplementary Planning Document</p> <p>Paragraph 1.4.6 of the Planning Statement [APP-245] notes that CBC has adopted a Supplementary Planning Document (SPD) entitled Development at Gatwick Airport (November 2008).</p> <p>Should either the Applicant or the Council wish to cite the SPD in support of their case they are asked to provide a copy or relevant extracts.</p>
GEN.1.12	The Applicant	<p>Securing Air Quality Monitoring</p>

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ExQ1	Question to:	Question:
		Paragraph 8.5.18 of the Planning Statement [APP-245] states that air quality monitoring commitments are intended to be secured under the s106 agreement. Why is such monitoring not to be secured under the DCO?
GEN.1.13	The Applicant	Summary of Mitigation Measures Appendix D of the Planning Statement [APP-248] references Appendix A: 'Summary of Mitigation Measures included as Part of the Project'. Please provide a copy of Appendix A as it appears to be missing.
GEN.1.14	The Applicant	Mitigation Route Map According to paragraph 1.1.3 of the Mitigation Route Map [APP-078], the document is submitted for information only. [Note that after paragraph 1.1.5 the numbering sequence begins again.] Why is the Mitigation Route Map not proposed to be a certified document when it identifies all of the mitigation which the Applicant is committed to?
GEN.1.15	The Applicant	Mitigation Route Map Table 2.2.1 of the Mitigation Route Map [APP-078] includes references for each topic eg HE-1, LV-1 etc. How do these references and the associated impacts and mitigation relate to the relevant sections of the ES?
GEN.1.16	The Applicant	Indicative Construction Sequencing The Indicative Construction Sequencing for the Project is set out in Appendix 5.3.3 of the ES [APP-088]. Explain why the proposed highway works to A23 and M23 are not in the programme.
GEN.1.17	The Applicant	Terminal capacity Provide further details regarding the internal capacity of the North and South terminal for the baseline case and the Proposed Development, including the following information: a) Capacity/ service levels built to; b) Capacity of key bottlenecks – check in, security, gate provision, immigration/ border control, luggage belts/ carousels and area;

ExQ1	Question to:	Question:
		<p>c) Comment on the Jacobs details cited by Gatwick Area Conservation Campaign (GACC) in its Written Representation (WR) (Section 3.1, page 21 [REP1-173]); and</p> <p>d) The inclusion or otherwise of Pier 7 in terminal capacity calculations.</p>
GEN.1.18	The Applicant	<p>Good Design</p> <p>Sections 4.29 and 4.30 of the Airports National Policy Statement (ANPS) state that applicants should include design as an integral consideration from the outset of a proposal and that applying ‘good design’ to airport projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, and matched by an appearance that demonstrates good aesthetics as far as possible.</p> <p>Policy within the National Planning Policy Framework (NPPF) also advocates for good design as do the ‘Design Principles for National Infrastructure’, developed by the National Infrastructure Commission.</p> <p>Please outline your approach to good design for the Proposed Development, signposting relevant sections in the Design and Access Statement (DAS) [APP-253] where necessary.</p>
GEN.1.19	The Applicant	<p>Good Design</p> <p>Section 4.33 of the ANPS states that schemes should take into account aesthetics, including the scheme’s contribution to the quality of the area in which it would be located. Section 4.34 of the same document states that there may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.</p> <p>The design of airport buildings and development is often aspirational and ambitious, reflecting the role of airports as gateways to the UK and the world. A good example of this could be Gatwick’s own original Beehive terminal.</p> <p>However, details relating to the aesthetics of the proposed built structures in the documents submitted are limited with indicative massing plans only seemingly provided within the DAS [APP-253] and blocking plans within the Landscape and Visual Impact visualisations [APP-060 to APP-062]</p> <p>Please provide scale drawings (which may be referred to as outline design and landscape plans) and revised visualisations where necessary showing the proposed three-dimensional design of the elements of</p>

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ExQ1	Question to:	Question:
		<p>the Proposed Development detailed below to the maximum parameters within the Rochdale envelope. Such plans should include proposed materials/ finishes:</p> <ul style="list-style-type: none"> a) North Terminal IDL Extensions (north and south); b) North Terminal Baggage Hall; c) Pier 7; d) North Terminal forecourt; e) Car Park J Multi Storey; f) Car Park Y Multi Storey; g) Maintenance Hangar; h) Replacement CARE Facility (as amended); i) South Terminal IDL Expansion; j) Destinations Place Hotel; k) South Terminal Hotel (Car Rental Site); l) South Terminal Forecourt Hotel; m) Car Park H Multi Storey; n) South Terminal Office – Car Park H; and o) South Terminal Hotel – Car Park H.
GEN.1.20	The Applicant	<p>Good Design</p> <p>Explain how the design of the Proposed Development (with signposting to the DAS where relevant) meets the National Infrastructure Commission’s Design Principles for National Infrastructure (February 2020) in respect of Climate, Places, People and Value, in all three phases of construction, operation and decommissioning.</p>
GEN.1.21	The Applicant Relevant Planning	<p>Good Design</p> <p>Comment on the desirability of implementing the following measures to ensure that good quality sustainable design and integration of the Proposed Development into the landscape is achieved in the</p>

ExQ1	Question to:	Question:
	Authorities (RPA)	<p>detailed design, construction and operation of the project. How might they be secured? Are any further measures appropriate?</p> <ul style="list-style-type: none"> a) A 'design champion' at board level to advise on the quality of sustainable design and the spatial integration of the proposed structures, buildings, new landscape features, and visual amenity. b) A 'design review panel' to provide informed 'critical-friend' comment on the developing sustainable design proposals; c) An approved 'design code' or 'design approach document' to set out the approach to delivering the detailed design specifications to achieve good quality sustainable design; d) An outline, including timeline, of the proposed design process, including consultation with stakeholders and a list of proposed consultees. <p>In the opinion of CBC and other local authorities where relevant, would the implementation of any or all of the above measures assist in determining post-consent approvals (including the discharge of requirements) in relation to achieving good design?</p>
GEN.1.22	The Applicant	<p>Sustainable Design</p> <ul style="list-style-type: none"> a) Explain the steps that have been undertaken to ensure that the Proposed Development achieves a good quality of sustainable design and integrated into the landscape. How are these measures secured? b) Explain the measures to be taken to ensure the standards of sustainable design. Will (building Research Establishment Environmental Assessment Method (BREEAM) Excellent (or higher) certification be incorporated into the scheme design? How would this be secured?
GEN.1.23	The Applicant	<p>Future Baseline - Economic Footprint</p> <p>Figure 3.2 of the Planning Statement [APP-245] shows the economic footprint of the Project. The Applicant is asked to provide a similar table to explain the economic footprint of the future baseline.</p>
GEN.1.24	The Applicant	<p>Future Baseline – Hotel and Office Provision</p> <p>Explain why the future baseline does not require any additional:</p> <ul style="list-style-type: none"> a) Hotel provision; and b) Office provision.

ExQ1	Question to:	Question:
GEN.1.25	The Applicant easyJet Emirates Airlines International Airlines Group (IAG)/ British Airways Other airlines	<p>Future Baseline – Terminal Capacity</p> <p>easyJet [RR-1256], Emirates Airlines [RR-1350] and IAG [REP1-198] mention the current terminal infrastructure constraints at the airport. Given these concerns, and without any improvements that are included in the Project case, how deliverable are the future baseline projections of up to 67 million passenger per annum (mppa) in 2047, some 20 mppa over the 2019 baseline and some 26 mppa over the 2023 passenger levels?</p>
GEN.1.26	The Applicant	<p>Future Baseline - Indicative Construction Sequencing</p> <p>Explain why the following are not in the programming of the Indicative Construction Sequencing [APP-088]:</p> <ul style="list-style-type: none"> a) Extension to Pier 6; b) South Terminal Hilton Hotel Multi-Storey Car Park (MSCP); and c) 2500 robotics parking.
GEN.1.27	The Applicant	<p>Future Baseline - Hilton Hotel MSCP</p> <p>Paragraph 4.23 of the Joint West Sussex Local Impact Report (LIR) [REP1-068] states that the planning permission for the Hilton Hotel MSCP expired in March 2022 and that in any event the spaces provided would not be under the control of the Applicant. Explain why these 820 spaces are included in the future baseline provision and not in the Project parking allocation.</p>
GEN.1.28	The Applicant	<p>Future Baseline - 2500 Net Increase in Robotic Parking.</p> <p>The Airport Surface Access Strategy 2022-2030 is a reference document in ES Appendix 5.4 [APP-090] Surface Access Commitments in which it is stated on page 40 “2,500 incremental spaces from robotic parking – the trial phase of this project is anticipated to re-start in 2023, with full incremental capacity coming on stream in phases over subsequent years subject to an Environmental Screening Assessment and planning approval.”. Given no submission has yet been made date to CBC concerning these additional spaces, explain:</p> <ul style="list-style-type: none"> a) If the trial phase of 100 spaces been completed?: and b) Why the additional 2500 spaces yet to be implemented should not be included in the Project parking allocation.

ExQ1	Question to:	Question:
GEN.1.29	The Applicant	<p>Future Baseline – Heathrow Airport Third Runway</p> <p>It is noted that in paragraph 20.7.6 of ES Chapter 20 [APP-045] <i>“it has been considered that in circumstances that Heathrow R3 were to become operational by the mid-2030s, air traffic levels at Gatwick would likely decline in the period immediately following the opening of Heathrow R3, by comparison to the scenario where Heathrow R3 were not operational.”</i> However, in Figure 1.1 of the Technical Note on Future Baseline [REP1-047] only steady growth is shown in this figure. Has full consideration been given to the effects of the delivery of the third runway at Heathrow Airport in the forecasting of the future baseline airport growth?</p>
GEN.1.30	The Applicant	<p>Future Baseline – ES Chapter 12 Transport</p> <p>Has any assessment in the ES been done of the future baseline transport effects of either the increase of movement from the 2023 40.9 mppa or the 2019 baseline 46.6 mppa to the future baseline levels of 57.3 mppa in 2029, 59.4 mppa in 2032 and 67.2 mppa in 2047?</p>
GEN.1.31	The Applicant	<p>Future Baseline – ES Chapter 17 Socio-economics</p> <p>Has any assessment been undertaken in respect of the future baseline and housing provision? If not, please explain why not.</p>
GEN.1.32	The Applicant	<p>Future Baseline – ES Chapter 18 Health and Wellbeing</p> <p>Has any assessment been undertaken in respect of the future baseline and local healthcare capacity? If not, please explain why not.</p>
GEN.1.33	The Applicant RPAs RHAs Statutory Bodies	<p>National Networks National Policy Statement - March 2024</p> <p>The Proposed Development was accepted for Examination prior to the publication of the latest National Networks National Policy Statement (NNNPS) and in accordance with paragraph 1.16, the 2015 NNNPS should have effect. However, paragraph 1.17 explains that the latest 2024 NNNPS is potentially capable of giving rise to important and relevant considerations in the decision-making process.</p> <p>Given this, provide an outline of any implications arising for the designation of the latest NNNPS the ExA should consider.</p>
AIR QUALITY		
AQ.1.1	The Applicant	Air Quality Monitoring

ExQ1	Question to:	Question:
		<p>Paragraph 8.5.15 of the Planning Statement [APP-245] states that “a commitment is made to the continuation of current monitoring with new monitoring locations on the airport site and external to the airport are proposed to allow future monitoring of concentrations as set out in Table 13.9.1 in ES Chapter 13.”</p> <p>What is the purpose of the monitoring and how would the data be used?</p>
AQ.1.2	The Applicant	<p>Delay to Proposed Ban on the Sale of New Petrol and Diesel Cars</p> <p>Paragraph 8.5.17 of the Planning Statement [APP-245] notes that national efforts to reduce emissions and reduced vehicle emissions due to improvements in vehicle technology and uptake of electric vehicles would improve air quality.</p> <p>The ExA is unclear on what estimates have been used by the Applicant on the proportion of vehicle fleet that will be electric after 2030 and how those estimates may have been used in the air quality modelling.</p> <ol style="list-style-type: none"> a) Can the Applicant provide this information and explain if there are any significant implications for the air quality modelling and assessment that arise from the UK Government’s recent announcement of a delay to the ban on the sale of new petrol and diesel cars from 2030 to 2035? b) If the delay to the ban appears likely to give rise to a significant increase in the duration and/ or extent of adverse air quality effects: <ol style="list-style-type: none"> I. Can the Applicant please identify whether any additional air quality monitoring would be required as a consequence of the change to the ban? II. Can the Applicant please identify whether any changes to the design, extent and/ or duration of mitigation measures would be required? III. If changes to mitigation measures are proposed, the Applicant is asked to set the changes out in a summary table, describing the location and nature of the additional measures
AQ. 1.3	The Applicant	<p>Detailed Odour Assessment</p> <p>Paragraph 8.5.22 of the Planning Statement [APP-245] states that a detailed odour assessment can be provided at the detailed design stage to demonstrate management of odour effects.</p> <p>Can the Applicant set out the basis on which a decision would be taken as to whether to provide such an assessment?</p> <p>What would be included in a ‘detailed odour assessment’?</p> <p>Where is this set out and secured through the DCO? If not, why not?</p>

ExQ1	Question to:	Question:
AQ.1.4	The Applicant	<p>Air Quality Management Areas</p> <p>With reference to paragraph 5.43 of the ANPS, does the Applicant consider that the impact of the Proposed Development would be sufficient to bring about the need for new Air Quality Management Areas (AQMA) or change the size of the existing AQMAs?</p> <p>If a need is identified, can the Applicant provide summary information in ES Chapter 13 [APP-038], including the number of additional people located in the extended area compared with the numbers in the existing area(s) in the reasonable worst case operating scenario? (There are further questions below on matters of detail).</p>
AQ.1.5	The Applicant	<p>ANPS Mitigation</p> <p>The ANPS mitigation section (5.35 to 5.41) is omitted from Table 13.2.4 of ES Chapter 13 [APP-038]. Can the Applicant confirm which of the measures identified, including those listed under 5.39, are committed to by the Applicant and where are these secured in the DCO? For those that are not committed to, can the Applicant explain its position?</p>
AQ.1.6	The Applicant	<p>Code of Construction Practice – Air Quality</p> <p>Can the Applicant add air quality, dust and odour management to the list of topic specific plans identified as annexes of the CoCP [APP-083 to APP-087]?</p>
AQ.1.7	The Applicant	<p>Relevant Representation - Bernard Fisher</p> <p>The Relevant Representation (RR) of Bernard Fisher [RR-0458] raises several detailed points in relation to the Applicant's submission on air quality.</p> <p>Can the Applicant provide responses to these?</p>
AQ.1.8	The Applicant	<p>Relevant Representation – National Highways</p> <p>National Highways (NH) in its RR [RR-3222] raises a query regarding which emission factor toolkit has been used in the assessment.</p> <p>Can the Applicant respond to this?</p>
AQ.1.9	The Applicant	<p>Air Quality - Study Area</p> <p>ES Chapter 13, paragraph 13.5.56 [APP-038] states that the operational study area is the 11km x 10km study area. However, paragraph 13.5.5 states that the wider study area includes the Affected Road Network (ARN) along which there is potential for impacts during operation.</p>

ExQ1	Question to:	Question:
		Can the Applicant confirm whether the ARN is assessed for the operational phases and if not, provide justification?
AQ.1.10	The Applicant	<p>Air Quality – Cumulative Effects</p> <p>Can the Applicant explain how an assessment of construction and operation cumulatively in 2029 captures a worst-case scenario noting that ES Chapter 13, Tables 13.10.5 and 13.10.6 [APP-038] demonstrate an increase in operational emissions that could act cumulatively with construction emissions?</p>
AQ.1.11	The Applicant	<p>Slow Fleet Transition</p> <p>ES Chapter 13, paragraph 13.5.26 [APP-038] does not include 2047 in the slow fleet transition on the assumption that all aircraft will be new generation. ES Appendix 13.9.2, paragraph 3.1.1 [APP-168] states that this is based on assumptions around airlines’ fleet procurement programmes and business models. However, these assumptions are not explained, ie the difference between the engine types and how they are anticipated to change over time.</p> <p>Can the Applicant provide further explanation on how and to what degree the engine type is anticipated to transition to the new generation of engines by 2047?</p>
AQ.1.12	The Applicant	<p>Effects due to Modelled Traffic Noise</p> <p>ES Chapter 13, paragraphs 13.10.24 and 13.10.51 [APP-038] report locations where there are predicted exceedances of the PM_{2.5} objective in the do minimum and do something scenarios for 2024 leading to a moderate adverse effect (for 2024 R_117 and R_147 and for 2029 R_147). The ES states that the Proposed Development is unlikely to change traffic in those areas and changes are attributed to ‘modelled traffic noise’ which is explained in Transport Assessment (TA) Annex E [APP-263]. However, this Annex does not identify Sutton Common Road (R_147) as a receptor that is subject to model noise in 2024 or 2029.</p> <p>Can the Applicant explain why the moderate adverse effects at R_147 in 2024 are not considered significant?</p>
AQ.1.13	The Applicant	<p>Effects on the Hazelwick AQMA</p> <p>ES Chapter 13, paragraph 13.7.2 [APP-038] identifies Horley AQMA and Hazelwick AQMA as the only two AQMAs located within the 10km x 11km study area. Hazelwick extension is stated to be the area where the Three Bridges are, which is an additional area onto the southeastern arm of the current Hazelwick AQMA.</p>

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ExQ1	Question to:	Question:
		<p>These two AQMAs are located in the Air Quality Figures Part 1 on Figure 13.1.11 [APP-066] however, it is not clear whether the extension is included in this Figure.</p> <p>Can the Applicant confirm the location and extent of the Hazelwick AQMA extension in relation to the Proposed Development either in the existing documentation or provide an appropriate Figure?</p>
AQ.1.14	The Applicant	<p>Effects on the Hazelwick AQMA</p> <p>ES Chapter 13 paragraph 13.7.2 [APP-038] identifies that the Hazelwick AQMA extension is within the 10km x 11km study area. However, the modelled figures are not referenced with the assessment. For example, ES Chapter 13, paragraph 13.10.21 states that the highest annual mean NO₂ concentration at Hazelwick AQMA is anticipated at receptor R_538 as 31.8 µg/m³ as shown in the Air Quality Modelling Results in ES Appendix 13.9.1 Part 2 [APP-163]. However, receptor R_442 shows an anticipated NO₂ concentration at Hazelwick AQMA as 34.8 µg/m³.</p> <p>Can the Applicant either explain why the extension is not included in the discussion or update the ES Chapter and assessment to include the extension modelling?</p>
AQ.1.15	The Applicant	<p>Modelling – Reduction in PM₁₀ and NO_x Pollutants</p> <p>ES Chapter 13, Table 13.10.1 [APP-038] sets out the modelling results for construction year 2024 with the project for NO_x, PM₁₀ and PM_{2.5}. The change in emissions is compared to the 2024 construction period without the Project, as shown in ES Table 13.7.3. This demonstrates a reduction in emissions of PM₁₀ and NO_x with the Project at peak construction year in 2024 without explanation as to why there is such an improvement considering the anticipated increase in construction activity.</p> <p>Can the Applicant explain the justification as to why the modelling demonstrates a reduction in PM₁₀ and NO_x pollutants?</p>
AQ.1.16	The Applicant	<p>Changes in PM_{2.5} Emissions</p> <p>Can the Applicant either update or explain why ES Chapter 13, Table 13.10.1 [APP-038] does not reflect the change in PM_{2.5} emissions when compared with ES Table 13.7.3. ES Table 13.7.3 shows total airport related emissions as 29(t/yr) and ES Table 13.10.1 shows 31(t/yr) but the change is stated to be 0?</p>
AQ.1.17	The Applicant	<p>Extent of Changes in Emissions</p> <p>ES Chapter 13, paragraph 13.10.25 [APP-038] states that the largest change in pollutants during construction in the 2024 scenario is at receptor R_147. This is located 12km north of the M25 and is concluded to experience a moderate adverse effect.</p>

ExQ1	Question to:	Question:
		Can the Applicant further explain why the largest change would take place up to 12km from the M25 rather than in local proximity to the construction activity?
AQ.1.18	The Applicant	<p>Cross-referencing with Odour Management and Financial Costs</p> <p>ES Chapter 10 [APP-035] and Chapter 17 [APP-042] are cross referenced in Chapter 13 paragraphs 13.12.6 and 13.12.7 [APP-038] where odour management and the financial cost of air pollution are discussed respectively.</p> <p>Can the Applicant signpost exactly where in these Chapters these topics are discussed and explain how/ if they influence the assessment in ES Chapter 13?</p>
AQ.1.19	The Applicant	<p>Mitigation – Dispersal of Emissions</p> <p>ES Chapter 13, paragraph 13.5.55 [APP-038] states that mitigation measures for the concrete batching plant and non-road mobile machinery may include increasing the release height of emissions for sufficient dispersion and that this is set out in the CoCP. However, there appears to be no such wording in the CoCP. Can the Applicant explain where such mitigation measures are secured through the DCO?</p>
AQ.1.20	The Applicant	<p>Monitoring of Emissions</p> <p>ES Chapter 13, paragraphs 13.9.7 to 13.9.19 [APP-038] identify that NO₂, PM₁₀ and PM_{2.5} pollutants will be monitored to identify peaks in concentrations and trace that back to either airport or non-airport activity. It is not clear from the information provided as to whether this includes ammonia.</p> <p>Can the Applicant to justify its response and provide any evidence of agreement of this approach with relevant statutory bodies?</p>
AQ.1.21	The Applicant	<p>Relevant Representation - National Highways</p> <p>NH in its RR [RR-3222] states that there is a limitation to the use of using 0.2m dispersion site roughness and that some sensitive receptor locations may not be suited to this roughness factor. This may lead to underestimation of the turbulence on the ARN.</p> <p>Can the Applicant justify the use of the 0.2m site roughness factor and how this can be considered for the ARN as a reasonable worst case for assessing impacts to air quality?</p>
AQ.1.22	The Applicant	<p>Effect on Six Compliance Links</p> <p>Can the Applicant provide evidence that the Proposed Development will not exacerbate pollutant levels along the NH six compliance links surrounding the proposed site boundary; A23, A264, A2220, A2004,</p>

ExQ1	Question to:	Question:
		A2011 and A2219 or lead to an exceedance of the EU Limit Value of 40µg/m3 as an annual mean for NO ₂ along these links?
CASE FOR THE PROPOSED DEVELOPMENT		
CS.1.1	The Applicant	<p>Meeting Need and Policy Approach</p> <p>The Planning Statement (Executive Summary) [APP-245] indicates a significant need for capacity development.</p> <p>Is it intended that all need should be met? What does policy say about meeting need?</p>
CS.1.2	The Applicant Civil Aviation Authority (CAA)	<p>CAA - Safety Related Matters</p> <p>Paragraph 1.3.3 of the Planning Statement [APP-245] states that GAL is confident that there are no obvious safety-related impediments why the project should not progress and expects this to be confirmed by the CAA directly and through a Letter of No Impediment.</p> <p>Has the CAA confirmed its position?</p>
CS.1.3	The Applicant	<p>Capacity and Slot Demand</p> <p>Table 3.1 of the Planning Statement [APP-245] shows slot demand against declared slot capacity.</p> <p>Why does capacity vary over time?</p>
CS.1.4	The Applicant	<p>Status of Aviation Policy Framework</p> <p>Paragraph 6.2.6 of the Planning Statement [APP-245] explains that the Aviation Policy Framework (APF) remains relevant policy for proposals covering expansion at airports other than Heathrow, although it needs to be read together with more recent policy statements.</p> <p>As the APF is now over 10 years old is it still relevant?</p>
CS.1.5	The Applicant	<p>Runway Capacity and Fleet Details</p> <p>What is the maximum theoretical capability of the current runway under current legislative controls and operational constraints?</p>
CS.1.6	The Applicant	<p>Runway Capacity and Fleet Details</p> <p>In terms of passenger loading, the Northern Runway Project (NRP) forecast is higher than the baseline [APP-250] – for instance - 213 v 210 2032, 218 v 215 2038, 224 v 218 2047. Why is this?</p>

ExQ1	Question to:	Question:
CS.1.7	The Applicant	<p>Runway Capacity and Fleet Details</p> <p>Under the Proposed Development, would the northern runway be filled first at peak times?</p>
CS.1.8	The Applicant	<p>Runway Capacity and Fleet Details</p> <p>A number of comments are made in the Needs Case [APP-250] concerning the larger planes being constructed and purchased by airlines, such as the Airbus A321.</p> <p>Are these planes still Code C and could they thus use the NRP?</p>
CS.1.9	The Applicant	<p>London Heathrow Airport</p> <p>The Applicant's forecasts [APP-250] state that Heathrow Airport will rise to 90mppa long term from 81mppa 2019 due to larger planes and fuller aircraft (paragraph 7.3.3).</p> <p>Why would Heathrow only rise 9mppa for a fully operational two runway airport under their baseline, whereas GAL is predicting only 9mppa less despite one runway only being used for departures?</p>
		Needs Case Technical Appendix [REP1-052] (the Appendix)
CS.1.10	The Applicant	Figure 5 of the Appendix depicts slot demand and declared capacity. What day is this based on?
CS.1.11	The Applicant CAA	<p>Paragraph 3.4.1 of the Appendix provides details regarding Gatwick's aeronautical charges. The contents of section 8 of the Applicant's response to Actions from Issue Specific Hearing (ISH) 1 [REP1-062] are noted; however, please provide further details on these charges, including:</p> <ul style="list-style-type: none"> a) How they are calculated and who sets them? b) Any likely impact on them as a result of the Proposed Development – would the costs of the Proposed Development be reflected within the charges in the future? <p>Any update on the joint statement of common ground with the CAA.</p>
CS.1.12	The Applicant	Paragraph 3.5.2 of the Appendix states that Luton and Stansted's growth requires terminal enhancements. How significant are the enhancements required at Stansted and do they have the permissions in place to achieve them (to the best of your knowledge)?
CS.1.13	The Applicant	While noting paragraph 4.5.7 of the Appendix, provide further details on why the forecast passenger numbers for the NRP case (as shown in Figure 19 of the same document) would not keep rising at a faster rate than those for the baseline case.

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
CS.1.14	The Applicant	Paragraph 5.2.17 of the Appendix contains details of seasonality/ annual profile. The Applicant is asked to expand on this paragraph. Why are Lufthansa etc operating with very limited seasonality and what does this mean in practice?
CS.1.15	The Applicant	Please provide further evidence to support the statements concerning easyJet's recent fleet purchases (paragraph 5.2.30 of [REP1-052]).
CS.1.16	The Applicant	Paragraph 5.2.49 of the Appendix describes easyJet's growth and market share at Gatwick. Is there any concern over the dominance of a single carrier providing so great a proportion of passengers for the airport?
CS.1.17	The Applicant	Please provide any further information available concerning the details of Table 18 of the Appendix [REP1-052].
CS.1.18	The Applicant	<p>Section 6.3 of the Appendix details unconstrained demand. Paragraph 6.3.3 notes that total aviation demand was forecast to grow at a Compound Annual Growth Rate (CAGR) of 1.7% in the UK (Jet Zero 2022) vs 1.8% for London (Gatwick own top-down forecasts). Paragraph 6.3.5 explains that the Jet Zero 2023 forecasts reduced to 1.3%.</p> <ul style="list-style-type: none"> a) The Jet Zero forecasts are UK-wide, whereas the ICF forecasts for Gatwick are London only. Given that the London market is constrained is this relevant? b) Between 2018 and 2040 the 2023 Jet Zero forecasts predict a CAGR of 1.5% versus 1.8% for Gatwick. This appears to be a fair difference. Given that your forecasts predict that the Proposed Development would be full by the mid to late 2030s, does this alter your predictions at all?
CS.1.19	The Applicant	<p>Section 7 of the Appendix provides information on sensitivity testing. Tests are provided: to include a third runway at Heathrow (LHR R3) and consent granted for the Proposed Development (1); and the Proposed Development, the Luton (LTN) Development Consent Order, and the London City (LCY) planning application (2).</p> <ul style="list-style-type: none"> a) Would a further test involving the LHR R3, LTN, and LCY proposals, but not the Proposed Development, be useful for examining the future London market? b) Are there any proposals for expanding Southend Airport? c) HS2 will include a station at Birmingham Airport. Would this bring the Airport effectively into the remit of the London market, and if so, should this be factored into the sensitivity testing?
CS.1.20	The Applicant	Policy Approach

ExQ1	Question to:	Question:
		<p>Paragraph 3.1.41 of the Written Summary of Oral Submissions from ISH1 [REP1-056] states that paragraph 1.42 of the ANPS confirms that <i>“the existence of a need is important and relevant and helps the establish the benefits of the Project would be a benefit, but it is not a test”</i>.</p> <p>However, ANPS paragraph 1.42 states that the Government accepts <i>“that it may well be possible for existing airports to demonstrate sufficient need for their proposal, additional to (or different from) the need which is met by the provision of a Northwest runway at Heathrow”</i>.</p> <p>Is there not therefore an obligation placed on airports wishing to make more intensive use of their existing infrastructure to make the case/ demonstrate sufficient need for their proposals?</p>
CS.1.21	The Applicant	<p>Policy Approach</p> <p>Paragraph 1.6 of the ANPS states that the Airports Commission <i>“considered it imperative that the UK continues to grow its domestic and international connectivity in this period [prior to Heathrow Northwest Runway opening], which it considered would require the more intensive use of existing airports other than Heathrow and Gatwick”</i>.</p> <p>Is there any inference that can be taken from the fact that Gatwick is excluded from this statement?</p>
CS.1.22	The Applicant easyJet	<p>Operational Capacity and Resilience</p> <p>Paragraph 4.1.36 of the Written Summary of Oral Submissions from ISH1 [REP1-056] notes that the central theme of easyJet’s RR [RR-1256] was the operational capability and delivery at the airport, and that the resilience benefit that the Proposed Development would produce would likely address many of easyJet’s concerns.</p> <p>Paragraphs 5.1.5 to 5.1.8 detail <i>“multiple projects in progress to address the current resilience issues as well as support the baseline case”</i>. Would such projects also likely address the concerns of easyJet?</p>
CS.1.23	The Applicant	<p>Permitted Development Rights</p> <p>Paragraph 3.2.11 -12 of The Applicant’s Response to Actions – ISH 1 [REP1-062] states that the proposed runway works would fall within the remit of permitted development rights (although noting that planning permission would be required where its use gives rise to likely significant environmental effects in footnote 1).</p> <p>However, Class F1(a) of Part 8 of the Town and Country Planning (General Permitted Development) (England) Order 2015 states that development is not permitted if it would consist of or include the construction or extension of a runway (as [REP1-062] points out).</p>

ExQ1	Question to:	Question:
		Would the works involve the construction of a runway, as they would be works amounting to construction (whether or not the runway would be 'new')?
CS.1.24	Communities Against Gatwick Noise and Emissions (CAGNE)	<p>Airports Commission</p> <p>Paragraphs 18 to 21 of CAGNE's WR [REP1-137] consider the ANPS and the Heathrow third runway, concluding that "a proposal for a second runway at Gatwick (i.e. a proposal which would allow for dual runway operations at Gatwick) was one of the "other shortlisted schemes"" and that it is obvious that "the proposal for there to be two working runways at Gatwick (or dual runway operations) was not selected by Government as the appropriate way (or even part of the appropriate way) to meet the needs case".</p> <p>The proposal considered by the Airports Commission considered a full spaced southern runway at Gatwick, as opposed to the proposal in this case. Is there therefore a distinction to be drawn between the two proposals? To your knowledge, was the Proposed Development in this case considered by the Airports Commission?</p>
CS.1.25	The Applicant	<p>Hub and Point-to-point Operations</p> <p>CAGNE [REP1-062] notes the contents of paragraph 3.19 of the ANPS, which states that expansion at Gatwick Airport would not enhance, and would consequently threaten, the UK's global aviation hub status. Paragraph 4.1.5 to 4.1.9 of The Applicant's Response to Actions – ISH 1 [REP1-062] concern point to point and hub operations at Gatwick both now and in the future, stating that many markets served at Gatwick (and Heathrow) are hubs themselves so significant volumes will hub at the other end rather than London. Do such operations threaten the UK's global aviation hub status? Has the world's aviation market moved on (in terms of point to point and hub operations) since 2018?</p>
CS.1.26	The Applicant	<p>Policy Approach</p> <p>Paragraph 1.28 of 'Beyond the Horizon, The Future of UK Aviation (Making best use of existing runways)' states that the likely increase in Air Transport Movements through making the best use of existing runways is "<i>relatively small</i>", at 2% without Heathrow expansion and 1% with and consequently the policy would not have significant implications for overall airspace capacity.</p> <p>Given such figures, does the proposal constitute making the best use of an existing runway in policy terms?</p>
CS.1.27	CBC Horsham District Council (HDC)	<p>Policy Approach</p> <p>Paragraph 6.1 of the Joint West Sussex LIR [REP1-068] states that the Proposed Development contains a number of different elements, with the airport related development, and the highway related development,</p>

ExQ1	Question to:	Question:
	<p>Mid Sussex District Council (MSDC)</p> <p>West Sussex County Council (WSCC)</p>	<p>both meeting the definitions of a Nationally Significant Infrastructure Project. The LIR comes to the view that as the proposal is a single integrated project overall the application should be considered under s104 of the Planning Act 2008.</p> <p>However, the ExA notes that the highway elements of the scheme are largely reliant on the airport elements of the proposal, such that the highway elements are required due to the airport elements. Does this make a difference to your view on whether the application should be considered under s104 or s105 of the Planning Act 2008?</p>
CLIMATE CHANGE AND GREENHOUSE GASES		
CC.1.1	The Applicant IPs	<p>Response to Climate Change Committee Annual Progress Report</p> <p>Many IPs had referenced the Climate Change Committee’s (CCC) 2023 Annual Progress Report in their RRs, specifically the recommendation that <i>“No airport expansions should proceed until a UK-wide capacity management framework is in place to annually assess and, if required, control sector GHG emissions and non-CO2 effects. A framework should be developed by DfT in cooperation with the Welsh, Scottish and Northern Irish Governments over the next 12 months and should be operational by the end of 2024. After a framework is developed, there should be no net airport expansion unless the carbon-intensity of aviation is outperforming the Government’s emissions reduction pathway and can accommodate the additional demand.”</i></p> <p>In October 2023 the Government responded to the Annual Progress Report as follows <i>“We are anti-aviation emissions, not flying, and want to deliver sustainable flying for everyone to enjoy holidays, visit friends and family overseas and to travel for business. We remain of the view that our existing policy frameworks for airport planning – the Airports National Policy Statement and Beyond the horizon, the future of UK aviation: Making best use of existing runways - provide a robust and balanced framework for airports to grow sustainably within our strict environmental criteria. Our analysis in the Jet Zero Strategy continues to demonstrate that the sector can achieve net zero carbon emissions by 2050 without the government needing to intervene directly to limit aviation growth. The analysis uses updated airport capacity assumptions consistent with the latest known expansion plans at airports in the UK. Planning decision-makers and applicants should consider all relevant Government policy, including the Jet Zero Strategy, when considering airport expansion proposals. The Government has always been clear that the expansion of any airport must meet our climate change obligations. Any planning application submitted by an airport will be judged by the relevant planning authority, taking careful account of all relevant considerations, including environmental impacts and proposed mitigations. We will review our Jet Zero Strategy every five</i></p>

ExQ1	Question to:	Question:
		<p><i>years to ensure the aviation sector is on track to achieve net zero by 2050, and, if appropriate, we will consider reviewing our policy frameworks for airport planning to ensure they remain compatible with achieving our net zero target.”</i></p> <p>The Applicant and other IPs are invited to comment on how the Government response on this issue or others referred to in their submission may affect their previous submissions.</p>
CC.1.2	The Applicant	<p>Commitment to Reducing International Aviation Emissions</p> <p>Paragraph 1.4.6 of the Planning Statement [APP-245] notes that GAL strongly supports the UK Government’s legally binding net zero commitment for greenhouse gas (GHG) emissions in 2050, which includes the UK’s share of international aviation emissions.</p> <p>How is the UK’s share of international aviation emissions defined and where is this found?</p>
CC.1.3	The Applicant	<p>Carbon Action Plan and Jet Zero Trajectory</p> <p>Paragraphs 1.2.1 and 1.2.2 of the Carbon Action Plan (CAP) [APP-091] set out that the CAP is aligned with the Jet Zero Strategy but that the commitment to the Jet Zero trajectory is not contingent on the Project being consented.</p> <p>If development consent were granted should this be tied to the achievement of Jet Zero?</p>
CC.1.4	The Applicant	<p>CAP – Approach to Revisions</p> <p>Paragraph 1.3.3 of the CAP [APP-091] notes that GAL will work closely with Government and will update the CAP if updates are required to respond to any relevant requirements from Government, including updates to the Jet Zero Strategy and associated Aviation and Climate Change policy.</p> <p>What is the process for revising the CAP? How would any revisions be approved?</p>
CC.1.5	The Applicant	<p>GHG Emissions – Level of Control</p> <p>Figure 2.1 of the CAP [APP-091] shows the breakdown of GAL’s 2019 footprint by level of control and that the majority of airport-related emissions lie outside of GAL’s direct control or guidance.</p> <p>Will the Proposed Development mean that GHG emissions by level of control change? If so, please explain.</p>
CC.1.6	The Applicant	<p>CAP – Enabling Measures</p> <p>Measures AB1 to AB23 in Table 3-1 of the CAP [APP-091] are potential enabling measures targeting airport buildings and ground operations.</p>

ExQ1	Question to:	Question:
		As enabling measures there is no certainty that they would lead to carbon saving. Should any or all of them not result in reduced emissions what would be the implications for the overall CAP?
CC.1.7	The Applicant CBC	<p>CAP – Implementation Timetable</p> <p>Table 3-2 of the CAP [APP-091] sets out direct potential measures targeting airport buildings and ground operations.</p> <p>Is the implementation timescale precise enough or ambitious enough? Is the final column (Potential Deliverable) ambitious enough? What are the consequences if the measures are not achieved?</p>
CC.1.8	The Applicant CBC	<p>CAP – Implementation Timetable</p> <p>Measure AB28 in Table 3-2 of the CAP [APP-091] is to deliver a plan for recharging infrastructure for Zero Emission Vehicle airside fleet by 2030 with recharging infrastructure to facilitate all Zero Emission Vehicle ground fleet.</p> <p>Should this be more ambitious in terms of delivering recharging infrastructure?</p>
CC.1.9	The Applicant	<p>CAP – Implementation Timetable</p> <p>Measure AB29 in Table 3-2 of the CAP [APP-091] is to deliver a plan for hydrogen refuelling infrastructure by 2050 while the description states that the plan will be implemented.</p> <p>How can the Applicant be sure that hydrogen fuel will be sufficiently developed by 2050? What are the consequences for the project if the technology is not sufficiently developed?</p>
CC.1.10	The Applicant	<p>CAP – Delivery Matters</p> <p>Measures FL01 to FL08 in Table 3-4 of the CAP [APP-091] are potential enabling measures targeting aviation emissions.</p> <p>As enabling measures there is no certainty that they would lead to carbon saving. Should any or all of them not result in reduced emissions what would be the implications for the overall CAP?</p>
CC.1.11	The Applicant	<p>Sustainable Aviation Fuel – Timing of Delivery</p> <p>Measure FL04 in Table 3-4 of the CAP [APP-091] aims to reduce landing charges for Sustainable Aviation Fuel (SAF) fuelled aircraft with a timescale of 2050.</p> <p>How can the Applicant be sure that SAF will be sufficiently developed by 2050? What are the consequences for the project if the technology is not sufficiently developed?</p>

ExQ1	Question to:	Question:
COMPULSORY ACQUISITION AND TEMPORARY POSSESSION		
CA.1.1	The Applicant	<p>Compliance with Department for Communities and Local Government Guidance</p> <p>Please advise whether the Book of Reference (BoR) [REP1-009 and REP1-011] is fully compliant with Department for Communities and Local Government (DCLG) Guidance¹ (CA Guidance). If not, please amend as necessary.</p>
CA.1.2	The Applicant	<p>Diligent Enquiry into Land Interests</p> <p>Could you summarise where you have not yet been able to identify any persons having an interest in the land, including any rights over unregistered land? What further steps will you be taking to identify any unknown rights during the Examination?</p>
CA.1.3	The Applicant	<p>Reasonable Alternatives to Compulsory Acquisition</p> <p>In the light of the CA Guidance, in particular paragraph 8, please describe:</p> <ol style="list-style-type: none"> How the ExA can be assured that all reasonable alternatives to compulsory acquisition (CA) (including modifications to the scheme) have been explored; and Set out in summary form, with document references where appropriate, what assessment/ comparison has been made of the alternatives to the proposed acquisition of land or interests in each case.
CA.1.4	The Applicant	<p>Diligent Enquiry into Land Interests</p> <p>Do you envisage any changes to the application which might engage The Infrastructure Planning (Compulsory Acquisition) Regulations 2010?</p>
CA.1.5	The Applicant	<p>Accuracy of the Book of Reference, Land Plans and Points of Clarification</p> <p>What assurance and evidence can the Applicant provide of the accuracy of the land interests identified as submitted? Indicate whether there are likely to be any changes to the land interests, including the identification of further owners/ interests or monitoring and update of changes in interests?</p>
CA.1.6	The Applicant	<p>Accuracy of the Book of Reference, Land Plans and Points of Clarification</p>

¹ Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, DCLG, September 2013

ExQ1	Question to:	Question:
		Please provide an up-to-date list of those plots of land where ownership remains unknown and explain what steps are being taken to identify ownership.
CA.1.7	The Applicant	<p>Acquisition of Other Land or Rights</p> <p>Are any land or rights acquisitions required in addition to those sought through the draft DCO (dDCO) before the Proposed Development could become operational?</p>
CA.1.8	The Applicant	<p>Reasonable Alternatives to Compulsory Acquisition</p> <p>Paragraph 25 of the CA Guidance states that applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</p> <ul style="list-style-type: none"> a) Please demonstrate the Applicant’s compliance with this aspect of the CA Guidance. b) Has the Applicant offered full access to alternative dispute resolution techniques for those with concerns about the CA of their land or considered other means of involving those affected?
CA.1.9	The Applicant	<p>Scope and Purpose of Compulsory Acquisition Powers</p> <p>Section 5 of the Statement of Reasons (SoR) [AS-008] considers the source and scope of the powers set out in the dDCO [AS-008]. It is stated that land within the Order Limits (OL) will be subject to a statutory authority to override easements and other rights, and to extinguish private rights of way upon the appropriation of the land for the purposes of the DCO.</p> <p>Please explain in further detail:</p> <ul style="list-style-type: none"> a) The need to seek such a wide-ranging power and why all such rights and easements cannot be specifically identified. b) Why it is necessary to include powers of CA as a means of overriding existing rights and interests in or over land, as well as creating new rights over land, and granting the right to take temporary possession (TP) of land? c) The nature and extent of any delay to the project that might otherwise result. d) What alternatives to this approach have been explored?
CA.1.10	The Applicant	<p>Scope and Purpose of Compulsory Acquisition Powers</p> <p>The SoR, paragraph 6.2.6 [AS-008], states that the OL have been defined to allow sufficient flexibility to enable the final detailed design of the Proposed Development to be optimal [AS-008]. In addition,</p>

ExQ1	Question to:	Question:
		<p>paragraph 3.2.3 indicates that flexibility is required particularly for the highways works and some of the runway exit/ entrance taxiways.</p> <ul style="list-style-type: none"> a) For the avoidance of doubt, please set out and justify the extent of the flexibility that the submitted scheme would allow in terms of Limits of Works and parameters providing dimensions where relevant. b) How would it be ensured that powers of CA would not be exercised in respect of land not ultimately required as a result of the detailed design process?
CA.1.11	The Applicant	<p>Whether a Compelling Case in the Public Interest Exists</p> <p>The SoR, section 6.2 [AS-008], sets out the Applicant’s compelling case in the public interest for the proposed CA. Paragraph 6.2.48 asserts that the public benefits of the scheme would outweigh the adverse impacts on the interests of those who would be affected by the proposed use of CA powers.</p> <ul style="list-style-type: none"> a) What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of CA powers in each case? b) What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?
CA.1.12	The Applicant	<p>Whether a Compelling Case in the Public Interest Exists</p> <p>The SoR, paragraph 8.2.1 [AS-008], states that the Applicant has taken steps to engage with these persons through formal consultation to understand the direct and indirect impacts on them. Paragraph 8.2.2 explains that the Applicant has engaged directly with individual landowners and those with an interest in the affected land. As a result of this engagement GAL has had a better understanding of the direct and indirect impacts on individual landowners.</p> <p>Please provide further details, with examples where available:</p> <ul style="list-style-type: none"> a) How has such engagement helped to shape the proposals and enabled the Applicant to make changes to designs to minimise the private loss? b) How has the direct engagement with individual landowners given the Applicant a better understanding of the direct and indirect impacts on them? c) Please provide detail, where available, of the direct and indirect impacts thereby identified.
CA.1.13	The Applicant	<p>Whether a Compelling Case in the Public Interest Exists</p>

ExQ1	Question to:	Question:
		What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the National Compensation Code in its assessment of private loss?
CA.1.14	The Applicant	<p>Justification for Interfering with Human Rights of those with an Interest in the Land Affected</p> <p>What degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified, and why?</p>
CA.1.15	The Applicant	<p>Justification for Interfering with the Human Rights of those with an Interest in the Land Affected</p> <p>The SoR, paragraph 6.2.45 [AS-008], acknowledges that the powers of CA sought through the dDCO would engage Article 8 of the European Convention on Human Rights to the extent that homes are to be compulsorily acquired.</p> <p>a) Please identify all those homes which are proposed to be compulsorily acquired and indicate whether any agreement has been reached with those owners/ occupiers affected in this way?</p> <p>b) Please explain separately for each home the necessity and justification for seeking their acquisition and how that acquisition would comply with Article 8(2)?</p>
CA.1.16	The Applicant	<p>Justification for Interfering with the Human Rights of those with an Interest in the Land Affected</p> <p>In relation to the Applicant's duties under section 149 of the Equalities Act 2010:</p> <p>a) Please explain how the Applicant has had regard to its public sector equality duty in relation to the powers of CA sought and where this can be identified within the Application.</p> <p>b) Have any Affected Persons been identified as having protected characteristics?</p>
CA.1.17	Statutory Undertakers	<p>Acquisition of Statutory Undertakers' Land</p> <p>The SoR, paragraph 8.2.5 [AS-008], states that adequate protection for statutory undertakers will be included within protective provisions in the DCO. GAL therefore considers that statutory undertakers will not suffer serious detriment to the carrying on of the undertaking as a result of the CA of land or rights over land or powers of TP.</p> <p>For those statutory undertakers who have been sent the draft protective provisions but have not confirmed agreement, please explain for each one why these protective provisions are considered to provide adequate protection and why GAL considers that the land and rights can be acquired without serious detriment to the carrying on of the undertaking.</p>
CA.1.18	The Applicant	Crown Land

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>The CA Guidance, paragraphs 39 and 40, provides guidance in relation to Crown Land. It advises that discussions between applicants and the appropriate Crown authority should start as soon as it is clear that such land or interests will be required and that the aim should be to ensure that agreement is in place no later than the time that the application for the project is submitted to the Planning Inspectorate.</p> <p>Please set out when those discussions began and explain why no agreements were in place when the application was submitted.</p>
CA.1.19	The Applicant	<p>Whether Adequate Funding is Available</p> <p>The CA Guidance, paragraph 17, considers the resource implication of the Proposed Development. In the light of that guidance, please set out the degree to which other bodies (public or private sector) have agreed to make financial contributions or to underwrite the scheme, and the basis upon which any such contributions or underwriting is to be made.</p>
CA.1.20	The Applicant	<p>Whether Adequate Funding is Available</p> <p>In the light of paragraph 18 of the CA Guidance, what evidence is there to demonstrate that adequate funding is likely to be available to enable the CA within the statutory period following any DCO being made?</p>
CA.1.21	The Applicant	<p>Whether Adequate Funding is Available</p> <p>Please summarise the evidence relied upon to support the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward and in what time period?</p>
CA.1.22	The Applicant	<p>Whether Adequate Funding is Available</p> <p>The Funding Statement, paragraph 3.3.1 [APP-009], states that an estimate of the amounts necessary to cover the payment of compensation associated with the exercise of any CA powers granted has been considered in the overall project cost.</p> <p>Please provide a separate estimate of the cost of land acquisition. Please explain further the nature of the expert advice taken in that respect and the basis for and reliability of this estimate?</p>
CA.1.23	The Applicant	<p>Justification for Interfering with the Human Rights of those with an Interest in the Land Affected</p> <p>Paragraph 6.2.39 of the SoR [AS-008], states that GAL has carefully considered the balance to be struck between individual rights and the wider public interest.</p> <p>Explain more precisely the factors which have been placed in the balance (including references to any paragraphs of the relevant National Policy Statement (NPS) and Government Guidance), the weight attributed to those factors and how this exercise has been undertaken?</p>

ExQ1	Question to:	Question:
CA.1.24	The Applicant	<p>Justification for Interfering with the Human Rights of those with an Interest in the Land Affected</p> <p>Paragraph 6.2.39 of the SoR [AS-008] states that to the extent that the DCO would affect individuals' rights, the proposed interference with those rights would be in accordance with law, proportionate and justified in the public interest.</p> <p>a) How has the proportionality test been undertaken?</p> <p>b) Explain further the proportionate approach which has been taken in relation to each plot?</p>
CA.1.25	The Applicant	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>The SoR, paragraph 5.5.5 [AS-008], states that Art. 24 (authority to survey and investigate the land) would authorise GAL to enter onto any land within the OL or which may be affected by the authorised development (whether or not that land is within the OL) to undertake various survey and investigative works, including trial holes. Art. 24(2) provides for a 14-day notice period to be given to the owner/ occupier of the land.</p> <p>Provide justification for a 14-day notice period and consider whether this is unreasonably short and should be extended to 28 days?</p>
CA.1.26	The Applicant	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>Paragraph 5.3.3 of the SoR [AS-008] explains that Art. 28 (compulsory acquisition of rights and imposition of restrictive covenants) would allow GAL to compulsorily acquire existing and new rights, as well as impose restrictive covenants over land. Where GAL only needs to acquire rights over land, it is not required to acquire a greater interest in the land.</p> <p>a) Please provide an indication of the anticipated content and/ or an initial draft of any restrictive covenants intended to be imposed.</p> <p>b) Should a requirement for consultation with relevant owners/ occupiers as regards the drafting of any such restrictive covenants be imposed?</p>
CA.1.27	The Applicant	<p>Statement of Reasons</p> <p>Paragraph 5.3.11 of the SoR [AS-008] refers to Art. 35 (rights under or over streets). Should this refer to Art. 36? If so, please amend.</p>
CA.1.28	The Applicant	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>Paragraph 5.4.2 of the SoR [AS-008] states, in relation to Art. 37(1)(c) (temporary use of land for carrying out the authorised development), that this article would allow GAL to use temporarily any private road</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>within the OL for the passage of persons or vehicles for the purposes of, or in connection with, the construction of the Proposed Development without the need to obtain an interest (ie right of way) over that land.</p> <p>Please explain why it is necessary to seek this power and identify the private roads to which it is intended to apply?</p>
CA.1.29	The Applicant	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>Paragraph 5.4.3 of the SoR [AS-008] explains that Art. 38 (time limit for exercise of authority to temporarily use land for carrying out the authorised development) would provide that GAL must exercise its power to temporarily use land or interests within ten years of the Order being granted. However, this leaves the period of TP open-ended from the date the power is exercised.</p> <p>Should there not also be a time limit after which the TP of the land or interests must cease?</p>
CA.1.30	RPAs RHAs	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>As RPAs and RHAs are you aware of:</p> <ul style="list-style-type: none"> a) Any reasonable alternatives to CA or TP for land sought by the Applicant? b) Any areas of land or rights that the Applicant is seeking the powers to acquire that you consider would not be needed? Please identify which plots these are and explain why you consider they would not need to be acquired.
CA.1.31	The Applicant	<p>Scope and Purpose of the Compulsory Acquisition Powers</p> <p>Paragraph 5.2.6 of the SoR [AS-008] states that in respect of the 'Grey' plots GAL considers that it either already has sufficient land rights over these plots (the overwhelming majority fall within GAL's freehold ownership) or it can obtain the land rights through private agreement where necessary, and without requiring any powers of CA or TP. Will CA or TP be sought if it is not possible to reach a private agreement?</p>
CA.1.32	Affected Persons IPs	<p>Accuracy of the Book of Reference, Land Plans and Points of Clarification</p> <p>Are any Affected Persons or IPs aware of any inaccuracies in the BoR [REP1-009 and REP1-011], SoR [AS-008] or Land Plans [AS-015 and AS-016]? If so, please set out what these are and provide the correct details.</p>
CA.1.33	Affected Persons	<p>Justification for Interfering with the Human Rights of those with an Interest in the Land Affected</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		Do any Affected Persons have concerns that they have not yet raised about the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect land that they own or have an interest in?
CA.1.34	The Applicant	Whether a Compelling Case in the Public Interest Exists What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the national Compensation Code in its assessment of private loss?
CA.1.35	The Applicant	Other Matters In the light of the CA Guidance, paragraph 19, please demonstrate: a) How potential risks or impediments to implementation of the scheme have been properly managed. b) The account taken of any other physical and legal matters pertaining to the application including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents applicable to this type of development.
CA.1.36	The Applicant	Other Matters Section 9 of the SoR [AS-008] refers to the List of Other Consents and Licences [APP-264] which identifies the other consents, licenses and agreements that are required for the Proposed Development to be implemented. Please indicate whether there are any changes to the status for each consent, licence and agreement listed within that schedule since the application was submitted.
CA.1.37	The Applicant	Other Matters Article (Art.) 40 (Special category land) of the dDCO [REP1-004] refers to an Open Space Management Plan. Please signpost the location of this plan and how it is to be secured?
CA.1.38	The Applicant	Other Matters Please expand the detail contained within Schedule 7 of the dDCO [REP1-004] to include specific detail regarding the purpose for which rights over land may be acquired.
CA.1.39	Fieldfisher LLP on behalf of British Pipeline Agency	Other Matters The ExA notes the ongoing negotiations between the Applicant and Fieldfisher LLP on behalf of British Pipeline Agency in respect of the drafting of protective provisions. Additionally, the ExA notes that Fieldfisher LLP stated that in the event that the protective provisions agreement has not been settled 4

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>weeks following the date of its Deadline 1 submission, a written update on the position will be provided to the ExA [REP1-120].</p> <p>In the event that such a position statement is submitted to the ExA, please ensure the suggested protective provisions wording is included within the position statement.</p>
CA.1.40	Surrey County Council (SCC) (as Landowners)	<p>Other Matters</p> <p>In terms of Bayhorne Farm and noting the content of the WR submitted as Deadline 1 [REP1-096], please provide additional detail in respect of what mitigation measures are considered necessary by SCC in order to enable a suitable access from the South Terminal Roundabout and how these would be secured.</p>
CA.1.41	The Applicant	<p>Other Matters</p> <p>Please confirm whether Airport Industrial Property Unit Trust and/ or Airport Industrial Nominees Limited should be included in the Land Rights Tracker, as detailed in their Deadline 1 submission [REP1-162]? If this is identified as an omission, please amend accordingly.</p>
CA.1.42	Environment Agency (EA)	<p>Other Matters</p> <p>Noting your comments regarding protective provision in the Deadline 1 WR [REP1-072], please confirm what additional provisions are considered necessary.</p>
CA.1.43	The Applicant	<p>Objections to Compulsory Acquisition and Temporary Possession Powers</p> <p>In respect of Marathon Asset Management MCAP Global Finance (UK) LLP, please clarify whether rights which are proposed to be acquired over Plot 1/062 would have a material impact on the future redevelopment of the land?</p>
CA.1.44	The Applicant	<p>Objections to Compulsory Acquisition and Temporary Possession Powers</p> <p>Noting the concerns raised by SCC in its WR [REP1-096] in respect of the loss of land associated with Gatwick Dairy Farm, please confirm when the replacement planting in Work No. 40 is to be delivered?</p>
CUMULATIVE EFFECTS		
CE.1.1	The Applicant RPAs RHAs	<p>ES Chapter 20 Cumulative Effects</p> <p>Does the ES Chapter 20 Cumulative Effects [APP-045] fully account for the cumulative effects of the Proposed Development and the delivery of a third runway at Heathrow Airport?</p>

ExQ1	Question to:	Question:
	Heathrow Airport Limited	
CE.1.2	The Applicant	<p>ES Chapter 20 Cumulative Effects</p> <p>In Table 19.1 of the Joint West Sussex LIR [REP1-068] the Councils list sites that they consider will interact with the Project. Have these been considered in the assessment in the ES?</p>
DEVELOPMENT CONSENT ORDER AND CONTROL DOCUMENTS		
<p>Please note: all references to the dDCO and the Explanatory Memorandum (EM) are to the versions submitted at Deadline 1 [REP1-005 and REP1-007] respectively unless otherwise indicated.</p>		
DCO.1.1	IPs	<p>Potential Changes to the DCO and Control Documents</p> <p>At ISH2 the ExA asked all parties to propose matters which they would wish to see in the DCO, any other control document or a legal agreement early in the Examination.</p> <p>Where an IP wishes to see a change to the dDCO, any control document or the draft s106 agreement (when published) they are asked to specify, as precisely as possible, the amended wording they would wish to be included.</p>
DCO.1.2	The Applicant	<p>Extent of Proposed Works</p> <p>At paragraph 5.2.14 of the ES [REP1-016] reference is made to the maximum extent and area of each Work Number (Work No.) being shown on the Work Plans and Parameter Plans with the approximate level of the finished works, the height of the structure (m) and/ or maximum parameter height within which this Work would be undertaken described within ES Chapter 5. The maximum extents for each Work No. are also described as being in Schedule 2 of the dDCO.</p> <p>Where in the dDCO are the maximum extents set out? Should these be provided in a separate schedule? If not, why not?</p>
DCO.1.3	The Applicant	<p>Securing the Operational Lighting Framework</p> <p>At paragraph 5.2.205 of the ES [REP1-016] reference is made to an Operational Lighting Framework [APP-077].</p> <p>How would this be secured through the DCO?</p>
DCO.1.4	The Applicant	<p>Civil Aviation Act – Regulation of Noise and Vibration</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>Paragraphs 1.5.27/ 8 of the Planning Statement [APP-245] note that section 78 of the Civil Aviation Act 1982 provides for the regulation of noise and vibration from aircraft.</p> <p>How would this provision relate to controls through the DCO?</p>
DCO.1.5	The Applicant	<p>Heads of Terms for s106 Agreement</p> <p>Table 5.2 of the Planning Statement [APP-245] outlines the proposed Heads of Terms for the new s106 Agreement.</p> <p>Why do Surface Access Commitments need to be addressed through the agreement and not the DCO? How does this relate to Requirement (R) 20 of the dDCO?</p> <p>Why does general engagement need to be addressed through a s106 agreement and not through the DCO?</p> <p>Is 'promoting health inequality' a typo?</p> <p>To what extent are s106 matters mitigation as opposed to wider community benefits?</p>
DCO.1.6	The Applicant	<p>Mitigation Route Map</p> <p>Paragraph 5.5.10 of the Planning Statement [APP-245] states that the Mitigation Route Map is submitted for information only.</p> <p>Why is it proposed for information only and how can this be the case when it is an Appendix of the ES which is proposed to be a certified document?</p>
DCO.1.7	The Applicant RPAs RHAs Natural England (NE) EA	<p>Role of Discharging Authorities</p> <p>Paragraph 5.5.13 of the Planning Statement [APP-245] recognises that there will be different discharging authorities for DCO requirements depending on the works and the nature of the requirement.</p> <p>Do the discharging authorities and relevant consultees have sufficient resources to discharge requirements and will the Applicant be providing support for this work?</p>
DCO.1.8	The Applicant	<p>Securing Surface Access Commitments</p> <p>Paragraph 8.4.24 of the Planning Statement [APP-245] states that within the Surface Access Commitments GAL commits to achieving various modes shares within three years of the opening of the new northern runway.</p> <p>What sanction is there if these commitments are not met?</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
DCO.1.9	The Applicant	<p>Art. 2 (Interpretation)</p> <p>The 'airport boundary plan' which is identified as Appendix 1 to the Glossary in Schedule 12 is titled 'General Arrangement Airport Extent'.</p> <p>Should the plan at Appendix 1 to the Glossary be renamed 'airport boundary plan' for consistency?</p>
DCO.1.10	The Applicant	<p>Art. 2 (Interpretation). Definition of 'Order land'</p> <p>Should the definition include 'within the limits of land to be acquired or used permanently or temporarily' or 'within which the authorised development may be carried out'. If not, why not?</p>
DCO.1.11	The Applicant	<p>Art. 2 (Interpretation)</p> <p>Does 'special category land' need defining in addition to 'Special category land plan'?</p>
DCO.1.12	The Applicant	<p>Art. 2 (Interpretation). Definition of 'street'.</p> <p>Should 'and includes any footpath' be added after 'between two carriageways,'?</p>
DCO.1.13	The Applicant	<p>Art. 2 (Interpretation). Definition of 'undertaker'.</p> <p>Explain why the definition has been removed in the latest version of the dDCO. If required, include reference in the next dDCO Schedule of Changes.</p>
DCO.1.14	The Applicant	<p>Art. 2 (6) (Interpretation)</p> <p>Should 'relevant plans' be amended to be more specific eg rights or way plans, land plans or be defined in Article 2 (1)?</p>
DCO.1.15	The Applicant	<p>Art. 2 (9) (Interpretation)</p> <p>Explain/ justify the inclusion of this sub-paragraph.</p>
DCO.1.16	The Applicant	<p>Art. 3 (Development consent etc. granted by Order)</p> <p>While Art. 3 (1) references the operation of the authorised development should it be qualified through the inclusion of the following sub-paragraph?</p> <p>'(3) This article does not relieve the undertaker of any requirement to obtain any permit or licence or any obligation under any legislation that may be required from time to time to authorise the operation of the authorised development.'</p>
DCO.1.17	The Applicant	<p>Art. 3 (Development consent etc. granted by Order)</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
	IPs	Explain/ justify the inclusion of 'or adjacent' in (2). Paragraph 4.1 of the EM explains why 'within the Order Limits' has not been included – are IPs content with this?
DCO.1.18	The Applicant	Art. 4 (Maintenance of authorised development) Should Art. 4 state that it only authorises the carrying out of maintenance works within the OL? If not, why not?
DCO.1.19	The Applicant	Art.6 (Limits of Works) Version 2 of the dDCO [AS-004] removed Work Nos. 3 and 29 from sub-paragraph (3). The related EM [AS-006] did not reference their removal nor a reason for removing them. Explain. Why does Art. 6 only apply to specific Work Nos.? The EM has changed the title to Limits of works but paragraph 4.7 still says limits of deviation. Update the EM to explain the change. The EM (paragraph 4.10) does not provide a reason why this provision is required. Please provide one. What is the difference between Art. 6 (2) and Art. 6 (4)(b)? Include an explanation in the EM.
DCO.1.20	The Applicant	Art. 8 (Consent to transfer benefit of Order) Should sub-paragraph 1 (a) and (b) include 'agreed in writing'? Further justification/ explanation is required in relation to sub-paragraph 8 (4).
DCO.1.21	The Applicant	Art 9. (Planning permission) The EM (paragraph 4.24) refers to the Supreme Court's Hillside Parks decision. Have there been any Secretary of State (SoS) decisions on DCOs of relevance since the Hillside Park's judgment or is there any other precedent for this provision?
DCO.1.22	The Applicant RHAs	Art. 11 (Street works) Should (1) be modified to include the following after 'as are': 'specified in column (2) of Schedule X (Streets subject to street works) as is within the OL for the relevant site specified in column (1) of Schedule X and may' to be more specific. Similarly: (b) Add 'drill,' before 'tunnel'.

ExQ1	Question to:	Question:
		<p>(c) Add 'and keep' after 'place'.</p> <p>Add (after (1)): (2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent must not be unreasonably withheld, the undertaker may, for the purposes of the authorised development, enter on so much of any other street whether or not within the Order Limits, for the purposes of carrying out the works set out at paragraph (1) above.</p> <p>EM paragraph 5.9 states that Art. 11 is based on Model Provisions but departs from it in that it authorises interference with any street within the OL, rather than just those specified in a schedule. While paragraph 5.18 provides some explanation, please explain why it is necessary to interfere with any street within the OL.</p>
DCO.1.23	The Applicant RHAs	<p>Art. 15 (Public Rights of Way-creation, diversion and stopping up)</p> <p>EM paragraph 5.36 states: "<i>Schedule 4 Part 2 identifies the single existing public right of way which will be permanently stopped up for which no substitute is to be provided.</i>" Why is no substitute provided?</p>
DCO.1.24	The Applicant RPAs RHAs	<p>Art. 16 (Access to Works)</p> <p>Is 'at such locations within the Order Limits as the undertaker reasonably requires for the purposes of the authorised development' precise enough?</p> <p>Should (1) be 'subject to sub-paragraph (2)' and 'with the consent of the street authority (such consent not to be unreasonably withheld or delayed) following consultation by the street authority with the relevant planning authority'?</p> <p>Paragraph 5.43 of the EM cites precedent for this Article. Explain any differences between the precedent cases and the proposed Article.</p>
DCO.1.25	The Applicant EA	<p>Art. 22 (Discharge of water)</p> <p>Further justification is required for sub-paragraph (5) namely in relation to the deemed provision. The views of the EA on sub-paragraph (10) are requested.</p>
DCO.1.26	The Applicant	<p>Art. 23 (Protective works to buildings)</p> <p>Why state 'which may be affected by the authorised development'? Should this relate to any building lying within the OL? The article as drafted would have application beyond the OL. Is that appropriate?</p>
DCO.1.27	The Applicant	<p>Art. 25 (Felling or lopping of trees and removal of hedgerows)</p>

ExQ1	Question to:	Question:
		In sub-paragraph (1) (b) should there be a reference to persons 'constructing, maintaining or operating' instead of 'using'?
DCO.1.28	The Applicant	<p>Art 26 (Removal of human remains).</p> <p>The EM cites the Sizewell C DCO as a precedent. This includes:</p> <p>'(7) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question is to be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who must remove the remains and as to the payment of the costs of the application.'</p> <p>Would this sub-paragraph be applicable in this dDCO?</p> <p>Is there a precedent for sub-paragraph 12? Is it appropriate for the undertaker to make such a judgement without reference to another party?</p>
DCO.1.29	The Applicant	<p>Art. 31 (Time limit for exercise of authority to acquire land compulsorily)</p> <p>The EM explains that the 10-year period is required with reference to the complex nature and scale of the Proposed Development and cites Thames Tideway Tunnel (TTT) as a precedent. Is this appropriate given that the TTT DCO was based on 10 years beginning with the day on which the Order is made?</p> <p>Please comment on whether the SoS's decision in respect of the Drax Bioenergy with Carbon Capture DCO might have precedence in respect of this matter.</p> <p>The former Model Provisions included the following:</p> <p>'(2) The authority conferred by article 28 (temporary use of land for carrying out the authorised project) shall cease at the end of the period referred to in paragraph (1), save that nothing in this paragraph shall prevent the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.'</p> <p>Is that provision appropriate here?</p>
DCO.1.30	The Applicant	<p>Art. 32 (Private rights of way)</p> <p>The EM provides no justification for the inclusion of Article 32(3). Moreover, it is not included in the cited precedent of The Sizewell C (Nuclear Generating Station) Order 2022. Please explain the need for this provision.</p>
DCO.1.31	The Applicant	Art. 33 (Modification of the 1965 Act)

ExQ1	Question to:	Question:
		Sub-paragraph (1) (a) (ii) refers to ‘the period of ten years set out in article 31’. Please comment in respect of your answer to DCO.1.29.
DCO.1.32	The Applicant	<p>Art. 34 (Application of the 1981 Act and modification of the 2017 Regulations)</p> <p>Further justification is required for sub-paragraphs (5), (6), (11) and (16) to (19) in the EM.</p> <p>In respect of sub-paragraph (8) (b) please reference your answer to DCO.1.29.</p> <p>EM paragraph 7.30 states that the modifications are based in large part on previous development consent orders, including Art. 26 of The Manston Airport Development Consent Order 2022 and Art. 34 of The Sizewell C (Nuclear Generating Station) Order 2022.</p> <p>Art. 34 differs significantly from these cited precedents notably sub-paragraph (5). Please explain the need for the differences.</p>
DCO.1.33	The Applicant	<p>Art. 35 (Acquisition of subsoil or airspace only)</p> <p>Should sub-paragraph (1) also refer to Art. 28 (compulsory acquisition of rights and imposition of restrictive covenants)?</p>
DCO.1.34	The Applicant	<p>Art.38 (Time limit for exercise of authority to temporarily use land for carrying out the authorised development)</p> <p>In respect of sub-paragraph (1) please reference your answer to DCO.1.29.</p>
DCO.1.35	The Applicant	<p>Art. 39 (Temporary use of land for maintaining the authorised development)</p> <p>Explain why, in sub-paragraph (13) the maintenance period is 5 years.</p>
DCO.1.36	The Applicant	<p>Art. 40 (Special category land)</p> <p>If not defined in Art. 2, should special category land be defined in sub-paragraph (5) with reference to land plans?</p>
DCO.1.37	The Applicant	<p>Art. 49 (Defence to proceedings in respect of statutory nuisance)</p> <p>Justify the inclusion of nuisances within sub-paragraphs (c), (d), (e), (fb), (g), (ga) and (h) of s79.</p> <p>Paragraph 8.10 of the EM states that sub-paragraph (2) of Art. 48 provides that compliance with the controls and measures described in the CoCP will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably have been avoided. This sub-paragraph does not occur in the cited Sizewell C (Nuclear Generating Station) Order 2022. Explain why it is necessary here.</p>

ExQ1	Question to:	Question:
DCO.1.38	The Applicant	<p>Art. 53 (Service of notices) Would it be appropriate to include the following sub-paragraph after (1): ‘If an electronic communication is received outside the recipient’s business hours, it is to be taken to have been received on the next working day.’</p>
DCO.1.39	The Applicant CBC	<p>Schedule 1 (authorised development) While the questions about Schedule 1 are primarily directed at the Applicant, the ExA would welcome the views of CBC as the RPA for the majority of the works.</p> <p>Work No. 1 Does ‘reposition ... 12 metres (m) to the north’ adequately describe the new location? Do the Works Plans [AS-129] provide adequate detail to show the new position? Should ‘northern runway’ be defined?</p> <p>Work No. 2 Should ‘main runway’ be defined? Note that R1(1) “<i>commencement of dual runway operations</i>” uses the term ‘southern runway’.</p> <p>Work No. 3 Which three existing stands does this refer to?</p> <p>Work No. 4 Do the taxiways need defining/ certifying on a plan? Similarly, should clarification be provided in respect of the location of substation BJ, pumping station 7a, which stand is (c) (iii), Hangar 7 etc? Alternatively/ additionally, why are letters not used on Works Plans as for Work No. 22? Work No. 4 occurs in multiple places on the Works Plans resulting in a lack of clarity. Please review the numbering on the Works Plans.</p> <p>Work No. 5 ‘Including’ is not exclusive. Should this be tightened eg comprising? (‘Including’ is used in many Work Nos.) The descriptions at (a) to (g) are very broad and not specified in terms of locations on Works Plans. Should the descriptions be more specific and/ or highlighted individually on the Works Plans.</p> <p>Work No. 6</p>

ExQ1	Question to:	Question:
		<p>As for Work No. 5. Work No. 7 As for Work No. 5. Work No. 8 As for Work No. 5. The Works Plans show Work Nos. 7 and 8 combined. Why? Why can the proposals not be more locationally specific? Work No. 9 As for Work No. 5. Work No. 10 As for Work No. 5. Work No. 11 As for Work No. 5. Work No. 12 As for Work No. 5. The Works Plans show Work Nos. 11 and 12 combined. Why? Why can the proposals not be more locationally specific? Work No. 14 As for Work No. 5. Work No. 18 'Reconfigure' is vague. Within what parameters? Work No. 20 'Relocate' is vague. What happens to the original? Work No. 22 Highlight (a) to (g) individually on the Works Plans. Work No. 23 Highlight (a) to (d) individually on the Works Plans.</p>

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ExQ1	Question to:	Question:
		<p>Work No. 26 Within what parameters?</p> <p>Work No. 27 Within what parameters?</p> <p>Work No. 28 Within what parameters? Highlight (a) to (e) individually on the Works Plans. There are a range of developments within this work. How would the site be configured in terms of heights for individual developments and what proportion of the work would be taken up by each individual building type?</p> <p>Work No. 31 Within what parameters? Highlight (a) to (f) individually on the Works Plans.</p> <p>Work No. 32 Within what parameters?</p> <p>Work No. 33 Should the number of parking spaces be specified?</p> <p>Work No. 38 Should more detail for individual elements be provided at this stage?</p> <p>Work No. 39 Should more detail for individual elements be provided at this stage? Specify the locations of Ponds A and M.</p> <p>Work No. 40 Should more detail for individual elements be provided at this stage? Should (b) specify 'no less than'?</p> <p>Work No. 41 Should more detail for individual elements be provided at this stage?</p>

ExQ1	Question to:	Question:
		<p>Work No. 42 Should more detail for individual elements be provided at this stage?</p> <p>Work No. 43 Should more detail for individual elements be provided at this stage?</p> <p>Ancillary or Related Development How would (p) work in conjunction with Art. 25 to ensure that felling as only undertaken where necessary? Is there duplication between elements within (e) and within (q)?</p> <p>Order Limits Why are the OL, particularly on Sheets 4 and 7, drawn so broadly when the work areas on these sheets are so small by comparison?</p>
DCO.1.40	The Applicant RPAs RHAs	<p>Schedule 2 (Requirements)</p> <p>R1 - Interpretation “<i>commencement of dual runway operations</i>”: Where is the control to ensure that the northern runway is only used for departures and not arrivals? Similarly, where is the control to ensure that the northern runway is only used for aircraft up to Code C size? Sub-paragraph (2) of R1 does not appear to relate to the description of paragraph (2) in paragraph 9.5 of the EM. Additionally, it does not appear that paragraph (2) has been used in the cited cases. Please respond.</p> <p>R2 - Anticipatory steps towards compliance with any requirement The justification for this Requirement (EM paragraph 9.5) appears to have been provided in relation to paragraph (2) instead of Requirement 2. Please clarify.</p> <p>R3 – Time limit and notifications Why should the serving of notice occur once the dual runway operation has commenced and not before?</p> <p>R4 – Detailed design Is “<i>unless otherwise agreed in writing with CBC...</i>” at the end of (2) and (3) a tailpiece?</p>

ExQ1	Question to:	Question:
		<p>(4) How would consultation with CBC operate? What is the timescale, procedure and what would happen if CBC provided comments which the undertaker did not agree with? Would the Schedule 11 procedures need to be amended? The term ‘discharging authority’ does not appear to encompass this situation.</p> <p>(5) Add ‘in writing’ after ‘agreed’.</p> <p>R5 - Local highway works – detailed design Is “<i>unless otherwise agreed in writing with the relevant planning authority</i>” at the end of (3) a tailpiece?</p> <p>R6 – National highway works In paragraph (2) is ‘the third anniversary of the commencement of dual runway operations’ an appropriate timescale?</p> <p>R7 – Code of construction practice Is ‘unless otherwise agreed with CBC’ a tailpiece? If acceptable, insert ‘in writing’ after ‘agreed’.</p> <p>R8 – Landscape and ecology management plan How would this requirement operate where potentially the Landscape and Ecology Management Plan (LEMP) did not include land where CBC was the RPA? R8 provides for a LEMP to be submitted for ‘any part of the authorised development’. It is not clear how many LEMPs are likely to be produced. Explain what is meant by ‘part of the development’? Does it relate to the zones 1-8 of the development or does it relate to sequence in which the construction will take place? If the latter, will construction impacts be covered by a LEMP in addition to the CoCP?</p> <p>R9 – Contaminated land and groundwater In sub-paragraph (1) how would low risk be determined?</p> <p>R10 – Surface and foul water drainage In sub-paragraph (3) is ‘unless otherwise agreed in writing by the lead local flood authority’ a tailpiece?</p> <p>R14 – Archaeological remains Is ‘unless otherwise agreed in writing...’ in paragraphs (1) and (2) a tailpiece?</p> <p>R15 – Air noise envelope How would this requirement work alongside existing controls?</p>

ExQ1	Question to:	Question:
		<p>Has the concept of an air noise envelope been used to control noise in other airport developments? What are the different circumstances which might be envisaged under sub-paragraphs (3) and (5)(a)? Why has the timescale of 45 days be identified in paragraph (4)? What does 'declare any further capacity' mean in paragraph (5)? In sub-paragraph (5)(a) is approval required or can the undertaker declare further capacity 'when submitted'?</p> <p>R16 – Air noise envelope reviews In sub-paragraph (2) why has the timeframe of 42 days been chosen? R15 (4) includes 45 days as does R16 (6) and R17.</p> <p>R18 – Noise insulation scheme Should this control relate to the coming into operation of Work Nos. 1-7 rather than the commencement of works? Clarify the explanation provided in paragraph 9.27 of the EM.</p> <p>R19 – Airport operations Would it be appropriate to be more precise in sub-paragraph (2) with the removal of 'routinely' and clarification of the reasons why the southern/ main runway is not available? The comments made in ISH2, and the written summary contained within [REP1-057] regarding a potential passenger limit are noted. However, given justification for the need case provided through the introduction of larger planes and increasing load factors, could there be a case where 386,000 commercial air transport movements equates to more than 80.2 million passengers per annum, potentially to a level not mitigated for through the Surface Access Commitments [APP-090], and if so should the passenger levels not be controlled through R19 as well? How would it be ensured that Commitment 14 of the Surface Access Commitments is adequate to deal with such a scenario? How realistic are anticipated rates of aircraft fleet transition contained within the ES when dealing with projected demand levels for 2047, some 20 years in the future?</p>
DCO.1.41	The Applicant	<p>Schedule 3 (Stopping Up of Highways and Private Means of Access & Provisions of New Highways and Private Means of Access) Should the title reflect the titles in Articles 13 and 16 for consistency?</p>

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ExQ1	Question to:	Question:
DCO.1.42	The Applicant IPs	<p>Approach to Tracking Mitigation</p> <p>The Mitigation Route Map [APP-078] has been prepared to demonstrate that all necessary controls, mitigation and commitments of enhancement have been identified and secured.</p> <p>Why is the Mitigation Route Map submitted for information only?</p> <p>Would it be more effective for IPs for the Mitigation Route Map to be developed as a Register of Environmental Actions and Commitments to track progress of the commitments and record outcomes and evidence of the actions taken, as well as recording and addressing any additional environmental issues that arise during construction?</p>
DCO.1.43	The Applicant	<p>Approach to Securing Mitigation</p> <p>Paragraph 5.5.16 of the Planning Statement [APP-245] indicates that Level 1 Control Documents are secured by either the DCO or the NRP s106 agreement.</p> <p>Why should <u>mitigation</u> be secured through a s106 agreement and not through the DCO?</p>
DCO.1.44	The Applicant	<p>Approach to Securing Mitigation</p> <p>The Planning Statement (paragraph 5.5.16 [APP-245]) notes that Level 2: Subsequent Approvals would be submitted after the DCO is made/ on specific triggers in the NRP s106 agreement.</p> <p>Would such approval be tied to provisions in the DCO? Why should Level 2 mitigation be secured through a s106 agreement and not through the DCO?</p>
DCO.1.45	The Applicant RPAs	<p>Approach to Securing Mitigation</p> <p>The Applicant proposed to use a CoCP [REP1-021] to mitigate construction phase impacts.</p> <p>Why has a CoCP approach been adopted rather than a Construction Environmental Management Plan that is subject to local authority approval to mitigate construction impacts? RPAs are invited to comment on the alternative approaches.</p>
DCO.1.46	The Applicant RPAs	<p>Status of CoCP</p> <p>Table 9.8.1 of ES Chapter 9 refers to the CoCP [REP1-021] as an 'outline CoCP'.</p> <p>Is the CoCP an outline document? And if it is, should it be subject to local authority approval when more detail is available?</p> <p>If the CoCP is not an outline document, do the RPAs consider that the CoCP is sufficiently detailed to mitigate construction phase impacts?</p>

ExQ1	Question to:	Question:
DCO.1.47	The Applicant	<p>Approval of Site Waste Management Plans</p> <p>According to the CoCP (paragraph 2.2.9 [REP1-021]) the proposed Site Waste Management Plans (SWMP) would not be subject to approval by local planning authorities.</p> <p>Explain why SWMPs are not subject to local authority approval, particularly where they relate to off-airport works. Would they be subject to consultation?</p>
DCO.1.48	The Applicant	<p>Requirements Related to Control Documents</p> <p>R12 and R13 of the dDCO provide that no part of the authorised development is to commence until a construction traffic management plan (CTMP) and construction workforce management plan (CWMP) respectively have been submitted to and approved in writing by the relevant highway authority.</p> <p>Why are CTMP and CWMP covered by specific requirements when other control documents are not?</p>
DCO.1.49	The Applicant RPAs	<p>Approval of Construction Phasing</p> <p>The Indicative Construction Sequencing [APP-088] is not included in the CoCP.</p> <p>Should the phasing of the construction programme be subject to RPA approval and secured by a Requirement in the DCO?</p>
DCO.1.50	The Applicant	<p>Buildability Report – Temporary Construction Compounds</p> <p>The CoCP (paragraph 1.3.3 [REP1-021]) refers to the Buildability Report [APP-079 to APP-081] for information on the use of construction laydown and welfare facilities, but the Buildability Report is not included in Schedule 12 of the dDCO (Documents to be certified).</p> <p>Should the Buildability Report be included in Schedule 12 of the dDCO?</p> <p>Alternatively, should the CoCP be updated to include further information about how the Applicant is intending to use the temporary construction compounds?</p>
DCO.1.51	The Applicant	<p>Role of the Environmental Co-ordinator</p> <p>Paragraph 6.1.2 of the CoCP [REP1-021] refers to the Environmental Co-ordinator.</p> <p>Can the Applicant expand on the role of the Environmental Co-ordinator in relation to the procedures for ensuring compliance with the CoCP?</p>
DCO.1.52	The Applicant	<p>CoCP – Monitoring and Review</p>

ExQ1	Question to:	Question:
		Can the Applicant explain the Procedures for monitoring and reviewing the CoCP and how this is secured within the DCO and CoCP?
DCO.1.53	CBC HDC MSDC WSCC	<p>Community Funding</p> <p>Paragraph 4.14 of the Joint West Sussex LIR [REP1-068] addresses the 2022 s106 agreement. It indicates that the authorities do not consider that the sums generated by the Community Fund will be proportionate to the environmental harm caused by airport expansion as was the Government's expectation in the ANPS. It notes that the sums proposed by the Airports Commissions were far greater than those proposed by the Applicant.</p> <p>Please confirm what sums were proposed by the Airports Commission and how these compare with those proposed by the Applicant.</p>
DCO.1.54	CBC HDC MSDC WSCC	<p>CoCP – Potential Amendments</p> <p>Paragraphs 21.6 and 21.37 of the Joint West Sussex LIR [REP1-068] state that R7 does not specify the follow-up management plans that require completion and approval as part of the CoCP.</p> <p>Specifically, what amendments would the West Sussex Authorities wish to see to R7?</p>
DCO.1.55	CBC HDC MSDC WSCC	<p>Outline Operational Waste Management Plan</p> <p>Paragraph 22.4 of the Joint West Sussex LIR [REP1-068] states that the dDCO should include a requirement for an outline operational waste management plan.</p> <p>Specifically, what would the West Sussex Authorities wish to see in such a requirement? Does this relate to the request for an Odour Management and Monitoring Plan referenced in Appendix M [REP1-069]?</p>
DCO.1.56	CBC HDC MSDC WSCC	<p>Detailed Design Controls</p> <p>Table 24.1 of the Joint West Sussex LIR [REP1-068] outlines the need for a suitably detailed design control document setting clear design principles for the Project as a whole but also addressing design controls for specific Works areas including clear parameter and works plans (Appendix 1 of the DAS).</p> <p>Specifically, what would the West Sussex Authorities wish to see in such a document and a requirement to secure this? How would this relate to R4?</p>
DCO.1.57	The Applicant	Detailed Design Controls

ExQ1	Question to:	Question:
		<p>At ISH2 the ExA raised concern that the description of Work Nos. in Schedule 1 of the dDCO were not detailed enough. In addition, concern was raised that the design principles in Appendix 1 of the DAS [APP-257] are too broad. In paragraph 24.79 of its LIR [REP1-068] the Joint West Sussex authorities stated its position that the design principles in Appendix 1 of the DAS need to be expanded to provide site specific design principles for the Works based not just on building type but on the contextual analysis of the site.</p> <p>The Applicant is asked:</p> <ul style="list-style-type: none"> a) To provide an expanded description of the works in Schedule 1 of the dDCO that reflects more closely the description of works as described in volumes 2-4 of the DAS [APP-254, APP-255 and APP-256]. b) To expand the design principles in Appendix 1 of the DAS to provide site specific design principles for each separate Work No. based not just on building type but on the contextual of the individual site of each Work No. Consideration should also be given to how Work No. specific design principles work within the overarching design principles for the project as a whole. c) If the Applicant disagrees with the above alterations to Schedule 1 of the dDCO and Appendix 1 of the DAS, it is asked to set out clearly what alterations it would be willing to make in order to satisfy the ExA that there is sufficient information contained in the DCO and control documents on the layout, siting, scale and external appearance of buildings to ensure that good design will be achieved in detailed design and the approval process under R4.
ECOLOGY AND NATURE CONSERVATION		
EN.1.1	The Applicant	<p>Relevant Representation – Natural England</p> <p>Can the Applicant update the assessment in ES Chapter 9, paragraphs 9.9.385 to 9.9.387 [APP-034] in line with NE’s advice in its RR [RR-3223] so that the significance of the effect is based on the percentage change when compared to the Critical Load (CLo) of the site/ habitat rather than the predicted background, so that this aligns with the assessment methodology. This should clearly state any exceedances of NO_x, NH₃ and NO₂ and describe any subsequent mitigation measures required and where they are secured in the application.</p>
EN.1.2	The Applicant	<p>Air Quality Effects on Sites of Special Scientific Interest</p> <p>Can the Applicant update ES Chapter 9 [APP-034] and any supporting documents to provide an assessment of air quality effects on Sites of Special Scientific Interest (SSSI). This should clearly identify</p>

ExQ1	Question to:	Question:
		and discuss any exceedances of NO _x , NH ₃ and NO ₂ and describe relevant mitigation measures that might be required and where these are secured in the application.
EN.1.3	The Applicant NE	<p>Other Consents and Licenses</p> <p>The List of Other Consents and Licenses [APP-264] states that for ecology draft licences are expected to be provided to NE during the DCO examination.</p> <ul style="list-style-type: none"> a) Can the Applicant provide an update on progress with the applications for ecology licenses. b) Can NE indicate if it is likely to be able to submit Letters of No Impediment into the Examination.
EN.1.4	The Applicant	<p>Invasive Non-Native Species</p> <p>ES Chapter 9 [APP-034] notes that invasive non-native species have been identified on the Project site and the wider survey area.</p> <p>The Applicant is asked to confirm whether there is any potential overlap of construction activities with these areas of known invasive non-native species contamination and, if so, whether a potential spread pathways analysis has been carried out?</p>
EN.1.5	The Applicant	<p>Biodiversity Net Gain</p> <p>It is suggested by the Joint Surrey Councils (JSCs) (paragraph 7.47 [REP1-097]) that although not a legal requirement, due to the long term and large-scale impacts of habitat loss the Applicant should be delivering Biodiversity Net Gain (BNG) in the local, regional and national interest.</p> <p>Please respond to this suggestion?</p>
EN.1.6	The Applicant	<p>Securing Biodiversity Net Gain</p> <p>NE recommend in its RR [RR-3223] that the target increase in BNG is secured by a suitably worded requirement in the DCO.</p> <ul style="list-style-type: none"> a) The Applicant is asked to explain whether and, if so, how the target increase in BNG of 22.5% habitat units and 16.7% watercourse units is secured in the dDCO. b) The Applicant is asked whether R8 should state that the landscape and ecology management plan for any part of the works must be substantially in accordance with the BNG Statement [APP-136] in addition to the outline landscape and ecology management plan.

ExQ1	Question to:	Question:
EN.1.7	The Applicant	<p>Reprovision of Woodland Habitat</p> <p>The BNG Statement [APP-136] states that planting extensive areas of new woodland within the Project would not be possible because of the nature of an operational airport and the requirements with respect to aircraft safeguarding.</p> <ul style="list-style-type: none"> a) The Applicant is asked to explain why replacing lost woodland habitat with new woodland habitat on a like for like basis within the project poses any greater risk to aircraft safeguarding than that which exists in the baseline scenario? b) The Applicant is asked if it considered alternative options of providing areas of new woodland at a further distance from the airport or as off-site compensatory habitats as a way of meeting Habitat Trading standards without affecting aircraft safeguarding. If so, the Applicant is asked to explain why alternatives were discounted.
EN.1.8	The Applicant	<p>Time Between Habitat Loss and Reprovision</p> <p>In the BNG calculation table A-2 'On-Site Habitat Creation', the time to target condition applied to woodland and forest is 15 years. However, paragraph 9.9.66 of the ES [APP-034] suggests that new woodland planting to replace that lost the initial construction period (2024-2029) will not reach maturity until approximately 2060.</p> <p>Can the Applicant explain how the apparent 31 to 36-year timescale from loss of existing habitat to maturity of replacement habitat has been accounted for in the assessment?</p>
EN.1.9	The Applicant	<p>Monitoring and Maintenance of Woodland Planting</p> <p>The Outline LEMP [APP-113] does not set out the duration for which monitoring, management and maintenance of mitigation measures would be secured. Woodland planting would not have reached maturity until approximately 2060 according to paragraph 9.9.66 of the ES [APP-034].</p> <p>Given that long-term moderate adverse significant effects are anticipated relating to loss of woodland and scrub habitat, can the Applicant explain how the ExA can be confident that appropriate monitoring, management and maintenance of mitigation measures are secured by the DCO for the timescale required for woodland habitats to mature?</p>
EN.1.10	The Applicant	<p>Maintenance of Landscape Adopted by Highway Authorities</p>

ExQ1	Question to:	Question:
	RHAs	Paragraph 9.1.1 of the Outline LEMP [APP-113] states that the landscape and ecological proposals that form part of the adoptable highway will be adopted and maintained by the local highway authority or NH. Can the Applicant explain how the ongoing maintenance of these areas is secured in the dDCO? The RHAs may wish to comment.
EN.1.11	NE RPAs	Securing of Mitigation Measures Are NE and the RPAs satisfied that mitigation measures outlined in Table 9.8.1: Mitigation and Enhancement Measures of ES Chapter 9 [APP-034] are appropriately secured in the dDCO?
EN.1.12	The Applicant	Light Spill from MSCP Y The proposed MSCP Y is directly adjacent to new woodland planting associated with the surface access works. Volume 5 of the DAS [APP-257] states that the façades of MSCPs will maintain open areas for natural ventilation and that in most locations there is not a need for additional cladding. There does not appear to be any information in the Operational Lighting Framework [APP-077] relating to controlling light spill from MSCPs. Given that reasons for the proposed woodland include to compensate for loss of existing habitat, provide nesting sites for breeding birds and to maintain connectivity for bats, can the Applicant: a) Explain whether light spill from the MSCP will impact the quality of the proposed woodland habitat; and b) Describe the measures that will be incorporated into the design to limit light-spill from MSCP Y.
EN.1.13	The Applicant	Bat Roost Surveys In their LIR [REP1-097] the JSCs identify at paragraph 7.42 that no bat roost surveys of 'high' or 'medium' trees proposed for removal have been carried out to inform the baseline and impact assessment. Why have such surveys not been carried out? As this appears to be in contravention of policy, should the Order be granted, would surveys be carried out before construction commences?
EN.1.14	The Applicant	Great Crested Newts In their LIR [REP1-097] the JSCs identify at paragraph 7.43 that a translocation exercise is required to mitigate for adverse impacts to populations of great crested newts.

ExQ1	Question to:	Question:
		Explain how this would be undertaken and how it would be secured through the DCO.
EN.1.15	The Applicant	<p>Light-Sensitive Receptors</p> <p>The Statement of Common Ground between the Applicant and the EA [REP1-034] states that details identifying the light-sensitive receptors will be provided within the lighting strategies for both the construction and operational phases of the Project.</p> <p>Will these strategies be submitted into the Examination?</p>
ECOLOGY AND NATURE CONSERVATION: HABITATS REGULATIONS ASSESSMENT		
EN.1.16	The Applicant	<p>Assessment of Effects on European Sites in 2029</p> <p>The Habitats Regulations Assessment Report (HRAR) [APP-134] paragraph 2.2.14 states that potential effects could arise as a result of the operation of the Proposed Development from 2029. However, no assessment of potential operational effects on the European sites considered is provided for 2029 as part of the HRAR.</p> <p>Could the Applicant provide such an assessment or explain the reason for this omission from the HRAR?</p>
EN.1.17	The Applicant	<p>HRAR Assessment Periods</p> <p>It is noted that some of the assessment periods used for the HRAR [APP-134] do not overlap with the ES assessment period.</p> <p>Can the Applicant confirm which assessments from the ES have been relied upon for the HRAR.</p>
EN.1.18	NE	<p>Future Decarbonisation of Vehicles</p> <p>Does NE agree with the Applicant's assumptions in paragraphs 2.2.18 and 4.5.16 of the HRAR [APP-134] that the future decarbonisation of vehicles would be such that any residual effects in 2047 would be no worse than in 2038? And does NE agree with how this has been accounted for in the assessment of operational emissions resulting from the Proposed Development?</p>
EN.1.19	The Applicant	<p>Ammonia Emissions</p> <p>It is noted that the HRAR [APP-134] paragraph 4.5.17 states that modelling of NH₃ emissions has been undertaken, which informs the Habitats Regulations Assessment (HRA) conclusions. No cross-reference to</p>

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ExQ1	Question to:	Question:
		<p>the data is provided in the HRAR or ES Chapter 13 [APP-038] and it does not appear to be contained in the application documents. Furthermore, the in-combination modelling results do not appear to be provided. Can the Applicant identify the location of this information within the application documents or provide the relevant data?</p>
EN.1.20	The Applicant	<p>Ebernoe Special Area of Conservation and The Mens Special Area of Conservation Air quality modelling data and figures have not been provided in relation to the Ebernoe Special Area of Conservation (SAC) and The Mens SAC and the omission is not explained in the HRAR [APP-134]. Can the Applicant either provide the information or explain why it was considered unnecessary to provide it with the application?</p>
EN.1.21	The Applicant	<p>Annual Average Daily Traffic Numbers References are made in the HRAR [APP-134] to Annual Average Daily Traffic (AADT) being 'low', although what is considered to constitute low is not defined. Footnotes to the screening matrices contained in HRAR Annex 1 appear to reflect the approach that predicted changes in traffic numbers below 1000 AADT, together with changes in air quality that equate to less than 1% of the CLo/ Critical Levels (CLe), would not result in a Likely Significant Effect (LSE). Can the Applicant confirm the approach that was taken to the assessment?</p>
EN.1.22	The Applicant	<p>In-Combination Assessment It is not explicitly stated in the HRAR [APP-134] whether the same short list of developments used for the Environmental Impact Assessment (EIA) cumulative assessment was used for the HRA in-combination assessment, nor is the extent of the in-combination study area(s) specified. Although it is concluded in the HRAR that there could be an in-combination LSE on a number of the European sites, the other plans and projects, which together with the Proposed Development could result in an LSE on a particular site, are not identified. The Applicant is asked to address these omissions.</p>
EN.1.23	The Applicant	<p>Air Traffic Emissions The HRAR [APP-134] paragraph 4.1.1 identifies changes in air quality from emissions to air from both air traffic and surface access traffic as a potential impact pathway. However, no subsequent reference to air traffic is made in the HRAR. The Applicant is asked to explain this apparent omission.</p>

ExQ1	Question to:	Question:
EN.1.24	The Applicant	<p>Errors in Cross-Referencing</p> <p>There appear to be a number of errors in the cross-referencing from the HRAR main text [APP-134] to the figures contained in Annex 7 [APP-135] which makes it difficult to relate the statements made in the HRAR to the supporting information.</p> <p>The Applicant is asked to provide an accurate list of the HRAR Annex 7 figures and correct the incorrect cross-referencing in the HRAR main text where necessary.</p>
EN.1.25	The Applicant	<p>Mole Gap and Reigate Escarpment SAC and SSSI</p> <p>ES Appendix 13.9.1 Part 6 Table 2.5 (page 170) [APP-167] identifies a modelled exceedance in 2038 (for the Proposed Development alone) of the NO_x CLe for the Mole Gap and Reigate Escarpment SSSI (ID Eco_263), which is a component of the Mole Gap and Reigate Escarpment SAC and appears to have the same boundary. However, no exceedance is predicted for the SAC (and it is concluded that there would not be an LSE).</p> <p>Can the Applicant account for the difference between the results?</p>
EN.1.26	The Applicant	<p>In-Combination Effects at the Mole Gap to Reigate Escarpment SAC</p> <p>The HRAR [APP-134] paragraph 4.5.54 states that the modelling did not predict any exceedances of the in-combination CLe for NO_x and NH₃ at the Mole Gap to Reigate Escarpment SAC in 2032. However, this is not clear from Figures 40 and 41, which appear to depict exceedances in some locations.</p> <p>The Applicant is asked to explain the discrepancy.</p>
EN.1.27	NE	<p>Approach to Air Quality Assessment</p> <p>Can NE confirm that it agrees with the Applicant's approach to assessing air quality as set out in the HRA, including the assumptions that have been made by the Applicant in the assessment?</p>
EN.1.28	NE	<p>Conclusions of HRA</p> <p>Can NE confirm whether it agrees with the conclusions of the HRA?</p>
EN.1.29	The Applicant	<p>In-Combination Effects of Traffic on the Ashdown Forest SAC and Special Protection Area</p> <p>In respect of potential In-Combination Effects (ICE) of operational traffic in 2038 on the Ashdown Forest SAC and Special Protection Area (SPA), HRAR [APP-134] paragraphs 4.5.57 – 4.5.58 state that an exceedance of 1% of the CLe/ CLo is predicted for all three pollutants. However, NH₃ is not taken forward on the basis that the locations on the exceedances are all "<i>within the road</i>" and none are present within the</p>

ExQ1	Question to:	Question:
		<p>SAC/ SPA habitats. This is not apparent from HRAR Figure 47 [APP-135], and it is not indicated if this approach has been agreed with NE.</p> <p>The Applicant is asked to explain the discrepancy.</p>
EN.1.30	The Applicant	<p>ICE of Traffic on the Mole Gap to Reigate Escarpment SAC</p> <p>In relation to potential ICE of operational traffic in 2038 on the Mole Gap to Reigate Escarpment SAC, HRAR paragraph 4.5.60 concludes that as the contribution of the Proposed Development to traffic flows is negative for the majority of road links there is no possibility of ICE along these links, and reference is made to HRAR Figure 10. However, that figure relates to 2032. HRAR Figure 26 appears to be the correct figure, however the information depicted therein does not reflect the above statement. HRAR para 4.5.15 states that the ICE assessment is based on the ‘Do Something’ scenario minus the ‘Do Minimum HRA’ scenario. The negative AADT figures (all links apart from the M25) presented on Figure 26 relate to the assessment alone, ie ‘Do Something’ minus ‘Do Minimum’. The in-combination figures (titled ‘Diff (Cumulative)’) are all positive. In addition, it is not identified in the HRAR main text whether any exceedances of the pollutant CLe/ CLo were predicted.</p> <p>Can the Applicant explain this discrepancy and any implications it has for the assessment?</p>
EN.1.31	The Applicant	<p>Changes in AADT</p> <p>In several of the HRA figures contained in HRAR Annex 7 [APP-135] the ‘Diff (Main)’ number equates to the ‘Do Something’ vehicle number minus the ‘Do Minimum’ vehicle number; and the ‘Diff (Cumulative)’ number equates to the ‘Do Something’ number minus the ‘Do Minimum HRA’ number (appearing consistent with the approach to the ICE assessment set out in HRAR paragraph 4.5.15). However, the opposite applies in other figures (and also to different roads within the same figure in some instances), ie the Diff (Main) number equates to the ‘Do Something’ number minus the ‘Do Minimum HRA’ number and the Diff (Cumulative) number equates to the ‘Do Something’ number minus the ‘Do Minimum’ number.</p> <p>Can the Applicant explain this discrepancy and any implications it has for the assessment?</p>
GEOLOGY AND GROUND CONDITIONS		
GGC.1.1	The Applicant	<p>In the event that any slope stability assessments referred to in Chapter 10: Geology and Ground Conditions [APP-035], identified the need for slope stabilisation works, has the impact been assessed in the ES in terms of landscape and visual design and during construction? If so, where in the ES can this be found?</p>

ExQ1	Question to:	Question:
HEALTH AND WELLBEING		
HW.1.1	The Applicant	<p>Health and Wellbeing Assessment</p> <p>Can the Applicant set out the date(s) for the baseline information used in the health and wellbeing assessments in ES Chapter 18 Health and Wellbeing [APP-043].</p>
HW.1.2	The Applicant	<p>Integrated Care Board</p> <p>Can the Applicant provide an update in respect of collaboration with the West Sussex Clinical Commissioning Group (now the local Integrated Care Board) in respect of options for improving the airport workers' access to NHS screening and clinics (paragraph 18.7.7 and Table 18.3.3 of the ES [APP-043]). How would improved access be secured?</p>
HW.1.3	The Applicant	<p>Community Initiatives</p> <p>Paragraphs 18.5.16 to 18.5.19 of the ES [APP-043] detail existing GAL community initiatives [APP-043]. Can the Applicant confirm whether these are permanent initiatives? How are they measured in terms of their contribution to improving local health circumstances?</p>
HW.1.4	The Applicant	<p>Enhancement and Mitigation Measures</p> <p>Table 18.7.1 of the ES [APP-043] details proposed mitigation and enhancement measures. Can the Applicant confirm whether the following measures are considered to be mitigation or enhancement:</p> <ul style="list-style-type: none"> a) Healthcare for airport passengers and visitors; b) The promotion of health equity through benefits to local vulnerable groups; and c) Monitoring benefits to local vulnerable groups. <p>If measures are considered to be mitigation, please confirm how they would be secured within the dDCO.</p>
HW.1.5	Charlwood Parish Council	<p>Funding for Future Mitigation</p> <p>The ExA notes that Charlwood Parish Council within its WR [REP1-125] has requested GAL to provide a £5 million infrastructure fund to implement future projects that are identified as suitable mitigations to impacts caused by the airport expansion that may not yet have been identified.</p> <p>Can Charlwood Parish Council provide more information in respect of impacts it considers may not yet have occurred and what projects the monies are likely to be required for? Please also provide a summary of how the figure of £5 million was arrived at.</p>

ExQ1	Question to:	Question:
HW.1.6	The Applicant	<p>Noise Insulation Scheme</p> <p>Appendix 14.9.10 sets out the proposed noise insulation scheme [APP-180].</p> <p>The Applicant is asked to confirm what consideration has been given to effects experienced by owners/tenants in terms of their enjoyment and use of outdoor space associated with their property?</p>
HW.1.7	The Applicant	<p>Sensitivity Testing</p> <p>The UK Health Security Agency, in its RR [RR-4687], stated that <i>“Given current uncertainties in the exposure response relationships for these two health endpoints, UKHSA recommends that sensitivity analyses are carried out for these estimates”</i>.</p> <p>Can the Applicant confirm why the undertaking of such a sensitivity test is not considered proportionate and how, without the testing, has the conclusion been reached that it would not change the agreed position (Table 3.87 of [REP1-048])?</p>
HISTORIC ENVIRONMENT		
HE.1.1	The Applicant	<p>Archaeology</p> <p>Various specific and detailed concerns are raised with regard to archaeology in the vicinity of the Proposed Development by local authorities, requesting extensive changes to the Written Scheme of Investigation (WSI) [REP1-068], [REP1-097].</p> <p>Provide a response to these comments and a revised WSI where necessary.</p>
HE.1.2	The Applicant	<p>Charlwood House</p> <p>a) Provide further details for any proposed mitigation to the setting of Charlwood House. Is the vegetation identified present all year round? Are controls required in terms of tree retention?</p> <p>b) Provide indicative design details for structures at the proposed Car Park X, including an assessment of light spill on the setting of the heritage asset.</p>
HE.1.3	The Applicant	<p>Charlwood Park Farmhouse</p> <p>a) Provide further design details for structures (lighting etc) at the proposed North Terminal Long Stay Decked Car Park, including an assessment of how they may affect the setting of Charlwood Park Farmhouse.</p>

ExQ1	Question to:	Question:
		b) Why are nurseries not considered to be noise sensitive uses [APP-032]? The ExA notes that the current operators of the nursery have no concerns. However, ownership and uses of buildings change over time.
HE.1.4	The Applicant	<p>Charlwood</p> <p>It is noted that two of the heritage assets identified within Charlwood Conservation Area are places of worship (Grade I Church of St Nicholas and the Grade II* Providence Chapel).</p> <p>Are such assets considered to be more susceptible to noise from aircraft given that they may be considered to be places where people are likely to take quiet reflection? Provide further justification for your view that effects from ground noise on these heritage assets would be negligible [APP-032].</p>
HE.1.5	The Applicant	<p>Church Road Conservation Area</p> <p>a) Provide further justification in support of your view of the effect of the Proposed Development upon the Conservation Area.</p> <p>b) Could improvements to the Church Meadows by way of mitigation provide some benefits to the Conservation Area (and the Grade I Church of Saint Bartholomew). Provide further details on such mitigation. How would it/ they be secured?</p>
HE.1.6	The Applicant	<p>Burstow Conservation Area</p> <p>Provide further information about any effects on the setting of Burstow Conservation Area and the Grade I Church of St Bartholomew as a result of the Proposed Development.</p>
HE.1.7	The Applicant	<p>Noise Insulation Grant Scheme</p> <p>a) How does the Applicant's current sound insulation scheme apply to listed buildings?</p> <p>b) Are there further allowances provided given that it is more difficult/ restrictive to provide insulation to historic buildings?</p> <p>c) What changes, if any, are proposed as part of the Proposed Development?</p>
HE.1.8	The Applicant	<p>Pentagon Field</p> <p>Provide further justification for the view that raising the ground level of Pentagon Field by up to 4.4m [APP-032] would not result in any change to the character of the historic landscape in this area.</p>
HE.1.9	The Applicant Historic England	<p>Air Noise and the Setting of Heritage Assets</p>

ExQ1	Question to:	Question:
		Provide further information on the issue of air noise and tranquillity with regard to the way in which the settings of designated heritage assets are experienced (referred to as the Temple Methodology by Historic England [REP1-073]).
HE.1.10	The Applicant	<p>Mitigation</p> <p>Historic England notes that various mitigations for effects on listed buildings on the periphery of the airport estate are proposed [REP1-073].</p> <p>How do you consider such mitigation will be secured?</p>
HE.1.11	The Applicant	<p>Air Noise and the Setting of Heritage Assets</p> <p>Various RRs and the LIRs from Kent County Council (KCC) [REP1-079] and Sevenoaks District Council [REP1-095] raise concerns over current and proposed effects of aircraft noise upon various designated heritage assets, including, but not limited to Chartwell Place, Penshurst Place, Chiddingston Castle, and Hever Castle. Your response in the Relevant Representation Report is noted [REP1-048]. Can you provide further information on this? How many additional aircraft are likely to pass over, or close to, these assets?</p>
LANDSCAPE, TOWNSCAPE AND VISUAL RESOURCES		
LV.1.1	The Applicant	<p>Construction Compounds</p> <p>Provide further details on proposed construction/ contractor compounds, to include likely lighting details, height and colour of site cabins (dual or single stacked), stockpile heights, and areas where the compounds may be visible from.</p>
LV.1.2	The Applicant	<p>Pentagon Field</p> <p>Provide further information on the proposed use of Pentagon Field:</p> <ol style="list-style-type: none"> How would the area be managed/ filled? Can site levels and surveys be provided? How would the footpath (359/Sy) and views from it be managed in practice? Provide further details on vegetation loss and mitigation. What scale would the proposed substation likely be in terms of dimensions? When would you envisage the proposed planting belt would mature?
LV.1.3	The Applicant	<p>Landscaping</p> <p>Provide further details on landscaping proposals for the following areas:</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		<p>a) North Terminal Decked Car Park; b) Car Park X; c) Car Park Y; and d) Purple parking (new).</p> <p>Such details to include existing survey plans, existing trees to be protected and proposed new/ reinforced landscape proposals.</p>
LV.1.4	The Applicant	<p>Living Conditions of Residents</p> <p>Provide an assessment of the visual effects of the Proposed Development upon the living conditions of residents on the residential edges of Horley (including but not limited to those residents of Longbridge Road, Balcombe Road and those identified by the JSCs' LIR [REP1-097]). Such an assessment to include any effects of lighting and light spill from new proposed structures, such as Car Park Y.</p>
LV.1.5	The Applicant	<p>Highway works</p> <p>The Joint West Sussex LIR [REP1-068] raises concerns over the “<i>significant loss of existing vegetation</i>” as a result of the highway works associated with the Proposed Development detailed within the Outline LEMP [APP-113].</p> <p>Provide further details of proposed mitigation, including details on the time likely for effective screening to take place.</p>
LV.1.6	The Applicant	<p>Noise Preferential Route 9</p> <p>While noting the details in ES Chapter 14, Noise and Vibration [APP-039], please provide further details on the likely use of Noise Preferential Route 9 under the Baseline and the Proposed Development.</p> <p>How would this usage affect the High Weald National Landscape and tranquillity (including visual effects) within this area?</p>
LV.1.7	The Applicant	<p>High Weald and Surrey Hills National Landscapes</p> <p>Table 8.9.1 of ES Chapter 8, Landscape, Townscape and Visual Resources [APP-033] contains details of various places within the High Weald and Leith Hill in the Surrey Hills which would be overflowed more as a result of the Proposed Development. This table appears to show a 20% increase in flights by 2032.</p> <p>a) Would the flight numbers (and this percentage) be the same for 2047 (when 80.2mppa are forecast)?</p>

ExQ1	Question to:	Question:
		<p>b) If not, how would this affect the special qualities of the National Landscapes?</p> <p>c) Aircraft are forecast to become larger under both the baseline case and the Proposed Development. Would the increased visual effect of larger aircraft have an effect on the National Landscapes?</p>
LV.1.8	The Applicant	<p>Surrey Hills National Landscape</p> <p>Has account been taken of any effects of the Proposed Development on the proposed extension to the Surrey Hills National Landscape - both that proposed by NE, and the further extension proposed by Mole Valley District Council?</p>
LAND USE AND RECREATION		
LU.1.1	The Applicant	Can the Applicant confirm whether potential soil and groundwater contamination from per- and polyfluoroalkyl substances (PFAS) associated with the fire training ground have been considered in the ES, given that firefighting foam is a known source of this contaminant?
LU.1.2	The Applicant	<p>Loss of Agricultural Land</p> <p>NNNPS (paragraph 5.189) states “<i>Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality</i>”.</p> <p>Please explain how the test in paragraph 5.189 of NNNPS is satisfied in respect of the Proposed Development?</p>
LU.1.3	The Applicant	<p>Animal Wellbeing</p> <p>What consideration has been given to the effect on the health and wellbeing of animals housed or grazing close to the Proposed Development ie effects due to noise and dust? What, if any, measures are necessary to mitigate effects and how will these be secured?</p>
LU.1.4	The Applicant	<p>Soil Management Strategy – Landowner Contact</p> <p>Paragraph 2.1.2 of the Soil Management Strategy (SMS) [APP-086] states that there will be a clear point of contact for each landowner/ occupier.</p> <p>Has the Applicant appointed an Agricultural Liaison Officer or equivalent? If not, please explain how this role will be managed?</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
LU.1.5	RPAs	<p>Soil Management Approach</p> <p>RPAs are asked whether the approach and content of the CoCP [REP1-021] and associated appendices (eg the SMS [APP-086]) in respect of the management of potential effects on soil resources is appropriate? If not, please detail additional methods and/ or mitigation measures considered necessary. In addition, please confirm whether you are satisfied that soils would be suitable for the required end use and the appropriateness of the proposed soil restoration methods.</p>
LU.1.6	The Applicant	<p>Soil Management Strategy – Audits</p> <p>Please confirm whether the final SMS would be subject to any internal compliance audits? If so, would the SMS be reviewed and updated as necessary? Please provide detail in respect of this process.</p>
LU.1.7	The Applicant	<p>Soil Management Strategy - Bunds</p> <p>Where soil is to be stored in bunds for over 3 months, will these be covered to minimise erosion? If not, please explain why this is not considered necessary.</p>
LU.1.8	The Applicant	<p>Soil Management Strategy – Mixing of Soils</p> <p>What documentation and physical control measures would be put in place to prevent accidental mixing of soils? How would these measures be secured through the dDCO?</p>
LU.1.9	The Applicant	<p>Soil Management Strategy – Information Dissemination</p> <p>How would the transmission of information contained within the final Soil Management Plan (SMP) be disseminated on site?</p>
LU.1.10	The Applicant	<p>Soil Management Strategy - Stockpiles</p> <p>How would the suitability of soil stockpiles for restoration be assessed? Please confirm whether the final SMP would include a restoration methodology?</p>
LU.1.11	The Applicant	<p>Agricultural Land</p> <p>Paragraph 19.6.13 of ES Chapter 19: Agricultural Land Use and Recreation [APP-044] states that there are additional land parcels identified as potential areas for environmental mitigation that also comprise agricultural land.</p> <p>The Applicant is asked to list these areas and confirm whether they comprise of best and most versatile (BMV) agricultural land. If so, please detail the grading.</p>

ExQ1	Question to:	Question:
LU.1.12	The Applicant	<p>Farm Holding Information</p> <p>The farm holding information detailed at paragraphs 19.6.20 to 19.6.27 of the ES [APP-044] and the content of Table 19.7.1 is noted. The Applicant is however asked to produce a table detailing the following information:</p> <ul style="list-style-type: none"> a) Name and address of holding; b) Relevant plot number; c) Total size of holding; d) Holding use; e) Breakdown of land classification – by hectare and percentage of holding; f) Summary of proposed project activity on holding; and g) Loss of land – defined by temporary and/ or permanent by both hectare and percentage of holding.
LU.1.13	The Applicant	<p>Museum Field – Informal Recreational Space</p> <p>Concern has been raised in Table 11.1 of the Joint West Sussex LIR that the new route would be relatively inaccessible as access would be via an indirect permissive route and the remote location of the space would have poor links to existing Public Rights of Way (PRoW). This would therefore result in a barrier to effective use by the nearby community [REP1-068]. Please provide comment in respect of this concern and confirm whether improved connectivity could be achieved?</p>
MAJOR ACCIDENTS AND DISASTERS		
MAD.1.1	The Applicant	<p>Relevant Representations – Loss of ‘Emergency’ Runway</p> <p>A number of RRs expressed concern that the change of the ‘emergency’ second runway to an operational runway will potentially compromise safety at the airport. Explain the Applicant’s position with regard to the current operation of the northern runway and also the implications for safety of the change to the operational use of the ‘emergency’ runway.</p>
MAD.1.2	The Applicant	<p>Public Safety Zone</p> <p>Will the public safety zone for the Northern Runway change as a result of the Proposed Development. If so, what are the implications of this?</p>
NOISE AND VIBRATION		

ExQ1	Question to:	Question:
NV.1.1	The Applicant	<p>Replacement Noise Bund</p> <p>Paragraph 5.2.72 of the ES [APP-030] describes the existing bund which attenuates noise as having a height of up to 12m. It is to be replaced with a new bund and wall which would be up to 8m high in the west and 10m in the east.</p> <p>Why is the height of the replacement lower than the existing?</p>
NV.1.2	The Applicant	<p>Replacement Noise Bund</p> <p>Paragraph 8.6.27 of the Planning Statement [APP-245] describes existing and proposed noise bunds.</p> <p>Will the replacement bund be constructed before the existing bund is removed? How would this be secured through the DCO?</p>
NV.1.3	The Applicant	<p>Noise Designated Airport</p> <p>Paragraph 8.6.3 of the Planning Statement [APP-245] states that Gatwick is a noise-designated airport.</p> <p>What does this status mean?</p>
NV.1.4	CAA	<p>Potential Revisions to Airspace</p> <p>The 4th row of Table 14.2.1 in ES Chapter 14 [APP-039] states “<i>Whilst the development of a third runway at Heathrow would be contingent on major revisions to airspace in the South East of England, this Project is not.</i>”</p> <ol style="list-style-type: none"> Does the CAA agree with this statement, noting that IAG/ British Airways has expressed scepticism in their WR [REP1-198]? Schedule 2 of the dDCO (Requirements) states “<i>“independent air noise reviewer” means the CAA</i>’. Does the CAA agree with this interpretation and consider that the role itself is sufficiently well defined? The ExA is aware of the Aircraft Noise Attitudes Survey (ANAS) that is underway. Is it expected that any of the results will be published before the end of the examination on 27 August 2024? If so, what?
NV.1.5	The Applicant	<p>Sensitivity Test for Total Aviation Noise</p> <p>In the context of the ongoing ANAS research and the policy tests described at paragraph 5.68 of the ANPS: Can the Applicant provide for the years 2019, 2029, 2032 and 2047, assuming slow transition, for air and ground noise combined, and accounting for all other residential and noise sensitive development consented</p>

ExQ1	Question to:	Question:
		<p>at the time the application was made, tables equivalent to Tables 7, 8, 9 and 10 of 'Noise Exposure Contours for Gatwick Airport 2019 ERCD REPORT 2002', with the L_{Aeq} 16 hour day values extended in 3 dB steps down to 45 dB and the L_{Aeq} 8 hour night values extended in 3 dB steps down to 39 dB for operational noise?</p> <p>Can the Applicant support the tabulated information with Figures equivalent to B15 and B16 for the years 2029, 2032 and 2047?</p>
NV.1.6	The Applicant	<p>British Standards</p> <p>Paragraph 5.53 of the ANPS says <i>“Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance.”</i></p> <p>ES Chapter 14 [APP-039] Table 14.2.1 says in response <i>“The assessment draws on various British Standards including BS 5228...”</i></p> <ul style="list-style-type: none"> a) Which other British Standards are drawn upon in the assessment of operational noise? b) What principles from the relevant British Standards are used to inform the assessment of operational noise?
NV.1.7	The Applicant	<p>Non-residential Receptors</p> <p>Paragraph 5.52 of the ANPS includes some non-residential receptors as noise sensitive premises requiring assessment. For non-residential receptors can the Applicant explain how their operational noise assessment has accounted for receptor specific effect thresholds derived from receptor specific guidance or project precedent, including schools, premises used for live performance, worship or recording, and activities where intelligibility of verbal instructions or the audibility of warnings is important?</p>
NV.1.8	The Applicant	<p>Description and Character of Aviation Noise</p> <p>Paragraph 5.52 of the ANPS states that the noise assessment should include a description of the noise sources and the characteristics of the existing noise environment, including noise from aircraft. ES Appendix 14.9.3 on Ground Noise Modelling [APP-173] presents sound power levels for taxiing aircraft. At 3.1.2 it says <i>“The calculated sound power levels for each aircraft type are presented in octave bands at Table 3.1.1 below. It should be noted that due to difficulties with accurately measuring in the 31.5 Hz octave band, calculated levels in the 63 Hz band have been assumed to be representative of levels in the 31.5 Hz band”</i>.</p> <ul style="list-style-type: none"> a) Can the Applicant explain the difficulties with measuring and justify this assumption?

ExQ1	Question to:	Question:
		<p>b) Can the Applicant confirm that:</p> <ul style="list-style-type: none"> i. This assumption only applies to ground noise? ii. Air noise is modelled using the complete audible sound spectrum based on traceable and verifiable information? iii. Can the Applicant provide the noise source sound power values for aircraft used in the modelling, as octave band or more granular information, either with reference to an application document, an additional submission or other publicly accessible source over the normal range of operation for those aircraft?
NV.1.9	The Applicant	<p>Noise Envelopes</p> <p>At paragraph 4.1.11 d) of its RR [RR-3043] MSDC states that “<i>There should be no allowance for noise contour area limits to increase.</i>” It refers to the APF and Guidance CAP 1129.</p> <p>5.60 of the ANPS states that “<i>the design of the envelope should be defined in consultation with local communities and relevant stakeholders, and take account of any independent guidance such as from the Independent Commission on Civil Aviation Noise</i>”,</p> <p>and goes on to state that:</p> <p>“<i>The benefits of future technological improvements should be shared between the applicant and its local communities, hence helping to achieve a balance between growth and noise reduction.</i>”</p> <p>Where in the ES does it show that the Applicant has taken account of independent guidance?</p>
NV.1.10	IPs	<p>Noise Envelopes</p> <p>Recognising that concerns have been expressed by some IPs about noise envelopes, what would other IPs propose for the initial (2029) areas of the 51 dB LAeq, 16hr contour and the 45 dB LAeq, 8hr contour and any other noise envelopes, including the use of other metrics?</p> <p>What is the basis for the proposed values with reference to policy and guidance?</p>
NV.1.11	The Applicant	<p>Other Controls</p> <p>Paragraph 5.62 of the ANPS states that “<i>The Government also expects a ban on scheduled night flights for a period of six and a half hours, between the hours of 11pm and 7am, to be implemented....</i>” At ISH2 the Applicant explained [REP1-057] about the quota for night flights (a control on inputs) imposed by Government, as the airport is a designated airport,</p> <p>a) How would this work in relation to any controls proposed as DCO requirements?</p>

ExQ1	Question to:	Question:
		<p>b) Can the Applicant commit to a ban on night flights for six and a half hours between 2300 and 0700?</p> <p>c) If not, can the Applicant provide an explanation as to why this is not reasonable?</p>
		Noise Insulation Scheme (ES Appendix 14.9.10 [APP-180])
NV.1.12	The Applicant	<p>What evidence does the Applicant rely upon to show that significant effects caused by aircraft noise are avoided through the installation of a noise insulation scheme, in relation to occupants of any form of permanent residential accommodation?</p> <p>What does the Applicant consider to be the limitations of a noise insulation scheme (NIS)?</p>
NV.1.13	The Applicant	Why has the Applicant only set a nighttime aviation noise threshold (55 dB) for the NIS inner zone?
NV.1.14	The Applicant	With regard to the new NIS, can the Applicant explain why this could not be open for applications immediately after the making of the DCO to allow any eligible dwellings to benefit as soon as practicable from it?
NV.1.15	The Applicant	Can the Applicant explain why it cannot identify dwellings eligible as a result of total aviation noise, that is to say air and ground noise combined, based on calculations, rather than wait until measurement of ground noise have been made after the Proposed Development becomes operational?
NV.1.16	The Applicant	In terms of the initiation of the NIS for eligible dwellings can the Applicant explain why it is not proposing to identify all eligible dwellings and engage with occupiers and owners of those dwellings to promote the take up of the NIS?
NV.1.17	The Applicant	Can the Applicant set out any procedures that would be put in place as part of the NIS [APP-180] to ensure the required acoustic performance is maintained?
NV.1.18	The Applicant	In relation to the schools NIS, can the Applicant confirm the process for a school to raise a concern and the timeframes involved. Can the Applicant also clarify how significant improvement of teaching conditions would be assessed to determine the eligibility of the school?
NV.1.19	The Applicant	Can the Applicant set out the justification for not applying the schools NIS to nurseries or pre-schools?
NV.1.20	The Applicant	<p>Construction Noise and Vibration</p> <p>The CoCP [REP1-021] includes various topic-based Annexes [APP-083 to APP-087].</p> <p>The Applicant is asked to consider including a noise and vibration management plan as an Annex.</p>

ExQ1	Question to:	Question:
RESOURCE AND WASTE MANAGEMENT		
RES.1.1	The Applicant	<p>Compliance with the Construction Resources Waste Management Plan</p> <p>It is not clear to the ExA how performance against the Construction Resources Waste Management Plan [APP-087] is managed.</p> <p>The Applicant is asked to explain what measures are in place to ensure compliance with the targets set out in paragraph 4.5.25 of the CoCP Annex 5?</p>
RES.1.2	The Applicant	<p>Compliance with EIA Regulations</p> <p>Quantities of spoil from excavation are mentioned in paragraphs 5.3.123 and 5.3.125 of ES Chapter 5 [APP-030]. However, there does not appear to be an estimate of the type and quantity of all expected waste produced during the construction and operation phases. There is also no description of likely significant effects.</p> <p>The Applicant is asked to provide this information or explain why it is not required in order to comply with Regulation 14 (2) and Schedule 4 of the EIA Regulations.</p>
RES.1.3	The Applicant	<p>Capacity for Waste Arisings</p> <p>Paragraph 5.2.14 of the Construction Resources Waste Management Plan [APP-087] states that waste forecasts have not been defined for the construction and operation of the Proposed Development.</p> <p>How can the ExA be satisfied that there is sufficient capacity for the different categories of waste arising from the Proposed Development?</p>
RES.1.4	The Applicant	<p>Forecasted Waste Arisings</p> <p>Paragraph 5.2.6 of the Construction Resources Waste Management Plan (CoCP Annex 5 [APP-087]) refers to waste arisings to 2031 in the West Sussex Waste Local Plan (WSSCC and SDNPA, 2019).</p> <p>Do these include waste arisings from the Proposed Development?</p>
RES.1.5	The Applicant	<p>Outline Dust Management Plan</p> <p>In the Joint West Sussex LIR [REP1-068], the local authorities note that no dust management plan has been provided by the Applicant.</p> <p>The Applicant is asked if an outline dust management plan will be submitted into the Examination and if not, why not.</p>

ExQ1	Question to:	Question:
RES.1.6	The Applicant	<p>Outline Operational Waste Management Plan</p> <p>In the Joint West Sussex LIR [REP1-068], the local authorities state that an outline operational waste management plan should be provided.</p> <p>The Applicant is asked if an outline operational waste management plan will be submitted into the Examination. If an outline plan is not intended to be submitted, the Applicant is asked to explain how the ExA can be satisfied that the waste produced will be properly managed, in line with the waste hierarchy.</p>
SOCIO-ECONOMIC EFFECTS		
SE.1.1	The Applicant	<p>Local Enterprise Partnership</p> <p>Paragraph 2.1.7 of the Planning Statement [APP-245] references the Coast to Capital Local Enterprise Partnership (LEP).</p> <p>What role if any does the LEP now play within its area?</p>
SE.1.2	The Applicant	<p>Socio-economic Assessment</p> <p>Can the Applicant provide further justification or evidence to demonstrate that the socio-economic conditions in 2024/ 2025 are similar to conditions in 2019, as assumed in the assessment reported in ES Chapter 17 [APP-042]?</p>
SE.1.3	The Applicant	<p>Mitigation Measures – Healthcare Practitioner</p> <p>Paragraph 17.9.23 of the ES [APP-042] states that there are embedded mitigation measures detailed in the CoCP [REP1-021]. One such mitigation is the provision of a dedicated health care practitioner who would be available for construction workers to consult with.</p> <p>Please confirm whether this role would be filled by a GP, nurse practitioner or other health care professional? If this role provides a ‘triage’ type scheme how will this reduce the need to travel to use existing community facilities, for example if someone needs antibiotics or has an accident and requires more complex medical intervention?</p>
SE.1.4	The Applicant	<p>Employment, Skills and Business Strategy - Reviews</p> <p>Paragraph 1.1.8 of the Employment, Skills and Business Strategy (ESBS) [APP-198] states that review and recalibration intervals would be built into the programme, and these may be every five years.</p> <p>Please confirm how and when the review period would be determined and what would trigger a review?</p>

ExQ1	Question to:	Question:
		<p>It is also noted that paragraph 5.2.2 of the ESBS [APP-198] states that if major changes in prevailing economic circumstances occur, this would result in a review outside of the timeframe. Please confirm what determines a 'major change'?</p> <p>What is a 'recalibration' interval? How is this triggered?</p>
SE.1.5	The Applicant	<p>Employment, Skills and Business Strategy - Mitigation</p> <p>The ESBS [APP-198] refers to 'mitigation' in paragraphs 1.1.7, 2.1.3 and 5.1.2. Paragraph 5.3.32 of the ESBS also states that <i>"It is expected that the ESBS Framework would avoid adverse construction labour supply effects arising from the Project"</i>.</p> <p>The ExA is mindful of the discussions held during ISH3: Socio-economics (including Health and Wellbeing) [EV8-001 to EV-8-002] and the content of the Applicant's Written Summary of Oral Submissions for ISH3 [REP1-058]. However, please can the Applicant confirm:</p> <ul style="list-style-type: none"> a) Whether the ESBS is providing a form of mitigation? b) If so, should the ESBS, and the subsequent Implementation Plan, be secured by a Requirement in the dDCO?
SE.1.6	The Applicant	<p>Employment, Skills and Business Strategy – Securing Mechanism</p> <p>Both East Sussex County Council [REP1-071] and KCC [REP1-080] request that the ESBS Implementation Plan is secured through a Requirement rather than a s106 agreement. The reasoning for this is because the application of the ESBS is likely to stretch further than the geographical area over which a s106 agreement would cover. In addition, it noted that not all authorities who may be affected by the Implementation Plan would be signatories to the s106 agreement.</p> <p>The Applicant is asked to consider and address this request.</p>
SE.1.7	The Applicant	<p>Viewpoint Feasibility and Piloting Phase</p> <p>Table 5.1 of the ESBS describes the year-long feasibility and piloting phase trialled at Viewpoint on the South Perimeter Road and Concorde House in respect of the development of an on-site STEM Centre.</p> <p>Can the Applicant provide extra detail in respect of this trial and explain the purpose of the piloting phase?</p>
SE.1.8	The Applicant	<p>Employment, Skills and Business Strategy – External Agencies</p> <p>Paragraph 5.3.68 of the ESBS [APP-198] details how the Applicant has been engaging on an ongoing basis with external agencies to review how they would best work with external partners in the field of innovation.</p>

ExQ1	Question to:	Question:
		Please provide updates/ outcomes from these meetings and confirm how such work has helped shape the ESBS and the subsequent Implementation Plan?
SE.1.9	The Applicant	<p>Regional Inward Investment Service</p> <p>Table 5.6 of the ESBS [APP-198] states that a Regional Inward Investment Service is to be developed, which would include a clear visitor generation strategy to help promote regional tourism.</p> <p>Please provide an update on this aspect and confirm how this in turn would promote regional tourism.</p>
SE.1.10	The Applicant	<p>Local Economic Impact Assessment – Tourism Figures</p> <p>Box 6.2 of the Local Economic Impact Assessment [APP-200] states that the Proposed Development would lead to an increase in Gatwick-facilitated tourism to the UK economy. Gatwick-facilitated tourism could contribute an additional £1.92 billion in 2038 and £1.98 billion in 2047 (in 2019 prices) to the UK economy with the Proposed Development.</p> <p>Would these figures change using 2023/ 24 pricing? What would the tourism figures be for 2029 (using both 2019 and 2023/ 24 prices)?</p>
SE.1.11	The Applicant	<p>Local Economic Impact Assessment – Gateway Gatwick</p> <p>Can the Applicant provide further detail regarding the ‘Gateway Gatwick’ initiative, as detailed at paragraph 6.4.5 of the Local Economic Impact Assessment [APP-200]. How, in combination with the Proposed Development, is this intended to stimulate tourism activity in the local area?</p>
SE.1.12	The Applicant	<p>Supply Chain and Medium Sized Enterprises</p> <p>How would GAL ensure that small to medium sized enterprises (SMEs) are included in contract supply chains?</p>
SE.1.13	The Applicant	<p>Property Values</p> <p>Row 3.8 of the Updated Local Authorities Issues Tracker [AS-060] considers the issue of the impact on land values and states that GAL is commissioning a study that will investigate the potential impacts on residential property values to inform the ES assessment. Table 17.4.2 of the ES [APP-042] confirms that it is recognised that the Proposed Development could give rise to effects on property prices but that the provisions of The Land Compensation Act 1973 would apply and provide for payment of compensation to fully cover any such loss in value.</p>

ExQ1	Question to:	Question:
		Despite this, a significant number of submissions into the Examination have raised concern over the potential for a negative effect on property values. Is the Applicant proposing to submit the residential property value study into the Examination? If not, why not?
SE.1.14	The Applicant	<p>Home Relocation Assistance Scheme</p> <p>Can the Applicant detail how the maximum figure of £20,000 in respect of the Home Relocation Assistance Scheme was calculated, as detailed at paragraph 6.1.2 of [APP-180].</p>
SE.1.15	RPA's	<p>Affordable Housing – Additional Funding</p> <p>The ExA notes that, in respect of affordable housing, the Joint West Sussex LIR (paragraph 18.4 [REP1-068]) considers that further mitigation is required in the form of funding from the Applicant, to help meet increased demand for affordable housing.</p> <p>Can the Joint West Sussex Authorities provide further detail on the reasoning for such mitigation and the level of funding required. Please also confirm whether discussions with the Applicant regarding this issue have been held?</p>
SE.1.16	The Applicant	<p>Airport-Related Employment Land Study</p> <p>Reference to an Airport-Related Employment Land Study (ARELS) is made at paragraph 18.81 of the Joint West Sussex LIR [REP1-068]. Can the Applicant confirm:</p> <ol style="list-style-type: none"> Whether the ARELS forms part of the submitted application? If not, is this study going to be submitted into the Examination? If not, why not. Whether any off -airport employment land will arise as a result of the Proposed Development. If so, please provide further details.
SE.1.17	The Applicant	<p>Peak Number of Construction Jobs 2027</p> <p>Can the Applicant confirm the correct number of total peak construction jobs in 2027. As currently there is a small variation in application documents [APP-042, APP-198 and APP-201].</p>
SE.1.18	The Applicant	<p>Employment Type by Local Authority</p> <p>Table 3.1.3 of ES Appendix 17.9.3 [APP-201] details the jobs associated with the Proposed Development at Gatwick by local authority. Table A1.1.1 of ES Appendix 4.3.1 [APP-075] provides a breakdown of on airport employment by type.</p>

ExQ1	Question to:	Question:
		Has a similar breakdown of types of jobs by local authority been included? If so, please signpost to this information. If this information is not available, please confirm why.
SE.1.19	The Applicant	<p>Economic Benefit</p> <p>Paragraph 4.1.13 of the SoR [AS-008] states that the Proposed Development would provide a one-off boost to capacity of the economy of 0.15% Gross Domestic Project, which is equivalent to approximately £3.3 billion in 2019 through the benefits of improved connectivity that support trade and investment. Would this figure remain the same using 2022/ 23 data?</p>
SE.1.20	The Applicant	<p>Catalytic Impact Methodology</p> <p>With regard to economic benefits and specifically catalytic impacts, York Aviation in their 'Needs Case Review for Local Impact Report' (Appendix A, paragraph 76, [REP1-070]), concluded that the methodology by which the wider catalytic impacts in the local area had been assessed is not robust and that little reliance can be placed on this assessment. Please review this conclusion and confirm whether the methodology is reliable.</p>
SE.1.21	The Applicant	<p>Supply Chain</p> <p>Noting the content of paragraph 17.9.3 of the ES [APP-042], is the majority of the supply chain benefit of the Proposed Development likely to be gained by Tier 2 sub-contractors and suppliers rather than Tier 1 contractors? What split between Tier 1 and 2 contractors is likely to occur? How is this to be secured to ensure maximum local benefit?</p>
TRAFFIC AND TRANSPORT		
TT.1.1	The Applicant	<p>ES Chapter 5 Project Description</p> <p>According to paragraph 5.2.115 of ES Chapter 5 [APP-030] the forecourts and approaches to both existing terminals are proposed to be reviewed and enhanced within existing boundaries, to maintain effective routes providing access to the terminal frontage, multi-storey and long stay car parks, hotels and pick-up and drop-off areas for different transport modes. How can the Applicant be sure that there is sufficient space to accommodate these works in the absence of submitted proposals? Does the dDCO provide sufficient flexibility?</p>
TT.1.2	The Applicant	Sustainable Transport Fund

ExQ1	Question to:	Question:
		<p>Paragraph 8.4.22 of the Planning Statement [APP-245] describes several measures to reduce the potential for impacts on traffic and transport. Reference is made to a Sustainable Transport Fund, established under the existing Gatwick s106 agreement and to a new contingent transport fund.</p> <p>Would the Sustainable Transport Fund continue to operate in the future? Explain what the contingent transport fund is, what funding it would have and how it would be secured through the dDCO.</p>
TT.1.3	The Applicant	<p>Gatwick Parking Provision – Comparison with Other South East Airports</p> <p>How does Gatwick compare with other south east airports in terms of car parking provision both on site and authorised off site when looked at ratio for each mppa. Provide a table showing this comparison.</p>
TT.1.4	The Applicant	<p>Zero Traffic Growth Option for the Proposed Development</p> <p>Numerous RRs have mentioned that growth at Heathrow would be on the basis that there would be no associated traffic growth. Explain why you have not adopted this approach at Gatwick.</p>
Transport Assessment		
TT.1.5	The Applicant	<p>Table 5.2.1 does not detail any scoping report for the TA [AS-079]. Was a scoping report prepared and agreed? If so, can a copy of the agreed scoping report be submitted to the Examination alongside the details of the agreements from relevant authorities.</p>
TT.1.6	The Applicant	<p>Paragraph 6.2.10 addresses passenger mode share. How are remote off airport parking passengers considered in the mode share (authorised off airport parking, park (on street or public car park) and bus, taxi or walk). Is there any data on these passengers?</p>
TT.1.7	The Applicant	<p>Diagram 6.2.5 is titled 'Mode Share data for Gatwick passengers by quarter'. As there is no description of which mode share this relates to in the title, please clarify.</p>
TT.1.8	The Applicant	<p>Paragraph 6.5.4 describes "<i>a cycle track and shared pedestrian/ cycle space on the A23 between the North Terminal and the Longbridge Roundabout</i>". There is only a narrow and overgrown track in this location which could not be described in such terms. Is this track the mentioned route?</p>
TT.1.9	The Applicant	<p>Paragraph 6.7.11 states that there are currently approximately 46,700 car parking spaces 'on-airport' and a further 21,200 authorised spaces 'off-airport'.</p> <p>Does off airport parking including on street? If not have any surveys/ analysis been undertaken to ascertain off-site parking including on street and other not specifically authorised parking places (eg, private parking</p>

ExQ1: Thursday 28 March 2024

Responses due by Deadline 3: Friday 19 April 2024

ExQ1	Question to:	Question:
		areas such as drives and forecourts managed via web applications). Can any analysis be submitted so the ExA can understand the scale and extent of this parking provision?
TT.1.10	The Applicant	<p>Paragraph 6.10.7 sets out the car parking assumptions in the future baseline. With respect to these assumptions, explain the following:</p> <ul style="list-style-type: none"> a) How are on airport car parking spaces controlled to these limits? b) How would the Applicant control occupancy of off-site airport parking to 87.5% of capacity? c) There is no mention of other offsite parking including on street and other not specifically authorised parking places (eg, private parking areas such as drives and forecourts managed via web applications). What assumptions have been made about this parking supply?
TT.1.11	The Applicant	Paragraph 6.10.8 addresses car parking and forecourt charges. If people are dropping off or picking up at the rail station do these apply? Does this discourage local trips to the rail station?
TT.1.12	The Applicant	Paragraph 7.3.9 addresses staff parking. Is it correct that staff parking charges will only be used if modal targets are not being met? What incentives are proposed for staff using public transport and active travel modes and how would these be secured?
TT.1.13	The Applicant	Paragraphs 8.1.12 and 8.1.13 outline the assessments supporting the Preliminary Environmental Information Report (PEIR) and those contained in the TA. The PEIR assessment was based on more robust modelling and the scenario in the TA reflects " <i>a more reasonable and likely scenario.</i> " Have any other sensitivity tests been undertaken to ensure the scenario presented in the TA is robust?
TT.1.14	The Applicant	<p>Paragraph 9.1.1 explains that Chapter 9 of the TA provides an assessment of the rail network in terms of crowding in the future baseline and with Project scenarios.</p> <p>Is all the modelling undertaken based on timetabled services? Has any account been taken of cancellations and actual performance against timetabled services?</p>
TT.1.15	The Applicant	Chapters 9 and 10 of the TA address Rail and Station modelling. Given the concerns about the rail and station capacity modelling detailed in the WR from Network Rail [REP1-090] and Govia Thameslink Railway [REP1-185], provide a timeline for response/ resolution to these concerns to be submitted into the Examination.

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ExQ1	Question to:	Question:
TT.1.16	The Applicant	Paragraph 11.3.14 states that the future baseline scenarios in the model reflect measures GAL is proposing to take together with the expected commercial response of the bus and coach industry to increased demand. How are the improvements listed being secured?
TT.1.17	NH CBC WSCC	Table 12.2.1 lists the major highway schemes included in the future baseline scenarios. Is this a definitive list of schemes? Provide a status update of the schemes listed.
TT.1.18	The Applicant	Paragraphs 12.4.7 and 12.4.8 relate to Diagram 12.4.1: Change in AADT (2047) – with Project compared to future baseline. Is the traffic attributed to model noise disregarded or is it reassigned in the model so that all traffic is accounted for?
TT.1.19	The Applicant	Paragraph 13.2.8 describes the Capital Investment Plan improvements. Are these the only highway improvement that would be required in the future baseline scenario in the assessment?
TT.1.20	The Applicant	Paragraph 13.2.11 states that the Capital Investment Plan works will be completed by 2029. However, they do not appear in the dDCO. Explain why these works are not included in the dDCO.
TT.1.21	RHAs	Paragraph 13.5.7 states that the model outputs confirm that in the 2032 future baseline the level of congestion is becoming more extensive, increasing the potential for wider impacts on the highway network, indicating insufficient capacity to accommodate Project demand without the highway works. In 2032 the future baseline traffic levels are expected to be 59.2 mppa and the terminal roundabout works have been done and no more mitigation is planned in this future baseline scenario. This is compounded by the findings set out in paragraphs 13.5.13 to 13.5.15 concerning the 2047 period. Also, in paragraph 13.6.3 it is stated that “ <i>the Project prevents unacceptable highway conditions arising</i> ”. Given “ <i>the significant congestion highlighted at key locations, both within the Airport network and on the strategic and local network</i> ” relating to the future baseline. Does this suggest that the 67.2 mppa would be a realistic and robust future scenario in the event the dDCO would not be granted?
TT.1.22	The Applicant	Explain why section 14.1 has been reduced from the submission TA [APP-258]?
TT.1.23	The Applicant	Diagram 14.2.3 shows active travel mode trips for the 2016 baseline and 2047 with Project. What do the green/ blue and yellow lines represent?

ExQ1: Thursday 28 March 2024

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ExQ1	Question to:	Question:
TT.1.24	The Applicant	Diagram 14.3.1 shows the existing active travel network around Gatwick Airport. The public footpath on the northeast side of the A23 is not a PRoW. Should this be shown differently?
TT.1.25	The Applicant	Diagram 14.3.5 shows Gatwick Airport cycling facilities. Part of the key is missing but should this be the same as Diagram 14.3.? Are the yellow walking routes usable by cyclists as in some cases the only connection is to cycle parking?
TT.1.26	The Applicant	Diagram 14.4.1 shows key walking routes. The pink shaded lines do not appear in the key. Clarify their designation.
TT.1.27	The Applicant	Riverside Park – Pedestrian Link Explain why a new pedestrian/ cycle link has not been considered from the pedestrian crossing in the new North Terminal signalised junction directly towards the small car park and Riverside and Crescent Way beyond which would seem to provide a much more direct link to central Crawley.
TT.1.28	The Applicant	Ultra-low or Zero Emission Vehicle Mode Share Targets Targets from the Airport Surface Access Strategy and the Surface Access Commitments are expressed in a consistent way. The Surface Access Commitments commitment is that by 2030 passenger travel would be 60% by sustainable modes and ultra-low or zero emission vehicles. In the 2021 Decade of Change this 60% target included both staff and passenger travel to the airport. Explain: a) Why this only relates to passenger travel in the Surface Access Commitments; and b) How ultra-low or zero emission vehicle use will monitored and controlled.
TT.1.29	The Applicant	Transport Mitigation Fund How would the Transport Mitigation Fund be secured in the dDCO? Also explain: a) The scope of the Transport Mitigation Fund; b) The level of commitment within the Transport Mitigation Fund; c) The relevant thresholds which would trigger the activation of the Transport Mitigation Fund; d) The parties to be consulted during the development of any Transport Mitigation Fund proposals; and

ExQ1	Question to:	Question:
		e) The parties and makeup of the decision body that would act as the approval body for the Transport Mitigation Fund.
		ES Chapter 12 Transport
TT.1.30	The Applicant	Paragraph 12.5.3 of ES Chapter 12 [APP-073] states that “ <i>Strategic multi-modal modelling has been undertaken which informs mode shares and the resulting traffic flows and rail loadings used in this assessment.</i> ” How do these mode shares compare with actual mode shares from the latest travel survey?
TT.1.31	The Applicant Network Rail Train Operating Companies	Paragraph 12.5.15 states that it is assumed that air passengers place their luggage in overhead luggage racks. Is it realistic on trains serving an airport that all luggage will fit in overhead racks or luggage storage areas and not on the floor. Has this assumption been checked against actual surveys?
TT.1.32	The Applicant	Table 12.6.1 shows passenger mode share. Clarify: a) Do the Bus/ Coach numbers include shuttle buses from remote parking areas? b) Do the taxi numbers include any people remotely parking in either off street car parks or on street?
TT.1.33	The Applicant	Paragraph 12.6.45 states that “ <i>There is also access to the Airport via Povey Cross Bridge which is convenient for staff living around Charlwood and Hookwood, and from the Balcombe Road for residential areas to the east of the Airport</i> ”. These are not shown as either new or existing pedestrian routes in Figure 12.6.2 [APP-059]. Why not?
TT.1.34	The Applicant	Can the Applicant provide evidence that the pricing of car parking is effective in managing modal choice at airports?
TT.1.35	The Applicant	Has the Applicant undertaken any sensitivity analysis of failure to meet the modal targets? If not, why not?
TT.1.36	The Applicant	The new cycle link, along the A23, into the Riverside Park and crossing to the terminal is likely to become a much used route. The degree of change for users is therefore likely to be great but there is no mention of this route being considered in the latest Technical Note [AS-119] assessment of the effects on the users of this path in terms of Fear and Intimidation. Signpost where this is submitted or provide explanation as to why this has not been done.
TT.1.37	The Applicant WSCC	Sussex Border Path

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ExQ1	Question to:	Question:
		<p>Sheet 1 of the Rights of Way and Access Plans [APP-018] shows the existing route of the Sussex Border Path (PRoW 346-2sy). Explain why when the proposed dDCO realignment does not include formal realignment of the elements of the path not coincident with the existing footpaths within the airport site.</p> <p>The existing alignment shown on the plans seems to follow an alignment in part along carriageways which is unlikely to be the practical route for those using the PRoW. Given the formal diversions being asked for within the dDCO this would seem to be an opportunity to formally divert the path within the airport to follow established pedestrian routes on the site. Should this form part of the PRoW diversion within the dDCO?</p>
TT.1.38	The Applicant	<p>Car Parking Strategy</p> <p>Table 2 of the Car Parking Strategy [REP1-051] does not provide an estimated total peak parking accumulation, 2047 (equivalent to line H) for the 2047 future baseline. Provide that estimation and also the comparison with the future baseline parking provision.</p>
TT.1.39	The Applicant	<p>Car Parking Strategy</p> <p>With reference to Table 2 of the Car Parking Strategy [REP1-051] explain the derivation of the increase factor in Park and Fly trips with the Project. Also provide and explain any similar increase factor for the future baseline projections along with an explanation of any difference between these two factors.</p>
TT.1.40	The Applicant RHAs RPAs	<p>Car Parking Strategy</p> <p>Paragraph 3.5.5 states that authorised parking demand is calculated to a maximum practical occupancy of 87.5%. Could the approval for future increases in parking not be done on an as and when required basis, linked to mode share targets, to ensure the parking supply is managed on actual demand and not long term forecasting? We note that in paragraph 3.1.1 that this approach is already used to identify, plan consult on and implement any additional car parking.</p>
TT.1.41	The Applicant	<p>Parking Levels and Mode Share Comparison Table</p> <p>Provide a table showing the Proposed Development comparison with the Future Baseline for the years 2019, 2029, 2032 and 2047 of target (or actual) mode shares, estimated parking accumulations and parking provision.</p>
TT.1.42	The Applicant	<p>ES Appendix 5.4.1 Surface Access Commitments</p> <p>With respect to the Surface Access Commitments [APP-088], in order to inform the ExA's consideration of progress being made in meeting mode share targets provide an update of when the following information will be available:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> a) 2023 staff travel survey information; and b) Latest passenger mode share information.
WATER ENVIRONMENT		
WE.1.1	The Applicant	<p>ES Chapter 4 Existing Site and Operation</p> <p>Paragraph 4.2.31 of ES Chapter 4 [APP-029] references Ponds A, D to H, Pond M and Dog Kennel Pond. No reference is made to Ponds B or C in the text or on Figures 4.2.1c or 11.6.1.</p> <p>Clarify the location of Ponds B and C.</p>
WE.1.2	The Applicant	<p>Impermeable Areas.</p> <p>Within the OL [APP-013] what is the current total impermeable area associated with:</p> <ul style="list-style-type: none"> a) The current site layout; b) The future baseline site layout; and c) The Proposed Development site layout.
WE.1.3	The Applicant	<p>River Arun – Possible Flooding</p> <p>A number of RRs referred to a concern that the Proposed Development will exacerbate flooding in the River Arun catchment. Does the Proposed Development have any potential to impact the Arun catchment?</p>
WE.1.4	EA Lead Local Flood Authorities	<p>Flood Risk Assessment</p> <p>Do you agree that the correct climate change allowances have been used in the Flood Risk Assessment (FRA) [AS-078]?</p>
WE.1.5	The Applicant	<p>Flood Risk Assessment</p> <p>Section 5.10 of the FRA [AS-078] addresses the flood risk compatibility of the Project.</p> <p>Explain how consideration has been given to areas outside of Flood Zone 2 and 3 and why these were discounted for the following:</p> <ul style="list-style-type: none"> a) The revised northern runway; and b) The taxiways and associated infrastructure.
WE.1.6	The Applicant EA	<p>Flood Risk Assessment</p>

ExQ1	Question to:	Question:
		<p>Paragraph 5.10.13 of the FRA [AS-078] states that the Proposed Development “<i>would not increase flood risk elsewhere and that it would be safe for users for its lifetime mean that the requirements of the Exception Test have been met</i>”. Some elements of the Proposed Development (Table 3.3.10) are stated to have differential lifetimes. Explain:</p> <ul style="list-style-type: none"> a) How long is the “<i>lifetime</i>” of all elements of the Proposed Development? b) Has the EA accepted this duration for all elements? and c) Does the mitigation secured within the dDCO cover this whole period?
WE.1.7	The Applicant	<p>Flood Risk Assessment</p> <p>Paragraph 7.2.9 of the FRA [078] states that further details of the outline drainage design are included in Figures 4.1 and 4.2 of ES Appendix 11.9.6: Annex 3 [APP-149].</p> <p>These Figures do not appear to exist. Should the reference be to Figures 4.2.1 and 4.2.2 of that document?</p>
WE.1.8	The Applicant Thames Water	<p>ES Chapter 11 – Water Environment</p> <p>Table 11.3.4 of ES Chapter 11 [APP-036] states that Thames Water will be undertaking its own assessment of the impact on its network. It is assumed that this will include the capacity of nearby Wastewater Treatment Works to accommodate any increase in wastewater arising from the Proposed Development.</p> <p>Has this been completed? Will the findings be submitted into the Examination and if so, when? Also explain how any necessary infrastructure improvements would be secured.</p>
WE.1.9	The Applicant Sutton and East Surrey Water	<p>ES Chapter 11 – Water Environment</p> <p>Table 11.3.4 of ES Chapter 11 [APP-036] states that Sutton and East Surrey Water will be undertaking its own assessment of the impact on water supply.</p> <p>Has this been completed? Will the findings be submitted into the Examination and if so, when?</p>
WE.1.10	The Applicant	<p>ES Chapter 11 – Water Environment</p> <p>Paragraph 11.6.81 of ES Chapter 11 [APP-036] states that part of the Thames Water Network in Horley periodically reaches capacity and causes flows to back up to the airport which has potential to reduce velocities in the pipes and could increase sediment deposition. Paragraph 11.13.40 concludes a negligible to minor adverse impact due to the Proposed Development works to accommodate the forecast increase inflows. It is unclear whether the reduced velocity in the proposed new sewerage system would lead to an</p>

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ExQ1	Question to:	Question:
		increase in flood risk or if this has been considered in the assessment. Can the Applicant confirm whether this has been assessed and if so, where and how this has informed the conclusion of effects?
WE.1.11	The Applicant	ES Chapter 11 – Water Environment Table 11.8.1 of ES Chapter 11 [APP-036] sets out mitigation, monitoring and enhancement measures. This includes ‘new section of River Mole channel at existing runway culvert exit’. Provide a diagram showing the alterations to the River Mole culvert at this point.
WE.1.12	The Applicant	ES Chapter 11 – Water Environment The penultimate sentence of Paragraph 11.9.42 of ES Chapter 11 [APP-036] contains a clear typo. Please provide the correct wording.