



Gatwick Northern Runway Project DCO (Project Reference: TR020005)

Deadline 4 Submission (15 May 2024)

Joint Surrey Councils – Surrey County Council (Ref. 20044665), Mole Valley Borough Council (Ref: 20044578), Reigate and Banstead Borough Council (Ref. 20044474) and Tandridge District Council (Ref: 20043605)

Overview

1. This document provides a response at Deadline 4 (15 May 2024) from the above Joint Surrey Councils (JSCs) on a number of Deadline 3 submissions:
 - Comments on GAL Deadline 3 Submissions
 - Comments on any other submissions received by Deadline 3
2. The Legal Partnership Authorities' have provided collective comment on the Applicant's response to ExA Written Questions (ExQ1) and the dDCO Schedule of Changes. Post-hearing submissions for ISH6, ISH7 and CAH1 w/c 29th April have also been produced. These have been submitted by Crawley Borough Council on behalf of the Legal Partnership.
3. Crawley Borough Council have submitted the Joint Local Authorities' response to the ExA's Rule 17 letter of 9th May. In addition, they have submitted an Introduction to a proposal for an Environmentally Managed Growth Framework for the Northern Runway Project DCO on behalf of the authorities.

Outstanding comments on previous GAL Submissions

Draft S106, Appendix 5 Air Quality Action Plan [REP2-004]

4. The local authorities have now had chance to review the Draft Air Quality Action Plan that was appended to the draft S106 at Deadline 2. Detailed comments have been submitted by Crawley Borough Council on behalf of the Joint Local Authorities. Comments on the emerging Dust Management Plan have also been included.

Response to GAL submissions at Deadline 3

Post Covid VISSIM modelling sensitivity tests for 2032 and 2047 [REP3-108]

5. The document sets out the results of the sensitivity tests for the future years 2032 and 2047, although the title states years 2023 and 2047. This should be corrected to prevent confusion. In summary, the post-covid test has reduced background growth by 14% compared with the core scenarios, so the impacts of the scheme are less than previously presented.

6. The presentation of results is consistent with the TA Annex C VISSIM Forecasting Report, therefore, the comments made previously by AtkinsRéalis in November 2023 on behalf of SCC remain which are:
 - Network should be extended to cover the junctions along the A23 and A217 as previously requested by SCC;
 - Junction specific results should be provided in terms of approach queue lengths and delays, to understand the impact inside of Surrey’s network. Bus journey times should also be provided to understand the impact to services; and,
 - The above information will help to understand how the proposals will mitigate increases in traffic flows through Longbridge Roundabout and beyond.

Revised Surface Access Commitments [REP3-029] and National Highways Commentary on SAC Response Table [REP3-030]

7. SCC, as Highway Authority, have reviewed the revised Surface Access Commitments (SACs), which responds to National Highways earlier submission of a tracked change version of the SACs [REP2-056]. Our concerns remain in relation to aspects of the SACs.
8. The Highway Authority comments in relation to the National Highways tracked change version of the SACs were set out in Appendix D of the Surrey Deadline 3 Submission [REP3-133]. The Highway Authority still has concerns that the SAC document is not sufficient to ensure that the outcomes which have been identified in the Environmental Statement Chapter 12 Traffic & Transport [REP3-016] and Transport Assessment [REP3-058] are delivered. Should the outcomes not be delivered there is also not considered to be sufficient controls within the SACs to adequately address matters. Instead, the Joint Authorities propose an Environmentally Managed Growth approach as a means to ensure that the identified outcomes are delivered and that growth at the airport is restricted to ensure that outcomes are not worse than identified in the Environmental Statement and Transport Assessment and that policy compliant growth at the airport can occur.

The Applicant’s Response to Written Representations – Appendix A Policy Response [REP3-073]

9. Section 3 of the Applicant’s submitted document is entitled, “Policy Supports Growth”, and at para 3.1.1 the Applicant quotes from Flightpath to the Future (2022), the Government’s strategic framework for aviation to 2032 for a sustainable aviation sector:

“The Government is committed to growth. We will work closely with industry to continually assess how we can best support sustainable recovery and a bright future for UK aviation.” (p.19)

“Airports are part of the UK’s thriving and competitive aviation sector and play a critical role in boosting both global and domestic connectivity and levelling up in the UK. Airport expansion also plays a key role in this and the Government remains supportive of airport expansion where it can be delivered within our environmental obligations.” (p.26)

10. However, the Applicant does not highlight that Flightpath to the Future also states on p.6 in the section “Embracing innovation for a sustainable future”:

*“The future of aviation rests on embracing new opportunities, including the critical challenge of delivering Jet Zero – aviation’s contribution to the UK’s net zero target by 2050. Putting the sector on course to achieve Jet Zero, which will be set out in the forthcoming Jet Zero Strategy, requires an extensive transformation of the sector over the coming decade. It will require close collaboration between the Government and industry, including through the Jet Zero Council. **We will also continue to work with the sector to reduce the localised impacts of aviation from noise and air pollution**” (emphasis added).*

11. This last sentence, “We will also continue to work with the sector to reduce the localised impacts of aviation from noise and air pollution” is restated on p.10 at the end of Point 4 in the Government’s 10 point plan for the future of UK aviation.

12. Furthermore, on p.35 of Flightpath to the Future under ‘Tackling the localised impacts of aviation’, it states:

“In addition to being committed to delivering a green sector for the future, the Government also needs to tackle the more localised impacts of aviation. Air quality emissions and noise from aviation can have detrimental impacts on local communities, and addressing these impacts is an important aspect of a sustainable future for the sector.”

13. This position reflects that set out in the national planning frameworks for aviation. Paragraph 1.39 of the ANPS states:

“...it (the Government) is supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have positive and negative impacts, including on noise levels. We consider that any proposals should be judged on their individual merits by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts.”

14. Paragraph 1.26 of Beyond the Horizon (MBU policy 2018) states:

“Airports that wish to increase either the passenger or air traffic movement caps to allow them to make best use of their existing runways will need to submit applications to the relevant planning authority..... As part of any planning application airports will need to demonstrate how they will mitigate against local environmental issues, taking account of relevant national policies, including any new environmental policies emerging from the Aviation Strategy.”

15. And at paragraph 1.29:

“.... the government is supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have negative as well as positive local impacts, including on noise levels. We therefore consider that any proposals should be judged by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts and proposed mitigations.”

16. Therefore, whilst the JSCs recognise that Government supports the sustainable growth of the aviation sector, they do not share the Applicant’s view that there is strong national policy support for the Project. They would highlight the importance Government policy places on noise and air pollution as being material in weighing the balance of benefits and impacts. National planning, aviation and noise policies are interlinked and clear that growth cannot happen at any cost. The consequential noise impacts must be properly managed in line with the Policy requirements of the NPSE and the ANPS, in particular paragraph 5.68 of the latter which states:

“Development consent should not be granted unless the Secretary of State is satisfied that the proposals will meet the following aims for the effective management and control of noise, within the context of Government policy on sustainable development:

- *Avoid significant adverse impacts on health and quality of life from noise;*
- *Mitigate and minimise adverse impacts on health and quality of life from noise; and*
- *Where possible, contribute to improvements to health and quality of life.”*

Planning Statement Appendix E – Local Policy Compliance Tables [REP3-055]

17. The Applicant has reviewed Local Plan policies with regard to the proposed scheme. The ExA will be aware from the Surrey LIR [REP1-097], the hearings and this response that there remain a number of concerns still to address by the Applicant. For example, in relation to the Horley Business Park allocation, noise and air quality. Where any conflicts in interpretation exist, it will be through the DCO process and ongoing discussion that these will be addressed and/or raised.

The Applicant's Response to Deadline 2 Submissions [REP3-106]

18. The JSCs would like to make the following points:

Ref	Subject	SCC comment
Section 5.7.1 Para 3.3.1	SCC have repeatedly asked for more of SCC’s network to be considered in the VISSIM model and so its scope has not been agreed with all stakeholders. SCC request this expansion of the modelled area because excluding junctions up/downstream from Longbridge Roundabout means the model lacks the vital interactions between junctions to ensure the accurate representation of Longbridge Roundabout. It also lacks assessment of impact on the A23/Vicarage Lane/Victoria Road junction, which is already constrained	<ul style="list-style-type: none"> • See SCC comment in the LIR (REP1-097) related to this. • Applicant has not extended VISSIM model or provided assessment for A23/Vicarage Lane/Victoria Road junction. • Comment still outstanding.
Section 5.8.1 Action Points 10 and 11	SCC welcomes the additional detail provided in Appendix A: Technical Note: Active Travel Provision Details, there is no change in the proposals. As such, SCC’s concerns as raised previously, including most recently in the Local Impact Report (REP1-097), are still relevant - i.e. that the active travel provision is considered insufficient, especially if the ambitious	The JSCs are disappointed that no further active travel mitigation is proposed. Detailed comments are provided in the JSC’s response to the Applicant’s comments on the LIR – ref. TT6

	sustainable mode share targets in the SAC are to be met	
Section 7.2.1, Page 2	<ul style="list-style-type: none"> • Lower PT – GAL would use measures such as parking charges but limit in effectiveness? • Sensitivity testing – some sensitivity testing but not as requested by SCC • GCG - See response to local impact reports 	<p>SCC has not seen any sensitivity tests. The Applicant has only provided a mitigated with-scheme scenario. Whilst it is the Applicant’s intention to achieve this mitigated state, the Covid test shows that the proposed mitigation may not be enough.</p> <p>SCC wishes to understand what levels of increase in parking or forecourt access would need to be applied to enable the Covid sensitivity test to meet the SAC and whether this would be considered palatable by all stakeholders.</p>

Draft Section 106 Agreement Annex ESBS Implementation Plan [REP3-069]

19. Surrey County Council attended the ESBS Draft Implementation Plan local authority workshop on 25th March 2024. We note that SCC was not listed as an ESBS Steering Group member in the draft S106 [REP2-004] and request that this exclusion is addressed. Discussion points from the March session that are of relevance to the Implementation Plan submitted into the examination include:
 - The need for the plan to provide greater detail.
 - Greater specificity on what the “additional” is compared to existing programmes run by Gatwick. How will proposals complement existing work?
 - The need for more detail on the delivery aspect of how the Applicant will work with partners.

20. The JSCs consider that there is a need for a draft delivery plan to be produced alongside the draft implementation plan – without the delivery plan it is not possible to properly understand and approve the implementation plan. This also requires an approval process. We note that the Implementation Plan must now be submitted to an ESBS Steering Group for approval on or before Commencement of the development. As currently worded in the draft S106, there is no mechanism by which the authorities can enforce the terms of the agreement as they relate to the ESBS; this means that there is no certainty of delivery of the ESBS. The LPAs need to be responsible for approving these documents in consultation with, and on the recommendation of, the ESBS Steering Group.

21. The authorities cannot accept the current cap on delivery of the ESBS because they have no real understanding as to how this has been arrived at and what can be delivered within the cap. The authorities consider that the cap has been imposed too early, and that the proper approach will be to identify the work that actually needs to be done before deciding the level

of fund. It would be beneficial to know if there are provisions in place to address the impact of inflation on this budget. Ideally, we would appreciate a breakdown of how the budget will be allocated across different components of the ESBS initiative.

Draft Development Consent Order Schedule of Changes – Version 2 [REP3-005]

22. Crawley Borough Council submitted comments on the Applicant's Schedule of Changes on behalf of the Legal Partnership Authorities.

Supporting Noise and Vibration Technical Notes to the Statements of Common Ground [REP3-071]

23. Comments on this document have been submitted by Crawley Borough Council on behalf of the Joint Local Authorities.

Construction Carbon Management Strategy [REP3-107]

24. In the Construction Carbon Management Strategy, the Applicant presents a comprehensive strategy for managing carbon emissions during the project's construction phase by adopting PAS 2080:2023 standards and pursuing certification. Furthermore, the Applicant demonstrates a strengthened commitment to PAS 2080 by actively engaging with the framework in the project's early stages. This proactive approach aims to align the project with carbon reduction goals, particularly during the critical design phase where significant emissions can be mitigated.
25. However, clarity is needed regarding the Applicant's commitment to the carbon reduction target outlined in the Carbon Action Plan (CAP). While they state an intention to adhere to the construction carbon budget figure specified in the CAP for the Northern Runway Project (paragraph 1.1.3 of the Executive Summary REP3-107), it remains uncertain whether they are fully committed to achieving the 1.15 MtCO₂e target as set out in the CAP. Moreover, the Applicant's stance on the utilisation of offsetting to reach this target is ambiguous.
26. According to PAS 2080:2023 guidelines, offsetting should serve as a last resort for residual emissions that cannot be otherwise mitigated. Therefore, the Applicant should not rely solely on offsetting measures to attain the carbon reduction target. Clarity and a firm commitment to reducing emissions through proactive measures rather than relying on offsets are essential for aligning with PAS 2080 standards and fostering genuine sustainability in the project.
27. The Applicant appears to have established robust monitoring and reporting mechanisms to ensure internal transparency and accessibility. This framework is essential for verifying compliance with carbon targets and key performance indicators (KPIs).
28. Additionally, it would be advantageous for the Applicant to include progress updates and identify potential risks associated with the PAS 2080 process in the annual monitoring report. By doing so, the Applicant can provide valuable insights into the project's trajectory and proactively address any challenges that may arise. Making these reports accessible to the public and relevant local authorities enhances transparency and allows for thorough scrutiny.

This approach fosters accountability and builds trust among stakeholders, ultimately contributing to the project's sustainability and success.

Operational Waste Management Strategy [REP3-070]

29. As a Minerals and Waste Planning authority, SCC welcome that an Operational Waste Management Strategy has now been produced. We defer to West Sussex County Council for detailed commentary on the document as they are the MWPA for the airport itself.

Outline Arboricultural and Vegetation Method Statement [REP3-022 – REP3-027]

30. The amendments to the Environmental Statement Appendix 5.3.2: Code of Construction Practice Annex 6 – Outline Arboricultural and Vegetation Method Statement Part 1 –3 Version 2, documents REP3-022 – REP3-027 are principally reserved to enhancements to the text and adoption of new terms as opposed to any change in methodology or view on the impacts resulting from the scheme. Fundamentally the loss of the trees/linear woodland along the A23 would have significant landscape and biodiversity impacts which are not appropriately considered by the contents of the revised and extensive reports. More detail is required on the replacement planting.

Applicant response to Local Impact Reports [REP3-078]

31. Comments on the Applicant's Response to the Local Impact Reports – Appendix A – Note on the Principle of Development [REP3- 079] and also the Applicant's Response to the Local Impact Reports – Appendix B – Needs Case [REP3-080] have been submitted by Crawley Borough Council on behalf of the Joint Local Authorities.
32. Many of the points made in the Local Impact Report remain pertinent and the JSC's position on matters raised will be set out in our respective updated PADDs and SoCGs at the next deadline. There are a number of areas where further comment is needed or where updates may be useful at this stage.

Ref	Subject	JSC response
LV3	Significant reduction of vegetation buffer along A23 London Road/ M23 Spur including Riverside Gardens	<p>The Applicant's statement that 'The majority of the vegetation that would be removed as part of the surface access improvements of the A23 would be scrub and small to medium sized trees' is considered an over-simplification and underplays the value of the existing trees that would be lost. The majority of the extensive tree and tree group removals along the north and south sides of the A23 (including on and around the north and south terminal roundabouts and Longbridge roundabout) have been classified as Category A (high quality) and Category B (medium quality), and include large, mature specimens. Due to their height and density many of these trees and tree groups have the appearance and function of woodland belts and are visually prominent; and whilst replacement planting would start to gradually mitigate for these losses, it is considered that it would take at least 15 years following replanting for the new trees to begin approaching the equivalent visual amenity, green infrastructure and biodiversity values of many of those to be lost. As such, there will be a prolonged interim period of ongoing harm to visual and landscape receptors, and mitigation/compensation planting (including an agreed ratio of new trees planted for those lost) will need to be carefully considered as part of the detailed LEMP(s) and obligation(s), should the DCO be granted.</p>
LV13	Inadequate approach to visualisations	<p>The Applicant has not adequately addressed the concerns previously raised within Paragraph 6.92 of the JSC LIR regarding visualisations. Paragraph 2.3 of the Landscape Institute, Visual Representation of Development Proposals: Technical Guidance Note 06/19 states that Visualisations should 'provide a fair representation of what would be likely to be seen if the proposed development is implemented'. For the reasons set out in the LIR, it is contended that for a number of viewpoint locations where existing vegetation is being removed, the Applicant's approach to visualisations (individual photowire visualisations showing combined elements from both the construction and operational phases of the Project superimposed onto existing baseline viewpoint photography) would not provide a fair representation of what would be likely to be seen if the proposed development is implemented. It shows the outlines of construction and operational elements in the context of existing vegetation, which is to be removed and in reality, will not be present in the view. Visualisations produced for projects of this nature typically show a development at specific timescales, e.g. construction, operation Year 0 and operation Year 15. In this case, the Applicant has chosen not to follow this approach, but rather, has chosen a combined approach which does not represent specific timescales, and is therefore considered potentially misleading for a number of viewpoints, e.g. Viewpoints 7, 8, 18, 19, 20, 21, 22a, 22b, 23, despite the use of separate solid and hatched lines denoting, respectively, visible and hidden massing outlines. Furthermore, the Applicant's decision to use the more simplistic photowire visualisation rather than fully rendered photomontages means that future changes to vegetation within the view (e.g. as replacement planting matures) cannot be shown.</p>

		<p>Taking into account the scale of the Project and the proportionality principle, we remain disappointed that the Applicant has chosen not to produce fully rendered photomontages for key near and middle-distance viewpoints, particularly where moderate or major adverse effects have been identified within the LVIA. Notwithstanding the fact that photo wirelines are categorised as a Type 3 visualisation, in our view the Applicant's approach does not fully align with the guidance and spirit of the GLVIA 3rd Edition and the LI TGN 06/19.</p> <p>We are also disappointed at the lack of information on detailed design for new development provided at the DCO stage; particularly for new prominent buildings such as terminal extensions and hotels, which go beyond purely functional operational airport infrastructure. Whilst Section 6 '<i>Site Wide Design Principles</i>' of the Design and Access Statement outlines relevant best practice, national and local design policies and guidance, the indicative illustrative designs appear relatively generic, with little to suggest that the airport's sense of place and its contribution to wider townscape views will be enhanced. This is particularly disappointing as the LVIA acknowledges that there will be a significant increase in the height and massing of building clusters, such as at Car Park H. There is also little detail at this stage on the integration of green infrastructure and building greening; not only to help screen, soften and integrate new development within townscape and landscape views but to contribute positively to climate change mitigation, biodiversity and enhance legibility and the overall airport visitor experience.</p>
LV14	Lack of detail on vegetation removal within the airport boundary	<p>Airport Preliminary Tree Removal Plans (Appendix 8.10.1 Sheet 4 of 13) [REP3-037] show the removal of notable Category A individual trees and tree groups within the airport boundary (e.g. to accommodate the new hangar and Larkins Road re-alignment within the North Western Zone, as shown on Drawing No. 739). Suitable compensation will need to be provided within the relevant detailed LEMP(s) and/or obligation(s) for these notable tree losses, including an agreed ratio of new trees planted for those lost, taking into account the existing multi-functional value provided by the mature Category A trees in terms of green infrastructure and biodiversity benefits.</p>
LV15	Insufficient certainty in relation to the delivery of replacement open space	<p>The Applicant sets out that revisions have been made to Article 40 so that an Open Space Delivery Plan must be approved by the local planning authorities before open space can vest in the undertaker. We also note that the Applicant indicated at the Compulsory Acquisition Hearing (CAH1) that they will provide further information on Open Space Provision at Deadline 5. The authorities will review and comment on this submission as appropriate.</p> <p>This matter is subject to further discussion with the Applicant and relates to a complex issue of land and local authority boundaries regarding the Dairy Farm, land north of the Longbridge Roundabout (Works No.40). This area of land is</p>

	<p>See also: E7 Unspecified approach to management and maintenance of Longbridge Roundabout and Car Park B Mitigation Area. This includes detail relating to maintenance of the proposed footbridge and path.</p>	<p>intended initially to be a works compound and will then be provided as Replacement Open Space (ROS) for land taken at Riverside Garden Park.</p> <p>The ROS land is currently owned by Surrey County Council. The County Council does not routinely have responsibility for the maintenance of Open Space and therefore would not be willing to take on maintenance responsibilities of the ROS land once laid out.</p> <p>The ROS land is located within the district boundary of Mole Valley. The authority does not wish to have ownership or maintenance responsibility of the land once laid out as ROS. It does not have the resources, nor has it planned for any obligations for long term management. Nevertheless, it is important to the Council that it retains the right to agree and sign off the design and delivery of the new area (see MVDC D4 response to CA1.44 of REP3-087). MVDC acknowledge that the Applicant intends to support the maintaining authority by way of a contribution towards maintenance under the S106 agreement, however this will not cover the costs of maintaining the land in perpetuity. As such this would not enable the Council to alter its position.</p> <p>The DCO assumes that the ROS will vest in Reigate and Banstead Borough Council, as the space is arguably an extension of the existing Church Meadows Open Space. The draft S106 proposes the Applicant makes a contribution to RBBC to maintain the ROS in line with the oLEMP provisions. This is proposed (as drafted) for 30 years. However, as noted above the ROS land is within the boundary of MVDC and RBBC does not maintain open space land outside its borough boundary. Further, RBBC has an arrangement with Horley Town Council under which the Town Council maintains Church Meadows Open Space. As such, RBBC would not want to take on the upkeep of the ROS adjacent to Church Meadows in Mole Valley or take responsibility for the maintenance of the proposed footbridge between Church Meadows and the Gatwick Dairy Farm Site in Mole Valley.</p> <p>With regard to ROS to the east of Riverside Garden Park – Car Park B, RBBC understand that GAL will retain ownership of Car Park B and will maintain the re-landscaped Car Park B and the link from Car Park B back to over the culvert to Riverside Garden Park. Riverside Garden Park will remain in the ownership of RBBC along with the park’s maintenance. The JSC’s would like to understand what thought, if any, has been given to GAL also maintaining the ROS (Works No.40) and why has the decision been taken by the applicant to leave this to the responsibility of local authorities?</p>
E10	<p>Compensation and enhancement measures will be</p>	<p>The JSCs are of the view that further mitigation is required and this is being explored further through S106 discussions with the Applicant. This response dismisses other appropriate funding mechanisms such as a landscape and ecology enhancement fund, in favour of the Gatwick Greenspace Partnership alone. The JSCs query the extent to which areas</p>

	required to address ecological impacts which extend beyond the Project boundary	within Surrey will benefit from the activities of the Partnership and therefore, if the sole proposal, whether it is the most effective mechanism. The JSCs need to understand more about how and where funds have previously been used.
W2	Impact on SCC carrying out statutory duties.	<p>We note that revisions have been made to Article 47 (disapplication of legislative provisions) in that the proposed disapplication of section 23 of the Land Drainage Act 1991 has been removed. It is stated that the Applicant only anticipates requiring one such consent and is content for the existing regime for ordinary watercourse consent to apply in respect of this instance. The two Lead Local Flood Authorities for the Project had expressed concern at this disapplication in relation to Ordinary Watercourse consent and had requested Protective Provisions as a result. In the Applicant's response to the LIRs it is stated that "the Applicant will review the need for the inclusion of this drafting but considers it unlikely to be necessary in light of the revision to article 47 in the draft Development Consent Order".</p> <p>The local authorities welcome the removal of disapplication of Section 23 but do not consider that the matter is as yet satisfactorily addressed....GAL states that only one component of the Project will require Ordinary Watercourse Consent (the extension to the culvert to the east of Balcombe Rd on the Haroldslea Stream), however the LLFAs calculate that it will be considerably more elements that will require OWC. The LLFAs have suggested that a meeting is held with GAL and their consultants to understand these differences and to progress. There may yet still remain a need for Protective Provisions for drainage authorities.</p>
TT1	Construction traffic	No revisions were made to the CoCP update [REP1-021] which responded to comments made regarding construction traffic.
TT2	Construction traffic impacts	The JSCs remains concerned about the extent, duration and potential impact of construction at Longbridge Roundabout and Balcombe Road, and associated mitigation required until the detail is known.
TT3	Construction impact on footways	No additional information has been provided.
TT4	Construction accesses	We require this detail to be provided during the examination and detailed in plans. SCC still require that access to the South Terminal construction compound should be from the South Terminal Roundabout only and not from Balcombe Road, and that the Longbridge construction compound access should be left in/left out only.

TT5	Permit/lane rental scheme	The Applicant responds to SCC's request that their Lane Rental Scheme and Permit Scheme are incorporated into the DCO. In response to the Applicant's request for further information on flexibility around charges, SCC has suggested a meeting with the Applicant to discuss.
TT6	Active travel infrastructure	<p>SCC is disappointed that no further active travel mitigation is proposed. In particular:</p> <ul style="list-style-type: none"> • SCC question how big a difference in embodied carbon and the impact to the River Mole flood plain it would make to provide the River Mole bridges as segregated rather than shared. • SCC has requested improvement of the route through Riverside Garden Park. Without this, SCC is sceptical about the extent of drop in proportion of pedestrian users of the River Mole bridges. • The walking and cycling survey referred to was undertaken in November 2022 and thus is unlikely to reflect the maximum demand/potential of walkers and cyclists. • The most direct route for cyclists between Horley and the North Terminal is via Riverside Garden Park. If this route was improved, SCC is sceptical of the statement that cyclists would prefer to travel via the new active travel path connection between Longbridge Roundabout and North Terminal Roundabout. • As the design proposals do not prohibit upgrades of the route crossing A23 London Road if demand is recognised as the staggered crossing and footway alongside North Terminal Link are sized for shared use, will GAL commit to improving this route if the demand is recognised? If not, why can the route not be improved from the outset? • With respect to the provision of a cycle route between the southern end of The Crescent and the landscaped Car park B, SCC recognises that the existing public footpath is too narrow for shared use and constrained by properties either side. The suggestion is for a new route to be constructed from the bottom of The Crescent through the line of trees into the open recreational space at Car Park B. This would be the most direct route between Horley and South Terminal. • SCC disagrees that the existing crossing provision over the railway provides good connectivity for cyclists wishing to access the airport. There is no crossing provision between the Victoria Road bridge and Gatwick Airport station, where cyclists can only cross through the building requiring cyclists to dismount and using lifts to cross in any case. This represents a distance of 1.3km. The suggestion of Victoria Road represents an off route/desire line diversion for residents east of the railway line and south of Victoria Road wishing to access west of the railway and residents west of the railway and south of Victoria Road wishing to access east of the railway. • While SCC was invited and attended the Technical Working Groups, this involved GAL presenting the proposals with SCC providing subsequent feedback that has not necessarily been actioned.

TT7	Bus and coach services	The local authorities have suggested that funding for the bus and coach services should sit outside of the S106. Further detail is still required on the enhancements proposed to be put in place. SCC continues to question whether the proposed measures are sufficient to deliver required growth in mode share change.
TT8	Rail services	SCC supports the comments made by Network Rail/Rail operators.
TT9	Highway impact modelling	SCC considers that this has not been addressed. SCC's concern is the accuracy of the strategic model given the reported calibration is not all of TAG requirements and that different values are used further from the airport. As a result, we seek a larger VISSIM model.
TT10	Highway impact – peds & cyclists	SCC notes the response on active travel in EIA terms. SCC still considers that the active travel provision is insufficient as set out in TT6.
TT11	Highway impact – Longbridge Roundabout	As the model has not been extended to incorporate the additional junctions in Surrey's network, or any evidence showing the queue and delay comparisons has been provided, we cannot comment further. We ask that the Applicant provides this evidence in the form of junction / approach results, showing the changes between future baseline and corresponding with Project scenario
TT12	Highway impact – A23/North Terminal signalised junction	SCC remains concerned about potential queuing back from the A23 / North Terminal impacting on Longbridge Roundabout and the u-turn back to M23. As raised before, until SCC seen the queue outputs from the VISSIM model it will not be possible to comment on the true impact.
TT13	Highway impact – Woodhatch Road/Dovers Green Road/Cockshot Hill	SCC notes the response and considers that the impact should be mitigated.
TT14	Highway impact – Woodroyd Avenue/Brighton Road junction Horley	GAL should encourage sustainable/active modes both through key junctions and on the links between by investing to make them more attractive to compensate for the additional time by private vehicle. This in turn could assist in their meeting the SACs.
TT15	Highway impact – journey times	GAL should encourage sustainable/active modes both through key junctions and on the links between by investing to make them more attractive to compensate for the additional time by private vehicle. This in turn could assist in their meeting the SACs.

		The JSCs accept the principle of having a TMF as a truly “unforeseen circumstances” mitigation fund. The authorities have provided comment to GAL on the draft S106 agreement, which include some concerns with current proposals as to how the TMF will operate practically. Furthermore, SCC wish to also include some metrics into the TMF to reflect how this money could be spent and wish to ensure that should bus routes serving the airport or its vicinity be affected by increased journey times or unreliability, the TMF must be used to address such issues.
TT16	Passenger and employee mode share	The SACs contain no sanction, just two attempts to resolve. We seek Environmentally Managed Growth to provide a sanction. If GAL are confident about their approach, then EMG would not be an issue.
TT17	Parking	SCC have requested specific contributions for ongoing review and implementation of any changes to TRO’s necessary as a result of Gatwick parking and for the additional enforcement on SCC’s highway of existing and proposed TROs. This is being proposed in the current travelling draft of the S106.
TT18	Broader Public and Sustainable Transport incentives	<p>SCC is concerned that the Applicant is not showing any willingness to enhance active travel or passenger transport travel through the SoCG. Nothing has been added to any of the originally submitted DCO proposals to assist with improving upon the relatively unchallenging SAC’s committed to by the applicant.</p> <p>It is also disappointing that no detail is provided on how existing sustainable travel modes and associated facilities will be looked at to encourage the uptake of public transport, such as stations and stops, to increase access and improve design. The JSC’s would like to understand that the Applicant’s SAC has considered both new provision and made best use of existing transport offers.</p>
TT19	S106 elements	Discussion is continuing on the surface access schedule of the draft S106. Given the nature of a number of the obligations in the surface access schedule, Surrey County Council requests to be added as a signatory to the agreement.
AQ1	Dust and particulate matter generation (DMP)	A draft dust management plan has now been shared with the local authorities. The plan still needs some work however, and a technical note has been sent to the Applicant on the subject.
AQ2	Emissions from road going construction vehicles and non-road mobile machinery (NRMM)	<p>In view of the Applicant’s response in ISH 7 Part 3 from 25:40 i.e. Stage V and in view of the fact that the DCO air quality assessment is predicated on as a minimum construction equipment meeting Stage V from 2024 (chapter 13 para 13.6.4) [APP-038], the Applicant’s current statement in the Code of Construction Practice (March 2024 – [REP1-021]) p.15 which states:</p> <p><i>Ensure all on-road vehicles comply with the requirements of the London Low Emission Zone and the London Non-Road Mobile Machinery standards, where applicable.</i></p>

		<p>Will need to be changed to: <i>Ensure all on-road vehicles comply with the requirements of the London Low Emission Zone, and the London Non-Road Mobile Machinery standards. NRMM equipment as a minimum must meet stage V of the London Non-Road Mobile Machinery standards.</i> We understand at present that the Applicant will be making such a change.</p>
AQ3	Lack of information sharing	<p>This item relates to the Code of Construction Practice. However, the Dust Management Plan also fails to address the issues raised in the LIR for example:</p> <p>Para 11.46 in the LIR states: The Code of construction practice ((APP-082) Paragraph 4.12.7) states a complaints procedure will be established. The text also needs to include the statement that when complaints are received that the relevant local authority will be notified of the complaint along with the measures being taken by the Applicant (GAL) or their contractors to rectify the problem.</p> <p>However, the Dust Management Plan (para 4.6.2) simply says: If any exceptional dust and/or air emissions occur, or any complaints are received, they will be investigated by the Site Manager or a delegated representative, who will record the complaint. They will then identify the cause, take appropriate measures to reduce emissions in a timely manner, and record the measures taken. This information will be made available to the local authority upon request.</p>
AQ4	Construction traffic emissions	Subject to further discussions.
AQ5	Traffic emissions and operational impacts from aviation (Air Quality Action Plan)	<p>In terms of an update on progress on the Action Plan the Joint Surrey (and Local) Authorities view is that there is still some way to go on the Action Plan, and the ExA may wish to note the following in relation to the submitted draft Air Quality Action Plan (Annex 5 in the draft s106) [REP2-004].</p> <p>i) The document in essence simply provides a long list of measures that the Applicant says it may implement, not what it will implement.</p> <p>ii) It fails to set out which of the measures in the plan are the ‘embedded mitigation’ i.e. measures the airport has already assumed in place in the DCO air quality assessment, so it is possible to assess if these measures are on track given the air quality assessment in the DCO application is dependent on all of these measures being implemented successfully.</p> <p>iii) It fails to set out the additional measures intended to mitigate the increased airport related pollution, as reflected by the difference in the emissions inventories for the ‘with’ and ‘without’ project scenarios.</p>

		<p>iv) It is unclear why the airport is only going to produce an Air Quality Action Plan 5 years after the commencement of the project (para 1.3.1 [REP2-004]) rather than one which applies from the outset (commencement) given by 2029 under the 'with' project scenario the airport will be handling 330,000 movements vs 313,000 without the development, and 61.3 mppa with the development vs 57.3 without the development.</p> <p>v) It fails to present costings, performance indicators, delivery timescales, the level of pollution reduction the measure is likely to deliver (either as a concentration reduction on the Horley Gardens Estate or tonnage released to atmosphere)</p> <p>vi) To help the Applicant to design their Air Quality Action Plan template the joint authorities would suggest the following columns are included in the plan which are taken from the DEFRA air quality action plan template:</p> <ul style="list-style-type: none"> • Measure No. • Measure • Estimated Year Measure to be Introduced • Estimated / Actual Completion Year • Estimated Cost of Measure • Measure Status • Target Reduction in Pollutant / Emission from Measure • Key Performance Indicator • Progress to Date • Comments / Potential Barriers to Implementation <p>vii) The joint authorities would also draw the ExA's attention to the concern raised in the Surrey LIR at para 11.68 [REP1-097] where the Applicant appears to think that burning Hydrogen or SAF will lead to a reduction in NOx emissions. The current measures proposed in the action plan (annex 5 [REP2-004]) fail to address these concerns with for example para 3.3.2 of the action plan claiming that SAF will lead to a reduction in NOx emissions, but no evidence is supplied to support this despite the JSA making the evidenced point that (in relation to SAF) 'there are no measurable impacts seen to date on NOx emissions'.</p> <p>Equally, action plan measure FL13 simply says 'supporting hydrogen fuelled aircraft' with no supporting evidence that this will in fact reduce NOx emissions in practice. A hydrogen powered combustion based jet engine enables the use of higher pressure ratios in the engine which, all else being equal, will lead to higher NOx emissions than a kerosine engine.</p>
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		This last point (vii) demonstrates the importance of the Action Plan specifying the level of pollution reduction the measure is intended to achieve.
AQ6	Need to comply with Air quality and Emissions Mitigation Guidance for Sussex (2021)	We await the Applicant's revised air quality action plan including approximate costings for measures that are not already assumed within the DCO air quality modelling.
AQ7	Impact of ultrafines on residents	This will be subject to discussion at the air quality section 106 meeting post deadline 4. However, the request in the LIR for full funding of CEN standard equipment looking at particle size and number from commencement of the project until 2047 (full capacity) remains. This is especially important in view of the Applicant's use of the wrong methodology to assess the aviation ultrafines impact of the development and the consequential failure to analyse the health impact of the change.
AQ8	Odour emissions	<p>Table 4.3.1 in the RR report [REP1-048] simply states: <i>'ES Chapter 13: Air Quality [APP-038] has provided an assessment of odour impacts. The odour assessment concluded that the impact of the Proposed Development on odour is considered to be not significant. Odour risk would be managed following best practice handling procedures.'</i></p> <p>It also mentions the draft air quality action plan which simply states at 4.4.1: <i>Apply best practice handling methods for fuels as recommended by the Civil Aviation Authority (Civil Aviation Authority, 2004). Implement best practice waste handling methodologies for the Central Area Recycling Enclosure (CARE) facility. Manage and promote the system to record odour complaints and review the record of complaints on a regular basis, respond and identify any actions required.</i></p> <p>As such the response does nothing to address the concerns raised in the LIR [REP1-097] from para 11.120, while the action plan points are simply a continuation of what the airport has done for the past 20 years which have not fixed an existing problem that they know to exist from their own work.</p> <p>The key points here are:</p> <ul style="list-style-type: none"> • The Applicant has failed to produce a quantified odour impact assessment for aviation fuel as part of the DCO, despite the fact that it managed such an assessment in 2019 (which suggested an area of the Horley Gardens Estate that warranted further investigation), and fuel odour is an ongoing issue for local residents.

		<ul style="list-style-type: none"> Given (in the absence of any other information) any aviation fuel odour impact is likely to be proportional to the change in aircraft movements (even more so if wait times or taxi time increase), it is likely that the odour impact on the local community will significantly increase as a result of the DCO. The local authorities have asked the airport to commit to undertake measures to investigate odour around the airport as part of a s106 agreement in light of both the ongoing issues with odour, the failure to assess the issue despite the 2019 work identifying areas where odour might already be an issue, and the likely increase in the problem, but the applicant has refused to do so. <p>Given the lack of a proper odour assessment the JSCs would wish to see Article 49 (Defence to proceedings in respect of statutory nuisance) of the draft DCO [REP3-006] struck out, so that residents retain the legal right to take action in nuisance if needed.</p>
AQ9	Odour impact	The local authorities are due to meet with the Applicant to discuss S106 air quality matters post deadline 4. See also response to AQ8.
AQ10	Potential underestimation of magnitude of impact / Need for Fully Funded monitoring to 2047.	<p>The current draft s106 [REP2-004] (definition of monitoring period on p.5) only funds monitoring until 2038, not 2047 or full capacity whichever occurs later. The current response does not address the issues raised or the solution proposed by the local authorities.</p> <p>It is unclear from the current work why 2038 is deemed appropriate to terminate monitoring given the applicant has not even modelled pollutant concentrations in 2047, despite an emissions inventory showing rising pollutant levels out to 2047 from the airport, and as the airport will be the dominant source of pollution post 2038 across much if not all of the Horley Gardens Estate.</p> <p>In the absence of monitoring post 2038 is unclear how the applicant will demonstrate on going compliance with the relevant air quality standards, given the foreseeable tightening of air quality standards within the lifetime of the project, and the rising emissions forecast post 2038.</p>
AQ11	Falling overall pollution levels masking rising Airport Related Pollution / Need for Fully Funded monitoring to 2047.	The text here simply refers back to the SoCG, which in turn simply refers back to ES Chapter 13 on Air Quality. As such the Applicant has done nothing to address the issue raised i.e. the monitoring needs to be funded to 2047 or when the airport reaches full capacity whichever occurs later.
AQ12	Lack of Air Quality Modelling for 2047.	The Applicant appears to consider that an emissions inventory is a full air quality assessment which is incorrect. As pointed out in the ISH7 submission at deadline 4 not all emissions of NOx are 'equal' in terms of their impact. For example, an increase of 1 tonne of NOx from APU emissions will have a far larger impact on the local community than 1

		<p>tonne of NOx from an aircraft in the climb phase. Thus, the emission inventory fails to assess the impact on the local community at full capacity.</p> <p>At 2.2.2.5 in the RBBC SoCG the applicant states: <i>Road traffic is the main source of emissions likely to result in an impact from the project due to the proximity of road sources to sensitive receptors, compared with aircraft emissions. Therefore, despite the uncertainty of predicting emissions for a future year of 2047, it has been concluded that the 2047 future year is not at risk of resulting in a significant impact to air quality.</i></p> <p>The JSCs highlight Table 11.5 in the Surrey LIR [REP1-097], where it can be seen that the airport emissions impact (excluding road traffic) is more than 12x higher than the airport related road traffic impact suggesting that the above statement is false for large parts of the Horley Gardens Estate. Given airport emissions increase between 2038 and 2047 this demonstrates the need for the Applicant to undertake a dispersion modelling exercise for 2047 (as it has done for all of the other assessment years).</p>
AQ13	Lack of confirmed funding for conventional pollutant monitoring to 2047 or 389,000 movements whichever occurs later.	<p>The Applicant has made no meaningful response here. The reference is made to 2.2.4.1 in the RBBC SoCG, but this then simply refers back to ES Chapter 13 Air Quality.</p> <p>As discussed in AQ10 above, the current draft s106 [REP2-004] (definition of monitoring period on p.5) only funds monitoring until 2038, not 2047 or full capacity whichever occurs later. Therefore, the current response does not address the issues raised or the solution proposed by the local authorities. The local authorities are due to meet with the applicant to discuss the air quality section of the s106 post deadline 4.</p>
AQ14	Odour Impact / Strike out of Article 49 in relation to odour.	Given the Applicant's failure to adequately assess the odour impact on the local community it is unclear how the Applicant can then seek to extinguish actions in nuisance against it during the operational phase given the ExA has no reliable information on which to base a decision.
AQ15	Use of low costs sensors	The draft AQAP (Annex 5 in the draft s106) [REP2-004] makes no mention of 'flagging' the indicative monitoring data as not suitable for compliance monitoring. Therefore, the matter remains unaddressed.
AQ16	Use of an environmentally managed growth approach.	Crawley Borough Council (on behalf of the joint authorities) have submitted the introduction to a proposal for Environmentally Managed Growth into the examination at Deadline 4.

NV1	Noise emissions from construction activities	<p>The Applicant’s response does not address the issues raised in the LIR, and simply signposts areas in the original submission documentation. The JSCs can confirm that its position remains unchanged from the LIR submission.</p> <p>If consent is granted, the JSCs would ask that the measures outlined in the Surrey LIR are included in the final control documents. For example, around work times near residential premises (para 12.87 [REP1-097]), including clearly defining what mobilisation means (also para 12.87 [REP1-097]), restricting piling techniques for example to those assessed within the DCO noise assessment i.e. not permitting the use of percussive piling, plus using noise insulation and trigger levels as per Table 12.1 [REP1-097].</p> <p>The JSCs would also ask that the Applicant supply evidence from road noise monitoring late at night (01:00 to 04:00) that there are no breaks in road traffic noise to validate their decision to raise LOAEL /SOAEL to 60 dB. If this information is not provided then SOAEL remains at 55 dB with a consequential follow on for noise insulation measures.</p> <p>One of the key concerns is that although, the CoCP (APP-082) contains details of Best Practicable Means, there is nothing specific to secure the assumptions in the construction noise assessment. The key concerns of the JSCs in relation to this are set out at para 12.86 [REP1-097].</p> <p>The Applicant states, in its response that ES Appendix 5.3.2: Code of Construction Practice [REP1-021] “...ensures that best practice standards will be applied and that there is a system in place for engaging with the community and managing any complaints.” The Council’s fundamentally disagrees with this statement and what has been provided by the Applicant to date is considered insufficient to meaningfully manage and mitigate the numerous environmental impacts, not just noise.</p> <p>The commitment to develop a complaints procedure in REP1-021 4.12.7 is noted but, to date, the Council considers there to have been little progress towards providing assurances that authority and community concerns will be assuaged. As a minimum, a draft complaint, recording and management policy and suitable environmental management system (including suitable continuous monitoring, and reporting) should be provided at the earliest opportunity in the examination process and the process should be required as part of the DCO as a suitable control document.</p> <p>The JSC’s also contend that the Applicant’s over reliance on Section 60 and 61 on such a large project is unreasonable, and disproportionately burdensome for the regulating authorities and these concerns were discussed at ISH2. Such an</p>
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		<p>approach also results in details being shared too late in the process which does not assist either the authorities or the communities who feel impacts most keenly.</p> <p>The Applicant needs to ensure there is suitable funding for assessment of the Section 61 applications for the host authority. A requirement should be placed in the DCO requiring an annual work plan to be published with a 6 monthly review detailing what Section 61 applications will be required and providing supporting risk assessments in a timely manner ahead of the applications.</p> <p>An additional point from the JSCs is the request that the Applicant update the Code of construction practice to offer residents where construction noise levels between 22:00 and 07:00 fall between the LOAEL and the SOAEL (or above the SOAEL) the option of overnight accommodation with air conditioning (at no cost) where overnight working is planned on two or more consecutive nights and where daytime temperatures are forecast to be at or above 27 C.</p>
NV2	Induced groundborne vibration from construction activities	<p>A strategic approach to continuous monitoring of vibration from high impact work activities should be agreed across the project period. Even if this means limited vibration monitoring exercises early on in the first 2-3 years of the project to demonstrate that impacts have been mitigated and reduced to a minimum and confirm that suitable techniques have been identified. The reason behind this is that the local authorities wish to confirm that the vibration levels as modelled for the DCO are being met in practice if consent is granted.</p>
NV3	Changes to road traffic noise levels due to construction traffic	<p>The Car Parking Strategy [REP1-051] does not clearly identify how suitable parking provision will be made for construction workers or how they will be transported to the operational sites. Mole Valley and Reigate Borough councils have existing parking issues and there is insufficient planning here to show that construction workers will be able to park and get to site the construction travel plan should address these issues.</p>
NV4	Air Noise (1) Estimation of potential health impacts	<p>The Applicant makes the statement '<i>The WHO do not set LOAELs. LOAELs for the UK have been set in UK policy</i>'.</p> <p>In response, the JSCs would point the Applicant to the para 12.115 [REP1-097] which discusses the WHO Night Noise Guidelines for Europe (2009) which states: "<i>The LOAEL of night noise, 40 dB _{Lnight,outside}, can be considered a health-based limit value of the night noise guidelines (NNG) necessary to protect the public, including most of the vulnerable groups such as children, the chronically ill and the elderly, from the adverse health effects of night noise.</i>'</p> <p>We note the comment on UK policy – as we did in the Surrey LIR – the key point here is that in view of the WHO value a sensitivity analysis needs to be undertaken. The LIR para 12.116 [REP1-097] highlights that Heathrow recognises the importance of the WHO LOAEL for night time noise and is using this value in its airspace change options appraisal work as a sensitivity test.</p>

		<p>We note in the Applicant’s response to ExQ1 - Noise and Vibration [REP3-101] at question NV.1.5 it is stated that the lower noise contours cannot be produced in time. The JSCs would point out that Reigate and Banstead in its response to the applicant’s PEIR document stated that consideration needed to be given to the WHO LOAEL back in 2021 in line with the other local authorities from both Surrey and Sussex.</p> <p>In terms of the TAG assessment as pointed out on p74 [REP1-100] the Applicant’s approach is likely to significantly underestimate the health cost given several of the studies it uses predate 2010, and it only considers a limited number of health outcomes. The JSAs suggested GAL undertake an updated TAG assessment i.e. a sensitivity analysis that took account of the most recent Exposure Response Functions using for example WHO ENG 2018 ERFs^[1], to help examine the potential variability in the TAG assessment methodology.</p> <p>As pointed out in the LIR p74 [REP1-100] it is also worth noting that that TAG does not include mental health, wellbeing and quality of life outcomes, yet a number of exposure response functions are being produced that could be used in such an analysis. Again this was the approach that Heathrow were taking i.e. using these values as a sensitivity analysis prior to the suspension of their DCO work, but sadly the applicant felt unable to take such an approach.</p> <p>Given - the absence of sensitivity testing on the TAG assessment which is likely to lead to an underestimate of the health impact, and</p> <ul style="list-style-type: none"> - the inability of the Applicant to model the WHO LOAEL where there will be a greater area where night time adverse impacts occur and policy requires that reasonable steps are taken to mitigate and minimise them. <p>The JSCs would suggest that should the DCO be consented, then stricter mitigation controls need to be in place than might be suggested by the Applicant’s current assessment.</p> <p>^[1] Basner, M., and McGuire, S. (2018). "WHO Environmental Noise Guidelines for the European Region: A Systematic Review on Environmental Noise and Effects on Sleep," <i>Int. J. Environ. Res. Public Health</i> 15, 519.</p>
NV5	Air Noise (2) Noise Insulation Scheme	<p>SOAELS - The JSCs would reiterate the need for the one awaking contour to be used as a SOAEL for insulation purposes. The reasoning behind this is set out in p61 and p62 of [REP1-100] and is in line with the Heathrow noise insulation scheme (Heathrow Airport expansion: noise insulation policy (June 2019 – Table 4.1) and ties in with Heathrow’s definition of the one awakening contour as a SOAEL in line with the 55 dB LAeq,8hr.</p>

	<p>In addition, we highlight the Northampton Gateway Strategic Rail Freight Interchange DCO where all parties, including the ExA, accepted the concept of the one awaking contour as a SOAEL, and the undertaker has to introduce mitigation if the one awaking SOAEL is breached. <i>(SI 2019/1358 – The Northampton Gateway Rail Freight Interchange Order 2019, Schedule 2, Part 1, Clauses 23(2) and 23(3)) and ES Chapter 8 para 8.3.29 and 8.3.32.</i></p> <p>The use of the one awakening contour as SOAEL at night is important given:</p> <ul style="list-style-type: none"> • this is where the biggest health impacts occur, • with averaging metrics (the 55 dB LAeq,8hr contour) aircraft numbers can double and not affect the area-based noise contours if individual aircraft noise levels are 3 dB less (which is entirely possible). • Gatwick on average has more night flights (127), than Heathrow (87) and Stansted (93), based on the 92 day summer period (2019 figures). • The Applicant is looking to grow flights as part of the DCO in the night period especially 06:00 to 07:00, which is a time when people if awoken may struggle to get back to sleep. • The Applicant is looking outside of the DCO process to remove the movement limits assumed in the DCO process – (Response to the Night Flight Restrictions Consultation Part 2 – Sept 21 p.4 / response to Q53) ‘GAL’s preferred option would be to remove existing movement limits for summer and winter season and use QC limits only to incentivise utilisation of quieter aircraft.’ <p>The JSCs would also point out that the daytime SOAEL for inner noise insulation should be set at 60dB (p60 [REP1-100] in line with the ExA decision at Manston (para 6.8.247 Manston Airport Examining Authority’s Report Findings and Conclusions and Recommendation to the Secretary of State for Transport. October 2019), which states the ExA concludes that a revised daytime SOAEL threshold is appropriate in order to align the daytime noise threshold with emerging policy. <i>The revised daytime SOAEL 60dB LAeq,16hr will be secured via.....’</i></p> <p>The JSCs are also of the view that the noise insulation scheme during the day should be based on the 60 dB_{LAeq, 16hr} single mode contours as set out for Heathrow in Airports National Policy Statement June 2018 (para 5.245):</p> <p><i>- Following a third-party assessment, to provide full acoustic insulation for residential property within the full single mode easterly and westerly 60dB LAeq (16 hr) noise contour of an expanded airport;</i></p> <p>The Applicant is not proposing to pay for maintenance or replacement of acoustic ventilators.</p>
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		<p>Given the ventilators are part of the Applicant’s mitigation package and the Applicant has a series of clauses that mean beyond 2047 noise levels could return to 2032 levels (see comments p.69 [REP1-100], the JSCs consider that ongoing replacement and maintenance of the units is essential.</p> <p>Overheating The JSCs note the comment <i>The ES Appendix 14.9.10: Noise Insulation Scheme NIS Update Note [REP2-031] specifies the minimum fresh air supply to be provided by acoustic ventilators to allow windows to remain closed in warmer weather.</i> We also note from this section that (para 6.13) that <i>‘The acoustic ventilators are provided to allow windows to remain closed more often in warmer weather, but not to completely negate the need to open windows in certain circumstances.’</i></p> <p>Given the highest number of aircraft movements at night occur in the summer months and the fact that UK summers are getting hotter, the Applicant will need to address this issue i.e. that residents can keep windows closed in the summer at night without an overheating risk. Overheating is discussed further in the Surrey LIR borough appendices p.62 [REP1-100].</p> <p>Boundaries of the Noise Insulation Scheme When implementing the boundaries of the Noise Insulation scheme on the ground the Applicant should consider that the contiguous facades principle found in the Noise Insulation Regulations should be applied.</p> <p>Deliverability of the Noise Insulation Scheme. The JSCs remained concerned around the deliverability of the Noise Insulation Scheme within the time frames proposed i.e. the ability to actually fit out the number of residential premises in the timescales proposed.</p> <p>Post installation Monitoring The Noise Insulation Scheme needs to include post installation monitoring to ensure that measures provided are sufficient to reduce internal noise to an acceptable level i.e. the insulation performance is as expected.</p>
NV6	Air Noise (3) Noise Envelope	The JSCs retain the view that the noise envelope should be based on the central case scenario not the slow transition case. Under the central case scenario residents see an improvement in noise levels by 2032 compared to 2019 despite the airport growth i.e. sharing the benefits, whereas under the slow transition case noise levels are worse in 2032 than 2019.

	<p>Also given the current proposals allow noise improvements post 2032 to be lost i.e. gains are not locked in, such that post 2043 the current proposals would allow noise levels to return to those under the slow transition fleet in 2032 (even though the need for the slow transition has long gone), with the result that post 2043 residents could have higher noise levels than in 2019 (para 6.3.1 appendix 14.9.7: The Noise Envelope), the JSCs are of the view that not only should the central case be used, but the reduction in contour area should be locked in at each stage of the process.</p> <p>Additional primary control noise contour at night based on an event metric i.e. the area of the one event ‘awakening’ contour.</p> <p>The JSAs would reiterate the need for such a metric at night as:</p> <ul style="list-style-type: none"> • Average contours i.e. Leq, 16 hour or Leq, 8 hour can hide significant changes in the number of aircraft operating out of an airport. For example a 3 dB reduction in noise from an individual aircraft - entirely possible via a shift to NEO aircraft, means that an airport could double the number of aircraft operating out of the airport and yet there would be no change in the area of the Leq contours. • The DfT in its 2017 impact assessment of night flight restrictions^[1] stated ‘<i>average indicators are insufficient to fully predict sleep disturbance and sleep quality</i>’. This statement was based on work by Basner <i>et al.</i>^[2] which found that sleep stage change risk - which impacts on health - may be lower than estimated from average Lnight noise dose where events are noisy but relatively few, but higher, where events are relatively quiet, but more numerous. • Given at Gatwick the airport is moving to a higher number of less noisy aircraft movements i.e. a situation with a potentially higher health impact which ‘average’ based contours are likely to fail to reflect, the noise envelope needs a primary control metric based on an event based contour to complement the Leq contours especially at night. <p>The JSCs note the comment ‘<i>around 20 natural awakenings</i>’. As the JSCs, the joint Sussex authorities and the UK Health Security Agency have previously pointed out to the Applicant these 20 awakenings are a natural process in sleep and completely different from ONE NOISE INDUCED awakening that is being proposed here.</p> <p>The JSCs also note the comment ‘<i>Agreed, the lower Noise Envelope limits now apply whichever comes first.</i>’ Which we take to apply to the JSCs comment ‘<i>The 2038 proposals for the envelope apply nine years after opening, 2038, 382,000</i></p>
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		<p><i>commercial movements or 384,600 total movements – whichever occurs first.</i> If this is the case could the Applicant state where this is committed to?</p> <p>In general, The JSC’s consider that the Applicant does not accept the longstanding concerns of the local authorities and it is difficult to see how agreement can be reached between the parties and the Applicant has mostly restated its ongoing position and offers little progress or attempts to materially resolve concerns despite the provision of evidence. This is a frustration for the authorities and the communities they serve.</p> <p>[1] DfT (2017) Night Flight Restrictions at the designated airports 2017-2022 Impact Assessment DfT00370 Page 26 2nd to last paragraph.</p> <p>[2] Basner, M. & Samel, (2006) Aircraft noise effects on sleep: Application of the results of a large polysomnographic field study, Journal of Acoustical Society of America, 119(5), p.2772-2784, May 2006.</p>
NV7	Air Noise (4) Night movements	<p>It is important to note that the Applicant is currently pushing for the removal of the movement caps in the core night period (Gatwick Airport Ltd – Response to the Night Flight Restrictions Consultation Part 2 – Sept 21 p.4 / response to Q53) where it states, <i>‘GAL’s preferred option would be to remove existing movement limits for summer and winter season and use QC limits only to incentivise utilisation of quieter aircraft.’</i></p> <p>Therefore, the movement cap is needed within the DCO as a Requirement given it reflects what has been modelled in the noise section of the DCO application for the night noise impact, and used for the health impact assessment, and as such is the scenario that any DCO permission is predicated upon.</p> <p>There should be no issue with the adoption of this night time movement cap in the core 23:30 to 06:00 night period given GAL’s comment (para 14.12.24 chapter 14) <i>‘There is an assumption that for the 42 years beyond 2047 noise levels are assumed constant in order to arrive at a 60 year discounted appraisal result. This is unlikely and more so for night noise given the night noise restrictions which are expected to prevail and reduce night noise levels’.</i></p> <p>This is also reflected in para 14.13.21 (Chapter 14) where it states: <i>‘Noise changes at night would be lower than during the day because it is assumed that the current night restrictions would continue to cap aircraft numbers in the 23:30-06:00 hours period’</i></p>

NV8	Air Noise (5) Types of aircraft using northern runway	We note at DCO.1.40 in ExQ1 on DCO and Control Documents [REP3-089] <i>'The Applicant is therefore content to provide further comfort to the ExA by also securing this in the amended requirement 19 in version 6.0 of the dDCO submitted at Deadline 3 (Doc Ref. 2.1 v6).</i> The JSCs note that this will be secured via a requirement.
NV9	Air Noise (6) Routine use of northern runway	We note at DCO.1.40 in ExQ1 on DCO and Control Documents [REP3-089] <i>'...in light of comments from the ExA and local authorities, the Applicant has proposed to secure this operational restriction by requirement and has amended requirement 19 in version 6.0 of the dDCO submitted at Deadline 3 (Doc Ref. 2.1 v6) to do so.</i> The JSCs note that this will be secured via a requirement.
NV10	Air Noise (7) Survey work	The background and need for such work is set out on p.74 [REP1-100]. The Applicant's comments are noted as they were during S106 discussions. The JSCs are currently awaiting further information and will respond in due course.
NV11	Ground Noise (1) Modelling	The Applicant has essentially drawn four lines on a map of what it considers to be the SOAEL, for the day and night in 2032 [REP3-071] <i>Supporting Noise and Vibration Technical Notes to SoCG, Appendix B.</i> As made clear in the Surrey LIR Appendix C [REP1-100] the airport needs to produce contour maps ($L_{Aeq,T}$ and L_{Amax}) of ground noise in the assessment years as it has done for road traffic noise and air noise i.e. not just 2032, and with contours at 3dB intervals. Given the airport will have modelled ground noise it is unclear why such maps have not been produced.
NV12	Ground Noise (2) Airport ground based activity noise emissions.	<p>The JSCs note the Applicant's response to ExAQ1 on noise [REP3-101] at NV1.1, and the fact that the replacement bund will offer a lower level of noise protection than the existing bund. We note that the supposed worsening of noise levels is 0.5 dB, but it is disappointing to see an existing noise mitigation measure replaced with something that offers an inferior level of protection to the community.</p> <p>It is unclear why the Applicant is discussing noise complaints here, but just to mention that an absence of complaints does not indicate an absence of a problem. As local authority officers we often hear complains about noise from the airport and when residents are told to complain to the airport the response is <i>'what's the point they never listen or do anything'</i>.</p> <p>The JSCs note the comments in the Applicant's response to ExAQ1 on noise [REP3-101] at NV1.5 on p.16 which states: <i>'and more detail on the mitigation measures for ground noise including the 16 properties that would be added to the Air Noise Insulation Scheme Inner Zone to ensure that the predicted significant adverse effects of ground noise are avoided by offering noise insulation in advance. The Noise Insulation Scheme (see ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]) will be updated to include these 16 properties, but will also retain the provision (in paragraph 4.1.11) to</i></p>

		<p><i>monitor ground noise levels where necessary so that the cumulative noise levels from air noise and ground noise can also be considered for other properties in assessing eligibility for the inner Zone.'</i></p> <p>This is welcome but in addition to monitoring ground noise 'where necessary' we would like to see a proactive programme of monitoring, either annually or for example 2029, 2030, 2032, 2035, and 2038 to check that ground noise / cumulative noise levels are as forecast. The JSCs also note the commitments around engine testing in the draft s106.</p>
NV13	Road traffic noise (1) Changes to road traffic noise levels due to operational traffic.	Noted
NV14	Road traffic noise (2) Noise Important Areas.	<p>It is unclear that the Applicant has added anything new to the discussion here in relation to a 2m barrier from the Longbridge roundabout to the new proposed junction on the A23. As pointed out in the LIR Appendix C [REP1-100] the key aims of the Noise Policy Statement for England (NPSE) - March 2010 in relation to sustainable development are:</p> <ul style="list-style-type: none"> i) Avoid significant adverse impacts on health and quality of life; ii) Mitigate and reduce to a minimum, other adverse impacts on health; and iii) Where possible, contribute to the improvement of health and quality of life. (JSCs emphasis). <p>As discussed in the Surrey LIR [REP1-097] (Table 12.3) and also Surrey LIR Appendix C [REP1-100] (RBBC Noise Table 2) a number of sites in proximity to the A23 London Road are already above the significant observed adverse effect level of 68 dB $L_{A10, 18 \text{ hour}}$ in 2018, with no improvement forecast out to 2047 in the base case.</p> <p>While the scheme proposed by the Applicant does offer a marginal improvement over the base case in a given year - typically a 1 dB reduction, by 2047 residents will have seen no real improvement in the noise climate since 2018, and in the Noise Important Area (using the Applicant's data) noise levels will have risen from 70.2 dB in 2018 to 70.4 dB in 2047 i.e. no real improvement and if anything slightly worse.</p> <p>However in the 'with barrier scenario' - where the airport modelled the impact of a 2m noise barrier - for properties behind the barrier noise levels fall by 4 to 6 dB in any given year compared to the 1dB under the applicant's current proposed scheme. In the 'with barrier' scenario in 2047 noise levels are 65.9 dB i.e. 4.6 dB lower than in 2018 in the noise important area, which compares to the slight worsening by 2047 under the applicant's proposal. In addition with</p>

		<p>the barrier in place noise levels behind it are below the SOAEL in both 2032 and 2047 unlike in the applicant’s proposed scenario.</p> <p>The JSCs note the comment around loss of vegetation within a 6-8 m zone within the Supporting Noise and Vibration Technical Notes to Statements of Common Ground Appendix C [REP3-071] and also greater light spill into the park from the highway potentially affecting bats and other wildlife.</p> <p>At present the JSCs understanding is that Applicant will be removing a significant amount of vegetation during the construction phase, and so would like to know how wide a strip of vegetation will be lost alongside the A23 during construction and what width will be permanently lost in the without barrier scenario. We would also welcome an explanation as to how a 2m high fence would lead to greater light spill into the park. At this stage the JSCs view is that a noise barrier is required at this site to improve the quality of life of people in this area, given noise levels are above the SOAEL at both the start and end of the project without the noise barrier.</p> <p>Low Road Noise Surface.</p> <p>As pointed out in Appendix C of the Surrey LIR [REP1-100] noise levels remain above the significant adverse effect level (SOAEL) in 2047 at properties in proximity to London Road including within a noise important area, with elevated road traffic noise elsewhere on the Horley Gardens Estate. The Applicant also acknowledges that road traffic is a significant noise issue para 14.9.202 (chapter 14) [APP-039]. The JSCs view is that a low road noise surface should be used on the roads near these properties, while the Applicant’s view is that a low road noise surface offers no benefits a low road traffic speeds.</p> <p>However as pointed out in the Surrey LIR [REP1-097] para 12.156 research (Proceedings of the Institute of Acoustics.v.40, Part 1, pp 400 – 408) has found that at 30 – 40 mph there are acoustic benefits to this type of ‘whisper tarmac’ which would be beneficial and especially important in an area where noise levels are close to or above the SOAEL or affect a Noise Important Area.</p>
NV15	Noise Emissions from Fixed Plant	<p>As pointed out in the Surrey LIR Appendix C [REP1-100] p.54 the JSCs were not aware that it had agreed to the approach being taken in relation to fixed plant and BS4142 (para 7.1.3 appendix 14.9.3) [APP-173] and went on to state: <i>‘with any new fixed plant there should be no increase in noise above the levels already being created (LA90) including during the</i></p>

		<p><i>periods that there are breaks in aviation ground and air noise when there is the potential for other plant to become noticeable. This is especially the case at night.</i></p> <p>The JSCs note the Design and Access statement Appendix 1: Design Principles v3 [REP3-056] has the following at N2: <i>'Plant associated with new facilities should be designed with noise attenuation where necessary to avoid noise disturbance to noise-sensitive uses on and off-site, in particular with reference to BS4142 for off-site receptors.'</i></p> <p>We would make clear that we would expect the following approach to be taken in relation to fixed plant: <i>Fixed plant will be designed, constructed, operated and maintained with the objective that the rating level $L_{A,T}$ of fixed plant under normal operation at the worst affected residential receptor, minus the background sound level ($L_{A90,T}$), is not more than -10dB, determined in accordance with British Standard 4142.</i></p> <p>The JSCs note the comments in para 7.1.5 - ES Appendix 14.9.3: Ground Noise Modelling [APP-173] i.e. <i>'No other sources of low frequency noise or plant items with noticeable tonal or impulsive characteristics have been identified at this stage but this will be under review as and when information becomes available'</i>. The JSCs would like to see a commitment that the local authorities will be notified if such equipment is identified.</p>
NV16	Loss of amenity Outside space	<p>As discussed in the Surrey LIR [REP1-097] para 12.196 the measures proposed in the application do not mitigate the impact of the applicant's proposals on residents' enjoyment of their outdoor space.</p> <p>Given the Applicant's statements in relation to air noise with their previous runway proposal in March 2014 i.e. <i>"In the past, big infrastructure projects have been criticised for not providing enough financial compensation to local communities. That is why we believe that our plans to reduce the impact of a second runway should include proposals to ensure that people most affected by expansion at Gatwick are compensated financially"</i>. It went on to state <i>"This proposed scheme would include homes already within the existing single runway's contour because we recognise that they would also be affected by intensification of traffic due to R2"</i>.</p> <p>The JSCs would welcome a view from the Applicant on why the noise impact on the local community at a given level this time would be different from that in 2014.</p>
SE7	Impact on local communities	<p>GAL has suggested both in writing and in discussions relating to the section 106 agreement that the London Gatwick Community Fund will be able to support the improvement of community facilities, such as facilities in Horley. The JSCs</p>

		<p>remain unclear as to whether this is correct given their understanding as to the eligibility criteria for funding of projects used by the Community Foundation for Surrey. Building projects, including renovation and repair, are explicitly excluded from the use of funding. The JSCs also await confirmation that the fund is open to Parish and Town councils to apply. In the event that the Community Fund will not be available to be used towards the improvement of community facilities, the JSCs consider that alternative mitigation for the impact of the development will need to be provided.</p>
SE8	<p>Concern that what is being proposed within the ESBS may not be additional to existing activities.</p>	<p>Also see paragraph 19 of this response regarding the Draft Section 106 Agreement Annex ESBS Implementation Plan [REP3-069].</p> <p>The JSC's consider that the Applicant has provided an inadequate answer to the concerns raised and failed to grasp the significance and purpose of it. 'New money' is not the same as new projects and it is this tangible detail on additional projects, over and above those that exist or are committed to, which is needed. What are the additional projects and initiatives that will make the difference?</p> <p>Concerns are also raised regarding the fact that the referenced funding could be exhausted by existing projects and leave none for anything new. A proper consideration of benefits and deliverability needs to be provided. This matter remains ongoing and unanswered.</p>

