

Principal Areas of Disagreement Summary Statement (PADSS) from Surrey County Council - Version Number: ~~TwoThree~~ Submitted at: Deadline ~~TwoFive~~ - 26th ~~March-June~~ 2023~~4~~

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
Needs case (including capacity and demand)				
1	The capacity deliverable with the NRP Proposed Development	Modelling by GAL of the capacity deliverable with the NRP has assumed that 1 minute separations can be achieved between all departing aircraft using the two runways. This is not possible with the existing structure of SIDS, particularly given the commitment not to use WIZAD SID in the night period, and so additional delays to aircraft will arise so increasing delays above those stated in the application documents. As a consequence the achievable capacity, at a level of delay acceptable to the airlines, will be lower than stated. The Applicant has produced updated simulation modelling of the future capacity of the runway with the NRP [REP1-054], which uses more appropriate assumptions about the separations required between departing aircraft but, nonetheless, indicates lower levels of delay. Further information has been sought regarding the calibration of this model to verify that it does not understate delays before it can be agreed that the NRP is capable of delivering the capacity uplift assumed over the longer term [REP4-052]	Full modelling of the interaction between the use of the two runways and the respective departure routes needs to be undertaken and the delay information provided at a sufficiently granular level (hourly) to enable the delays to be properly understood and the capacity attainable validated. Further information regarding the validation of the updated simulation modelling is required.	Uncertain —subject to GAL transparently undertaking and sharing the relevant simulation modelling.
2	The forecasts for the use of the NRP are not based on a proper assessment of the market for Gatwick, having regard to the latest Department for Transport forecasts and having regard to the potential	The demand forecasts have been developed ‘bottom up’ based on an assessment of the capacity that could be delivered by the NRP (see point above). It is not considered good practice to base long term 20 year forecasts solely on a bottom up analysis without	Robust market analysis and specific modelling of the share of demand that might be achieved at Gatwick in competition with other airports, not limited simply to traffic,	Uncertain —subject to GAL producing robust modelling to underpin its forecasts of demand.

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	<p>for additional capacity to be delivered at other airports. The demand forecasts are considered too optimistic.</p>	<p>consideration of the likely scale of the market and the share that might be attained by any particular airport. In this case, top down benchmarking against national forecasts has failed to properly allow for the developments that may take place at other airports and the extent to which the overall level of demand across the London system is reliant on the assumption that a third runway would be delivered at Heathrow.</p> <p><u>Alternative top-down forecasts have now been presented by GAL [REP1-052] that show slower growth in the early years following the opening of the NRP. These are considered more reasonable than the original bottom-up forecasts adopted by the Applicant but still fail to take adequate account of the extent to which some part of the demand could be met by expansion at other airports serving London including a third runway or other expansion being delivered at Heathrow.</u></p>	<p><u>including that from other regions of the UK, that has historically used the London airports. The adoption of the top-down forecasts, including an allowance for capacity growth at the other London airports as the base case for the assessment of the impacts of the NRP and the setting of appropriate controls on growth relative to the impacts.</u></p>	
3	<p>Overstatement of the wider, catalytic, and national level economic benefits of the NRP.</p>	<p>The methodology used to assess the catalytic employment and GVA benefits of the development is not robust, leading to an overstatement of the likely benefits in the local area. The national economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement effects <u>from other airports</u>, as well as other methodological concerns.</p>	<p>The catalytic impact methodology needs to properly account for the specific catchment area and demand characteristics of each of the cross-section of airports to ensure that the catalytic impacts of airport growth are robustly identified. The national economic impact assessment should robustly test the net impact of expansion at</p>	<p>Uncertain <u>—subject to remodelling of impacts by GAL.</u></p>

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			Gatwick having regard to the potential for growth elsewhere and properly account for Heathrow specific factors, such as hub traffic and air fares. See ref 1.	
Environmentally Managed Growth				
4	Unlike other airport expansion schemes there is no attempt to consider environmental impacts holistically	<p><u>The controls being proposed by GAL are considered inadequate to effectively manage the environmental effects of the NRP.</u> As part of their DCO application Luton Airport have proposed a Green Controlled Growth approach, which places controls on four key categories of environmental effect: air quality, greenhouse gas emissions, aircraft noise and surface access. If any limit is breached, further growth will be stopped, mitigation will be required and ultimately, airport capacity would be constrained until environmental performance returned below the limits. No comparable approach is proposed at Gatwick. <u>An environmentally managed growth approach is required to ensure the mitigations for environmental effects agreed as part of any DCO consent are effective and enforceable and that the environmental impacts of the proposed development do not exceed those assessed.</u></p>	<p><u>The rationale for A an environmentally managed growth (EMG) approach and outline of how an EMG framework might operate has been submitted at Deadline 5. This would provide more effective and enforceable greater controls that urgently need to be incorporated into proposals, whereby GAL is required to mitigate in advance of growth.</u></p>	Uncertain
Traffic and transport				
5	Legislation and Policy	SCC is concerned about the level of growth assumed by GAL in its case for the scheme and that by attempting to accommodate such growth, the NRP includes additional car	Further exploration of airport capacity and resultant demand and whether this would require	Uncertain

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		parking spaces and enhancements to the highways network that might not otherwise be required.	all the proposed infrastructure required in the DCO. See ref. 1.	
6	Assessment methodology, assumptions and limitations of the assessment	SCC is concerned that the modelling tools adopted cannot be considered accurate enough to provide confidence in their outputs, whether it is likely that GAL will be able to meet their Surface Access Commitments and thus whether the ES has thoroughly assessed all the potential impacts.	The Covid sensitivity test, now issued, is only one of a number that SCC would like. Sensitivity test information in respect to the issues raised regarding model accuracy , as well as in relation to the age of the model data (2016), impact of Covid using DfT tests, and other stress tests such as impact of realistic minimum and maximum car access/parking charges and lower than expected rail provision/patronage.	Uncertain Possible. Useful discussions have been held in May and SCC await further information from GAL
7	Assessment methodology, assumptions and limitations of the assessment	SCC is concerned that the extent of the VISSIM model includes only one junction in Surrey's network (Longbridge Roundabout), but the extent should be much larger.	The microsimulation study area to be increased to cover more of the SCC network, to enable detailed investigation of the impact of the NRP on its local road network to be understood and include:- A23/Massetts Road A23/Victoria Road A217/Tesco Roundabout, and A217/Hookwood Roundabout	Uncertain Possible. Useful discussions have been held in May and SCC await further information from GAL
8	Baseline Environment	SCC is concerned that high levels of background traffic on the SRN (M25), (which is demonstrated as being at capacity	SCC wishes to understand the volumes of traffic transferred on	Uncertain Possible. Useful discussions

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		in 2029 in the westbound direction in the morning peak and in the eastbound direction in the evening peak), will increase traffic on the local road network both directly and indirectly as non-airport traffic re-routes off the SRN on to SCC's network.	to its network either directly to/from the airport or displaced from the SRN on to its network and what the impacts of this traffic would be.	have been held in May and SCC await further information from GAL
9	Baseline Environment	SCC is concerned that the baseline includes the 2,500 additional spaces via robotics at the South Terminal long stay parking area even though it is yet to be agreed whether this would count as permitted development as it has not been trialled yet.	SCC wishes to understand the implications if the 2,500 spaces are not permitted development - in particular, whether the associated highway infrastructure proposed would still be appropriate in such a case, and that the DCO should not provide permission for these spaces if they are not allowed under permitted development. In any event, parking expansion should be phased.	Uncertain
10	Highway impact – including journey times	Modelling shows capacity issues at a number of junctions as detailed in the Surrey LIR. There are also journey time impacts, also detailed in the Surrey LIR	Mitigation measures to improve performance of these junctions should be included. SCC require the journey time impacts to be mitigated, especially in terms of buses.	Uncertain Discussions have been held in May and SCC await further information from GAL but this remains uncertain unless GAL changes its stance that no

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				further mitigation is required.
110	Mitigation and Enhancement Measures Adopted as Part of the Project	<p>SCC is concerned that the following elements of the surface access interventions which form part of the SAC remain unspecified:</p> <ul style="list-style-type: none"> • Financial support for enhanced regional express bus or coach services and local bus services; • Funding to support local authorities in implementing additional parking controls or in enforcement action against unauthorised off-airport passenger parking sites; • Charges for car parking and forecourt access to influence passenger travel choices; • Introducing measures to discourage single-occupancy private vehicle use by staff, incentivise active travel use and increase staff public transport discounts; • Use of the Sustainable Transport Fund to support sustainable transport initiatives; and • Provision of a Transport Mitigation Fund to support additional measures should these be needed as a result of growth related to the Airport. 	<p>SCC wishes to understand the details behind these promises, such as the typical parking and access charge, size of Sustainable Transport Fund and Transport Mitigation Fund to provide confidence that the measures can and will be delivered.</p> <p>A draft S106 was provided in Feb 2024. The local authorities have provided initial comments to the Applicant and seek clarification on a range of matters within the SAC and substantial revisions to the S106 as a consequence.</p>	Uncertain Possible but depends on the contents of the s106 agreement.
112	Mitigation and Enhancement Measures Adopted as Part of the Project	SCC note that a heavy reliance is placed on charges for car parking and forecourt access (see above) and also for rail projects to deliver surface access commitments. However, there are no new rail proposals associated with the project, just 2-3 extra peak hour trains and 10 extra off-peak trains per hour that are planned to happen regardless of the project.	Sensitivity tests that assume less ambitious delivery of increased rail services to the airport and to understand what GAL is prepared to do to ensure that this is a minimum level of rail service to the airport. A	Uncertain Network Rail submissions suggest that whilst it is theoretically possible to return to

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			contribution is required to the proposed Network Rail Schemes assumed in the baseline.	pre-Covid timetables, there is neither the money nor operational desire to do so. This places meeting the mode share targets at risk.
1213	Mitigation and Enhancement Measures Adopted as Part of the Project	SCC is concerned that the bus and coach services seem to be under-played: they fail to meet the target in the 2014 ASAS for a second runaway, and there is no indication of the willingness of operators to provide these services or advise if others may be required	Further evidence of GAL's engagement with bus and coach operators and to understand GAL's commitment to delivering improved bus and coach access and increased contribution to passenger and staff mode share.	Uncertain Possible but depends on the contents of the s106 agreement.
1314	Mitigation and Enhancement Measures Adopted as Part of the Project	Feedback provided by SCC in February 2023 (GAL NRP DCO_Review of Highways Design Strategy Report_v1) with regard to the highway and active travel infrastructure proposals do not appear to have has not been satisfactorily actioned, while review of the submitted material associated with the DCO application has identified further queries and concerns. GAL provided information direct to SCC in October 2023, which SCC reviewed and provided feedback to GAL as SCC still has outstanding concerns, which have not been addressed.	Plans to be provided or conditioned that are detailed enough to judge design compliance and that cover all the proposed improvements, with acceptance of the design also conditioned accordingly. GAL to revise the highway and active travel infrastructure proposals to address the issues raised.	Uncertain

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		<p><u>Updated position (Deadline 1):</u> SCC considers that this is still outstanding. SCC reviewed the information provided by Arup on 5th October and provided comments accordingly.</p> <p><u>Updated position (Deadline 5):</u> SCC considers that the updated position (April 2024) comment from GAL is still applicable.</p> <p>Further information was submitted by GAL/Arup to SCC on 1st May 2024 with a meeting held on 9th May to discuss matters. This included updated information/responses from GAL in relation to the Highway Design Strategy Report. SCC considers that the following matters are still outstanding following review of the latest information and meeting:</p> <ul style="list-style-type: none"> • <u>Impact on bus journey times</u> – SCC has requested information on bus journey time impact • <u>Construction</u> – SCC remains concerned about construction of the project, particularly in relation to the impact on Longbridge Roundabout and Balcombe Road in terms of extent and duration of work, while the Construction Traffic Management Plan and Construction Workforce Travel Plan submitted as part of the DCO are outline level, and thus will need to be developed in full with SCC; • <u>Departures from Standard</u> – SCC has caveated that agreement to the proposed Departures from Standard is dependent on the 2-1 merge on the 		

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		<p><u>southern arm of the Longbridge Roundabout being reviewed/improved along with understanding the queuing impact of the signalised A23 junction with pedestrians and cyclists as it has been futureproofed that way;</u></p> <ul style="list-style-type: none"> • <u>Active Travel route from A23 Brighton Road to North Terminal via Longbridge Roundabout – this route contains shared use pinchpoints at the 2 River Mole bridges, which are being widened anyway, thus SCC has repeatedly requested that these are widened to provide a segregated route. Also, there are sharp deviations in the route around car park Y that GAL say will be addressed during detailed design;</u> • <u>Active Travel route between The Crescent and North Terminal via Riverside Garden Park & new A23 signalised crossing – SCC has repeatedly requested that this route is improved for cycling rather than just being futureproofed as this is the most direct and hence SCC's preferred route between Horley and North Terminal.</u> • <u>Active Travel route between The Crescent and South Terminal via landscaped car park B – SCC has repeatedly requested that this route is improved for cycling as the most direct and hence SCC's preferred route between Horley and South Terminal.</u> • <u>Active Travel access to east of the railway – SCC has repeatedly requested that a new railway</u> 		

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		<p><u>bridge for cyclists is provided in the vicinity of the A23 as there are no crossings between Victoria Road and Radford Road, other than through the South Terminal requiring cyclists to dismount and use lifts. As an alternative, SCC requests that the proposed footpath labelled C1 is upgraded to also allow access for cyclists.</u></p> <ul style="list-style-type: none"> • <u>A23 Southbound exit from Longbridge Roundabout</u> – SCC has requested that the 2-to-1 lane merge on the A23 southbound roundabout exit is reviewed/improved as the proposed merge appears narrower and shorter than the existing (which has been lengthened since the Stage 3 RSA), thus generating a similar concern that this may cause conflict as it is currently designed. <p><u>Bus priority</u> - the highway infrastructure proposed does not incorporate any bus priority, therefore it is recommended/requested that it is reviewed/ revised to incorporate this to assist the significant modeshift required</p>		
1415	Mitigation and Enhancement Measures Adopted as Part of the Project	<p>The active travel infrastructure proposed is unsatisfactory, especially considering ambitious sustainable mode share targets set.</p> <p><u>Updated position (Deadline 1):</u> SCC considers that this is still outstanding. SCC reviewed the information provided by Arup on 5th October and provided comments accordingly.</p> <p><u>Updated position (Deadline 5):</u> SCC considers that the updated position (April 2024) comment from GAL is still</p>	SCC requests inclusion of additional active travel route improvements requested, as detailed in the Surrey LIR.	Uncertain

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		applicable. Please see the SCC response to previous row for more detail.		
1516	Assessment of Effects	SCC has already outlined concerns about the performance of the models used, the extent of models used and low level of impacts reported. Until these have been addressed, SCC cannot comment on the assessment of effects.	SCC wishes to see concerns about the modelling tools addressed before the assessment of effects can be agreed.	Uncertain Possible. Useful discussions have been held in May and SCC await further information from GAL
1617	Surface Access Commitments	It is a concern to SCC that GAL appear to have proposed a less ambitious sustainable transport mode share target than previous documents aimed for and that efforts to meet them in a business-as-usual scenario seem to have been neglected.	SCC note GAL's comments at ISH4 as to would like to understand why the targets in the Second Decade of Change published in the same year as the DCO application, are now just an aspiration and not consistent with SAC_ and what will be required to meet those targets in both the future baseline and scheme scenarios in specific years. The reduction in the mode share target further emphasises the need for SCC would like GAL to propose an alternative set of commitments that follow the principle of environmentally managed growth, such as those being pursued by Luton Airport	Uncertain EMG will seek to enforce GAL's aspirational targets

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			in their DCO application. These commitments would prevent growth until interim surface access commitments had been met and thus ensure that sustainable travel was at the heart of Gatwick's growth, rather than a target after growth.	
1718	Securing mitigation	SCC is concerned that the highway-based mitigation, secured through this DCO, is planned to commence as soon as the airside works have been completed rather than establishing whether they would be required at that time if the SAC were met or exceeded. That the first Annual Monitoring Report (AMR) will be produced no later than six months before the commencement of dual runway operations provides the opportunity for evidenced based growth to occur.	SCC wishes to see mitigation that leads to sustainable travel delivered upon commencement of works and that additional highway capacity and parking capacity is not commenced until the SAC are met. See also comments at ref 17 above.	Uncertain Acceptance of EMG will increase the likelihood of agreement.
1819	Securing mitigation	SCC is concerned that <i>"if the AMR shows that the mode share commitments have not been met or, in GAL's reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible)"</i> , GAL has the opportunity to prepare an action plan for the next two years to address any shortfall but that there does not appear to be any sanction if the SAC are not met by that time.	SCC wishes to see growth delivered in a sustainable way, such that the SAC are met before further growth in passenger and staff numbers is allowed. See also comments at ref 17 above.	Uncertain Acceptance of EMG will increase the likelihood of agreement.
1920	Securing mitigation	SCC is concerned about the impact of construction of the SAC on its road network.	SCC wishes to see mitigation during the Longbridge	Uncertain

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			Roundabout construction, A23 reconstruction and Balcombe Road Bridge installation. SCC require the Applicant's construction to operate as per the proposed routing via the M23 spur with minimal use of SCC's network GAL also need to engage with SCC regarding consideration of Lane Rental schemes as well as the Permit scheme within the DCO.	
21	Securing mitigation	The Applicant has not entered into discussion with SCC in relation to the interaction of the Project with the Lane Rental and Permit Schemes in operation within Surrey.	The Applicant needs to engage with SCC regarding consideration of Lane Rental schemes as well as the Permit scheme within the DCO. A meeting is to be arranged.	Uncertain
20	Securing mitigation	Whilst previous information indicated that Longbridge Roundabout would form part of the main construction routing, it now appears that construction routing for the other compounds beyond South Terminal (Airside, MA1, Car Park B, Car Park Y, Car Park Z,) will use the North Terminal Roundabout for access.	SCC requests confirmation that Longbridge Roundabout is only needed for access to the Longbridge Roundabout compound. Removed as covered by ref 20 above	Likely
21 22	Securing mitigation	The entrance to the Longbridge Roundabout compound is not defined.	SCC seeks confirmation of this requests that further information is provided for the	Likely

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			Longbridge construction compound. The existing access is considered inappropriate as detailed in the LIR.	
2223	Securing mitigation	SCC is concerned that separate entrances to the South Terminal compound are proposed for HGVs (from the roundabout) and private vehicles (from Balcombe Road). This implies that an extended journey on the local road network is required.	SCC wishes to see all access to the South Terminal compound from the South Terminal Roundabout. Additional detail is sought during the examination.	Uncertain
Drainage and impact on Lead Local Flood Authority				
23	Clarity required around climate change allowances used in relation to the water environment	Only contains details of fluvial climate change allowance. Surrey County Council design guidance recommends using the Upper End rather than Central when determining climate change allowances.	Pluvial climate change allowances should be included, or if none being applied. Rationale required. Further detail has been provided in GAL's SoCG response. No further comment.	Likely Addressed
24	In the Flood Risk Assessment there are only very limited references to sustainable drainage	The non-statutory technical standards for sustainable drainage have not been referenced. These state that discharge should be to pre-development greenfield run-off rates for the 1 in 1 year and 1 in 100 year events.	Scheme should include analysis of sustainable drainage elements that could and should be included across the development alongside analysis of their multifunctional benefits Further detail has been provided in GAL's SoCG response. No further comment.	Uncertain Addressed

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2524	Protective Provisions for Lead Local Flood Authority	Protective Provisions for Lead Local Flood Authority in respect of Ordinary Watercourses are not in dDCO.	Protective Provisions must be agreed and included in the DCO. While the Council welcome the removal of the disapplication of section 23 from the dDCO [REP3-006], they do not consider that their concerns regarding drainage have been satisfactorily addressed. The Applicant states that only one component of the project will require Ordinary Watercourse Consent (“OWC”). The lead local flood authorities (“LLFAs”) consider considerably more elements will require an OWC. The LLFAs have suggested that a meeting is held with GAL and their consultants (7th June)	Uncertain
2625	Revisions required to Code of Construction Practice Annex 1 Water Management Plan	Revisions required relating to temporary diversion of an ordinary watercourse, discharges to a watercourse and ordinary watercourse consent.	Revisions required	LikelyAddressed
Noise				
2726	Air noise - Threshold and scope of LOAELs and SOAELs	The ES only considers the Leq metric for LOAELs and SOAELs. In doing so it makes reference to national policy. The consideration only of Leq as a metric is too narrow as it does not represent all the effects of air noise and other metrics should be applied to the decision processes within	Inclusion of assessment for a wider range of criteria, including but not exclusively, awakenings, N above contours in addition to	Uncertain

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		<p>the project to inform impact and mitigation (see ref 27 below). In determining the LOAELs and SOAEL more recent data, including planning decisions and revised health assessment criteria need to be applied. The consideration only of the Leq metric does not represent all the effects of air noise. <u>The health impact of noise is likely to be a significant under estimate of the noise impact in view of the choice of LOAELs and SOAEL. (See LIR NV4)</u></p>	<p>the Lden and Lnight <u>should be used and- more recent information/data applied to calculate significance of effects, especially in terms of health.</u></p>	
2879	<p><u>Air noise - No attempt has been made to expand on the assessment of likely significant effects through the use of secondary noise metrics.</u></p>	<p><u>Context is provided to the assessment of airground noise through consideration of the secondary L_{Amax}, overflight, L_{den} and L_{night} noise metrics. However, no conclusions on how these secondary metrics relate to likely significant effects have been made so their use secondary metrics in terms of the overall assessment of likely significant effects is unclear.</u></p>	<p><u>Provide some commentary about how secondary metrics relate to likely significant effects and whether the assessment of secondary metrics warrants identifying a likely significant effect.</u></p>	<p><u>Uncertain</u></p>
298	<p>Air noise - Properties that are newly exposed to noise levels exceeding the SOAEL are not identified</p>	<p>It is important to identify how many properties are newly exposed to noise levels exceeding the SOAEL to determine compliance with the first aim of the ANPS.</p>	<p>Identify how many and the location of properties newly exposed to noise levels exceeding the SOAEL.</p> <p>Identify how many properties are exposed to noise levels exceeding the SOAEL for both the Central Case and the <u>Slower</u> Transition Case.</p>	<p>Likely</p>
29	<p><u>Moved – see ref 287 above</u></p>	<p>Context is provided to the assessment of ground noise through consideration of the secondary L_{Amax}, overflight,</p>	<p><u>Provide some commentary about how secondary metrics</u></p>	<p><u>Uncertain</u></p>

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	Air noise – No attempt has been made to expand on the assessment of likely significant effects through the use of secondary noise metrics.	Lden and Lnight noise metric; however, no conclusions on how this metric relates to likely significant effects have been made so the use of secondary metrics in terms of the overall assessment of likely significant effects is unclear.	relate to likely significant effects and whether the assessment of secondary metrics warrant identifying a likely significant effect.	
3029	Ground noise – issues with the ground noise modelling and assessment. The assessment of ground noise should also consider the Slower Transition Case as per the aircraft noise assessment.	There are issues with the ground noise modelling as discussed in the LIR. <u>Engine ground running, auxiliary power unit, fire training ground activities and engine around taxi noise should all be included in LAeq,T ground noise predictions.</u> Higher levels of ground noise will be identified in the Slower Transition Case. Consequently, there is potential for receptors to experience significant noise effects that are <u>not</u> identified in the Central Case assessment.	<u>Production of ground noise contour maps for the assessment years as produced for air noise and road traffic noise. It would be expected that LAeq and LAmaz contour plots are provided for each assessment year and scenario. LAeq contours should be provided from the LOAEL upwards in 3dB increments.</u> An assessment of Slower Transition Case ground noise effects should be provided to identify the potential for exceedances of the SOAEL at sensitive receptors <u>and eligibility for noise insulation on a precautionary basis.</u> (See LIR Ref. NV11)	<u>Uncertain</u> Likely
31	<u>Construction Noise (see below)</u>	<u>Range of issues subject to clarification.</u>	<u>Subject to further clarifications.</u>	Likely
302	Construction noise - Significant construction noise effects	Residual significant construction noise effects should be controlled through mitigation. Insulation will be provided,	Provide <u>more</u> detail on <u>noise control measures within the</u>	Likely

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		but it is not clear if this would be sufficient mitigation to reduce significant noise effects.	<u>Code of Construction Practice as set out in the LIR (Refs. NV1, NV2 and NV3) how significant temporary construction noise effects would be avoided and whether insulation would be sufficient. Noise barriers are relied upon to reduce significant construction noise effects; however, these barriers are not secured in the DCO. As such, construction noise mitigation cannot be relied upon.</u>	
321	<u>Noise envelope – not policy compliant nor fit for purpose</u>	<u>SCC considers there are substantial deficiencies in the Noise Envelope that need to be addressed before it could be considered fit for purpose. The proposed monitoring, review and enforcement of the Noise Envelope is not agreed. SCC would like to see an environmentally managed growth approach to implementation and enforcement.</u>	<u>Development of an environmentally managed growth approach which would include the noise envelope and a monitoring, reporting, and modelling regime that enables the airport’s growth to be accurately recorded and predicted and with appropriate governance that includes local authorities to scrutinise the monitoring and enforce environmental limits. (See LIR Ref. NV6).</u>	Uncertain
332	Noise envelope - Sharing the benefits	No details on how benefits of new aircraft technology would be shared between the airport and local	Details on how noise benefits are shared <u>with the local</u>	Uncertain

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		communities are provided. <u>Sharing the benefits has not been removed from national aviation policy and</u> This is a fundamental part of the noise envelope.	<u>community</u> in accordance with policy requirements set out in the Aviation Policy Framework (see LIR Ref. NV6).	
3433	Noise envelope — <u>Incentives to achieve faster fleet transition</u> Slow fleet transition noise contour area limits	<u>Basing the noise envelope contour limits on the Slower Transition Case means</u> There is no incentive to push the transition of the fleet to quieter aircraft technology. <u>Furthermore, a first review of the contour 9 years after opening or when 382,000 Air Traffic Movements is achieved provides limited incentive for GAL to achieve a faster fleet transition and secure noise benefits.</u>	Noise contour area limits should be based on the Central Case <u>GAL identifies the Central Case as the most likely so it should be used to define Noise Envelope limits.</u> <u>The DCO should provide for 5 yearly (or more frequent) reviews of the Noise Envelope as part of an environmentally managed growth approach (see Ref. 31 above and LIR Ref. NV6).</u>	Uncertain likely
3534	Noise envelope - Annual noise contour limits	Noise contour area limits relate only to the 92-day summer period. There should be additional noise contour area limits in place to control growth during periods of the year outside the 92-day summer period.	Annual noise contours should be included in the Noise Envelope <u>It is noted that Gatwick have night noise controls as part of their status as a designated airport and these controls relate to the summer and winter night periods. However, there is no guarantee that these controls would be retained if their designated status changed or DfT changed their approach to</u>	Uncertain

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			night noise controls. A commitment should be made in the DCO to retain and maintain these controls.	
3635	Noise envelope - Flexibility of noise contour area limits to account for airspace redesign and future aircraft technology	GAL wants flexibility to increase noise contour area limits depending on airspace redesign and noise emissions from new aircraft technology. If expansion is consented, any uncertainties from airspace redesign or new aircraft technology should be covered within the constraints of the Noise Envelope.	There should be no allowance for the noise envelope limits to increase as a result of these factors. (See LIR Ref. NV6)	Uncertain
3736	Noise envelope - CAA to regulate the Noise Envelope; mechanism needed to involve relevant local authorities in regulation	To date, the CAA have not accepted a role regulating the Noise Envelope. There is no mechanism for host authorities to review Noise e Envelope reporting or take action against limit breaches or review any aspects of the Noise Envelope. The joint local authorities should be part of a Noise Envelope scrutiny group.	A mechanism should be included to allow local the host authorities to have a role in scrutinising N noise E envelope reporting, enforcing limit breaches or reviewing any aspects of the Noise Envelope, and take action in the case of any breaches This should be secured as part of an environmentally managed growth approach - see Ref 321 above.	Uncertain
3837	Noise envelope - Adoption of an action plan	A breach would be identified for the preceding year, with an action plan in place for the following year. Consequently, it would be two years after a breach before a plan to reduce the contour area would be in place. Updated position (Deadline 5): SCC maintain their position.	More forward-planning needs to be adopted to ensure that action plans are in place before a breach of the noise contour area limit occurs. This should be	Uncertain

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			secured as part of an environmentally managed growth approach - see Ref 321 above.	
3938	Noise envelope - Two consecutive breaches to occur before capacity declaration restrictions	24 months of breach would be required before capacity declaration restrictions for the following were adopted. Consequently, it would be three years after the initial breach before capacity restrictions were in place.	More forward-planning needs to be adopted to ensure that action plans are in place before a breach of the noise contour area limit occurs. This should be secured as part of an environmentally managed growth approach - see Ref 321 above.	Uncertain
4039	Noise envelope - Prevention of breaches	The proposed approach to ensuring the noise envelope is not breached is not robust in terms of the timing when action would be taken, against a forecast breach, and the ability to manage slot allocation. As proposed, slots could already have been allocated to airlines such that a breach could not be prevented. No details are provided on what kind of actions are proposed to achieve compliance in the event of a forecast breach.	Details on mitigation measures actions to be adopted in the event of to prevent a forecast breach should be provided as part of an environmentally managed growth approach (see Ref 321 above).	Uncertain
4140	Noise envelope - Prevention of breaches	Adoption of thresholds that prompt action before a limit breach occurs would provide confidence in the noise envelope. The proposed approach to ensuring the noise envelope is not breached is not robust in terms of the timing when action would be taken. Thresholds (cf. Luton's Green Controlled Growth approach) that prompt action before a limit breach occurs and forward looking noise	Adopt a set of thresholds that trigger preventative action. This would allow an action plan to pre-empt a breach and require forward looking noise budgets to prevent breaches of limits should be included as part of an	Uncertain

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		<p><u>budgets should be used to ensure that the noise envelope is not breached.</u></p>	<p><u>environmentally managed growth approach and secured through DCO requirements (see also Ref 3214 above). Noise controls should have a forward-looking component that can be applied during scheduling to provide confidence that noise limits would not be exceeded.-</u></p>	
<p><u>4241</u></p>	<p>Noise envelope - Capacity declaration restrictions as a means of managing aircraft noise</p>	<p><u>This would not prevent new slots being allocated within the existing capacity and is not an effective means of preventing future noise contour limit breaches if a breach occurred in the previous year, and thresholds and forward looking noise budgets should be used to control the allocation of slots to ensure that the noise envelope is not breached.</u></p>	<p><u>Slot restriction measures should be adopted to ensure the noise envelope is not breached in the event of a breach being identified for the previous year of operation. This should be included as part of an environmentally managed growth approach and secured through DCO requirements (see Ref 321 above).-Noise controls should have a forward-looking component that can be applied during scheduling to provide confidence that noise limits would not be exceeded.</u></p>	<p>Uncertain</p>
<p><u>4342</u></p>	<p>Noise insulation scheme - How would the scheme roll out</p>	<p><u>Residents of properties within the inner zone will be notified within 6 months of commencement of works, however, it is not clear How would the noise insulation</u></p>	<p><u>Provide details on how the scheme would roll out and prioritisation to ensure effective</u></p>	<p>Likely</p>

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		scheme <u>would</u> prioritise properties for provision of insulation.	<u>and timely installation. This should include a market test of the availability of contractors and insulation materials and an annual target regularly updated to ensure it is fit for purpose in terms of monetary values and any changes to Govt. policy.</u>	
4443	Noise insulation scheme - How would properties be eligible	<u>The air noise insulation scheme is only based on average Leq contours rather than single mode contours and is confined to Leq metrics. Residents of properties within the inner zone will be notified within 6 months of commencement of works; however, it is not clear what noise contours eligibility would be based upon.</u>	<u>The scheme must reflect the on-the-day noise experience of residents and this is better represented by single mode contours and additional metrics (see LIR Ref. NV5). Clarify what noise contours would be used to define eligibility.</u>	<u>Likely Uncertain</u>
4544	Noise insulation scheme - Provision of different types of noise insulation, <u>ongoing maintenance/replacement and addressing overheating</u>	<u>Is noise insulation in the Outer Zone restricted to ventilators or will the occupier have flexibility to make alternative insulation improvements? Ongoing maintenance costs should not be borne by the householder. There appears to be no provision for the ongoing maintenance / replacement costs of the noise insulation with this cost simply passed to the owner. A lack of measures to prevent overheating in noise insulated homes especially in the summer months at night would occur if windows are required to be closed to achieve good acoustic conditions. Acoustic ventilators may</u>	<u>Clarify Clarity on the flexibility of the noise insulation scheme, maintenance and addressing overheating concerns. (See LIR Ref. NV5).</u>	<u>Likely Uncertain</u>

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		<p>do not have any sufficient cooling capability to and do not deal with the issue of overheating.</p> <p>The Applicant has not addressed the matter of overheating other than to offer blinds to windows exposed to direct sunlight (paragraph 4.2.4 [REP4-017]), which not deemed sufficient.</p>		
4645	Noise insulation scheme - Measurement of ground noise to identify eligibility	It is unclear how noise monitoring would be undertaken to determine eligibility through cumulative ground and air noise. Properties that may experience cumulative levels of air and ground noise that would include them in the NIS Outer Zone should be screened for monitoring and offered an insulation package if eligible.	Provide details on how monitoring of ground noise would be undertaken and how a property would be identified as appropriate for monitoring of ground noise. Houses that need insulation should be identified prior to the commencement of the project opening (currently 2029) and insulated, not after the project has opened.	LikelyUncertain
4746	Noise insulation scheme - How will effective insulation requirements be determined	It is unclear if a property in the Inner Zone would be assessed to determine the most effective means of insulation. The following questions are made with reference to ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032]:	Provide details on how Inner Zone properties would receive the most appropriate and effective insulation packages	Likely

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		<ul style="list-style-type: none"> • <u>How will it be determined if the acoustic performance of insulation has significantly reduced?</u> • <u>What is considered to be a significant reduction in performance?</u> • <u>How would the Applicant judge whether external doors provide at least 5dB(A) less sound attenuation than acoustic windows?</u> • <u>How would the Applicant judge whether ceilings of bedrooms provide at least 5dB(A) less sound attenuation than acoustic windows?</u> <p><u>Why is 5dB(A) or less chosen as a trigger level?</u></p>		
4847	Noise insulation scheme - Noise insulation for community buildings	Schools are included in the Noise insulation Scheme, but it is unclear if other community buildings (e.g. care homes, places of worship, village halls, hospitals etc.) would be eligible for noise insulation.	Provide details on what community buildings would be eligible for noise insulation and what level of insulation would be provided. <u>The inclusion of nurseries is welcome, however no additional community buildings have been included. All community buildings that are sensitive to noise should qualify for insulation.</u>	Likely <u>Uncertain</u>
4948	Noise insulation scheme - Properties that have already received insulation	It is not clear if properties that have already received insulation would be eligible for upgraded noise insulation as part of the new scheme.	Clarification on how properties that have already received insulation would be treated under the new scheme. <u>This is not explicit in the updated Noise Insulation Scheme. It would be</u>	Likely

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			helpful if the Applicant could direct to the appropriate section of [REP4-018].	
5049	Loss of amenity outside space	Access to outdoor space is important for health and wellbeing, but noise insulation will not reduce levels likely to cause annoyance outside including in gardens.	An appropriate compensation scheme where existing properties are permanently affected (sSee LIR Ref. NV16).	Unlikely – although the Applicant has proposed financial compensation before .
Employment and Skills and Socio economic				
50	Assessment methodology - No consideration of effects at a local authority level.	There is no assessment of effects undertaken at a local authority level. The impacts of the project on key variables such as employment, labour market, housing (including affordable), social infrastructure and temporary accommodation need to be assessed.	GAL should undertake an assessment of project impacts on each local authority.	Unlikely
51	Assessment methodology– Assessment of impacts on property prices	An assessment of project impact on property values has been scoped out of the assessment despite PINS advice on the issue (PINS ID 4.10.3). Unless subsequently agreed otherwise by PINS, an assessment of project impacts on property prices is still required.	At the minimum, GAL should undertake a qualitative assessment which robustly assesses the project's impacts on property prices.	Unlikely SCC no longer pursuing this point
5251	Assessment of significant effects	Queries remain in relation to the significance of effects during the first year of operation, operational effects and cumulative effects. These include overlap with other schemes and potential labour supply issues, magnitude scoring used and need for assessment at local authority level.	GAL should revisit the assessments based on the comments. GAL should also undertake an assessment of impact at local authority level for those authorities based in the FEMA.	Uncertain
5352	Assessment of population and housing effects – vacant properties	GAL provides an analysis of vacant properties, which implies that bringing these back into use will help meet the demand generated by non-home based workers. There is	A more robust assessment of private rented market is required. GAL needs to consider	Unlikely

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		no analysis of why these properties are vacant, length of time vacant and barriers to bringing them back into use.	how it can help to bring these properties back into use, both in the short term by the non-home based workers but also by bringing a benefit to local areas and bringing properties back into use by local population once construction is complete.	
5453	Assessment of population and housing effects – impacts on affordable housing	<p>Paragraph 7.5.1 of the Assessment of population and housing effects recognises that the project is likely to generate demand for affordable rented housing which is greater than the number of homes in the existing stock. If this exercise is done at a local authority level, then the figures are very different and the true impacts local impact could be seen.</p> <p>The assessment concludes that despite the demand from the project being skewed towards affordable housing, there are unlikely to be impacts on affordable housing beyond what is emerging or planned for. Given that affordable housing delivery does not currently meet need, the conclusion does not appear well founded.</p>	<p>GAL should substantiate the conclusion that the project is unlikely to have any impact on affordable housing demand.</p> <p>The analysis should be updated at a local authority level to help identify issues which need to be planned for and mitigated.</p>	Uncertain
5554	Gatwick Construction Workforce distribution technical note – distance travelled to work date	<p>Additional information is requested in a number of areas:</p> <ul style="list-style-type: none"> — Does the Construction Industry Training Board data in terms of average distance workers travel to sites for each region of the UK adequately consider differences that exist within local geographies. — Where Census 2011 data is being relied upon for analysis, there needs to be acknowledgement this 	GAL should review their approach to this assessment and apply relevant assumptions to the modelling to address concerns raised.	Unlikely SCC no longer pursuing this point

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		<p>could affect the accuracy of home-based (HB) and non-home based (NHB) worker estimations.</p> <p>The gravity model used to identify the split of HB and NHB workers does not appear to take account of current local labour supply constraints locally.</p>		
5655	Gatwick Construction Workforce distribution technical note - Private rented sector (PRS) accommodation	<p>Details are provided of allocation of NHB workers by local authority vs supply of private rental sector beds. Table 6-5 presents PRS bed supply for 2021 by local authority but it isn't clear how these figures have been derived given Paragraph 3.5.2 advised the data on bedrooms was gathered from the 2011 Census. In addition, whilst the figures present PRS bed supply, they do not advise on the availability of accommodation. In the light of a declining supply of rental accommodation and feedback from local authorities on limited availability this would seem to be a significant omission.</p> <p>-</p>	<p>GAL should review other potential sources that could inform a more up-to-date understanding of available private rented accommodation. This could include the English Housing Survey and liaison with local authorities in the FEMA. The authorities remain concerned whether the Applicant's assumptions for NHB workers are sufficiently precautionary, particularly given more conservative assumptions made for other DCOs in the south east of England, and having regard to existing skills shortages within the construction industry.</p>	Uncertain
5756	Employment and Skills Business Strategy - Lack of information on implementation plan, performance, measurable targets,	Options identified in the ESBS are not necessarily directly aligned with local specific issues and need. The document states that performance, financial management, monitoring and reporting systems will be set out in detail in	GAL should provide more detail on tailored initiatives align to local need. This should include relevant baseline information to	Uncertain

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	funding and financial management, monitoring and reporting. Route map from ESBS to Implementation Plan is not identified.	the Implementation Plan. It is unclear why GAL is unable to provide further details within the ESBS in order to provide sufficient reassurance that appropriate systems will be in place. The ESBS also provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO vs. provision and outputs offered in a Business as Usual (BAU) scenario. Furthermore, the ESBS does not set out any process for how the Implementation Plan would be developed.	demonstrate local need. GAL should provide details on performance, financial management, monitoring and reporting to be developed further as part of an Implementation Plan. GAL should explain the difference in BAU and DCO scenarios in terms of provision and outputs. A route map is required to explain the process from ESBS to Implementation Plan.	
5857	Gatwick Community Fund	Lack of commitment on <u>Insufficiency of</u> Gatwick Community Fund amounts.	Detail required on financial values <u>Detail was provided in the draft S106 shared in Feb 2024. The local authorities have provided initial comment to the Applicant and are firmly of the view that the fund proposed is insufficient. Queries have also been raised in relation to spend eligibility criteria.</u>	<u>Likely</u> Uncertain
Public Health, including air quality				
5958	Consideration of cumulative impact on key neighbourhoods	Parts of Horley and Charlwood will be affected by both construction and operation of the project. Horley Central and South is one of the most deprived LSOAs in Surrey and the full cumulative impact of construction and operation phases of the project must be considered, including the	Evidence that cumulative impacts, particularly for vulnerable group populations have been considered and adequate mitigation measures	<u>Uncertain</u> Addressed

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		short and long term effects on physical and mental well being and health.	proposed. See air quality and construction noise comments.	
6059	Health impact of ultrafine particles	That the health impact of ultrafine particles appears to be understated and that there is a lack of any plans to undertake long term residential real time monitoring of ultrafine particles, both number and size distribution, using equipment used on the UK national network	Request for the local authority real time (NOx, PM, ozone) and diffusion tube monitoring to be funded (revenue and capital replacement costs to 2047 or 389,000 movements. Discussion in relation to ultrafine monitoring is continuing through S106 discussions.	Uncertain
6160	Assessment of true pollutant concentrations in the period 2029 - 2032	Separation of construction and operational assessments over the period 2029 to 2032 is likely to result in an underestimation of the 'true' pollutant concentrations experienced by residents during this period.	Request for combined assessment. The local authorities are in discussion with the applicant on this.	Uncertain
Heritage				
6261	Written Scheme of Investigation for Post-Consent Archaeological Investigations – Surrey	The sampling strategies set out in paragraphs 6.2.17 and 6.2.18 are not wholly acceptable as they do not conform to the minimum standards adopted by the council for the examination of archaeological features	SCC can provide details of the adopted sampling strategies. The Applicant proposes incorporating into updated Written Scheme of Investigation.	Likely—it does indicate that the methodology will be agreed with SCC Addressed
Rights of Way				
6362	Additional complimentary RoW improvements not fully explored	The scheme has not fully explored how further improvements to the Rights of Way network around the airport could increase opportunities for sustainable travel from surrounding residential areas such as Charlwood, Hookwood and Povey Cross.	Inclusion of additional active travel improvements and consideration of how wider infrastructure improvements can be enabled through the	Uncertain

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			various funds being made available.	
Landscape and Visual				
6463	The approach to and judgements within the Landscape and Visual Impact Assessment	<p>Range of concerns, including quality of visualisations, approach to tranquillity assessment, treatment of undesignated landscapes and assessment of effect.</p> <p><u>As set out in the LIR a number of requests remain in relation to visualisations including need for photomontages for both construction and operation and fully rendered photomontages for key near and middle-distance viewpoints.</u></p> <p><u>For the tranquillity impact on SHNL, the Applicant to provide further justification for why an increase in overflight of up to 20% is not considered significant.</u></p>	<p>Addressing of concerns relating to the assessment.</p> <p><u>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. Visualisations produced for projects of this nature typically show a development at specific timescales, e.g. construction, operation Year 0 and operation Year 15.</u></p>	Uncertain

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6564	Consideration of the potential changes to the Surrey Hills AONB boundary	It does not appear that this has been considered.	<p>Consideration in assessment. <u>Whilst we note the overflight mapping shown on ES Figures 8.6.3 – 8.6.7, these do not show the proposed Surrey Hills Extension Areas boundaries, which vary from those of the existing Area of Great Landscape Value. We also note that the six mapped ranges of overflights are fairly crude, so an area of landscape where overflights increase to the next coloured range (with the NRP) could theoretically experience an almost four-fold increase in overflights, e.g. from 51 to 200. We request that the Applicant clarifies this point regarding the overflight mapping affecting proposed Extension Areas, and also confirms that no existing parts of the Surrey Hills National Landscape would experience more than a 20% increase in daily overflights with the NRP Project.</u></p>	Uncertain

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6665	The loss of or change in existing green infrastructure, including potential loss of important or historic hedgerows and existing greenspace.	Information on general rather than detailed loss is provided in the documentation.	Detailed plans showing extent of vegetation loss. As a result of removals along the A23, 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)	Likely
Biodiversity and ecology				
6766	The extent of loss of mature broadleaved woodland (and other habitats)	It is not clear from the application document how much woodland is being lost and how much is being enhanced / replanted. The same is true for other habitats. The ecology chapter for the ES does not quantify the amount of loss or compensation. A reference is made to these figures being included in Biodiversity Net Gain (BNG) assessment however this information is not clear within the BNG report (screenshots of the BNG metric have been provided – but this is difficult to navigate and is difficult to review). The impact assessment should quantify the loss to accurately describe the impact. In addition, this information would aid with understanding and transparency.	GAL should quantify losses and replacement habitat in the Ecology chapter for the ES. Additional compensation is required for the mature woodland loss. Especially considering the lag time for newly planted woodland to mature and reach target condition. The BNG metric should be supplied in Excel format to aid	Likely. The local authorities will review the updated BNG metric to be provided at D5.

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			<p>with review of information. Habitat parcels should be clearly referenced in figures and the Excel metric so that the two can be easily cross referenced and to aid with clarity over what compensation / enhancement is proposed.</p>	
6867	<p>Bat roost surveys of trees have not been undertaken</p>	<p>The ecology chapter for the ES states: <i>'A total of 43 trees within the surface access improvements boundary were identified as having bat roost potential and of these 36 would be lost. They comprised nine with High roost potential, 28 with Medium roost potential and six with Low roost potential'.</i></p> <p>No bat roost surveys of 'high' or 'medium' trees proposed for removal have been carried out to inform the baseline and impact assessment. This contravenes policy in relation to protected species. ODPM circular 06/2005 states: <i>'The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat..... It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried</i></p>	<p>Bat roost surveys of trees are required <u>before determination</u>. Rare bat species have been recorded during other bat surveys and as such, there is uncertainty and lack of information on the status of roosting bats within the application.</p> <p>Surveys are required to inform impacts and mitigation / compensation for roosting bats.</p>	<p><u>Unlikely given survey timing restrictions</u> <u>Uncertain. Surveys are underway at present. Pending results, mitigation measures may need to be updated.</u></p>

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		<i>out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted’.</i>		
6968	Lack of information on reptile and great crested newt (GCN) mitigation	<p>The ecology chapter for the ES states that reptile and GCN mitigation will involve translocation to receptor sites and where relevant, European Protected Species Licences would be applied for post DCO consent. However, no detailed information is provided for the reptile and GCN mitigation strategy, for example:</p> <ul style="list-style-type: none"> • Where are the receptor sites? Reference is made to Longbridge Roundabout, Museum fields and other mitigation areas but there is no detail as to which one of these has been chosen to be the receptor locations for reptiles and GCN. • No methodology or timings information for the mitigation strategies. 	Additional information has been provided in the Applicant’s SoCG response. This should be included within the submission documentation. It remains unclear whether residual impacts have been assessed appropriately without having an outline mitigation strategy in place. More detail required on proposed receptor sites and outline mitigation strategies for reptiles and GCN should be provided.	Likely. GAL state that a draft Reptile Mitigation Strategy will be provided at Deadline 5. SCC will review.
7069	No compensation provided for loss of ponds	The ecology chapter states that no replacement ponds will be provided within the application site due to airport airstrike safety. This is fully justified however, it is not understood why off-site provision of new ponds has not been considered.	It remains unclear why Replacement ponds should could not be provided off-site – preferable within the nearby Biodiversity Opportunity Areas to maximise ecological opportunities / outcomes.	Uncertain
7170	Longbridge Roundabout Mitigation area (Gatwick Dairy Farm)	Clarification is required as to what the legal mechanism will be adopted for the management and maintenance of Longbridge Roundabout Mitigation area (Gatwick Dairy Farm). It is assumed that land will be compulsory	Clarification required on legal mechanism for management and maintenance of Longbridge Roundabout Mitigation area	Likely

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		purchased and all future management and maintenance of the land would be the responsibility of GAL.	(Gatwick Dairy Farm). GAL has now confirmed that they will be responsible for maintenance. Discussion will continue on access arrangements to enable this.	
7271	Biodiversity Net Gain (BNG) baseline assessment methodology	The BNG baseline has been calculated excluding those areas of the site which will not be impacted by the proposals (i.e airfield grassland). This is a non standard approach and it is assumed that this approach has been adopted so that net gain can be achieved from a lower baseline value (i.e. net gain is easier to achieve as baseline value is lower).	The BNG assessment should follow standard practice. The baseline BNG value of the site should include all habitats within the DCO application boundary. It is currently unclear whether the application would achieve net gain as the baseline value which has been used does not include all habitats within the DCO application site.	Likely Addressed However, SCC is of the view that if BNG best practice guidelines are not followed, in is inappropriate to state the scheme is achieving BNG
7372	Need to adopt a landscape scale approach to assessing and addressing ecological impacts	Ecological impacts will extend beyond the project site boundary with potential impacts on bat populations, riparian habitats downstream of the airport and the spread of non-native aquatic species. Disturbance and habitat severance within the airport, including the removal of woodland, trees and scrub along the A23, will impact the functioning of wildlife corridors, notably bat commuting routes both within the site and the wider landscape. Maintenance of habitat connectivity across the airport and wider landscape remains a concern.	GAL should adopt a landscape scale approach to assessing and addressing ecological impacts, including the need to provide off site mitigation, compensation and BNG. SCC would expect enhancements to green corridors and improved habitat connectivity to extend beyond the confines of the airport, along key corridors such	Uncertain

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			<p>as the River Mole and Gatwick Stream.</p> <p>The local authorities are requesting a landscape and ecology enhancement fund to target landscape enhancement.</p>	
7473	Additional opportunities for biodiversity enhancement	<p>Many potential opportunities for biodiversity enhancement, both within and outside the Site, were never explored. For example, conversion of ‘amenity grassland’ currently present on road verges and roundabouts within the Site to wildflower grassland through reduced mowing and/or re-seeding with wildflowers, and the improved management of Gatwick Stream and Crawter’s Brook.</p>	<p>Explore further opportunities for biodiversity enhancement, both within and outside the Site.</p> <p>The local authorities are requesting a new role to manage the above fund and support delivery of projects.</p>	Uncertain
7574	<p>Security of long term positive management of the two existing biodiversity areas managed by GAL, the North West Zone (NWZ) and Land East of the Railway Line (LERL)</p>	<p>The North West Zone (NWZ) and Land East of the Railway Line (LERL) are of considerable biodiversity value and key components of the ecological network. Any loss or degradation could have significant impacts on the effectiveness and viability of the proposed mitigation areas. ES Ch. 9 Section 9.6.172 states that ‘Positive work through the GAL Biodiversity Action Plan (BAP) is likely to continue ...’.</p>	<p>A legal commitment from GAL to provide certainty that these two biodiversity areas will continue to be managed for wildlife. One option might be to include their management within the LEMP. The Applicant’s SoCG response confirms that the NWZ will be included in the LEMP for the River Mole and the LERL within the LEMP for works in that area. SCC would like to see this confirmed within an updated oLEMP.</p>	LikelyAddressed

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7675	Gatwick Greenspace partnership	Continued support for the Gatwick Greenspace Partnership is proposed to be included within the new NRP Section 106 Agreement. Engagement is required with partners on proposals.	SCC wishes to be included in this continuation of the partnership. Greater detail is needed around level of contribution to the partnership and the priorities for biodiversity enhancement <u>Clarification required as to why this has not been included within the S106 provided in Feb 2024 as set out in the Planning Statement.</u> <u>This is now included within the draft S106. Discussions are continuing on the Ecology schedules.</u>	Likely
Carbon and Climate Change				
7776	Legislation, policy and guidance - Impact of Emissions Trading Scheme (ETS)/CORISA.	It's not clear if GAL considers the impact of changes to ETS/CORISA in aviation forecasts used to develop the 'need case'. <u>The Applicant has relied on the Jet Zero High Ambition assumptions but only tested the against the central case. The Applicant notes that if the targets are not being met, the Government will have to take action nationally to reduce demand levels and this might include higher costs of SAFs or new technologies. However, because GAL has not prepared top-down forecasts from first principles, it</u>	Confirmation of whether the impact of ETS/CORISA changes have been taken into account?	Likely

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		<p>has simply not presented any sensitivity analysis of the consequences of higher carbon related costs on demand. This differs from the approach adopted at other airports such as Luton where sensitivity tests were explicitly presented of the effect on demand if economic growth was slower or carbon costs higher, as well as the effect of other airports bringing forward expansion.</p>		
78	<p>Legislation policy and guidance – Consideration of UK Climate Change Committee (CCC) Progress in reducing emissions report</p>	<p>The latest Climate Change Committee Progress Report to Parliament published in June 2023 has identified their main concerns and criticisms of the current UK Aviation climate change policy and risks to achieving net zero.</p>	<p>GAL needs to analyse and assess the issues raised by the CCC regarding the Jet Zero Strategy and consider in relation to the NRP and how this could compromise the UK's net zero trajectory in alignment with the IEMA GHG Assessment Guidance (2022).</p>	<p>LikelyAddressed</p>
7977	<p>Baseline information review – GHG emissions from airport buildings and ground operations does not appear to include maintenance, repair, replacement or refurbishment emissions.</p>	<p>The scope of the GHG emissions arising from airport buildings and ground operations does not appear to cover maintenance, repair, replacement or refurbishment emissions. Therefore, this would under account the operational GHG emissions. It is not clear what is captured under “other associated businesses”.</p>	<p>GAL needs to clarify if the maintenance, repair, replacement or refurbishment emissions were calculated within the GHG Assessment and, if not, justify why. In Deadline 4, the Applicant has submitted updated calculations estimating emissions from maintenance, repair, replacement, and refurbishment activities. These</p>	<p>LikelyAddressed</p>

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			<p>emissions account for approximately 2.12% of the total emissions. The Applicant demonstrates that these emissions fall below the IEMA threshold, and therefore, they are not required to be included in the total whole-life carbon assessment.</p>	
80	<p>Assessment of significant effects– The ES fails to consider the risks raised by the CCC's expert advisory panel, which warns that the UK jet zero policy is non-compliant with the UK's net zero trajectory. Therefore, it is considered that the conclusion of ES is not in alignment with the IEMA (2022) GHG Assessment Guidance.</p>	<p>The CCC, in their latest progress in reducing emissions publication (June 2023) and previous publications, raised serious concerns over the UK Jet Zero policy as summarised in Page 267, 'Airport expansion' bullet point of the latest report[±].</p> <p>The GHG aviation methodology has resulted in a lack of transparency with regard to the emissions relative to the without Project Scenario since by 2047, there will be an increase of around 60,922 Annual Aircraft Movements as presented in Table 3.7.1 of the ES [TR020005]. The GHG Assessment conceals the emissions by applying emissions reductions from the Jet Zero High Ambition scenario.</p> <p>Therefore, based on the 'high risk' of the Jet Zero High Ambition Scenario not being achieved, emissions from the Project will be significantly higher than the baseline scenario. Hence, based on the advice from the CCC, it</p>	<p>GAL needs to assess the concerns and the issues raised by the CCC regarding the Jet Zero Strategy and consider in relation to the NRP and how this could compromise the UK's net zero trajectory in alignment with the IEMA GHG Assessment Guidance (2022).</p> <p>The Applicant needs to consider the issues raised in the UK Aviation Jet Zero strategy's judicial review and the CCC's concerns.</p>	LikelyAddressed

[±] <https://www.theccc.org.uk/publication/2023-progress-report-to-parliament/>

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		would suggest that the expansion of the GAL airport and increase in demand is not in line with the UK's net zero trajectory.		
81	Assessment of significant effects – no assessment of cumulative UK airport expansion emissions has been considered on how this will impact the UK's net zero trajectory	<p>The UK's eight biggest airports plan to increase to approximately 150 million more passengers a year by 2050 relative to 2019 levels². This figure is not up to date as Gatwick is proposing to increase its operating capacity to 80.2 million passengers per annum, which would make the total figure >150 million more passengers a year by 2050 relative to 2019 levels.</p> <p>As discussed above, airport expansion, demand management, and reliance on nascent technology are three key areas raised by the CCC that could jeopardise the UK's net zero trajectory. A significant increase of >150 million passengers will greatly increase the UK's cumulative aviation emissions, which may have significant consequences on the UK's net zero trajectory.</p>	GAL needs to provide an updated cumulative assessment that considers the combined impact of all major UK airport expansions and how this could impact the UK's net zero trajectory in alignment with the IEMA GHG Assessment Guidance (2022).	<u>Likely Addressed</u>
82	Assessment of aviation GHG emissions – It is not clear how or if GAL converted CO ₂ emissions from aircraft to CO ₂ e.	It is not clear if GAL undertook a conversion from CO ₂ to CO ₂ e as this would impact the aviation emissions by around a 0.91% increase BEIS (2023) ³ . If not accounted for, this would increase aviation GHG emissions by approximately 48,441 tCO ₂ e in 2028 in the most carbon-intensive year where 5.327 MtCO ₂ e was estimated to be released (Table 5.2.1).	GAL needs to confirm if a conversion was undertaken from CO ₂ to CO ₂ e? If not, the Applicant is required to update the GHG Aviation Assessment to account for this.	<u>Likely Addressed</u>

² <https://www.ft.com/content/52cdd526-102b-4db0-91e5-f1227be47baa>

³ <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2023>

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83	ES Chapter 15 Climate Change baseline—Time periods considered for climate change projections are not far enough into the future to represent the worst case scenario.	The most distant time period chosen for assessment was 2040-2069 (2060s) (as detailed in paragraph 15.5.2), however, some asset components are assumed to be operational in perpetuity, and therefore these climate change projections are not adequately far enough into the future to represent the worst case scenario.	GAL should include additional data from the furthest time period available e.g. 2100 to ensure the most conservative projections are accounted for.	<u>Likely Addressed</u>
84	ES Chapter 15 Climate Change assessment of significant effects—Identification of construction risks is limited.	Construction risks identified (refer Table 15.8.5 of ES Chapter 15 Climate Change) are limited and could be addressed in more detail e.g. flooding of site or construction compounds causing health and safety issues, damage to equipment and/or impacts to the construction programme and resulting cost increases.	GAL should undertake a more detailed identification/ assessment of construction related climate risks and distinguish areas that are particularly vulnerable and may require specific adaptation measures to be in place.	<u>Uncertain Addressed</u>
85	ES Chapter 15 Climate Change assessment of significant effects—Inconsistency and lack of detail in some climate impact statements.	The climate impact statements (Table 15.8.5 and Table 15.8.6 of ES Chapter 15 Climate Change) are lacking in consistency in in that some are missing an ‘impact’. They have a cause, an ‘event’ but no end ‘impact’. This end result is what should determine the consequence rating and could have led to an underestimation of risk.	GAL should update all climate impacts statements to have a clear end impact and so that all risks are articulated in a consistent way.	<u>Uncertain Addressed</u>
86	ES Chapter 15 Climate Change mitigation, enhancement and monitoring—Lack of identification of additional mitigation/ adaptation measures.	Whilst GAL may not have assessed any of the risks as ‘significant’, the identification of further mitigation or adaptation measures is an omission in the report. Further adaptation measures e.g. design decisions or operational management measures should be noted and communicated with an indication of who is responsible and timing.	GAL should identify further adaptation measures that can be implemented in design, construction or operation to further reduce the project’s vulnerability to climate change. Detail will be required as to how they are secured.	<u>Uncertain Addressed</u>

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87	ES appendix 15.5.2 Urban Heat Island Assessment – Mitigation measures should be proposed to reduce the impact of UHI effect.	The UHI Assessment states that ‘mitigation of UHI is essential to ensure future resilience as the climate changes’ and that that project could ‘exacerbate the increase in UHI effect’ but does not propose the implementation of any specific mitigation measures.	Identification of further adaptation measures that can be implemented in design, construction or operation to further reduce the UHI effect.	<u>Uncertain Addressed</u>
88	ES appendix 15.8.1 Climate Change Resilience Assessment – Inconsistency and lack of detail in some climate impact statements.	The impact statements are lacking in consistency in that some are missing an ‘impact’. They have a cause and an ‘event’ but no end ‘impact’. This end result is what should determine the consequence rating and may be why no risks are rated higher than a medium.	GAL should update all climate impacts statements to have a clear end impact and so that all are articulated in a consistent way. The risk ratings should then be revised accordingly.	<u>Uncertain Addressed</u>
89	ES appendix 15.8.1 Climate Change Resilience Assessment – Concerns regarding underestimation of risk.	Regarding Risk 7, there is a concern that the impacts could be more severe than just delays in fuelling i.e. reaching flashpoint of aviation fuel on extreme hot days could lead to combustion. Also given it has been suggested that there may be hydrogen usage for low emissions vehicles during construction and potentially hydrogen storage / fuelling capabilities during operation, the climate risk around this should be more thoroughly explored.	GAL should review the articulation of risk, impact and risk rating and revise where appropriate. Further consideration should be given to climate risks associated with hydrogen storage and usage.	<u>Uncertain Addressed</u>
90	ES appendix 15.8.1 Climate Change Resilience Assessment – Lack of consideration of storm events / wildfire / fog	Storm events are not considered sufficiently in this assessment. Wildfire is not mentioned as a possible climate hazard to impact the airport’s operation. However, wildfires in the surrounding area, in particular the smoke they generate can impact airport operations. Risks associated with fog were not included in the risk assessment, however, fog can impact visibility and ability to perform day to day airport operations.	GAL should give further consideration to be given to storm events, wildfire and associated smoke and fog and risk description and rating to be reconsidered.	<u>Likely Addressed</u>

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91	ES appendix 15.8.1 Climate Change Resilience Assessment – Insufficient detail on the climate change impact on critical airport equipment and infrastructure.	Consideration to be given to how climate change could impact critical equipment and infrastructure e.g. power, telecommunications as well as the embedded and additional mitigations to reduce this risk. For example, flooding or storm events impact critical power equipment and causing a power outage.	GAL should include risk and mitigation details regarding the climate change impact on critical airport equipment and infrastructure.	Likely Addressed
78	The unsustainable growth of airport operations may result in significant adverse impacts to the climate.	Growth may lead to unsustainable surface access transportation and airport operation growth.	To monitor and control GHG emissions during the project construction and operation it is suggested a control mechanism similar to the Green Controlled Growth Framework submitted as part of the London Luton Airport Expansion Application, is provided. Implementing such a framework would make sure that the Applicant demonstrates sustainable growth while effectively managing its environmental impact. Within this document, the Applicant should define monitoring and reporting requirements for GHG emissions for the Applicant’s construction activities, airport operations and surface access transportation. Emission limits and thresholds for pertinent project stages should be	Uncertain

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			<p>established. Should any exceedances of these defined limits occur, growth should be halted.</p>	
<p>79</p>	<p>GAL does not identify the risks associated with using carbon offset schemes.</p>	<p>Document 5.4.2, Section 1.14 This states that, "In 2016/17, we achieved 'Level 3+-- Neutrality' status under the Airport Carbon Accreditation scheme, which is a global carbon management certification programme for airports (Ref 1.1). GAL has been working hard to reduce carbon emissions under GAL's control (from a 1990 baseline) and offset the remaining emissions using internationally recognised offset schemes."</p> <p>The scientific community has identified various risks around using offsetting schemes to claim net zero or carbon neutrality. GAL should specifically state which offset scheme they intend to use so research can be conducted into the trustworthiness of the scheme.</p>	<p>GAL should state if they comply with the Airport Carbon Accreditation Offset Guidance Document which specifies the type of offsetting Schemes that need to be used.</p> <p>In addition, and where reasonably practical, GAL should seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community around the airport. These should align key offsetting principles.</p>	<p>Addressed</p>
<p>80</p>	<p>If the Applicant does not provide infrastructure or services to help decarbonise surface transport emissions it may have the potential to result in the underreporting of the Project's impact on the climate. The full impact of the Proposed Development on the government</p>	<p>The Applicant must actively promote the transition to a decarbonised economy, incentivising airport users to adopt low carbon technologies like electric cars and public transportation systems.</p>	<p>The Applicant should provide infrastructure within the Airport to support the anticipated uptake of electric vehicles and provide electric vehicle charging infrastructure. Additionally, the Applicant should support</p>	<p>Addressed</p>

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	meeting its net zero targets cannot be identified.		measures such as Green Bus programmes.	
Draft Development Consent Order				
9281	Revisions required to Article 22 Discharge of Water	Ordinary watercourses are not adequately addressed	Appropriate wording in relation to ordinary watercourses to be included	Uncertain Addressed
9382	Revisions required to the definition of “commencement”	In particular, the implications arising from certain operations which fall outside that definition and which do not appear to be controlled (article 2(1), interpretation);	Revisions required. Owing to the absence of justification for each exemption, the councils consider these works should be subject to the approval of either the local planning authority or local highway authority. The Council therefore maintains its position.	Uncertain
9483	Article 3 (development consent etc. granted by Order)	Use of the wording “construct, operate and use”	Justification for drafting required. The use of the term adjacent to needs to be explained.	Uncertain
9584	Article 9 (planning permission)	Confirmation required around which planning permission and conditions the applicant is concerned about	Justification required. Article 9(5): the Council is of the view that the exceptions concerning permitted development rights within article 9(5) (and requirements 4 and 10) should be removed and drafting included which provides the permitted	Uncertain

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			development rights do not apply.	
9685	Article 21 Agreements with highway authorities	The need for highway authorities to agree template agreements before the end of the Examination with the applicant under article 21 (agreements with highway authorities)	Discussions on agreements to be held The Applicant and SCC intend to agree template article 21 agreements, based on the council's existing section 38 and 278 agreements. This must be done as soon as possible.	Likely
9786	Article 10 Consideration of Highway authority Lane Rental and Permit Scheme	The disapplication of several provisions of the New Roads and Street Works Act 1991 without the application of the relevant highway authority's permit scheme (article 10; application of the 1991 Act). The Applicant must explain why the disapplication of the cited provisions is relevant to this project.	Revisions required SCC has provided details of how the Surrey Permit Scheme has been incorporated within a made DCO. The Council notes the applicant is considering the implications of the application of the highway authority's permit scheme to the authorised development and will discuss further with the highway authority.	Uncertain
9887	Article 11 Street works	The way in which street works are controlled under article 11 (street works). It departs from most precedents by authorising interference with any street within the Order limits, rather than those specified in a schedule.	Revisions required. The usual cross-reference to a schedule should be included.	Uncertain

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9988	Deeming provisions	<p>The inclusion of deeming provisions in articles 12(4) (power to alter layout, etc. of streets), article 14(8) (temporary closure of streets), 18(10) (traffic regulations), 22(5) (discharge of water), and 24(6) (authority to survey and investigate the land)</p> <p><u>For example, for Article 12 (power to alter layout, etc. of streets) the key factor in determining an application expeditiously is the quality of the submission. It is often necessary for the highway authority to request revised submissions (sometimes several requests are needed) and Applicants do not always provide the requested material in good time. A sub-standard submission and an Applicant which does not provide revised submissions timeously can lead to applications taking longer than 56 days (and, occasionally, substantially longer than 56 days) to determine. There is no question of a local highway authority consenting a submission which is sub-standard because of the risk of compromising highway safety. Owing to this, and given the deeming provision, SCC and WSCC would have to refuse the application and follow the procedure under paragraph 4 (appeals) of Schedule 11 (procedures for approvals, consents and appeals) to the dDCO. SCC and WSCC consider it would be more sensible for the deeming provision to be omitted.</u></p>	<p>Revisions required. <u>SCC consider that there should be no deeming provision.</u></p>	Uncertain
10089	<p><u>Article 14 Alternative routes (temporary closure of routes)</u></p>	<p>The standard to which alternative routes must be provided under article 14(5) (temporary closure of streets). <u>The Applicant should provide a temporary substitute street</u></p>	<p>Revisions required <u>to article 14. Firstly the streets should be referenced in a schedule. Drafting changes to clarify</u></p>	Uncertain

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		which is not of a lower standard than the street that was closed where an alternative of that standard is available.	standard to which alternative routes must be provided. The deeming provision should be deleted.	
10190	Article 16 New means of access	The proposal to allow the applicant to create new means of access without the street authority's consent under article 16 (access to works)	Revisions required. Regarding article 16(1), the Authorities consider only the words "and with the consent of the street authority ... and no consent to be required in respect of airport roads" should be added. Updated Position: Deadline 5 The Council welcomes the inclusion of the consent provision in article 16(2) (access to works). The Council considers that, in paragraph (2), the words "(such consent not to be unreasonably withheld or delayed)" should be deleted because paragraph (4) contains a deeming provision. It is unreasonable to include	Uncertain
10291	Article 18 Traffic regulations	How the "instrument" referred to in article 18(6)(a)(traffic regulations) will be accessed	Revisions required. Absent reasonable justification, paragraph (1) should also be subject to the traffic authority's	Uncertain

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			<p>consent. Detail required on “the instrument” referred to. Who will “hold it” and how will it be published.</p> <p>The Council considers it would be helpful if this was made explicit on the face of the Order and that the undertaker must replicate the steps the highway authority must take when publicising TROs. Again, this should be made explicit on the face of the Order. The Council would welcome the opportunity to discuss these points with the Applicant.</p>	
10392	Article 25 which relates to trees and hedgerows	Hedgerow works are excluded from the definition of “commencement” (art.2) but this article controls hedgerow works so further explanation is needed as to how they work together	<p>Revisions required. The Article should include a Schedule and a plan to specifically identify the hedgerows to be removed.</p> <p>While the Council welcome the amendments made to article 25, the Council considers they do not go far enough.</p> <p>The most significant omission is the need for article 25 (in accordance with the relevant guidance, Advice Note Fifteen:</p>	Uncertain

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			Drafting Development Consent Orders) to either – (i) include a schedule and a plan which identifies the hedgerows to be removed (whether in whole or in part) or (ii) make the power for general removal of hedgerows subject to local authority consent.	
10493	Article 31 (time limit for exercise of authority to acquire land compulsorily)	The usual period of five years is doubled. Further information about project complexity is required	Justification required. The time period should be reduced to 5 years, starting when the order comes into force, rather than the “start date”.	Uncertain
10594	Article 40 (special category land)	Timing of vesting of special category land	Justification for applicant’s approach required. Why should the vesting of open space in the Applicant not wait until a scheme for the provision of replacement land as open space has been implemented to the satisfaction of the relevant body. The Applicant and the Legal Partnership Authorities are still in dialogue and negotiation regarding how the gap in time between the	Uncertain

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			acquisition of the open space land and its replacement is to be managed so that it does not unduly deprive the public of the benefit of the enjoyment of the open space.	
95	Article 48 (Defence to proceedings in respect of statutory nuisance) Exemptions are proposed from large parts of section 79(1) of the Environmental protection Act without adequate justification	Residents should be able to bring nuisance action as they can at present	Justification for exemptions required. Revisions required to ensure it is not so wide-ranging	Uncertain
10696	Inclusion of hotels as authorised development	Further justification requested in relation to inclusion of work nos 26, 27 and 28 as authorised development. This relates to concerns related to parking provision.	Justification required No further comments on the principle of hotels being authorised development. However, control documents required to contain adequate controls on the provision of additional on-airport parking.	Uncertain
10797	Drafting of requirements in Schedule 2	including: the drafting of “start date” (R.3(2) (time limits and notifications); the 14-day notification period in R3(2); why some documents must be produced “in accordance with” the certified documents and others must be produced either “in general accordance” or “in substantial accordance” with them;	Revisions required to address inconsistencies.	Uncertain

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		the drafting of R.14 (archaeological remains); and of those which concern noise (e.g. R.15 (air noise envelope), R.18 (noise insulation scheme)); the ambiguous drafting and omissions in R.19 (airport operations);		
98	Drafting of Requirement 14 (archaeological remains)	Within Surrey, SCC should be the discharging authority for this requirement	References to the local planning authority should be replaced with the county Archaeologist from a Surrey context	Addressed
99	Drafting of Requirement 15 (air noise envelope)	The Air Noise Envelope is not considered fit for purpose as it does not align with policy requirements. In addition there is no role for any local authority control in this requirement. A mechanism should be included in the DCO to require the CAA to involve the local authorities and other key stakeholders in scrutinising noise envelope reporting.	The air noise envelope provision should include: -A “mitigate to grow approach” An Environmental Scutiny Group (ESG) including local authorities -Appropriate enforcement powers for the ESG -Establish appropriate sanctions for technical and limit breaches -Integrate existing noise controls into the noise envelope	Uncertain
100	Drafting of Requirement 18 (noise insulation scheme)	Justification is required on a number of points, such as why the time limits in the requirement have been chosen.	Drafting revisions to ensure the requirement is enforceable and precise. The local authorities require amendments to ensure provisions in the scheme are consistent with their proposed metrics and thresholds.	Uncertain
101	Drafting of Requirement 19 (airport operations)	Greater specificity is required.	We note that the restriction to Code C has now been included.	Uncertain

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		<p>R.19(2) would restrict dual runway operations to 386,000 commercial air transport movements per annum. The Councils consider a control on total air transport movements per annum would be preferable.</p> <p>R.19(3) allows the use of the northern runway between the hours of 23:00 - 06:00 when the southern runway is not available for use “for any reason”. The Councils consider “for any reason” to be too broad and considers the use of the northern runway between these times should only be used when the southern runway is not available because of planned maintenance and engineering works.</p> <p>The requirement needs to restrict use of the northern runway to departures and to Code C aircraft or smaller (the basis of the current proposals and assessments in the ES)-</p> <p>The requirement needs to include a night movement cap.</p>	<p>Regarding paragraph 4(a), the proposed drafting is too broad. For instance, condition 3 (runway use) of the 1979 planning permission allows use of the emergency runway when the “main runway is temporarily non operational by reason of an accident or a structural defect or when maintenance to the main runway is being undertaken”. The Authorities consider it would be reasonable if similar wording were incorporated into paragraph 4(a)</p>	
102	<p>Drafting of Requirement 20 (surface access)</p>	<p>The dDCO gives too much flexibility in allowing the development to proceed with only retrospective checks to see if the mitigation proposed is delivering results. This is reactive and ineffective, in particular in considering whether the development is appropriate for the communities who may be affected by the adverse impacts of the development and whether there is sufficient amelioration of those impacts. R20 appears to say that the operation can only be carried on if there is adherence to the surface access commitments but when those surface access commitments</p>	<p>SCC considers it as more appropriate to have clear steps set out in the DCO to regulate the growth and clear sanctions should the mitigation measures not be achieved.</p> <p>The Luton airport expansion is currently before the Secretary of State with proposals which seek to manage growth as the</p>	<p>Uncertain</p>

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		<p>are considered more carefully they are toothless in terms of constraining any activity at the airport.</p> <p>The intention is that the surface commitments will be a certified document, and Requirement 20 requires the operation to be in accordance with those commitments. For example, the mode shift target of 55% has to be tested three years after the commencement of operations. If this is not achieved, the monitoring arrangements in the SAC envisage a reporting process and preparation of action plans for future activity. However, there is no commitment to curtail operations either during the period of the preparation of action plans or until such time as the targets are met. Therefore, this target does not actually constrain the operation of the airport.</p>	<p>Authorities suggest, i.e. green controlled growth (which is set out in Part 3 of Schedule 2 of the Luton dDCO. The Secretary of State will have to decide, in deciding that development consent order, whether those controls are necessary, but it is clearly relevant that the operator and promoter of that development consider that managed growth is workable and they are putting that forward as the way in which they will achieve both their growth but also achieve the environmental objectives.</p>	
108103	Schedule 11 (procedure for approvals, consents and appeals)	<p>the 8-week for determining significant applications. It would be more straightforward if the major works had their own deadlines.</p>	<p>Revisions required. Concerns raised in relation to fees have also not been addressed.</p>	Uncertain
109104	DCO schedules and plans	<p>Amendments required to address inconsistencies and errors</p>	<p>Revisions required</p>	Likely Addressed
110105	Finalisation of Section 106 Agreement	<p>Negotiation on the S106 has not yet started Substantial revisions required to draft S106.</p>	<p>Discussions to commence A draft was shared in Feb 2024. The local authorities have provided initial comments to the Applicant. Negotiations on the draft S106 continue.</p>	Uncertain

