



**Horsham
District
Council**



Gatwick Airport Northern Runway Project

Examination Ref: TR020005

Joint Local Authorities' Response to the Applicant's Deadline 7 Submissions

Deadline 8: 7 August 2024

Crawley Borough Council (GATW-AFP107)

Mid Sussex District Council (20044737)

Reigate and Banstead Borough Council (20044474)

East Sussex County Council (20044514)

Mole Valley District Council (20044578)

Horsham District Council (20044739)

West Sussex County Council (20044715)

Surrey County Council (20044665)

Tandridge District Council (20043605)

Kent County Council (20044780)

This document provides a response at Deadline 8 (7 August 2024) from the Joint Local Authorities as listed above, to the Applicant's Deadline 7 Submissions:

- [REP7-018] - 4.5 Works Plans - Version 7 (Clean) / [REP7-019] (Tracked)
- [REP7-020] - 4.7 Parameter Plans -For Approval Version 5
- [REP7-021] - 4.11 Informative SubWorks Plans
- [REP7-022] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Version 4 (Clean) / [REP7-023] (Tracked)
- [REP7-024] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Annex 2 – Outline Construction Workforce Travel Plan Version 2 (Clean) / [REP7-025] (Tracked)
- [REP7-026] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Annex 3 - Outline Construction Traffic Management Plan Version 3 (Clean) / [REP7-027] (Tracked)
- [REP7-030] - 5.3 Environmental Statement Appendix 5.3.2: Code of Construction Practice Annex 6 - Outline Arboricultural and Vegetation Method Statement - Part 1 Version 4 (Clean) / [REP7-031], [REP7-032], [REP7-034], [REP7-036], [REP7-038] & [REP7-040] (OAVMS)
- [REP7-042] - 5.3 Environmental Statement Appendix 5.4.1 Surface Access Commitments - Version 4 (Clean) / [REP7-043] (Tracked)
- [REP7-048] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 1 Version 6 (Clean) / [REP7-049] (Tracked)
- [REP7-050] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 2 Version 6 (Clean) / [REP7-051] (Tracked)
- [REP7-052] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 3 Version 6 (Clean) / [REP7-053] (Tracked)
- [REP7-054] - 5.3 Environmental Statement Appendix 11.9.6 Flood Risk Assessment - Annexes 1-2 Version 2 (Clean) / [REP7-055] (Tracked)
- [REP7-056] - 7.1 Planning Statement Appendix A - Gatwick Airport Planning History - Version 2 (Clean) / [REP7-057] (Tracked)
- [REP7-058] - 7.3 Design and Access Statement (Version 3) - Volume 1 [AS-154], Volume 2 [REP7-059], Volume 3 [AS-155], Volume 4 [REP7-061] and Volume 5 [AS-156]
- [AS-154] - 7.3 Design and Access Statement - Volume 1 Version 3
- [REP7-059] - 7.3 Design and Access Statement - Volume 2 Version 3
- [AS-155] - 7.3 Design and Access Statement - Volume 3 Version 3
- [REP7-061] - 7.3 Design and Access Statement - Volume 4 Version 3
- [AS-156] - 7.3 Design and Access Statement - Volume 5 Version 3
- [REP7-063] - 7.3 Design and Access Statement - Appendix 1 - Design Principles - Version 5 (Clean) / [REP7-064] (Tracked)

- [REP7-067] - 10.1 Statement of Commonality - Version 5 (Clean) / [REP7-068] (Tracked)
- [REP7-069] - 10.1.18 Statement of Common Ground between Gatwick Airport Limited and the Joint Local Authorities - Capacity and Operations
- [REP7-070] - 10.1.19 Statement of Common Ground between Gatwick Airport Limited and the Joint Local Authorities - Forecasting and Need
- [REP7-071] - 10.9.7 The Applicant's Response to Actions - ISHs 2-5 (Clean) / [REP7-072] (Tracked)
- [REP7-073] - 10.40 Response to Rule 17 Letter - Future Baseline Sensitivity Analysis - Version 2 (Clean) / [REP7-074] (Tracked)
- [REP7-077]- 10.55 Explanatory Note on Catalytic Employment
- [REP7-094] - 10.57 Odour Reporting Process Technical Note
- [REP7-095] - 10.58 The Applicant's Response to Deadline 6 Submissions
- [REP7-096] - 10.58 Appendix A - Response on Design Matters
- General Comment relating to JLAs' D8 Submission

1. [REP7-018] - 4.5 Works Plans - Version 7 (Clean) / [REP7-019] (Tracked)

1.1 The comments made on Works Plans [REP7-120] by West Sussex Authorities should be addressed.

2. [REP7-020] - 4.7 Parameter Plans -For Approval Version 5

2.1 It is noted the Works Plan 99101 P03 – Works Area 28 (Car Park H) has been amended to remove reference to the maximum associated elements and is now consistent with the other plans. The Authorities would still like confirmation to the question raised [REP6-111 and REP6-116] that for all the parameter plans, the maximum height includes all plant and equipment and in the case of the decked and multi-storey car parks includes the height of the lighting columns. The concerns about the generous parameters raised by example to Works 32 and 28 quoted in REP6-111 remain. The Applicant has not addressed either point in its response [REP7-096].

2.2 The parameter plan for Car Park X [REP7-020] drawing 990108 PO2 should be amended to reduce the extent of the decked car park to address the information in Volume 2 of the DAS illustrated on Revised Figure 11 [REP7-059] and in the Design Principles document [REP7-063] because as drawn this plan is now inconsistent with the stated design principles (DBF45).

2.3 Additional parameter plans for Pentagon Field and Museum Field to provide levels details and increased information on these ground works are also still requested [REP7-108].

3. [REP7-021] - 4.11 Informative Sub Works Plans

- 3.1 While not control documents, these plans are very helpful in understanding the position of the on-airfield infrastructure within the Works areas listed in Schedule 1. It would be helpful if these plans could form part of Schedule 14 as 'Indicative Documents'. As part of any compliance statement submitted with requirement 4 or 10, it would be helpful if the Applicant could ensure it clearly justifies the reasons for any variation from these plans.

4. [REP7-022] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Version 4 (Clean) / [REP7-023] (Tracked)

- 4.1 The Authorities still have a number of concerns related to the status of the CoCP, including the provision of an outline document. The JLAs would like the following requirements to be included in the CoCP.

Construction noise barriers

- 4.2 Acoustic barriers are relied upon to avoid significant noise effects in the construction noise assessment set out in Chapter 14 [APP-039]. Paragraph 14.9.50 [APP-039] lists the following barriers:
- A23 Brighton Road Bridge – along the southern side of the utilities diversion bridge.
 - A23 London Road Bridge – along the eastern side of the temporary footpath.
 - Airport Way Rail Bridge – on the northern side of the eastbound carriageway.
 - Car Park X – along the southern site boundary.

- 4.3 These barriers are not secured in the CoCP or the DCO. Specific details of these barriers should be secured through the CoCP including barrier heights and figures showing the alignment of the barriers.

Noise and Vibration Management Plan

- 4.4 The JLAs are of the opinion that a Section 61 application is not a reliable means to secure elements of the CoCP. A Noise and Vibration Management Plan must be submitted to the host authorities for approval at least 6 months before commencement of any construction activities. The Noise and Vibration Management Plan should contain the following:
- Identification of a dedicated Environmental Manager, with suitable acoustic experience, appointed by the airport, to liaise between contractors and Local Authorities.

- Details of best-practicable means including any site-specific mitigation such as barriers.
- A piling method statement detailing the type of piling to be undertaken and the methodology by which such piling will be carried out.
- Details of site-specific programmes for noise and vibration monitoring, including the type, location and duration and the method and frequency of reporting the results.
- Details of properties that qualify for noise insulation and, where appropriate, temporary re-housing.
- Details of the complaints handling procedure.
- Details of provision of an online service portal to include:
 - a suitable phasing plan to identify potential high impact noise and vibration areas to be reviewed annually.
 - a process to allow complaints to be made online.
 - live measured noise data at each monitoring location including compliance targets
 - historic noise data to allow host authorities to check noise levels against periods when complaints were made.

Construction Compounds Design Details

4.5 It is noted that additional text has been added to Section 4.5 of the document however this does not provide the Authorities with any clarity on the likely visual impacts of these compounds . For example *"Car Park Ycompound will be provided with measures to minimise visual impacts on the compound on users for the Sussex Border Path and visitors to the River Mole and users of Riverside Garden Park"*. The statement does not suggest what these measures would or could be which is unsatisfactory given this is identified as an additional measure needed specific to the site.. The lack of proposed measures to reduce visual impacts remain a concern to the Authorities and are a key reason why these compounds (particularly those on land near rights of way on open space /countryside or near residential uses) should be subject to design approval so nearby occupiers, pedestrians, cyclists and others can be properly considered in the detailed design and site set up of these compounds many of which will be in place for an extended duration.

4.6 The level of detail in the document is not considered to provide adequate certainty concerning the visual impacts of these compounds and there is a complete absence of information on the Reed Bed compound. The document would be greatly improved if some layout plans and indicative information found in Volume 5 of the DAS [AS-156] could be included.

4.7 It is of concern that in paragraph 4.5.11 there is reference to “*Temporary buildings and structures may be required within the construction areas, outside of the compounds*” and clarification is sought on what precisely is meant by this statement.

5. [REP7-024] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Annex 2 – Outline Construction Workforce Travel Plan Version 2 (Clean) / [REP7-025] (Tracked)

5.1 Please find the Highway Authority comments on Outline Construction Workforce Travel Plan Version 2 (Tracked) [REP7-025].

5.2 The Highway Authority have reviewed the revised Outline Construction Workforce Travel Plan Version 2 (Tracked) [REP7-025], that was submitted by the Applicant at Deadline 7. The majority of the tracked changes submitted by the Joint Local Authorities in, Comments on any further information/submissions received by Deadline 5 [REP6-099], have been accepted by the Applicant and are now included in the revised document [REP7-025]. The inclusion of these necessary changes is welcomed by the Highway Authority and provides greater clarity and certainty of outcome. The inclusion of these changes ensures that when the Full Construction Workforce Travel Plan (FCWTP) is developed from the outline version it is clear as to what measures should be provided.

5.3 Whilst the revisions are welcomed, the Highway Authority has the following comments to make on some outstanding requests:

- In section 7.3, entitled Reducing Congestion, in the OCWTP [REP7-025] the Applicant has committed to, where practicable, shift start and finish times being staggered. This is to reduce pressure on local transport network. The Joint Local Authorities asked whether the Applicant could provide a minimum time period that the shift start and finish times would be staggered by. The concern being that a 5-minute stagger time between shift start and end times would be staggered, but would have no meaningful positive impact on the transport network and would still result in workers travelling to and from the site at the same time of day. The Applicant has responded and stated that the controls on working hours for construction are set out in Section 4.2 of the Code of Construction Practice [REP7-022]. The working hours are indeed set out in this section of the Code of Construction Practice, however no specific details of the staggering of shift times are provided within this section. The times included are more in relation to amenity issues about hours of operation and core hours of construction works.

Therefore, the Applicant has not answered the specific question as to whether they can commit to a minimum time period that shift patterns would be staggered by, to ensure that the workers arriving and departing from compounds are not having to travel at the same time. The Highway Authority would ideally look for the Applicant to provide this commitment in the OCWTP.

- At 7.3.3 the Applicant has stated that it will develop an access and egress strategy for construction and construction workforce vehicles from car parks, satellite compounds, park and ride, and worker bus service pick up points to ensure an efficient distribution of construction traffic which minimises movement conflicts and known queuing hotspots, as far as is practicable. Such a strategy needs to be agreed with the Highway Authorities and included in the full CWTP.
- Under Initiatives to Support Public Transport, in section 7.5 of the OCWTP [REP7-025] the Joint Local Authorities sought clarification as to what incentives and subsidies the Applicant was offering. The Joint Local Authorities queried whether they would be financial incentives towards bus season tickets and whether financial incentives would be offered to contractors, if they achieved a certain percentage of trips via sustainable modes. The Applicant has responded in The Applicant's Response to Deadline 6 Submissions [REP7-095] that both measures would be considered within the full CWTP. The Applicant has gone on to state, "The precise nature of the incentives and subsidies will be agreed with the contractors to: align with the scale and nature of their activities for the Project's construction; any existing incentives and subsidies that they operate; the number of workers required physically on site under that contract; and taking account of the nature of their attendance at site (e.g. if the contractor's involvement is only for a short period of time, a contribution to a season ticket would not be appropriate)."

The Highway Authority remain of the view that further clarity could be provided and the Applicant could specifically state in the OCWTP that measures could include financial incentives towards bus season tickets or financial incentives to contractors, but that the precise nature of the subsidies and incentives would be agreed as part of the full CWTP.

- Similar to the point about initiatives to Support Public Transport, the Highway Authority considers it would be useful to provide further details as to what these financial incentives may be provided to support car sharing. Section 7.6 of the OCWTP [REP7-025] could be amended, under the heading of Incentives and

Rewards, to include potential measures that could be included in the full CWTP.

- 5.4 There are also remaining concerns in relation to the commitment to low emission vehicles. The Applicant's OCWTP [REP7-024/25] provides sufficient parking in the contractor compounds for 65% of the workforce with a dedicated periodic shuttle bus service (para 7.2.1) to transport the workforce to the relevant site locations, and potentially a dedicated workforce bus service between the Airport and local areas if there are areas with a sufficiently high concentration of construction workers (para 7.5.6). Paragraph 7.3.3 also identifies worker bus service pick up points will be needed to reduce congestion. Site shuttle buses are also described in paragraphs 7.5.2 and 7.5.3. All of these buses will be in the control of the Applicant and/or its contractors.
- 5.5 The Applicant identifies in Para 7.7.1 [REP7-024/25] that air pollution can be reduced by replacing vehicles with cleaner alternatives such as electric, hybrid, hydrogen, LPG, etc. The Applicant states that low emission vehicles would be encouraged where practicable for the workforce bus services.
- 5.6 However, the Applicant should go further by making a commitment that GAL or contractor workforce bus services and shuttle buses are ultra-low emission or zero emission vehicles. This would reduce the negative effects on air quality associated with the construction phase in line with ANPS Policy (e.g. paragraph 5.29). In particular paragraph 5.40, bullet point 2 of the ANPS which identifies low emission plant as a mitigation measure:
- *'The use of low emission construction plant / fleet, fitting of diesel particulate filters, and use of cleaner engines'*

6 [REP7-026] - 5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice Annex 3 - Outline Construction Traffic Management Plan Version 3 (Clean) / [REP7-027] (Tracked)

- 6.1 The Highway Authority have reviewed the Applicant's Deadline 7 submission of the Outline Construction Traffic Management Plan Version 3 (Tracked) [REP7-027]. The majority of the tracked changes to the Outline Construction Traffic Management Plan, that were included in the Joint Local Authorities Deadline 6 submission, entitled, Comments on any further information/submissions received by Deadline 5 [REP6-099], have not been included by the Applicant. The Applicant appears to have commented on the comments made in the document but may not have reviewed and considered any of the tracked changes to the document. The tracked changes are in green coloured text and set out in the Joint Local Authorities Deadline 6

submission, entitled, Comments on any further information/submissions received by Deadline 5 [REP6-099].

6.2 The Highway Authority therefore has the following comments to make in relation to the Outline Construction Traffic Management Plan Version 3 (Tracked) [REP7-027]:

- Under paragraph 5.1.2 in their Deadline 6 Submission, entitled, Comments on any further information/submissions received by Deadline 5 [REP6-099], the Highway Authority queried as to whether the Reed Bed Water Treatment Compound should be included in the list of contractor compounds, as a result of Project Change 3. In the Applicant's Response to Deadline 6 Submissions [REP7-095], they state that, the OCTMP shows the location of the main temporary construction compounds which are anticipated to be operational for a number of years, as set out in the Indicative Construction Sequencing [REP2-016]. Given that the temporary construction compound for the water treatment works (reed beds) would only be operational for a short period of time (from 2025 to 2026), it has not been listed in the OCTMP. The Highway Authority are of the view that this should be made clear in paragraph 5.1.2 of the OCTMP that these are just the main construction compounds and that others may be required. Presently that is not the case, as it is in the Code of Construction Practice Version 4 (Tracked) [REP7-023]. Paragraph 4.5.8 of REP7-023 states, "*In addition, a number of temporary compounds may be erected to support specific construction activities.*" A similar statement should be made in Section 5 of the OCTMP.
- In relation to Contingency Routes, in paragraph 6.3.2 of the OCTMP the Applicant has stated that further information on the situations in which it is envisaged that construction traffic would be authorised to use a contingency access will be provided in the full CTMP(s). The Joint Local Authorities have subsequently requested that for the purpose of clarity, as has been done with the Local Roads (Restricted Access) (see paragraph 6.4.1), it would assist if the situations the Contingency Access routes may be used were provided in the OCTMP, most recently see REP7-103. The Applicant has simply responded, in their Response to Deadline 6 Submissions [REP7-095], that paragraph 6.3.1 of the OCTMP explains that the contingency route may be used "... *in the event that the primary access is impaired.*" This is not sufficiently clear and may lead to inadequately controlled access along restricted routes. This is of particular concern to Crawley Borough Council, since the J10 M23 contingency route would result in significantly increased traffic volumes passing through its AQMA. The Applicant states (para 6.3.2) that further information on situations where the contingency access routes

would be used will be set out in detailed CTMP. However, the JLA request that a framework of defined thresholds for the authorised use of a contingency access, including how it will be monitored and regulated, are provided in the examination and secured through the OCTMP, within the DCO.

- In response to WSCC's comment about the status of the Restricted Access Route along Radford Road, and it being used to access the Reed Bed Water Treatment Compound, the Applicant has amended paragraph 6.4.1 of the OCTMP to include an additional exception to the use of local areas to explicitly address cases where that local road is the only vehicular access to the site.
- The Joint Local Authorities requested that additional wording be added to the end of paragraph 6.4.2 in relation to Local Roads (Restricted Access). The wording was, "*If construction traffic cannot be excluded from these routes all contractors will be made aware of these more sensitive locations, and the presence of more vulnerable road users in these areas.*" The Applicant has not included this wording and it is not apparent as to why they not done this. This is considered to be standard practice to make contractors and haulage companies aware of potential sensitive sites along construction routes, such as schools. The Highway Authority therefore consider that this should be included as a key road safety consideration.
- The Joint Local Authorities requested that additional wording be included at the end of paragraph 7.8.2 in relation to the scheduling of deliveries. The requested wording was, "The CTMP will also set out measures to address the early arrival of vehicles, to enable them to avoid travelling to the site at peak hours or during school start/finish times. Measures may include the identification of vehicle holding areas on route, for vehicles to wait before proceeding to the site." The Applicant has not included this wording and it is not apparent as to why not. Again, this is considered to be standard practice within a CTMP and therefore it should be included within this project to deal with the potential early arrival of vehicles.
- In light of the Joint Local Authorities comments about the extent of road sweeping that will be undertaken, the Applicant has amended paragraph 8.2.2. This revised wording is welcomed and now deemed acceptable and ensures that road sweepers will be deployed on roads around the airport, but also around the construction compounds.
- In paragraph 8.2.1 of the OCTMP [REP7-027] the Applicant has agreed to arrange training events for local residents and

business, particularly around the proposed construction routes. These events will focus on road safety education for other road users. The Joint Local Authorities simply requested that this also included local schools. The Applicant has not included schools in the latest revision of the OCTMP [REP7-027] and therefore the Joint Local Authorities make this request again.

- At the request of the Joint Local Authorities the Traffic Management Forum (TMF) has been renamed the Construction Traffic Management Forum (CTMF). To avoid any confusion with the Transport Mitigation Fund (TMF). This matter is now addressed.

7 [REP7-030] - 5.3 Environmental Statement Appendix 5.3.2: Code of Construction Practice Annex 6 - Outline Arboricultural and Vegetation Method Statement - Part 1-6 Version 4 (Clean) [REP7-030], [REP7-032], [REP7-034], [REP7-036], [REP7-038] & [REP7-040] (OAVMS)

7.1 The Ecological Clerk of Works (ECoW) will play an important role regarding both vegetation removal and protection, as stated in the COCP. It is therefore recommended that the role of the ECoW is highlighted in Annex 6 Part 1 for both arboricultural features and vegetation with further consideration within the Detailed AVMSs where required. This should include, but not be limited to delivering talks to contractors on ecological issues, checking protective measures (i.e. protective fencing, ground protection and specific activities requiring specialist advice or supervision), overseeing habitat/vegetation clearance, and ensuring compliance with wildlife legislation.

7.2 The revised section 3.3 of the OAVMS, and the Tree Removal and Protection Plans (drawing no. 758), now state that the proposed underground services will be located outside of the buffer zone of Horleyland Wood (of Ancient Woodland status) and therefore avoiding direct impacts from construction activities. However, it is worth noting that the Project Description Figures (v4) [REP6-016] do not yet reflect any change to the indicative location for the proposed foul water pipeline. Due to this change to the OAVMS, this is now required to be located outside of the buffer zone for Horleyland Wood and must be reflected during detailed design. The Authorities are now content that Ancient Woodland will no longer be directly impacted by the project which has been reflected within the relevant section of the SoCG.

8 [REP7-042] - 5.3 Environmental Statement Appendix 5.4.1 Surface Access Commitments - Version 4 (Clean) / [REP7-043] (Tracked)

- 8.1 The Highway Authority have reviewed the Applicant's Deadline 7 submission of a revised Surface Access Commitments – Version 4 (Tracked) [REP7-043] and have the following comments to make.
- 8.2 Firstly, it should be noted that the Joint Local Authorities (excluding Kent) submitted a tracked change version of the Surface Access Commitments at Deadline 7. The changes that the Joint Local Authorities considered are required to the SACs [REP7-043], are set out in the Joint Local Authorities Deadline 7 Submission, Response to the Applicant's Deadline 6 Submissions – Appendices [REP7-104]. Notwithstanding that the JLA's consider that EMG is the optimum mechanism to provide appropriate controls, and to ensure that policy compliant growth can occur, the Joint Local Authorities consider it important to fully engage with the Applicant in relation to the SACs. Appendix A of REP7-104 includes all of the changes that are considered necessary to the SACs [REP7-043], to ensure that appropriate controls and mitigation are in place to meet the SACs model split commitments, and that timely mitigation is provided should they not be met. The Highway Authority would look for the Applicant to incorporate these changes into the SACs. Key concerns of the Highway Authority, include the practicalities of the Secretary of State (SoS) to deliver measures, such as controls on growth of the airport. The requirement to reach the mode share target arises on the third anniversary of the Northern Runway coming into first use. Assuming that the Applicant meets their aim of opening the runway in 2029, this would mean that the modal split target is applicable from 2032. The ExA's proposed amendments to Req 20 in Annex B of the ISH9 Agenda would overcome these concerns to a large extent, with some further refinement as set out in the JLP xxxxxD8 submission. The monitoring report for 2032 would be produced in early 2033 (when Civil Aviation Authority survey data for 2032 is available). The second monitoring report would be produced in early 2034. If, at that point, the Transport Forum Steering Group (TFSG) did not agree with the proposed actions, the matter would be referred to the Secretary of State (SoS), within 90 days of the TFSG raising their concerns in writing. Clearly the SoS would require time to review and decide on a course of action, it would likely be after the declaration of capacity for summer 2035 (made in September 2034). Hence, the earliest that any action could be taken by the SoS to limit ATMs would be 2036. At this point, virtually all of the NRP capacity is expected to have been taken up (circa 99% based on the Applicant's forecasts). Based on the existence of grandfather rights to slot allocations, there would be no realistic action that the SoS could take to reduce ATMs and growth at the airport, to ensure that the surface access implications are acceptable, because the growth would have already occurred. Therefore, in theory the SoS may be able to use whatever measures they consider as necessary, as the Applicant indicates, however in practice, this would not include measures to control growth at the airport. Therefore, the Highway Authority considers that the only

means to control growth at the airport, to ensure that it aligns with the environmental impacts forecast as part of the Applicant's Environmental Statement, is to adopt the Environmentally Managed Growth approach, advocated by the Joint Local Authorities.

- 8.3 Other concerns relate to the amount of time that could pass where the SACs modal splits are not being met. Therefore, the Highway Authority would look for significant improvements to the wording of Commitment 16. The timescales for actions to be completed, and measures to be introduced, should be as short as is practically possible. This is in order to reduce the time period the modal split commitments are not being met.
- 8.4 The Highway Authority has the following comments to make in relation to the changes proposed by the Applicant as part of their Deadline 7 submission, Surface Access Commitments – Version 4 (Tracked) [REP7-043].
- 8.5 In relation to Commitments 5 - Enhanced regional express bus or coach services and 6 – Enhanced Local Bus Services, it is noted and welcomed that the Applicant is now intending to enter into an agreement to provide financial support to the highlighted services prior to the first anniversary of the commencement of dual runway operations. Previously this was intended to be provided by the third anniversary. The Joint Local Authorities raised this issue in their Deadline 7 submission, Response to the Applicant's Deadline 6 Submissions – Appendices [REP7-104]. The Joint Local Authorities had requested that services start on commencement of dual runway operations, but it is positive that the Applicant has brought the introduction of these services forward.
- 8.6 Subsequently, the change to the delivery of the express bus and coach and local bus services requires changes to Commitment 5 and 6 (3). This sets out when the Applicant will consult the Transport Forum Steering Group (TFSG). The Joint Local Authorities consider that it may be easier if the Applicant consults the TFSG 6 months prior to the operation of services.
- 8.7 Under Commitment 14A the Applicant has introduced a new Rail Enhancement Fund (REF). There are two distinct elements of this fund. Firstly, the Applicant commits to undertake various pieces of work from the commencement date. This includes additional wayfinding measures at Gatwick Railway Station, to increase the spread of passengers over the gatelines and a gateline capacity review to, participating in planning and consultation of network upgrades to improve performance and reliability on the Brighton Mainline near Gatwick and sponsoring analysis of the benefits from signalling

upgrades, to allow more early morning/late night trains without disrupting maintenance programmes.

8.8 Secondly, the Applicant commits that from the commencement of dual runway operations until the fifteenth anniversary of completion of the national highway works, they will provide a sum of up to £10m. This fund will be able to finance initiatives and measures that are aimed at improving reliability of the rail network, or enhancing the rail network or rail services, in support of increasing the use of sustainable transport by passengers and staff travelling to and from the airport.

8.9 This fund is welcomed by the West Sussex Authorities and it is recognised that the Applicant has now acknowledged the need for the Project to help fund improvements to the rail network, in order to maximise trips to and from the airport via sustainable means. The Highway Authority would, for now, defer to Network Rail and would welcome their views on whether the commitments are sufficient. The only comment the Authorities wish to make at this time is in relation to the timescales for the fund. The Applicant states in paragraph (2) of Commitment 14A that the fund will be open from the commencement of dual runway operations until the fifteenth anniversary of completion of the national highway works.

8.10 As with the Joint Local Authorities comments on the time of operation of the Transport Mitigation Fund, the view is that the REF should cover the entire period of airport growth, so that the full effects are known and can be mitigated through the REF. The delivery of the national highway works is not fixed and could be delayed or delivered earlier. Therefore, the wording in paragraph 2 should be amended so that the fund is available from the commencement of dual runway operations, until the later of, the fifteenth anniversary of completion of the national highway works or 2047.

8.11 As stated above, the JLAs consider that EMG is the optimum mechanism to provide appropriate controls, but if an EMG approach is not pursued then the following table sets out in detail proposed changes the Highway Authorities would wish to see made to the Surface Access Commitments document [REP7-043]. These would need to be reviewed again if the Applicant were to make any other changes.

The ExA's proposed amendments to Requirement 20 in Annex B of the ISH9 Agenda would	Text in REP7-043	Comment /proposed change

overcome these concerns to a large extent, with some further refinement as set out in the Joint Legal Partnerships Comments, submitted at Deadline 8.		
Commitments 1 to 4	GAL must achieve the following annualised mode shares by the third anniversary of the commencement of dual runway operations and on an annual basis thereafter	This should be updated accordingly to include an upon-opening target and a third anniversary target to be consistent with the ExA's recommended revised Requirement 20.
4.2.2		Proposed changes contained in REP7-104 .
Table 1		Proposed changes contained in REP7-104 .
Commitment 5	(2) GAL must use reasonable endeavours to enter into an agreement on financial support relating to the proposed routes in Table 1 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third first anniversary of the commencement of dual runway operations.	Proposed changes contained in REP7-104 and provided below given the Applicant's change at D7 (2) The change highlighted (in bold in column 2), should be further changed: From: <i>prior to the first anniversary of the</i> To: <i>upon commencement of dual runway operations</i>
Commitment 5	(3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of: a) the second anniversary of the commencement of commencement of dual runway operations;	(3a) The change highlighted (in bold in column 2), should be further changed: From: <i>the commencement of</i> To: <i>six months prior to commencement of</i>
Commitment 5		To include after 3b (as indicated in REP7-104) <i>Beyond the specific Commitment 5, to fund the services in Table 1 for a minimum of five years, GAL will if necessary to meet Commitments 1 to 4 of the SACs, fund additional regional bus and express coach services.</i>
Commitment 6	(2) GAL must use reasonable endeavours to enter into an	Proposed changes contained in REP7-104

	agreement on financial support relating to the proposed routes in Table 2 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third first anniversary of the commencement of dual runway operations.	(2) The change highlighted (in bold in column 2), should be further changed: From: <i>prior to the first anniversary of the</i> To: <i>upon commencement of dual runway operations</i>
Commitment 6	(3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of: a) the second anniversary of the commencement of dual runway operations;	(3a) The change highlighted (in bold in column 2), should be further changed: From: <i>the commencement of</i> To: <i>six months prior to commencement of</i>
Commitment 6		To include after 3b (as indicated in REP7-104) <i>Beyond the specific Commitment 6, to fund the services identified in Table 2 for a minimum of five years, GAL will if considered necessary to meet Commitments 1 to 4 of the SACs, fund additional local bus services or increased frequency or hours of operation of services.</i>
Commitment 6	For the purposes of this Commitment 6, “public transport accessibility” shall mean the ease to which passengers and staff have access to public transport services in catchment areas that are not currently served by direct bus/coach or rail connections in order to provide a viable alternative to car travel from those areas.	As indicated in REP7-104 , an additional tailpiece to include: <i>.....and the increased ease to which those with access to existing public transport services are able to use them due to increased frequencies and hours of operation.</i>
Para 5.2.5	From the commencement of dual runway operations , GAL will invest a minimum of £10 million in a Bus and Coach Services Fund which will be made available to support the financial commitments referred to in Commitments 5-7 above.	Proposed change supported
Para 5.2.6	The highway proposals which form part of the Project include physical improvements to active travel infrastructure at Longbridge Roundabout, alongside the A23 London Road and Longbridge Way, between South Terminal,	As indicated in REP7-104 the JLAs still have concerns that there are additional active travel connections that should be provided to mitigate the impact of the project and ensure there are

	Gatwick Airport railway station and Balcombe Road and alongside Perimeter Road North between North and South Terminals.	attractive routes between the airport and local communities.
Para 5.2.7	GAL will also enhance on-site facilities to ensure sufficient cycle storage, changing facilities, lockers and showers are available and these support the aim of encouraging more staff to walk and cycle.	As indicated in REP7-104 , to also include: <i>These measures to promote active travel will be developed in consultation with the TFSG.</i>
Para 5.2.8	The Project contains proposals for up to a further 1,100 car parking spaces, bringing the total to approximately 53,550 spaces. GAL will provide these spaces over a period of time as demand requires.	The authorities require that the trigger for 'as demand requires' is identified.
Commitment 8	GAL therefore commits to provide funding for:	As indicated in REP7-104 , to also include the value: <i>GAL therefore commits to provide sufficient funding being a minimum of £x for</i>
Commitment 8A	GAL shall assess the need for additional parking over and above that required to replace capacity lost as a result of construction in connection with the Project and provide sufficient but no more additional on-Airport public car parking spaces than necessary to achieve a combined on and off airport supply that is consistent with the mode share commitments (commitments 1-4); and GAL shall consult with the TFSG in advance of providing such parking.	Although clearly related to para 5.2.8, this to include a ceiling of 1,100 spaces: <i>..... provide sufficient but no more additional on-Airport public car parking spaces than necessary (and no more than 1,100 additional spaces) to achieve.....</i>
Commitment 11	- GAL commits to maintaining the number of parking spaces allocated for staff use at or below current levels (6,100 spaces).	As indicated in REP7-104 , to also include text in bold: <i>current levels (6,100 spaces) and that the staff car parking will only be in use for staff only.</i>
Commitment 12 (1)	GAL commits to introducing measures to discourage single-occupancy private vehicle use by staff. GAL also commits to implementing incentives for active travel and increasing discounts for staff using public transport. The precise nature of those measures will need to be defined in due course, in consultation with employers and staff.	As indicated in REP7-104 , to also include text in bold: The precise nature of those measures will need to be defined in due course, in consultation with employers and staff. However, for clarity such measures could include, but not be limited to, personalised travel planning for staff, financial incentives such as cycle to work scheme and discounted public transport

		vouchers, car share database and increased parking charges for single occupancy vehicles.
Commitment 12 (2)	No part of the second runway operations may begin until GAL has consulted with the TFSG in respect of the measures under paragraph (1) above.	As indicated in REP7-104 , to change to: No part of the second runway operations may begin until the measures highlighted in paragraph (1) have been developed in consultation with and approved by the local highway authorities and National Highways.
5.2.13	Since 2020 there is also a financial contribution from forecourt charges in to the STF.	As indicated in REP7-104 , to also include text in bold: <i>Since 2020 there is also a financial contribution from forecourt charges in to the STF. For clarity this fund is entirely separate to the Transport Mitigation Fund, Bus and Coach Services Fund and other funding referred to specifically in the Section 106 agreement or other Commitments and is just one mechanism by which GAL ensures compliance with Commitments 1 – 4. For the avoidance of doubt GAL remains responsible for complying with and fully funding Commitments 1 – 4 regardless of the funding stream used.</i>
Commitment 13 (1)	GAL will continue to use the STF to support measures that will help to achieve the mode share commitments and the measures shall be determined following consultation with the TFSG.	As indicated in REP7-104 , change to: <i>GAL will continue to use the STF to support measures that will help to achieve the mode share commitments and the measures, to be funded by the STF, shall be determined following consultation with the TFSG. GAL will maintain the annual increase in the tariff value on air passenger spaces.</i>
Commitment 13 (4)	GAL shall not be required to make payment into the STF pursuant to paragraph (3) above in any year to the extent that such payment would increase the unallocated funds in the STF to or above a value of £10 million	As indicated in REP7-104 , change to: <i>GAL shall not be required to make payment into the STF pursuant to paragraph (3) above in any year to the extent that such payment would increase the unallocated funds in the STF to or above a value of £10 million PROVIDED THAT regardless of</i>

		<i>whether GAL has paid funds into the STF in a given year, GAL remains responsible for complying with and fully funding Commitments 1-4.</i>
Commitment 13 (5)	Following the ninth anniversary of the commencement of dual runway operations, if the Councils agree with GAL that the Mode Share Commitments (Commitments 1-4 in this document) have been met, the Councils may confirm in writing that GAL is not required to make payment into the STF pursuant to paragraph (3) above in any particular year.	Our interpretation is that payment into the STF does not end after year nine but that payments would only stop if the Councils agree.
Commitment 14	GAL will also set aside a Transport Mitigation Fund (TMF) to support further interventions, particularly should the need arise for additional measures in the area surrounding the Airport as a direct result of airport-related growth. The intention of this fund is to give assurance that resource will be available for additional interventions in support of the commitments set out in this document, or to provide mitigation of an unforeseen or unintended impact from the Project. This may relate to physical infrastructure, changes to public transport services or facilities off-airport. Requests for and decisions on allocation from the TMF would be addressed through the Transport Mitigation Fund Decision Group in accordance with the provisions in Schedule 3 of the Section 106 Agreement [REP6-063.	As indicated in REP7-104 , change to: <i>GAL will also set aside a Transport Mitigation Fund (TMF) of £10 million to support further interventions, particularly should the need arise for additional measures in the area surrounding the Airport as a direct result of airport-related growth. The intention of this fund is for resources to be available to provide mitigation of an unforeseen or unintended impact from the Project. This may relate to physical infrastructure, changes to public transport services or facilities off-airport. Requests for and decisions on allocation from the TMF would be addressed through the Transport Mitigation Fund Decision Group in accordance with the provisions in Schedule 3 of the Section 106 Agreement [REP6-063].</i>
Commitment 14A		The authorities welcome the Rail Enhancement Fund
Para 6.1.1	The Transport Assessment demonstrates that the mitigation put forward as part of the application for development consent for the Project (including those measures/commitments made in this document) are appropriate in mitigating the potential impacts of the Project.	As indicated in REP7-104 , to also include text in bold: <i>The Transport Assessment demonstrates that the mitigation put forward as part of the application for development consent for the Project (including those measures/commitments made in this document) are forecast to be appropriate in</i>

		<i>mitigating the potential impacts of the Project</i>
Table 3	Staff travel survey every two years	Given staff travel is a significant commitment, is a daily occurrence and impacts the local road network, this survey (or sample) should be annual.
Para 6.2.1	The first AMR will be produced no later than six months before the commencement of dual runway operations.	As indicated in REP7-104 , to change to: <i>The first AMR will be produced upon Consent of DCO.</i>
Para 6.2.5	GAL will also identify whether there are circumstances beyond its control	We would like it stated that matters beyond GAL's control does not extend to differences between the model forecasts and the real-world service provision.
Para 6.2.5	GAL will also identify whether there are circumstances beyond its control (for example extreme weather events or industrial action disrupting transport services) which have impacted on its ability to achieve its commitments in the SACs and will advise the TFSG that those events may affect the outcomes reported in the AMR	As indicated in REP7-104 , to also include text in bold: <i>GAL will also identify whether there are circumstances beyond its control (for example extreme weather events or industrial action disrupting transport services) which have impacted on its ability to achieve its commitments in the SACs and will advise the TFSG that those events may affect the outcomes reported in the AMR. TFSG will decide and confirm whether they agree with GAL's view that matters are beyond GAL's control and whether those events may affect the outcomes in the AMR. For clarity the baseline public transport services are considered to be those during 2024 (the DCO examination) and not the services levels as modelled within the DCO submission, and this is not considered to be a matter that is beyond the control of GAL.</i>
Para 6.2.7	If two successive AMRs continue to show that the mode share commitments have not been met or, in GAL's or the TFSG's reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will prepare a further action plan (the "SAC Mitigation Action Plan") and will	As indicated in REP7-104 , to also include text in bold: <i>If two successive AMRs continue to show that the mode share commitments have not been met or, in GAL's or the TFSG's reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will prepare a</i>

	provide this to the TFSG, together with additional data if necessary and possible, in order that the TFSG can consider, comment on and approve or reject the SAC Mitigation Action Plan	<i>further action plan (the "SAC Mitigation Action Plan") and will provide this to the TFSG within 30 calendar days, together with additional data if necessary and possible, in order that the TFSG can consider, comment on and approve or reject the SAC Mitigation Action Plan (including costs, an implementation plan and any changes to monitoring and reporting).</i>
Para 6.2.9	The Secretary of State may approve the SAC Mitigation Action Plan or direct GAL to include in a revised SAC Mitigation Action Plan the Proposed Measures or such additional or alternative interventions it considers reasonably necessary to achieve the mode share commitments having had regard to the materials submitted in accordance with paragraph 6.2.8 above including the representations submitted by the TFSG and any relevant evidence, data or information submitted by GAL.	The authorities note the Applicant's response to ExA Q2 TT2.6 in REP7-092 . However, para 6.2.8-6.2.11 does not explicitly state the controls highlighted and SCC seek an update of the SAC to this effect. To also include text in bold: <i>The Secretary of State may approve the SAC Mitigation Action Plan or direct GAL to include in a revised SAC Mitigation Action Plan the Proposed Measures or such additional or alternative interventions it considers reasonably necessary to achieve the mode share commitments having had regard to the materials submitted in accordance with paragraph 6.2.8 above including the representations submitted by the TFSG and any relevant evidence, data or information submitted by GAL. It does not preclude the Secretary of State from directing other controls on factors affecting mode share at the airport including passenger numbers, aircraft movements and/or parking numbers where the Secretary of State considers those interventions are reasonably necessary to achieve the mode share commitments</i>
New para/table		Reporting timetable: <ul style="list-style-type: none"> • First AMR – to be issued upon DCO consent and annually thereafter

		<ul style="list-style-type: none"> • First Action Plan – to be issued within 30 days of the First AMR • TfSG Approval – within 30 days of receipt. • Second AMR – to be issued on first anniversary of DCO Consent • SAC Mitigation Action Plan – to be issued within 30 days of the Second AMR • TfSG Decision – within 30 days of receipt • GAL’s consideration of decision – within 21 days • Submission to SoS within 30 days • <i>(Assume SoS decides within 30 days)</i> • TfSG consideration of SoS decision – within 30 days <p>We note that these timescales may need further consideration in light of the ExA proposed revisions to Requirement 20.</p>
7.1.3	GAL has identified the following aspirational mode share targets, which indicate GAL’s longer-term goals. These are not commitments under this document	To change text to: <i>GAL has identified the following aspirational mode share targets, which indicate GAL’s longer-term goals. These will become commitments under this document in 2042.....</i>

9 [REP7-048] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 1 Version 6 (Clean) / [REP7-049] (Tracked)

9.1 The Authorities are pleased to note that Section 6.5.8 has now been amended to reflect previous comments regarding the need to secure the continued long-term management of the entirety of the North West Zone (NWZ) and Land East of the Railway Line (LERL) Biodiversity Areas.

9.2 Section 11.19.7 refers to ‘The re-aligned River Mole and its open lidded culvert channel ...’ The Authorities raise concern over this description as it is expected to be a ‘naturalistic’ re-aligned river channel.

- 10 [REP7-050] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 2 Version 6 (Clean) / [REP7-051] (Tracked)**
- 10.1 No comments regarding ecology or arboriculture.
- 11 [REP7-052] - 5.3 Environmental Statement Appendix 8.8.1 Outline Landscape and Ecology Management Plan - Part 3 Version 6 (Clean) / [REP7-053] (Tracked)**
- 11.1 No comments regarding ecology or arboriculture.
- 12 [REP7-054] - 5.3 Environmental Statement Appendix 11.9.6 Flood Risk Assessment - Annexes 1-2 Version 2 (Clean) / [REP7-055] (Tracked)**
- 12.1 No comments.
- 13 [REP7-056] - 7.1 Planning Statement Appendix A - Gatwick Airport Planning History - Version 2 (Clean) / [REP7-057] (Tracked)**
- 13.1 In response to ExQ2 GEN 2.12 [REP7-083] the Applicants have provided a revised Appendix A (v2) [REP7-056] to its Planning Statement which it states should be read alongside an earlier response to the ExA's procedural decision letter [AS-115].
- 13.2 In this revised document, it has not been clearly expressed that the '1979 permission' in reality relates to 2 planning applications (Application references CR/127/1979 and CR/125/1979). The "widening of the main taxiway..." quoted in paragraph 1.2.1 of [REP7-056] is application CR/125/1979 and conditions 3 and 4 are as stated. The Authorities agree that on this permission, these 2 conditions are incompatible with the DCO Project. It is accepted that if the DCO is consented, condition 3 would be overridden by the new provisions of the DCO and that draft requirement 32 (the wording of which is still being discussed) seeks to ensure the replacement of the western noise mitigation bund in lieu of condition 4.
- 13.3 Revised Table 1 in Appendix A sets out the planning history which the Applicant considers is relevant to the project. The Authorities note that this document is still not comprehensive listing just some of the airport planning history and only as far back as 2014. The revised table does not reflect the evidence provided by the West Sussex Authorities in Appendix C of the West Sussex LIR [REP1-069] which provided a much larger number of planning records relating to planning applications within the DCO limits. It is still not clear to the Authorities if the Applicant has reviewed the evidence provided in Appendix C and discounted these as no justification has been given.

13.4 It is accepted that the revised Table 1 is helpful in so far as the list goes, in that it lists the applications the Applicant says it has reviewed and are not incompatible with the Project and this clarification for those records is welcomed. It should be noted that this table is still very incomplete and includes some land outside of the DCO Order limits with no justification or explanation for their relevance (for example CR/2019/0694/OUT – 185 Dwellings in Steers Lane, Forge Wood, CR/2017/0810/FUL – temporary parking on land at Fernlands and CR/2019/0767/FUL- Cess Pit, Knights Acre Poles Lane).

13.5 Appendix A is also helpful in confirming some types of existing conditions which the Applicants do not consider are incompatible with the DCO Project including Bird Hazard Management Plans, removal of permitted development rights on some existing airport buildings, existing restrictions on installations of external lighting, existing Travel Plans and Office Use Restrictions. However, there are questions still remaining regarding the compatibility of some planning permissions and conditions in respect of Flood Risk Measures / Suds designs, the retention of physical features such as bunds, some noise control measures and the operational land restrictions. These are set out in more detail below:

Maintenance of flood risk measures/ Suds Designs

13.6 The Applicant states that they have taken account of existing drainage schemes in the baseline and that in the eventuality of any conflict this would be captured through the detailed design process. This assumption has not been proven to the Authorities. As drafted, with limited drainage information in the Control documents or Development Principles Statement and no detailed final designs, is unclear how this potential conflict could be addressed through the discharge of requirements. This is due to the fact that drainage designs for majority of the Works are proposed to be in consultation with the local authority in accordance with the control documents. The Authorities are therefore proposing a revision to Article 9(4) to include a Schedule to safeguard existing drainage and flood risk conditions which are in perpetuity (to be submitted at Deadline 8), so where any conflict is identified at design stage these incompatibilities can be addressed.

Retention of physical measures such as bunds

13.7 Aside from the western noise bund, there are other features around the airfield which need to be retained. These are also listed in the proposed revision to Article 9 (4) Schedule so they would not be removed or altered in the event that detailed designs are amended. These include the environmental bunds in the northwest zone.

Noise control measures

13.8 The Applicant does not address the noise control measures in respect of the Boeing Hangar in respect of towing and engine testing and it is unclear if these conditions are deemed incompatible to the Applicant

who simply states that these will be replicated in the draft S106 Agreement. However, these are not included in the draft s106, and are therefore added into the Schedule attached to the proposed revision to Article 9 (4).

Operational Land Restriction

13.9 Application CR/1991/0239/FUL for the pollution control lagoon is the subject of a legal agreement preventing the application area from be subsequently treated as operational land. The Applicant states that the 2022 legal agreement is the only S106 Agreement binding any area within the Order limits. The Authorities would like further information on how the Applicant reached this conclusion and why this 1991 agreement is not considered to be in place.

14 [REP7-058] - 7.3 Design and Access Statement (Version 3) - Volume 1 [AS-154], Volume 2 [REP7-059], Volume 3 [AS-155], Volume 4 [REP7-061] and Volume 5 [AS-156]

14.1 It is noted that there have only been a limited number of changes to the Design and Access Statement notwithstanding the extensive design points raised by the Authorities. The overall concerns about the design ambition and the securing of good design remain reflected by the fact that there is just a single line added to Volume 1 [AS-154] referencing a '*commitment to good design*' as project objective but with no further justification or explanation about how that would be secured.

14.1 The Authorities note that the whole document is lacking any reference to the project change adding the proposed Water Treatment Works (Works 44). This is of particular concern in respect of Volume 3 [AS-155] as there are therefore no design details about these works and the consequential amendments that would be required as a result of this addition to the North Terminal Long Stay Car Park. As a result, the visuals and descriptions for the Northwest Zone are inaccurate. The Applicants should also add some explanation about the design impact for the Northwest Zone in the development scenarios with or without the construction of the Water Treatment works.

14.2 In Volume 4 [REP7-061] there remains uncertainty and inconsistency about Pentagon Field (section 5.11.4) following the Applicant's additional note [REP5-078], and lack of clarity about what is proposed [see Authorities' response REP6-116]. There remain discrepancies in the description of the earthworks quoted as a maximum depth in the DAS and the information submitted by the Applicant at Deadline 5. This site remains a concern to the Authorities due to the lack of detail (see section 41(c) of Table 2 in section 23 of this document in response to [REP7-096[

- 14.3 In Volume 5, [AS-156] it is noted that the Reed Bed Compound has been added to figure 57 as a construction compound however, unlike the other listed compounds which have some very limited information about their appearance, geographical extent and facilities there is no detail for the Reed Bed compound. The DAS is also silent on the site restoration for this compound which occupies an ecologically sensitive area. Full reinstatement of the habitat would be expected for this site, including the replacement of any lost or damaged trees and the potential for habitat enhancement.
- 14.4 Overall, the main DAS has not been amended to pick up the details added into the Development Principles document (comments provided in detail the section 15 below) so there is a disconnect between the illustrations in the DAS document and the written text in the Development Principles. Given the absence of any illustrative material in the development principles, this is potentially misleading and where the Development Principles have recently been amended, the illustrations in the DAS should be updated. The text within the DAS also needs to be updated as, for example, following revisions to the Development Principles it is noted that Figure 11 in Volume 2[REP7-059] in respect of Car Park X has been updated however, the written text paragraph 5.2.4.5 still refers to 'an open steel deck structure with circulation cores and vehicle ramps' .

15 [REP7-063] - 7.3 Design and Access Statement - Appendix 1 - Design Principles - Version 5 (Clean) / [REP7-064] (Tracked)

- 15.1 While the document has been expanded upon during the Examination from its original 10 pages it is still considered to be deficient in terms of quality and detail due to lack of information and lack of any visuals or sketch concepts to illustrate any design points. Written design principles are not very easy to read and interpret and would be better articulated with illustrations which the Applicant refuses to include. The Development Principles document still fails to address project design holistically.
- 15.2 The Applicant now references an aim to deliver good design and states these can be delivered through these principles, however there is no vision of good design in the Project objectives articulated within this document so it still remains unclear how this could be achieved.
- 15.3 The approach to the control of design still remains of serious concern with the Authorities having so little input into the evolution of drainage and detailed designs through the proposed 'consultation' process. The concerns with this 'light touch' control mechanism were explained in section 5.1 [REP6-107] along with the lack of external scrutiny. The difficulty remains that the design principles are still poorly detailed in part due to the flexibility the Applicant requires for the project, the

generous parameter and works plans and lack of design evolution for many elements of the works. There is therefore little confidence good design can be secured for key works through **the 'consultation' process which provides no meaningful opportunity for further discussion on these design elements as the submission only has to prove it has addressed the limited details specified in the Development Principles document.**

- 15.4 Detailed design approval is therefore considered essential in the absence of this information for most of the Project Works. It is acknowledged the Applicant has provided some further information and the Authorities have therefore updated the list provided in Table 1 [REP6-111] in response to review of the amended design information submitted at Deadline 7. The updated suggested amendments to Schedule 12 are set out in Table 2 in section 23 of this document providing comments on REP7-096.
- 15.5 Even with the proposed design approval process via 'listed works' in Schedule 12, there is also no commitment in the Development Principles document to engagement with stakeholders such as local authorities whose input can add value to the design development process prior to the submission of the detailed design (other than through the Design Review Process which has limited engagement for a handful of the works). While it is accepted that the document is intended to be read alongside a suite of other documents which cover a range of other measures and matters, the design aspect is the element that should bring these strands together and therefore there is a need for all to be holistically considered through effective pre-submission engagement.
- 15.6 References - It is noted that the Design Principles document references have not been updated to refer the latest revisions of some control documents for example, the Outline Landscape and Ecology Management Plan. There are still references in the document to National Parks and Excepted Development which are not relevant.
- 15.7 Drainage Principles - Aside from DDP1 and DDP2 on table 1.11.3 which are not agreed, the Authorities are generally satisfied with the drainage design principles set out. The Authorities have been clear that the surface water mitigation strategy should be based on a 40% CC. The Climate change allowance for the fluvial mitigation strategy should also be set at 40% CC. This is because the Applicant has not provided any consideration between 2125 and 2132 time lag based on the 2080's epoch and the proposed structures' life spans respectively.
- 15.8 Works 44 -Wastewater Treatment Works – There are no specific design principles for this site. The design principles for Works 32 also should be strengthened due to the enlargement of this car park as the potential visual impact of this structure on the Grade II* listed

Charlwood Park Farm House (Bear And Bunny Nursery) have also not been addressed.

- 15.9 Concern remains about the level of detail for other works sites, this has been set out in Table 2 alongside the reasoning for inclusion in Schedule 12 (see section 23)

Annex A – The Design Advisor’s role and process

- 15.10 It is disappointing that there have been few updates to this annex despite the detailed information provided by the Authorities at Deadline 6 [REP6-111].
- 15.11 It is noted that the scope of works subject to a design review now includes Car Park Y, Car Park X and all the site of Car Park H, and these additions are welcomed. However, the Authorities object to the exclusion of Car Park Y, Car Park X and the wider works at Site H from the Schedule 12 ‘listed’ works. This exclusion fails to give the Authorities an opportunity to comment on the final submission design for these structures which themselves are ‘major’ scale development and might not be submitted in line with the Design Advisor’s report and/or comments the Authorities made during the design review process. These Works should be added into Schedule 12 to enable meaningful consultation on these sites to take place during the consideration process with the local authorities and with an opportunity to seek further design amendments (if required) through the approval process.
- 15.12 The Authorities still consider that the significant airfield infrastructure they identified in Table 2 of Appendix 1 [REP6-111] should be added into the design review process . It is still considered that Works 9, 16, 22, 23, 24 and 25 should be included for design review and added as listed works to Schedule 12 for the reasons set out below:
- CARE building (Work 9) - on page 65, [REP7-096] the reasons provided by the Applicant for exclusion are not considered valid. The Environmental Permit may control processes within the building but does not address the wider design and sustainability impacts of a structure of this scale and the Operational Waste Management Plan similarly does not deal with building design or drainage controls. It is precisely because the building is complex in its processes that the design needs to be considered holistically to ensure an appropriate balance between operational need, environmental safeguards and aesthetics.
 - Hangar (Work 16) - in response to Applicant’s comments on page 66 [REP7-096], while additional Design Principles have been introduced, the overall scale and sensitive location of this building means it has a visual impact and merits further design consideration. It is considered that local authority input adds value to the design process, for example, the recent Boeing

Hangar (CR/2017/0116/FUL) was subject to pre application engagement and arguably is a much more sympathetically and sustainably designed hangar than others built at the airfield without such input.

- North Terminal Works 22(a), (b), (c), (d), (f) and (g) and Works 24. – The Applicant seeks to argue, page 67 [REP7-096], that because buildings are sited in the centre of the airfield they have less significant visual impact. The Applicant quoted in [REP6-080] two examples where CBC had determined that this was the case. It should be noted that both examples were consultations under Part 8 of the General Permitted Development Order where under the consultation CBC as the Local Authority cannot object to the design that was being proposed. It is factually correct that Pier 6 is in the centre of the airfield and away from key views and it should be noted that Pier 7 (Works 7) is not being suggested for design review due to its central location in the airfield. For MSCP7 at North Terminal, consultation reference CR/2022/0707/CON concluded *“In terms of visual impact, the height and massing of the building would appear to be consistent with other large scale buildings nearby such as the Hampton by Hilton, Premier Inn and MSCP 6. It is considered unlikely that the development would cause adverse visual impacts as it would be located well within the airport in the context of existing large buildings and screened from the closest residential dwellings located over 300m away to the east by woodland areas either side of London Road”*. It should be noted however, that this assessment was made with the benefit of scaled plans and elevations and that the tree screening either side of London Road was a key factor in reaching this conclusion. This tree screening is shown to be lost as consequence of the DCO Project so the North Terminal would be much more visible than at present and how it is perceived as it is approached will be altered by the proposed alterations to the highway. Furthermore, the scale and massing of the Works 22 are cumulatively greater than MSCP7 and this, combined with the tree loss and importance of these buildings and structures in providing an entrance and gateway to the North Terminal, are considered by the Authorities to justify a design review due the range of staff and public that will interact with these spaces. It is noted Works 22 (a)-(c) are included in Schedule 12 and Works 22(g) and Works 24 should be added.
- South Terminal Works 23 (a), (b) and (c) and Works 25 - these works are considered not to be as visible as those at the North Terminal although they are still important as an entrance and gateway to South Terminal and would benefit from Design Review. It is noted Work 23(a) is included in Schedule 12 and Works 23(c) and Works 25 should also be added.

15.3 Annex A of the document sets out the proposed Design Advisor’s Role. None of the suggestions raised in the JLAs’ response [REP6-111] in

respect of the mechanism for stakeholder engagement have been developed in this document. All concerns about the governance and local authority input into the design review process therefore remain. The CV of the proposed design advisor is noted, however the Authorities wish to understand in more detail the terms of engagement to ensure the advice is independent and to allow proper engagement with the relevant stakeholders in the process in order to deliver the key priority which must be a good design outcome.

- 15.4 The preference of the Authorities remains for a Design Panel approach [REP3-135] as what is currently still proposed does not involve engagement with the wider community and provides very limited engagement with the discharging Authorities. It is still not considered this approach will secure high quality design outcomes

16 [REP7-067] - 10.1 Statement of Commonality - Version 5 (Clean) / [REP7-068] (Tracked)

- 16.1 The Applicant's summary of the position with Horsham District Council in relation to Air Quality does not reflect the engagement to date, nor the number of issues which have either been agreed, or are still under discussion or not agreed.

17 [REP7-069] - 10.1.18 Statement of Common Ground between Gatwick Airport Limited and the Joint Local Authorities - Capacity and Operations

- 17.1 The number of hourly and daily aircraft movements that can be accommodated in the Baseline and NRP Cases is agreed but not how these relate to the overall annual forecasts of passenger and aircraft movement demand.
- 17.2 As noted in the Statement of Common Ground, the principal outstanding area of concern relates to the relationship between airspace change and the ability to accommodate the increased number of aircraft movements expected with the NRP. The particular concern relates to the potential for changes to airspace to enable growth in air traffic more generally could result in increased overflying of areas to the south of the Airport and that no sensitivity testing of these effects has been undertaken by the Applicant.

18 [REP7-070] - 10.1.19 Statement of Common Ground between Gatwick Airport Limited and the Joint Local Authorities - Forecasting and Need

- 18.1 Following ISH9, further discussions are planned with the Applicant to seek to narrow areas of disagreement.

19 [REP7-073] - 10.40 Response to Rule 17 Letter - Future Baseline Sensitivity Analysis - Version 2 (Clean) / [REP7-074](Tracked)

19.1 It is noted that the only amendments against the original Future Baseline Sensitivity Analysis **[REP5-081]** relates to Ecology and the Habitats Regulation Assessment. No attempt has been made to rectify the errors in the National Economic Assessment as pointed out by the JLAs in Appendix III to **REP6-099**. In particular, no account has been taken of potential displacement from other airports. This is seen in the original National Economic Assessment (Figure 5.3.1 of **APP-251**) where all of the growth due to the NRP is assumed to be incremental at the national level. Based on the Applicant's updated unconstrained market projections, in line with Jet Zero - One year on and its top down forecasts, it is clear from Figure 47 of **REP1-052** that there is no longer expected to be excess demand in the London system before 2040 and that by 2050 is evidently substantially less than 40 million annual passengers assumed in the National Economic Assessment. This has the effect of substantially reducing the benefits of relieving congestion yet the Applicant has made no attempt to present robust updated estimates that reflect its own updated assessment of demand. This is even before allowing for displacement from other airports should their expansion plans be approved. This confirms our view that little weight can be placed on the National Economic Assessment, not least as it is no longer consistent with other aspects of the Applicant's evidence.

19.2 It is also noted that the noise assessment remains based on the original Slow Transition Fleet Mix, which is no longer being proposed by the Applicant as the basis for setting the Noise Envelope **[REP6-056]**. This part of the sensitivity analysis should also be updated to reflect the Central Case and the Updated Central Case Fleet mixes.

20. [REP7-077]- 10.55 Explanatory Note on Catalytic Employment

20.1 See **Appendix I**.

21. [REP7-094] - 10.57 Odour Reporting Process Technical Note

21.1 The applicant has provided an Odour Reporting Process Technical Note [REP7-094]. This note is split into 5 sections: Introduction, Odour Complaints, Odour Reporting Process, Air Quality Monitoring and Conclusion.

21.2 Within the Introduction, paragraph 1.2.1 the note sets out that the note is intended to fulfil the odour commitment within the draft Air Quality Action Plan [REP6-063], as reproduced below:

“Manage and promote the system to record odour complaints and review the record of odour complaints on a regular basis, respond and identify any **new actions required** [Emphasis Added].”

- 21.3 However, a review of the Applicant’s note has identified that there is **no situation** under which any **new actions** to mitigate odour would be triggered following the Odour Complaints Process set out in section 2 of the note. Therefore, the note fails to fulfil odour commitments set out in the Applicant’s own draft AQAP reflecting an unwillingness of the Applicant to voluntarily address odour matters.
- 21.4 The odour reporting section of the note (section 3, paragraphs 3.1.1 and 3.1.2) sets out routine periodic odour reporting cycles. However, no facility is included within the odour reporting to flag odour issues as they occur and are investigated to the JLA. This should be expanded to include the relevant authority so that they can support the Applicant and the communities they serve in the resolution of odour issues.
- 21.5 The air quality monitoring section of the note (section 4) sets out that the Applicant will provide an extended monitoring network onsite (paragraph 4.1.1). It is understood that this relates to low cost sensors that were sited and intended to be used for local air quality pollution (i.e. nitrogen dioxide and particulates) focused on aircraft and airside pollution sources. Reference is also made to analysis of this data using Openair (paragraph 4.1.2). However, it is unclear how these monitors and analysis would be used specifically in relation to odour, both in terms of the locations they are to be sited (i.e. would these be focused on dominant odour sources?) in and how relevant any monitored pollutants would be for odour.
- 21.6 The conclusions of the Applicant’s note (section 5, paragraph 5.1.1) set out that the note is:
- Proportionate;
 - Robust in the context of existing assessment results; and
 - Concerns raised by stakeholders.
- 21.7 The JLA disagrees with all three of the Applicant’s statements as set out below.
- 21.8 The JLA do not consider the note to be proportionate as it does not fulfil the Applicant’s own stated aims to provide a process where the need for new odour mitigation actions can be identified. The note is also deficient against best practice guidance on the necessary components of an Odour Management Plan (OMP), as set in Institute of Air Quality Management Guidance (IAQM) ‘Guidance on the assessment of odour for planning’, specifically Section 7. It should be noted this is the same IAQM odour guidance relied upon by the Applicant in their risk based odour review [APP-038].

21.9 In relation to the how robust the existing assessment results are presented by the Applicant [APP-038] the odour assessment presents a risk based review only, rather than a quantitative assessment. It is considered that a quantitative approach would have been beneficial. Particularly as a quantitative approach was previously adopted by GAL to investigate the existing odour situation in 2019 (Screening Report – Assessment of odours arising from Gatwick Airport, dated October 2019). This is also despite the complaints received over an extended duration at Gatwick before any further expansion of operations. This is surprising as one of the key findings of the 2019 study was:

*'There is an area around the airport itself where faint or **even distinct odour levels** are likely to occur. [Emphasis Added]'*

21.10 The suggestion that the Applicant's note aligns with the concerns of stakeholders is not supported by the submissions of the Joint Legal Partnership, specifically REP7-108 which culminated in the proposed New requirement: Odour management (page 85). This new requirement was proposed to address stakeholder operational odour concerns.

21.11 In summary, we consider that it is unlikely that further notable refinements and commitments will be made by the Applicant to address the concerns of the JLA in relation to operational odour. We therefore welcome the draft requirement proposed by the ExA for an odour management and monitoring plan in Annex B to the ISH9 Agenda , which aligns with the new requirement proposed by the Joint Legal Partnership [REP7-108]. The JLA also agree with the reasons as set out by the ExA for this new odour requirement. Additionally, the JLA considers there is a clear odour policy basis for the approach set out by the ExA including: ANPS paragraphs 5.236 and 5.237.

22. [REP7-095] - 10.58 The Applicant's Response to Deadline 6 Submissions

Airfields Environment Federation (AEF)

22.1 At section 2 of REP7-095, the Applicant responds to a submission by the Airfields Environment Federation (AEF) submitted at D6 **[REP6-119]**. AEF helpfully obtained and submitted more detailed forecast outputs from the Department for Transport relating to the air passenger forecasts underpinning the Jet Zero Strategy and Jet Zero - One year on, which the JLAs have not previously commented on but are relevant to the considerations relating to the demand forecasts for the NRP.

22.2 Whilst we note that DfT does caveat the results of individual airports as follows: *"It should be noted that there is uncertainty when considering results at the level of individual airports, especially those subject to high levels of competition. Here local short-term, often*

commercial, drivers can have significant impact. Forecasts for smaller airports also have greater uncertainty and volatility, with the addition or removal of routes having a larger proportional impact on overall passenger numbers,” This highlights particular volatility in relation to smaller airports where individual airline decisions can make a large proportionate difference to the demand projections for individual airports. Clearly this does not apply to a larger airports, such as Gatwick, where, although it is in competition with the other London airports, it operates within a better defined and, to some degree, constrained market where outcomes relative to the catchment areas for each airport are more predictable.

22.3 It is significant that the DfT projections for Gatwick (as set out appended to **REP6-119**), and reproduced below, are materially lower and indicate slower growth than asserted by the Applicant.

Jet Zero Strategy High Ambition Scenario CO2e ATMs					
	2030	2038	2040	2047	2050
Gatwick	322,730	285,356	274,328	328,860	378,428

Jet Zero Strategy One Year On High Ambition Scenario ATMs					
	2030	2038	2040	2047	2050
Gatwick	298,395	232,147	218,127	245,245	263,012

22.4 There are two important considerations in relation to these projections:

- Firstly, they follow the principles of the Airports National Policy Statement (ANPS) and assume that a third runway comes on stream at Heathrow so the forecast for Gatwick drops between 2030 and 2038 when such a runway is assumed to become operational¹.
- Secondly, they do not suggest that the Airport would attain 398,000 annual aircraft movements, even by 2050, necessary to deliver 80.2 mppa, under the original Jet Zero projections and lower still under the updated Jet Zero - One year on projections that reflect updated calibration of the DfT’s model.

22.5 Overall, the slower build up in demand is more consistent with the JLA’s expectations, with 232,000 to 285,000 movements using Gatwick in 2038 with the capacity provided by the NRP assumed to be in place. This is substantially below the 378,000 movements in the same year that form the Applicant’s core demand forecasts.

22.6 In response in **REP7-095**, at paragraphs 2.3.4 and 2.3.5, the Applicant points to its top down modelled forecasts that were based on

¹ This is particularly relevant given recent statements by Heathrow Airport Ltd that it still expects to bring forward and that these may be supported by the new Government subject to the environmental tests being met.

the DfT's overall Jet Zero - One year on forecasts as presented in **REP1-052**. It states that "*If one wanted to understand the forecast consequences for Gatwick of the JZSOYO growth forecasts, therefore, it would be appropriate to look at GAL's forecasts, which use those forecasts and were intended for that purpose*". Here, the Applicant appears to be accepting that its top down forecasts, based on Jet Zero - One year on are the most appropriate for considering how demand might build up at Gatwick.

- 22.7 The JLAs are strongly of the view that the top down modelled forecasts are the most appropriate basis for considering the benefits and harms of the NRP rather than the core demand forecasts upon which the Applicant otherwise continues to rely. In considering the benefits of the NRP, the JLAs continue to believe that cognisance should be taken of the impact of a third runway being provided at Heathrow on the demand for the NRP and the benefits to the local area that it would deliver.

Regarding Section 11.3 - Environmental Statement Appendix 11.9.6 Flood Risk Assessment - Annexes 3-6 Version 2 AND Section 11.5 Climate Change Allowance

- 22.8 West Sussex Joint Local Authorities requested further information at Deadline 6 regarding how airfield structures will be dealt with after 2072, given the adopted lifetime of 40 Years [REP6-116]. The Applicant has stated that they cannot speculate what will happen to these structures post 2069 and that the fluvial mitigation strategy ensures that they will not increase fluvial flood risk beyond this date to at least 2132 based on current climate change projections. This is because the fluvial mitigation strategy is joint for both the surface access and airfield works, therefore using a lifetime of 100 years and a higher climate change allowance of 40%.

- 22.9 The Authorities maintain that the approach taken for the fluvial mitigation strategy should be applied to the surface water mitigation strategy, with a higher climate change allowance of 40% applied to the airfield works, assuming a lifetime of 100 years. If the Applicant is unable to use a climate change allowance of 40% and a lifetime of 100 years for the airfield works, the Authorities would request that they demonstrate how the airfield works are removed after 40 years and the land reinstated. The Authorities do not consider that the response provided has addressed this point.

Regarding Section 11.4 - The Applicant's Response to Deadline 4 Submissions – Response to ExQ1

- 22.10 It is of concern that there is no section on ecology. The West Sussex Joint Local Authorities response at Deadline 6 [REP6-116] provided a number of comments regarding the Outline Reptile Mitigation Strategy

(June 2024) submitted at Deadline 5 [REP5-067]. There is no mention of these comments, or how they are being addressed. It is hoped that they will be addressed in a revised Outline Reptile Mitigation Strategy at Deadline 8.

- 22.11 The West Sussex Joint Local Authorities' submission at Deadline 5 [REP5-117] requested a number of amendments to ES Appendix 5.3.2 CoCP Annex 8 – Outline Invasive and Non-Native Species (INNS) Management Strategy submitted by the Applicant at Deadline 4 [REP4-011]. The JLAs are not aware that the applicant has made any such revisions and we would wish the ExA to consider these outstanding concerns in reflecting on the drafting of the DCO and related control documents should they be minded to approve.

Noise

- 22.12 In relation to policy (paragraphs 6.2.1 to 6.2.7 of **REP7-095**) and specifically whether the JLAs are seeking to challenge Government policy in respect of the control of noise, this is not the case. It is agreed that the Aviation Policy Framework (APF) of 2013 (cited by the Applicant at paragraph 6.2.5 of **REP7-095**) does note that Heathrow, Gatwick and Stansted remain designated for noise control purposes under the Civil Aviation Act 1982, whereby controls are applied by Government in the light of the strategic importance of the three airports and the importance of attaining the right balance between economic benefits and noise controls. Nonetheless, it is pertinent that the controls were originally applied across the three London airports when these were all under the direct ownership of BAA plc which, at the time was in Government ownership and it was important that a consistent policy was applied across all three airports to ensure that controls at one airport could not be perverted by BAA directing traffic to an alternative airport within its ownership.
- 22.13 It is the case that the APF remains of policy relevance in terms of aviation noise policy but is in the process of being updated, most notably in the Overarching Aviation Noise Policy Statement of March 2023². A more detailed update of aviation noise policy is pending.
- 22.14 In the meantime, the Government is consulting on future night noise controls at the designated airports. It is of relevance that a subsequent consultation on the regime to be applied from October 2025³ states that:

"In the case of Stansted Airport, we recognise there has been a material change, following planning permission, granted in June 2021, for the airport to serve up to 43 million passengers per year (within

² <https://www.gov.uk/government/publications/aviation-noise-policy-statement/overarching-aviation-noise-policy>

³ <https://www.gov.uk/government/consultations/night-flight-restrictions-heathrow-gatwick-and-stansted-airports-from-october-2025/night-flight-restrictions-heathrow-gatwick-and-stansted-airports-from-october-2025>

the airport's existing annual movement limit of 274,000). A planning condition has imposed a night noise limit on operations at Stansted for the 8-hour night period (23:00 to 07:00).

A draft noise action plan for Stansted Airport for 2024 to 2028, proposed to introduce a new 8-hour night quota count (QC) limit for the summer 2026 season, to meet the planning condition. This opens up a question about future night flight controls at Stansted, and whether Government night flight controls are required to sit alongside the new 8-hour night QC limit."

- 22.15 In relation to Stansted, the first two options relate to the timing when QC budgets would be introduced and only the third option involves the retention of direct Government control. The Government goes on to state that:

"We believe option 1 and option 2 both have merit, as they fit with the Government's expectation that appropriate noise controls are usually best set locally through the planning system. This is the case at all other airports currently, except the noise-designated airports: Heathrow, Gatwick and Stansted. There are airports which impact more people with night noise than Stansted, where the Government is content for local controls to be in place.

There is also an argument in favour of QC limits as opposed to movement limits, as QC limits target total noise. Movement limits on their own do not enable control of noise in the same way and have been described by the industry as blunt instruments which offer no incentive to accelerate the introduction of new technology."

- 22.16 Hence, it is evident that the Government is moving from a position where its preference is for such controls to be imposed centrally to one that defers to controls being imposed locally through the planning system, subject to appropriate bridging conditions to ensure that there is no loosening of controls. Hence, the JLAs can see no reason why the position at Gatwick should, in future, differ from the situation at Stansted where central control is replaced by appropriate controls determined locally through the planning system.

- 22.17 **JLAD6N01 Ap** – The JLAs have been disappointed with the Applicant's refusal to acknowledge the JLAs view that the ES Chapter 14 and accompanying Appendices are unsatisfactory. ES Chapter 14 is not considered fit for purpose due to the lack of necessary information for an ES chapter suitable for a DCO and also containing numerous errors in the construction noise and ground noise assessments that have been identified in the Local Impact Reports. The JLAs also cannot accept ES Chapter 14 and associated Appendices in their current form and feel strongly that an updated and comprehensive version is essential.

22.18 **JLAD6N02 Ap** – The Applicant states that “*mitigation has been designed to provide the same level of protection (where possible) or better*”. This is clearly not the case as the Applicant has identified that new bund will be smaller than the existing bund and will provide less attenuation [REP3-101]. This directly contradicts the third aim of the NPSE and directly contradicts planning condition 4 from CR/125/1979, which states:

“The existing earth bank erected at the western end of the emergency runway as a noise baffle for Charlwood village shall be retained. No alteration in height, or position of the bank, shall take place without the prior approval of the Local Planning Authority”.

22.19 **JLAD6N03 Ap** – The Applicant has not provided any information on the performance of the bund other than stating “*Noise modelling was undertaken that showed during this period levels of ground noise could increase by up to 3dB at the nearest noise sensitive receptor, Westfield Place*” [REP5-037]. This is not considered an appropriate level of information to provide given that different receptors will benefit from different levels of attenuation. The JLAs would benefit from seeing ground noise contours and engine ground run contours both with and without the bund and also difference contours showing how noise levels will change when the bund is not in place. This information is essential for determining if any significant temporary noise effects would occur.

22.20 **JLAD6N04 Ap** – The JLAs are not able to accept the Applicant position on this matter unless it can be explained what safety constraints prevent adopting a restriction for ground running at the western end of the Juliet runway and detailed modelling is provided showing engine ground running contours both with and without the bund to support the statement that noise levels would only increase by 3dB.

22.21 **JLAD6N05 Ap** – The Applicant has NOT provided the information for modelling to the WHO levels as previously requested by the JLAs. It has referred back to the commentary in REP3-101. It is stated that these levels are not achievable in the model yet provides no evidence to support this and given that similar levels to those requested by the JLAs are proposed to be modelled for the FASI-S work the JLAs do not understand why this is not possible. Given the planning period available to make the application, the work could have been scheduled earlier in the process. Should it be the case that this is not presently possible to perform this work, this supports the JLAs proposition about the need for a programme of continuous assessment and improvement in the monitoring and modelling systems to facilitate improvements to the accuracy of the model and also to allow it to produce data for the

extent of lower noise levels.

- 22.22 The JLAs have also requested that overflight data should be provided in the form of overflight contours for aircraft below 4,000 feet calculated using a 100mx100m grid. The overflights should account for aircraft movements associated with the northern runway. This information has not been provided by the Applicant.
- 22.23 **JLAD6N06 Ap** – The Applicant has NOT provided the requested information. The request was for “...*the combined effect of air noise and ground noise on sleep disturbance*”. Awakenings are based on the LAmax metric, which the Applicant has identified as being an important metric when assessing ground noise effects. As such, there is no reason why the additional information on awakenings due to the combined effect of air noise and ground noise cannot be provided.
- 22.24 **JLAD6N07 Ap** – The JLAs are familiar with both road traffic noise modelling and ground noise modelling and dispute the assertion that this is significant additional work. The road traffic noise contours are not sufficiently detailed, nor do they provide enough map detail to identify properties. As such, they cannot be relied upon to supplement the ground noise assessment and any use of road traffic noise contours to contextualise significant effects is not accepted.
- 22.25 **JLAD6N08a Ap** – The Applicant has NOT provided the information requested. The Statement of Common Ground between Gatwick Airport Limited and Crawley Borough Council [REP5-037] provides SOAEL contours for the 2032 Slower Transition Case for easterlies and westerlies for both the day and night periods. The JLAs believe that the ExA should have the following information appropriate for a DCO in the form of:
- ground noise contours in 3dB increments from 51dB daytime and 45dB night-time for all assessment years.
 - Change in ground noise contours.
- 22.26 **JLAD6N08b Ap** – The JLAs ask that the ground running monitoring time-history plots be submitted formally and question why they were not appended to The Applicant’s Response to Deadline 6 Submissions [REP7-095].
- 22.27 **JLAD6N09 Ap:**
- The JLAs accept the non-residential screening criteria on the basis that it was accepted at the London Luton Airport Expansion examination and the misuse of criterion for noise at schools above 63 dB LAeq,16h does not affect the assessment.
 - This point was discussed in Noise Technical Working Group on the noise insulation scheme, and it was accepted that BB93 states that

LA1,30min criteria is achieved by default for spaces with internal level up to 40 dB LAeq, 30min, which includes teaching areas.

- The Applicant has not provided any information to substantiate their assertion that non-residential receptors have been considered on a case-by-case basis. However, at this stage in the examination, the JLAs feel there are more important points to focus on and are willing to accept the Applicant's position on this matter.

- 22.28 **JLAD6N10 Ap** – The Applicant has NOT provided sufficient detail on baseline SEL and LAm_{ax} data for individual aircraft at each monitoring location. This issue was brought up at ISH9 and the Applicant claimed the data was confidential to ERCD's ANCON model. This is NOT the case as the data requested is from the Applicant's Noise and Track Keeping system. It is unclear why the Applicant is unwilling to share what is important data for understanding how different aircraft contribute to noise contours and why noise contours change with the Applicant's different fleets.
- 22.29 **JLAD6N11 Ap** – The Applicant has provided information about how it has assessed the effects but not information about the mitigation. The ExA's proposed update to the noise insulation scheme includes provision of insulation to properties down to a noise level of 48 dB LAeq,8h, which the JLAs are supportive of and commented on at D8. Furthermore, in other representations made at D8 the JLAs have highlighted that the reassurance from the Applicant that the 48 dB LAeq 8h is broadly within the 54 dB LAeq16h zone and therefore is adequately mitigated does not provide reassurance as mitigation appropriate to daytime exposure may not be appropriate for night time exposure.
- 22.30 **JLAD6N12 Ap** – The Applicant has provided information on how the noise insulation scheme would roll out at ISH9, which was welcomed by the JLAs and we look forward to receiving confirmation of proposal in the updated noise insulation scheme that is due to be submitted at D8.
- 22.31 **JLAD6N13 Ap** – The Authorities do not accept the Applicant response in 2.16.2.8 of the Statement of Common Ground between Gatwick Airport Limited and Crawley Borough Council [REP5-037], which assumes that ground running lasts for 42 seconds. The Applicant has stated that ground running lasts for 30-60 minutes so the LAm_{ax} is not an appropriate metric to assess ground running events. The JLAs maintain their position that the ground noise assessment using the LAm_{ax} metric does not adequately consider noise effects from ground running activities and provided evidence to show that engine ground running at the western end of the Juliet runway would influence

LAeq,16h noise levels at nearby receptors in the Joint local Authorities Response to the Applicants Deadline 5 Submissions [REP6-099].

22.32 **JLAD6N14 Ap** – The JLAs welcomed the discussion with the Applicant in the Noise Technical Working Group on the noise insulation scheme. However, no action was taken by the Applicant to update the noise insulation scheme with a more proactive approach to mitigating schools. The JLAs remain of the view that the Applicant should adopt a proactive approach in notifying schools they are eligible for the noise insulation scheme and offering to undertake a survey.

Table 1: Summary of suggested detail required for future submission by the Applicant regarding Noise Issues

ID	Topic	Action
JLAD8N1	ES chapter update	ES Chapter 14 and associated appendices should be updated to correct errors and provide necessary information to support a DCO application
JLAD8N2	Bund/ barrier	There should be no alteration in height, or position of the bund without the prior approval from CBC
JLAD8N3	Ground noise and engine ground run contours	Ground noise contours and engine ground run contours both with and without the bund should be provided along with contours showing the difference in noise to determine if any temporary significant effects would occur during the period when the bund is not in place.
JLAD8N4	Ground run restriction safety constraints	The Applicant should explain what safety constraints prevent adopting a restriction for ground running at the western end of the Juliet runway during the period when there is no runway in place.
JLAD8N5	Combined air and ground noise awakenings	The Applicant should provide an assessment of awakenings based on the combined effect of air noise and ground noise on sleep disturbance.
JLAD8N6	Overflight contours	The Applicant should provide overflight contours for aircraft below 4,000 feet calculated using a 100mx100m grid that account for aircraft movements on the northern runway
JLAD8N7	Road traffic noise predictions	The Applicant should provide predicted road traffic noise levels at ground noise receptor locations so a direct comparison can be made.
JLAD8N8	Figure 14.4.2 update	The Applicant should Figure 14.4.2 [APP-063] with a better range of noise contours and detailed mapping so properties can be identified so it is suitable for supporting the ground noise assessment.

JLAD8N9	Ground noise contours	The JLAs once again request that the Applicant provides information that is appropriate for a DCO in the form of: a) ground noise contours in 3dB increments from 51dB daytime and 45dB night-time for all assessment years. b) Change in ground noise contours.
JLAD8N10	Engine ground running measurement time-history	The Applicant should submit time-history plots of ground run noise measurements.
JLAD8N11	Baseline SEL and LAm _{ax} aircraft data	The Applicant should submit baseline SEL and LAm _{ax} data for individual aircraft at each monitoring location that was collected from the Applicant's Noise and Track Keeping system and underpins the air noise validation process.
JLAD8N12	Engine ground running LA _{eq,16h} contribution	The Applicant should provide an appropriate assessment of ground noise through consideration of the contribution to engine ground running at the western end of the Juliet runway to the LA _{eq,16h} metric

Air Quality

22.33 In Section 6.3, paragraph 6.3.2 the Applicant notes that the JLA requested that a set of affected road networks (ARNs) (i.e. study areas) were determined for the sensitivity tests [REP6-099]. This is the first step in determining which routes and sensitive receptors may be affected by the different sensitivity test scenarios for air quality. This is important as the different sensitivity test scenarios may result in different routes being affected to those in the ES. As these routes may be different to those routes assessed in the ES this may result in different air quality outcomes to those presented in the ES for new sensitive receptors. The Applicant suggests in paragraph 6.3.2 that '*all scenarios were reviewed*'. The Applicant further sets out in paragraph 6.3.2 that '*Scenarios where the ES represents the greater (worst-case) project change compared to the sensitivity tests, were screened out.*' It appears the Applicant is suggesting this is why the air quality sensitivity test then focused on the York High case only for air quality (paragraph 5.2.5, REP5-081). However, this rationale does not seem consistent with paragraph 5.2.3 [REP5-081] which sets out that the GAL sensitivity test, York High and Low cases '*all represent a greater project change compared to the ES*'. It therefore remains unclear what routes and potentially new sensitive receptors could be affected by different air quality outcomes from the sensitivity tests.

22.34 In Section 6.3, paragraph 6.3.3 the Applicant notes that '*full traffic modelling was not carried out, therefore traffic data on a link by link basis was not available for screening new ARNs*'. However, some link

based traffic data does appear to be shown in Figures 5.2.1 and 5.2.2 [REP5-081]. The Applicant further sets out in paragraph 6.3.3 that *'The air quality assessment took a worst-case approach by applying the largest potential changes to receptors experiencing maximum changes as a result of the project.'* However, without a set of ARNs the Applicant does not know what routes may be affected in the sensitivity tests and as such does not know what sensitive receptors could be affected. The Applicant's approach appears to only consider sensitive receptors previously identified in the DCO ES Air Quality Assessment [APP-038] and does not consider the possibility of new sensitive receptors being affected in the sensitivity tests.

- 22.35 In Section 6.3, paragraph 6.3.4 the Applicant suggests that *'no new significant effects would be predicted'* for air quality. As the Applicant has not identified a suitable set of air quality study areas (ARNs) and therefore has not identified a set of sensitive receptors this conclusion cannot be reliably reached for the sensitivity tests.

Policy

- 22.36 In section 6.4, the Applicant comments further on the JLAs' position in relation to the Making Best Use policy (MBU)⁴. The JLAs stand by the position stated at paragraphs 3-8 of Appendix IV to **REP6-099** and paragraphs 5 and 6 of Appendix B to **REP7-104** that the policy support in the MBU is not independent on the requirement to assess the effects of any proposals by reference to robust projections of demand.
- 22.37 Contrary to what is stated by the Applicant, the position taken by York Aviation is not different from that taken in relation to the Luton DCO proposal. This is evident from paragraph 3.4.1 of the Need Case for the Luton DCO Proposal⁵, which states:

"3.4.1 The most recent aviation policy document, Flightpath to the Future, confirms that the relevant policy in relation to airport development is set out in the ANPS and the MBU policy. There is clear policy support for aviation growth and for airports making best use of their runways, demonstrated in terms of the demand that the airport can attract and the benefits from it doing so."

The Luton Need Case also made reference to the Airports National Policy Statement (ANPS), citing paragraph 1.39 and 1.42:

"the Government has confirmed that it is supportive of airports beyond Heathrow making best use of their existing runways. However, we recognise that the development of airports can have positive and

⁴ Department for Transport, Beyond the Horizon: Making best use of existing runways, June 2018.

⁵ London Luton Airport Expansion Examination Library Reference AS-125.

negative impacts, including on noise levels. We consider that any proposals should be judged on their individual merits by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts.”

and that:

“the Government accepts that it may well be possible for existing airports to demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow.”

Noting, at paragraph 3.3.12 that:

“Hence, this document is provided to set out the need for the development, in terms of the demand that the airport can attract and the benefits from it doing so, in line with the recommendations of the ANPS.”

The position is entirely consistent, namely that robust demand projections must be used to assess the effects of any MBU proposal in order to ensure that the test at paragraph 1.29 of the MBU is met. The JLAs remain of the view that the demand projections upon which the Applicant bases the substance of its case are not robust, meaning that doubts remain regarding the assessment of the balance between benefits and harms.

23. [REP7-096] - 10.58 Appendix A - Response on Design Matters

- 23.1 Section 1.3 of this document provides the Applicant’s response to points made relating to Schedule 1 by the Legal Partnership Authorities [REP6-110]. Further commentary in relation to the wording of this schedule is provided in the Legal Partnership Authorities’ response at Deadline 8 the dDCO.
- 23.2 Section 1.4 provides the Applicant’s response to the comments raised by the Authorities on Good Design at ISH8, when a table was provided on the works the JLAs wish to see added to Schedule 12. The original table provided [REP6-111] has been updated following consideration of the additional information supplied by the Applicant at Deadline 7. There are still a considerable number of Works that the Authorities wish to see added into the Schedule for the reasons set out in in the updated table below and in Section 15 of this document.

Table 2 – Response to Issue Specific Hearing 8 – Action Point 6 – Commentary on additional works the JLAs wish to see added into schedule 12 – updated at Deadline 8

Works No	Brief Description	Reason for addition to Schedule 12 (additional commentary in response to [REP7-096] in red) Where works are shown as strike through, the Authorities are now satisfied sufficient information is provided and they do not need to be included in Schedule 12.
1 (part)	<p>Northern Runway (only in respect of those parts that involve surface or foul water drainage)*</p> <p>*Detailed approval under requirement 10(3) (surface and foul water drainage only)</p>	<p>While sufficient information is now provided in the Design Principles (DP)[REP5-031] to address the design appearance (R4), the drainage assumptions for the runway works have not been incorporated into the DP. It is the detailed drainage designs that remain of concern and would require further details for approval (R10). The Authorities' suggestion is that the Table in Schedule 12 could be amended by using the asterisked note as shown.</p> <p>In response to queries raised about the runway alterations, the Applicant provided further detail on the drainage assumptions for these works which the Authorities were satisfied with in principle. These comments therefore need to be added into the DP document to provide certainty on the drainage approach to the works. Suggested wording is as follows:</p> <p><i>"The detailed drainage design for the works will follow the drainage principles set out in Book 10 (version 1) Ref 10.24 Appendix E response to Airfield Drainage Queries [REP4-026] and [REP4-027]"</i></p> <p>With the inclusion of this text, these works can be deleted from the Schedule.</p>
4 to be confirmed	Runways and Taxiways	<p>Further design detail is needed on these works elements. DPF18 gives limited detail on drainage but no information on the rest of the works listed. There is no clarity on the design of this area.</p> <p>The Sub Works plans [REP7-021] have provided some helpful information on the extent and location of these works</p>
6 (a), (b) and (d)	Pier 7	<p>This is a significant building (major scale development) which would be visible within the airfield and needs to be considered in terms of its design quality and sustainability measures.</p> <p>The Authorities maintain their position that the final design of Pier 7 should be subject to approval. DBF7 does not give sufficient clarity on the design and appearance of the structure. While the CAA has design procedures for aerodrome infrastructure, this is separate from the requirement to deliver good design to deal with sustainability and aesthetics.</p>

7— to be confirmed	Oscar Area	<p>This covers the same land as Works Area 8. There is no detail in DBF51 or DBD52 to explain what the design and appearance of these works would be and on indication on indicative layout. It is unclear if there are any implications for drainage.</p> <p>The Sub Works plans [REP7-021] have provided some helpful information on the extent and location of these works</p>
9 (a) – (f)	Central Area Recycling Enclosure	<p>Please see comments in section 15 of this document in response to [REP7-063].</p>
10(a) – (h)	Motor Transport Facilities	<p>Building up to 15.25m. Little information in DP on likely design and layout or on materials and finish. Mapping suggests tree /hedge loss and site intersected by a watercourse. No indication as to how these features would be safeguarded or addressed.</p> <p>While the indicative sub works plan is helpful, this shows that the likely layout of the works involves the loss of a number of trees and landscaping features and the erection of structures over what appears to be a watercourse or ditch on the base mapping. The design approach is considered to need further work to address these issues as these are not addressed in the design principles.</p>
11	Grounds Maintenance Facilities	<p>Issues that need to be addressed and specified as part of DP Possible issues with materials storage if hazardous or odour if composting – any design safeguards. No details on size or appearance of building other than it would be a portacabin. This is not considered high quality design given presumably the structure is a permanent building. No detail on the sustainability of the construction, justification for portacabins as appears to be permanent building. Visual impact likely to be limited.</p> <p>The additional information [REP7-096] has been carefully considered and, given the additional detail provided and that the visual impact of the site is limited, the site is outside the floodplain and there is an absence of sensitive neighbours, these buildings are not now proposed for Schedule 12. The Applicant is requested to reconsider the use of portacabins as a permanent building has the potential to be of higher design quality.</p>

12	Airfield Surface Transport Facilities	<p>No detail in DP but parameter plans provide for building that would be up to 15m tall. No detail on appearance, visual impact or sustainability or how such a structure will address its surroundings. Potential to be visually prominent close to Perimeter Road South.</p> <p>The additional information [REP7-096] has been carefully considered and, given the additional detail provided and that the visual impact of the site is limited, the site is outside the floodplain and there is an absence of sensitive neighbours,, these buildings are not now proposed for Schedule 12. The Applicant is requested to reconsider the use of portacabins as a permanent building has the potential to be of higher design quality.</p>
14	Fire Training Ground	<p>The additional information provided on the Sub Works Plans [REP7-021] and added to the DP statement is agreed.</p>
15	Satellite Airport Fire Service Facility	<p>There are no details provided on the appearance of the facility in any control document which has a parameter plan which covers the entire area with the building up to 15 m high. There is reference to a main garage building in the DP - DBF39 which will be positioned near the taxiway. Further information is needed in DP to explain what the works in this area are likely to comprise of, an indicative layout and a palette of materials, sustainability of the building. Given visual prominence on edge of airfield this should be subject to design approval. From aerial photography it can be seen that St Michaels Church is approx. 180 m to the south, there is a nearby watercourse to the south, site is partially in a floodplain and east-west hedge line could be impacted. The need for the building and its compliance with the CAA approval process is accepted. The Authorities wish to ensure that the building given its sensitive location is appropriately designed for its setting. There is insufficient detail in DBF22 to ensure the building and works addresses the site context.</p>
16	Hangar	<p>This prominent building is still proposed for Design Review. While it is acknowledged that the development principles have been expanded the works should as a minimum be subject to design approval due to the scale of building and potential visual impacts on the surroundings. Please see comments in section 15 of this document in response to [REP7-063].</p>

17 To be confirmed	Hangar 7 support structures	There is no detail in the DAS or DP document explaining what structures are to be removed and from where and what structures are to be replaced and where. Further information is needed on what is meant by these works in order to understand if there are any design impacts. What is on the land currently, any loss of landscaping? These questions have not been addressed. What do the support structures comprise of? The ES states this is up to 5m tall and 5m deep. If an additional line can be added to the DP document to explain clearly what is being relocated and the other questions raised by the Authorities can be addressed, these Works could be deleted from the Schedule.
18(a)–(c)	Western Noise Mitigation Bund	It is not considered that there is sufficient detail about this part of the works. The design principles need to reference the required acoustic performance of the bund and must ensure that details are provided to demonstrate the design meets the required standards. There should also be reference to the need for phasing plan and interim provisions to be agreed and put in place to safeguard properties during replacement of this existing bund with the new one. Mapping suggests feature is within floodplain and could impact upon one watercourse. TPO protected trees along northern boundary.
19 To be confirmed	Pumping Station 2a	There are no details about the design of these works in the DAS or DP. These need to be added and to demonstrate design is consistent with drainage strategy. The additional information signposted to other documents in [REP7-096] is considered sufficient to address this concern.
20	Re-align Larkins Road	No design aesthetics to consider but further detail should be added to the DP to explain how the drainage impacts from the realigned road would be addressed in the design. The Applicant's explanation that the drainage issue is covered through draft Requirement 23 [REP7-005] is accepted and addresses this point.
22 (d), and (g)	North Terminal Works	22(a) to (c) are already included in Schedule 12 and should remain Please see comments in section 15 of this document in response to [REP7-063].
23 (c)	South Terminal Works	23(a) is already included in Schedule 12 and should remain

		Please see comments in section 15 of this document in response to [REP7-063].
24	North Terminal Forecourt	Please see comments in section 15 of this document in response to [REP7-063].
25	South Terminal Forecourt	Please see comments in section 15 of this document in response to [REP7-063].
26	Hotel	Already included in Schedule 12
27	Hotel	Already included in Schedule 12
28 (b), (c) and (e)	Hotel , multi-storey car park and office	28(a) is already included in Schedule 12 and should remain Please see comments in section 15 of this document in response to [REP7-063].
29	Conversion of Destinations Place to hotel	There is currently insufficient information in the Design Principles to safeguard quality design given no information on the design aesthetics just stating it will respond to the needs of the hotel rather than any reference to consideration of site context. This is a prominent part of the South Terminal and should be subject to detailed approval. There should also be some further scrutiny of sustainability energy performance etc.
30(a) and (b)	Car Park Y	Please see comments in section 15 of this document in response to [REP7-063].
31(a)-(f)	Car Park X	Please see comments in section 15 of this document in response to [REP7-063].
32	Decked Car Park	This DP for this site suggests an open deck structure and is unclear on the method of illumination. There is still no additional information provided to address the concerns raised about the visual impact of the lighting on Grade ii* Charlwood Park Farmhouse requested in table 7.1C [REP1-068] and explained in detail at paragraphs 7.40, 7.41, 7.46 and 7.50 These points have not been addressed in the DP or the DAS and the impacts are potentially greater due to the changes from project change 4 (Waste Water Treatment Works).

33(a)-(f)	Purple Parking	<p>The concerns at this site relate to tree retention and screening. There is still insufficient detail in the DP to deal with concerns expressed in paragraphs 8.43 8.55 and 24.74 [REP1-068]. There is a lack of clarity on the submitted tree removal plan Drawing 13 of 13 [REP7-035] and 13 of 25 [REP7-040] which shows the loss of G179 (9 trees) on the eastern boundary and part of G178 lost <u>in addition</u> to tree 283 stated as lost by the Applicant. Other trees on these plans are also noted as impacted with the Route Protection Area. The additional wording to DBF52 is welcomed but given the sensitivities of the site in terms of its relative visibility on the periphery of the airport and the impact on the screening, it considered these design details should be subject of approval.</p>
34	Car Park B	<p>Should be subject to design detail approval given that the site is to be used initially as a contractor's compound and then laid out as open space. It is accepted that the layout of the open space could be suitably addressed through the LEMP (Requirement 8). The issue of the constructors' compound is addressed separately in the table below.</p>
38(a)-(f)	Museum Field	<p>While there is an indicative landscape plan within the OLEMP, further detail will need to be considered of the drainage principles, land levels and profiles and the impact on ecology and flooding during and post construction. DDP16 seems very uncertain about the design approach to be adopted suggesting measures that could be done rather than providing any certainty about what is intended.</p> <p>The concern remains about the lack of detail on the final land form and appearance of the site. The indicative plans, lack of parameter plans and other site constraints such as veteran trees mean that the design requires detailed consideration in order to address these matters.</p>
39	River Mole Works	<p>The details set out in the DP statement are unclear. It not clear if DDP17 and DDP18 relate to these works or where the features referred to will be situated. It is unclear how these statements tie into the wider drainage strategy. While it is now clear that these two DPs in the landscape section relate to Works 39, there is still no detail to address the other points raised by the Authorities listed above or explain the design and drainage concept for the wider works listed which should presumably be explained under the drainage principles.</p>

40	Land North East of Longbridge Roundabout	40(a) is already included in Schedule 12 and should remain
41 (c)	Pentagon Field	<p>Please see West Sussex Authorities Deadline 6 response for further detail in response to REP5-078. There are currently insufficient details in the DP and other documents to control the works and landform proposed for this site.</p> <p>The absence of site levels plans, parameter plans and any certainty about the means of creation of the landform mean further details should be submitted for approval as currently there is no clarity about what the final landform would look like. The Applicant's response [REP7-096] suggests the landform will be controlled through discharge of Requirement 8 but this would only deal with the final form of the works. What is missing is any control over the creation of the spoil landform including details on temporary site set up, contours and final heights. Survey and parameter plans should be provided. The concerns expressed in section 12 [REP6-116] still remain.</p>
42 — to be confirmed	Habitat enhancement, weir and fish pass	<p>There are no details in the DP statement about these works , where the drainage feature will be positioned and what the drainage specifications will need to be.</p> <p>The Applicant's comments about the DPs DBF62 and DBF63 are noted. These were missed in the review of the document, the revised version of which is now in a more logical order which is welcomed.</p>
43	Water Treatment Works (Reed Beds Site)	<p>These works are in a sensitive location with archaeological, ecological and drainage constraints. Nearby properties mean issues such as noise and odour need to be address in the design detail. The Authorities consider the extent of the works are unclear from the description but the design principles as worded do not respond to these environmental constraints. More detail is needed in the DP document and to ensure these details are successfully implemented through a design approval process.</p> <p>Due to the sensitive nature of the site the works should be subject to approval, the DP document does not provide sufficient information on blower systems, design of acoustic mitigation and the design detail for site which is close residential properties and rights of way in a countryside setting. There is no evidence in the</p>

		control documents that noise from the operations of the blowers would be mitigated sufficiently through the hoods and acoustic fencing .
44 (b)	Removal of surface parking and associated structures and construct wastewater treatment works	There are no DPs for these Works and must be added. Given the complexity of the works these should be subject to detailed design approval.
Addition al Works Items		The following relate to the main contractor compounds which the JLAs suggest should be listed as Works in Schedule 1 and listed for approval under Schedule 12. It is noted that the design details for these compounds are not within the DP document but have been added to the Code of Construction Practice (see comments in Section 4 on the level of detail). The Authorities still consider these should be subject to design approval.
	Main Contractor compound MA1	Requested added to DP. Works would be up to 25m high, cover an area of around 4 hectares have in excess of 500 parking spaces and provide accommodation for a workforce of circa 700 works. Visual impact over 14 year period.
	Airfield Satellite Compound	Requested added to DP. While visually away from nearby occupiers site is close to ecologically sensitive Brockley Wood and River Mole and is within floodplain. Further details needed to safeguard these environmental constraints to address matters such as layout, light spill, dust suppression, potential impact on watercourse.
	Car Park Z compound	Request add to DP. CBC mapping shows watercourse along SW boundary and site is partially within floodplain. Some landscaping along SW boundary . Adjacent to Lowfield Health employment area which also has hotel and St Michaels Church (latter is noise sensitive use and listed building) Layout needs careful consideration.
	Car Park Y Compound	Request to add to DP. There needs to be clear understanding how this compound use relates to other development planned for this site. Surrounding tree loss, ecological impacts and drainage impact along and visual impacts need to be fully addressed.

	South Terminal roundabout contractor compound	Request to add to DP. The proposed location of the compound will make it highly visible to users of the A23 London Road and nearby residential properties close to residents to the west of Balcombe Road.
	Longbridge roundabout contractor compound	Request to add to DP. Use of this area of land will require some clearance of trees/shrubbery and this should be clearly understood prior to starting on site to ensure this is done sensitively to minimise the impacts to properties and businesses within the vicinity as much as is practicably possible. While the content of REP4-040 is noted, the construction compound will be in relative proximity to a conservation area and care must be taken in terms of both the compound itself and the access.
	Car Park B compound	Request to add to DP. The layout should respect any existing trees and landscaping to be retained including that to be incorporated into the future Replacement Open Space. Appropriate access should be retained to nearby rights-of-way. The design should be sensitive to the residential properties at 92-98 The Crescent with regard to overlooking, privacy and noise. 24/7 access to the telecoms base station would need to be retained in the scheme.
	Reed Bed Compound	Currently no detail on extent of this compound as while within DCO Project boundary this is not within works area. Layout need to address ecological safeguards, tree protection routing and be clear on visual impacts and duration. These works could be agreed as part of Schedule 12 approval for Works 43 but note this compound is not within the Works area.

23.3 The comments set out in the table below paragraph 1.4.2 of [REP7-096] in respect of Charlwood House (Car Park X – Works 31) are not considered to give the necessary level of assurance that the design could have a satisfactory visual impact in this sensitive location. Design principle DBF43 still references that the structure would have a naturally ventilated open facade and that the structure would be of galvanised metal or concrete. It only refers to the need for additional or enhanced facade cladding as being ‘considered at design stage’. DBF45 is specific to Car Park X suggesting the car park will not be in front of the access and providing a statement seeking to limit tree removal and provide replanting. This wording is disappointing given the detailed concerns raised about this site which the Applicant could have given more consideration to in order to work up a much improved design (for example committing to enhancing and widening the southern tree boundary to screen views from the countryside and providing more certainty on lighting) which would allay concerns about

visual impacts, impact on trees and on the setting of the listed building

- 23.4 The amendments to DBF46 do not provide more clarity on the design materials for the car park. There is now a reference to a 'consideration' at design state of an enhanced facade but with no commitment to actually deliver this or what the possible appropriate design solutions could be.

24. General Comment relating to JLAs' D8 Submission

- 24.1 Within the submission, the JLAs have referred on several occasions to information that they would have expected to have been submitted by the Applicant to support the DCO and to understand the impacts arising from the development. Where the Authorities have not suggested an alternative approach to handling the lack of information, the JLAs will be considering making submissions at Deadline 9 to the ExA to ensure that such information, where needed, would be required to be submitted as part of any discharge of requirement application.



Gatwick North Runway Project
Response to REP7-077 The Applicant's Explanatory Note on Catalytic Employment

1. This note sets out the reasons why the methodology for assessing the quantum of catalytic employment used by the Applicant is not considered robust in the UK context and why the outputs are unlikely to present a reliable estimate of the wider catalytic employment likely to be generated as a consequence of the NRP in any given local area.
2. There are ongoing concerns expressed about the methodology adopted by GAL to estimate the additional 'catalytic' employment in the local area derived from NRP passenger growth as set out in a ES Appendix 17.9.2 [APP-200]. These concerns have been expressed to the Applicant in several working group meetings since November 2022. Following ISH9, further discussions are planned and this note will be updated accordingly to the extent that any areas of agreement are reached.
3. An alternative approach to estimating such catalytic effects by Oxford Economics (OE) was also included as Appendix 2 to the Needs Case [APP-252]. This latter study uses more commonly used methods deriving separate estimates for tourism, business productivity and trade effects, but some of these are only reported at the UK level. Although included in the submission documents, GAL does not appear to rely on the OE work for its case or the assessment of impacts at the more local level.
4. Both methodologies assume all passengers predicted to use Gatwick are additional at the UK level, which we do not accept as robust so displacement effects from other airports would need to be accounted for. Although the Oxera methodology as outlined addresses 'factor displacement' from other economic activities in the local area (paragraph 2.1.4 of the latest submission [REP7-077]), it does not address the complex issues of displacement from other airports and the extent to which growth at Gatwick is net additional.
5. The approach adopted by Oxera on behalf of the Applicant is based on an Italian study published in 2010⁶. This study developed a complex two-stage regression methodology to estimate the effect of airline traffic (measured in terms of number of air passengers) on local employment, principally in the service sector. The complexity of the methodology was largely derived from the need to estimate the actual level of air passenger demand in each of the Italian provinces, whether or not they had an airport within them and to take account of the fact that individual airports served multiple provinces. There was concern

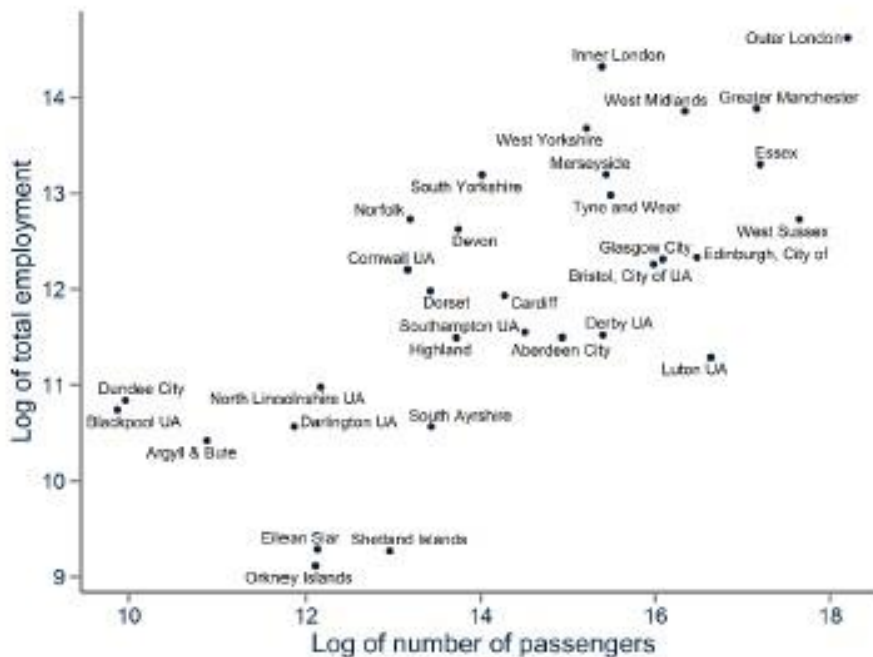
⁶ Airport Activity and Local Development: Evidence from Italy, Marco Perocco, 2007, published in the Urban Studies Journal in October 2010.

regarding endogeneity in estimating this relationship due to the fact that airports might already be located in areas of higher employment such that there is a two-way causal relationship which could skew the results in terms of the relationship between airport passengers and employment in any given province.

6. As we understand it, Oxera has adopted this same methodology which, at its heart, involves the estimation of the number of air passengers that originate in or are destined for any given area based on local demographic factors then correlating that with local employment in order to identify a relationship between the level of air passenger demand and local employment and how this changes with scale across the selected local areas to derive a ratio between the level of employment and the scale of air passenger demand locally. This ratio has then been applied to the uplift in passengers forecast at Gatwick with the NRP to estimate the total employment uplift expected in the local area. The catalytic element of this employment is then calculated by subtracting the direct, indirect and induced employment uplift to derive a net effect on other employment in the area. We understand that this has calculation has been undertaken for West Sussex and then the estimated catalytic employment assumed to be distributed across the wider Six Counties area (paragraph 2.3.3 of **REP7077**)

7. As noted at paragraph 2.2.5 of **REP7-077**, Oxera estimates “given the characteristics of a given area, what would be the predicted level of traffic provided an airport were to operate there?” This is an entirely artificial concept, not least as it appears to start from deriving a relationship between the throughput of an airport within a particular geography and its demographics. This can be seen in Figure A5.1 of **APP-200** shows the basis of the regression used by Oxera:

Figure A5.1 Air traffic and local employment are positively correlated



8. Problems arise from the different scale effects of the areas used - for Luton UA is a fundamentally smaller area than Greater Manchester and the relationship of each to their local airports is different. For example, it is not clear how these overlaps in catchment area

or the extent to which airport catchment areas extend materially beyond the local area have been taken appropriately into account in the methodology. In our view it is important to use actual data, as exists in the UK using CAA survey data, to assess how much of the air travel potential in any given area relates to the local airport and how much relates to another, potentially larger airport - for example much of the passenger demand estimated for South Yorkshire would, in practice, be associated with nearby Manchester Airport rather than Doncaster Airport even when operational.

9. This cross-sectional analysis, shown in the figure above, has been used by Oxera to derive a relationship between total employment in an area and the scale of passenger demand - it is assumed to be causal at the local level but is not clear how account it taken of which airports the passengers actually use.
10. By way of example, using CAA survey data⁷ to estimate the relationship between air passenger demand arising in any given area (to which a relationship to wider economic activity due to connectivity might be expected to apply particularly if related to business travel or inbound tourism) and the local airport, there is a high degree of variation in the proportion of local demand that is met by local airports. The proportion of local demand met by selected airports and local areas shown in the figure above are as follows:
 - West Sussex - 72% of passengers used Gatwick Airport and 21% Heathrow Airport (the proportions for the Six Counties were 62% and 25% respectively)
 - Luton UA - 64% of passengers used Luton Airport, 18% Heathrow Airport and 11% Gatwick Airport
 - Essex - 46% of passengers used Stansted Airport, 18% Gatwick Airport, 16% Heathrow Airport and 13% Southend Airport
 - West Midlands - 75% used Birmingham Airport and 9% Heathrow Airport
 - Greater Manchester - 76% used Manchester Airport and 10% Liverpool Airport
 - Merseyside - 60% used Liverpool Airport and 28% Manchester Airport
 - South Yorkshire - 46% used Manchester Airport, 18% East Midlands Airport and 9% Doncaster Sheffield Airport⁸
 - City of Edinburgh - 96% used Edinburgh Airport
 - City of Glasgow - 84% used Glasgow Airport
 - City of Aberdeen - 84% used Aberdeen Airport
11. It is evident that there is a high degree of variation in the relationship between the level of air passenger demand and any given airport. This needs to be taken fully into account in assessing how the connectivity provided by any specific airport would drive its catalytic footprint locally, in particular how growth at an individual airport would generate employment differentially over its catchment area or the extent to which growth in economic activity in any given area is related to different airports.
12. Fundamentally, we do not understand why Oxera adopted a theoretical approach to estimating air passenger potential rather than using real data to calibrate the model. Proper use of CAA survey data (not simply the published reports cited by Oxera at paragraph 3.2.1

⁷ CAA survey data for 2017- 2019 has been used for the majority of airports but earlier data has been used for Liverpool and Doncaster Airports.

⁸ This data relates to 2014 and does not reflect peak operations at Doncaster Sheffield Airport. Even at its peak, it seems unlikely that it handled more than 18% of South Yorkshire demand.

of **REP7-077**) enables the identification of how many air passengers in any given area derive from each airport regardless of which airport they use, which is exactly what the Italian methodology seeks to estimate in the absence of an equivalent set of data for Italy. It cannot be the case that using a theoretical estimate of air passenger potential is to be preferred to using actual data as asserted by Oxera at paragraph 3.2.3 of **REP7-077**. It would appear from Oxera's comment at paragraph 3.3.3 that they do not understand that CAA survey data enables the identification of the level of air passenger demand from a district regardless of whether it contains an airport by combining data across airports and aggregating results across different survey years with appropriate factoring for growth. Indeed, such a data set should have been fundamental to deriving the demand forecasts for Gatwick.

13. Nor do we consider the endogeneity problem to be material as it is reflective of the 'virtuous circle' between an airport providing connectivity and stimulating an economy, which in turn increases demand for an airport. This would be entirely relevant to considering impacts from the NRP and we do not agree this is a major issue as asserted by Oxera at paragraph 3.2.3 of **REP7-077**.
14. Because of the overlap between airport catchment areas and the need to take account of the specific contribution that any individual airport makes to generating employment in any given district, it is clearly incorrect to simply correlate total air passengers at any airport with total local employment as this implies a direct causality which is not present. In this regard, we agree with Oxera at paragraph 3.2.4 of **REP7-077**. The results of such an analysis have no validity without seeking to understand the relative contribution of each airport in each area and across wider areas according to their catchment areas.
15. There are a number of fundamental issues with the approach adopted by Oxera which, as noted above, we have been pointing out to the Applicant since November 2022 (see also paragraphs 67-71 of Appendix F to **REP1-069** and paragraphs 57-60 of **REP4-052**) and these have not been addressed, including in the latest submission [**REP7-077**]:
 - a. There is simply no need in the UK to adopt a complex two stage process to estimate the level of air passenger demand to/from any given area as the CAA departing passenger survey can be used to provide this information directly for each district in the UK.
 - b. Given the geography of airports across the UK, there is substantial overlap in catchment areas such that air passenger demand to/from any given area is not necessarily associated with only one airport - this is particularly the case for Gatwick where there is substantial overlap in catchment areas with the other London airports, particularly in London itself (see **REP7-070**, 1.1.5).
 - c. The resulting elasticity to passenger growth (as derived from the two stage process above) is applied the West Sussex level (6.5% of Gatwick's traffic) and spread to the Six Counties level (paragraph 2.3.3 of **REP7-077**) to estimate the increase in total employment that would be generated from the projected 13 mppa increase in passengers at Gatwick. There are two flaws inherent in this approach, even if the elasticity were correctly derived:

- i. The elasticity would need to be applied only in relation to the uplift in passengers relevant to the West Sussex or Six Counties area⁹, which we estimate to be only 26% of Gatwick's traffic in 2019 using CAA survey data and the proportion may be expected to fall to the extent that Gatwick grows faster than other airports due to constraints (GAL's case). Only 16% of Gatwick's business passengers come from this area, which is also relevant to the extent to which overall passenger growth would deliver wider business benefits as account would need to be taken of business passenger and inbound tourism passenger growth.
 - ii. Not all passengers from the Six Counties area currently use Gatwick - we estimate that 62% of all passengers from the Six Counties area used Gatwick in 2019 or 55% of business passengers from the area. This proportion could increase in future if Heathrow and other airports are constrained but the effect of constraint at Heathrow would also need to be considered in terms of the net effect on expected local passenger growth (some trips would be priced off by constraint).
- d. In essence, Oxera's approach takes no account of the actual local relationship between passenger demand and employment and assumes that airport catchment areas remain static, which is not the case if, on GAL's forecasting case, it is the only airport that can grow which will necessarily give rise to it drawing from a wider area across the south east of England meaning that its impacts would be more dispersed. In parallel, constraint at Heathrow (as per GAL's hypothesis) means that this would not be contributing equivalently to future economic growth. These two factors need to be properly disaggregated before the impact of growth at Gatwick can be assessed.
16. The consequence is that we have no confidence in the robustness of the estimates of catalytic employment impacts at the local level arising from the project. Whereas originally, it seemed likely that the local catalytic benefits had been materially overstated, based on a better understanding of the methodology, it now seems more likely that the local effects could be understated with consequential implications for the local housing market, particularly as impacts in West Sussex have been arbitrarily spread across the whole of the Six Counties. However, because of the opaqueness of the methodology, we simply don't know.
17. It is also important to note that these estimates would be impacted by changes to the forecast scenario in the sensitivity test case but this was not addressed by the Applicant in **REP5-081**. This must impact on the weight the ExA can place on the benefits of growth as put forward by the Applicant and the extent to which employment benefits can actually be realised if constrained by other factors, such as housing availability.
18. We note that at paragraph 4.1.4 of **REP7-077** that Oxera seeks to compare its estimate of the net effect of the NRP in the Six Counties area with that produced by OE (Table A-6 of **APP-252**) of 8,200 jobs at 2047. We are unclear the relevance of this in terms of catalytic impact as Table A-6 relates solely to gross direct indirect and induced effects (before allowing for either airport or factor displacement) with Oxera's own net impact including catalytic effects). The equivalent estimate for direct, indirect and induced effects by Oxera is 6.400

⁹ West Sussex, East Sussex, Surrey, and Kent, Brighton and Hove, and the London Borough of Croydon.

(Tables 5.8 of **APP-200**). This is also presented on a gross basis and the reason and implications of the discrepancy in terms of local housing demand is unexplained.

19. As Oxera points out at paragraph 4.1.5 of **REP7-077**, the OE estimates of catalytic impact are also presented gross at a UK level. The fact that the Oxera estimate of 6,500 local catalytic jobs is less than 15% of OE's estimate of the UK employment generated from catalytic effects from trade and tourism of the NRP of 52,800 is meaningless without understanding more from both exercises in terms of where the benefits would be realised by reference to the total catchment area for business and inbound visitor passengers using Gatwick.
20. Given that these potential flaws in the analysis have been pointed out to the Applicant since 2022, we do not agree that it would have been disproportionate to expect that the assessment would have been updated following the PEIR and before submission. As things stand, we have no confidence in the outputs of this exercise in terms of providing a robust estimation of catalytic effect or the net employment impact overall.

YAL/5.8.24