

# **Gatwick Northern Runway Development Consent Order Application TR020005**

**Reigate & Banstead Borough Council 20044474**

**Principle Areas of Disagreement Summary Statement (PADSS)  
Version 4 Final Deadline 9 Submission Clean Version**

**21 August 2024**

## **Introduction**

This report has been prepared by Reigate & Banstead Borough Council (RBBC), with input from the joint authorities including Surrey County Council, and appointed consultants. RBBC is a host authority for the Gatwick Northern Runway Project Development Consent Order. This document identifies the principal areas of disagreement that have been identified when reviewing the submitted DCO documentation. This is an update on version 3 [\[REP5-109\]](#).

Lines shown in Green have been agreed at Deadline 9

Lines shown in pink there is a remaining disagreement at Deadline 9

Lines shown in grey would be wholly or partially addressed by ExA changes to draft DCO

Principal Areas of Disagreement Summary Statement (PADSS) from Reigate & Banstead Borough Council		Version Number: V4.0 Submitted at: August 2024
Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern
2.	Loss of Vegetation Barrier along A23	The verdant vegetation barrier from Church Meadows, Riverside Garden Park through to the M23 junction has taken more than a generation to achieve with the result that a highly significant separation barrier has been grown between Horley and the airport along with providing a classic 'parkway' appearance. However, this has been omitted from the description.
	<b>NEEDS CASE</b>	
3.	The capacity deliverable with the NRP Proposed Development	<p>Following the provision of further information by the Applicant [REP1-054 and discussions, the hourly and daily aircraft movement capacity deliverable with the NRP Proposed Development is agreed as the likely maximum throughput attainable.</p> <p>However, the annual passenger and aircraft movement forecasts deliverable from this capacity are not agreed. Based on information provided by the Applicant it is considered that the maximum throughput attainable with the NRP to be of the order of 75-76 mppa so delivering a smaller scale of benefits.</p>

**Updated position Deadline 9**  
As part of the DCO Requirements Schedule 2 Section 8, RBBC will be consulted on Detailed LEMP.

Assessments should be based on a lower throughput of passengers with the NRP.

4.	<p>The forecasts for the use of the NRP are not based on a proper assessment of the market for Gatwick, having regard to the latest Department for Transport forecasts and having regard to the potential for additional capacity to be delivered at other airports. The demand forecasts are considered too optimistic.</p>	<p>The demand forecasts have been developed 'bottom up' based on an assessment of the capacity that could be delivered by the NRP (see point above). It is not considered good practice to base long term 20 year forecasts solely on a bottom up analysis without consideration of the likely scale of the market and the share that might be attained by any particular airport.</p> <p>Alternative top-down forecasts have now been presented by GAL [REP1-052] that show slower growth in the early years following the opening of the NRP. These are considered more reasonable than the original bottom-up forecasts adopted by the Applicant but still fail to take adequate account of the extent to which some part of the demand could be met by expansion at other airports serving London including a third runway or other expansion being delivered at Heathrow.</p>	<p>The adoption of the top down forecasts, including an allowance for capacity growth at the other London airports as the base case for the assessment of the impacts of the NRP and the setting of appropriate controls on growth relative to the impacts.</p>
4b	<p>Baseline Case has been overstated leading to understatement of the impacts.</p>	<p>There is concern that it is unreasonable to assume that the existing single runway operation will be able to support 67.2 mppa meaning that the assessment of impacts understates the effects, see REP4-049. The JLAs believe that the maximum throughput attainable in the Baseline Case is likely to be of the order of 57 mppa and that this alternative Baseline</p>	<p>The Alternative Baseline Case should be adopted as the basis for assessing the impacts of the NRP.</p>

		should be adopted as the basis for assessing the effects of the Proposed Development.	
5.	Overstatement of the wider, catalytic, and national level economic benefits of the NRP.	<p>The methodology used to assess the catalytic employment and GVA benefits of the development is not robust as it is not based on the use of available data relating to air passenger demand in the UK. The JLAs are not confident that these assessments present a realistic position in terms of catalytic employment at the local level such that the results should not be relied on.</p> <p>The national economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement effects from other airports, as well as other methodological concerns.</p>	<p>The catalytic impact methodology needs to properly account for the specific catchment area and demand characteristics of each of the cross-section of airports to ensure that the catalytic impacts of airport growth are robustly identified. Account needs to be taken of the specific relationship between growth at Gatwick and the characteristics of its catchment area, having regard to changes due to the NRP and displacement from other airports.</p> <p>The national economic impact assessment should robustly test the net impact of expansion at Gatwick having regard to the potential for growth elsewhere and properly account for Heathrow specific factors, such as hub traffic and air fares.</p> <p><b>Updated Position (Deadline 9):</b> Although the Applicant provided some further explanation in REP3-78 (pages 100-105) and REP7-077, the council remains concerned that the methodology is not robust for the reasons set out at paragraphs 57-60 of REP4-052. It is</p>

			<p>understood that the Applicant contends that its assessment of the total employment impact of the growth of the Airport is calculated on a net basis, such that any local displacement is accounted for. As a consequence, it is claimed by the Applicant that, to the extent that the direct, indirect and induced impacts may be estimated on a gross employment gain basis, this effect is neutral in terms of the estimate of total direct, indirect, induced and catalytic employment given that the catalytic employment is estimated as the difference between the total net employment gain and the calculated direct, indirect and induced employment. Given the concerns expressed regarding the catalytic impact methodology, the council do not accept that displacement has adequately been accounted for in the employment estimates, not least as no account is taken of the extent to which growth at Gatwick would be displaced from other airports. When coupled with the concerns regarding the catalytic impact methodology as a whole, little confidence can be placed on the reliability of the estimates of net local employment gain.</p>
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6.	Employment Growth and housing.	<p>ES Appendix 17.9.3 Assessment of Population and Housing Effects</p> <p><a href="#">[REP3-082]</a> The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts provides a view of the construction labour market on housing but does not address future airport employees and the current housing shortage and cost challenges.</p>	<p>Inconsistency of housing availability and affordability for future airport employees. In Reigate &amp; Banstead. affordability ratio last year was 14.38. This was increasing demand for private rental housing which itself was under stress. These factors do not appear to have been factored into the local growth scenario and raises questions on local employment growth in the borough from the new jobs at Gatwick particularly as many of the new jobs will be low value. Economic impacts need to consider housing affordability.</p> <p>This was discussed in ISH3 and in the Surrey JCs' LIR Chapter 15 Socio Economic – Housing Supply paras 15.70 – 15.75</p> <p>Updated position Deadline 5 no further progress.</p> <p><b>Updated position Deadline 9</b> We note the inclusion of a housing fund in the s106 covering the NW Sussex Housing Market Area. Whilst we preferred this to have been extended into Horley, this was not agreed by the Applicant. No longer pursuing.</p>
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7.	Employment, Skills and Business Strategy	<p>Lack of Employment, Skills and Business Implementation Plan</p> <p>At Deadline 3 the Applicant shared a Draft Section 106 Agreement Annex ESBS Implementation <a href="#">[REP-069]</a></p>	<p>An implementation plan with robust monitoring is needed to ensure that local communities are benefitting from having an enlarged Gatwick on their doorstep. Following Socio-Economic Topic Working Group meeting on 12th December 2023 and Issues Tracker response 3.29 continue to wait for a detailed Implementation Plan</p> <p><b>Updated position Deadline 5</b> Complete Implementation Plan currently being prepared by the Applicant.</p> <p><b>Updated position Deadline 9</b> Additional detail provided by the Applicant at ISH9 and subsequent discussions including a route map and clarity on the s106 contributions means that we consider that this matter will have been satisfactorily concluded once the s106 has been agreed by all parties.</p>
<b>HISTORIC ENVIRONMENT</b>			
8.	Impact of the A23 London Road/River Mole bridge and road	Relates to the visual impacts of the works on the listed church and conservation area	Consideration of alternatives to reduce land take from Church Meadows. Issues Tracker 7.15 response states alternatives considered.



	widening on the Listed St Bartholomew's Church and conservation area and historic Church Meadows		<p><b>Updated position Deadline 5</b> Detailed LEMPS would assist in mitigating effects of the scheme</p> <p><b>Updated position Deadline 9</b> We support the DCO Requirement Schedule 2 Section 8 in that RBBC will be consulted on the detailed LEMP.</p>
	<b>ECOLOGY</b>		
9.	The extent of loss of mature broadleaved woodland (and other habitats)	It is not clear from the application document how much woodland is being lost and how much is being enhanced / replanted. The same is true for other habitats. The ecology chapter for the ES does not quantify the amount of loss or compensation. A reference is made to these figures being included in Biodiversity Net Gain (BNG) assessment however this information is not clear within the BNG report (screenshots of the BNG metric have been provided – but this is difficult to navigate and is difficult to review). The impact assessment should quantify the loss to accurately describe the impact. In addition, this information would aid with understanding and transparency.	<p>The applicant should quantify losses and replacement habitat in the Ecology chapter for the ES. Additional compensation is required for the mature woodland loss. Especially considering the lag time for newly planted woodland to mature and reach target condition.</p> <p>The BNG metric should be supplied in excel format – to aid with review of information. Habitat parcels should be clearly referenced in figures and the excel metric so that the two can be easily cross referenced and to aid with clarity over what compensation / enhancement is proposed.</p>

			<p><b>Updated position (Deadline 5):</b> The local authorities will review the updated BNG metric provided at D5.</p> <p><b>Updated position (Deadline 9):</b> There remains an unmitigated loss of woodland.</p>
10.	Bat roost surveys of trees have not been undertaken	<p>The ecology chapter for the ES states:</p> <p><i>‘A total of 43 trees within the surface access improvements boundary were identified as having bat roost potential and of these 36 would be lost. They comprised nine with High roost potential, 28 with Medium roost potential and six with Low roost potential’.</i></p> <p>No bat roost surveys of ‘high’ or ‘medium’ trees proposed for removal have been carried out to inform the baseline and impact assessment. This contravenes policy in relation to protected species.</p> <p>ODPM circular 06/2005 states:</p> <p><i>‘The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.....</i></p> <p><i>It is essential that the presence or otherwise of protected species, and the extent that they may</i></p>	<p>Bat roost surveys of trees are required before determination. Rare bat species have been recorded during other bat surveys and as such, there is uncertainty and lack of information on the status of roosting bats within the application.</p> <p><b>Updated position (Deadline 5):</b> RBBC understand that the surveys are underway (See GAL’s response to Surrey Joint Authorities Local Impact Report). Pending results, mitigation measures may need to be updated.</p> <p><b>Updated position Deadline 9:</b> The advancement of the bat survey programme for trees to be removed as part of the scheme is welcomed. Final clarifications being provided at Deadline 9.</p>

		<p><i>be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted’.</i></p> <p>Given that rare species of bats have been recorded roosting within the application site (informed by radio tracking surveys), these surveys are required to inform impacts and mitigation / compensation for roosting bats.</p>	
11.	Lack of information on reptile and great crested newt (GCN) mitigation	<p>The ecology chapter for the ES states that reptile and GCN mitigation will involve translocation to receptor sites and where relevant, European Protected Species Licences would be applied for post DCO consent. However, no detailed information is provided for the reptile and GCN mitigation strategy, for example:</p> <ul style="list-style-type: none"> <li>• Where are the receptor sites? Reference is made to Longbridge Roundabout, Museum fields and other mitigation areas but there is no detail as to which one of</li> </ul>	<p>Additional information has been provided in the Applicant’s SoCG response. This should be included within the submission documentation. It remains unclear whether residual impacts have been assessed appropriately without having an outline mitigation strategy in place.</p> <p><b>Updated position (Deadline 5):</b> It is standard practice for an outline mitigation strategy to be submitted</p>

		<p>these has been chosen to be the receptor locations for reptiles and GCN.</p> <ul style="list-style-type: none"> <li>No methodology or timings information for the mitigation strategies.</li> </ul> <p>Whilst it is appreciated that this is outline consent, an outline mitigation strategy is still required for reptiles and GCN.</p>	<p>prior to planning approval. Whilst we appreciate the finer detail will come later, a high level overview is required so as to be satisfied that the 'favourable conservation status' of the population will be maintained. We will review the Deadline 5 submission.</p> <p><b>Updated position Deadline 9:</b> RBBC note that SCC ecologists welcome the reptile mitigation strategy and that there remain a number of outstanding comments/updates required. However, RBBC is no longer pursuing as we see this as a matter between SCC and the Applicant.</p>
12.	No compensation provided for loss of ponds	<p>The ecology chapter states that no replacement ponds will be provided within the application site due to airport airstrike safety. This is fully justified however, it is not understood why off-site provision of new ponds has not been considered.</p>	<p>It remains unclear why replacement ponds could not be provided off-site – preferable within the nearby Biodiversity Opportunity Areas to maximise ecological opportunities / outcomes.</p> <p><b>Updated position (Deadline 5):</b> We understand the reasoning as to why ponds are not being provided on site (bird strike risk), however, to date, we are still unclear why the provision of off-site ponds has not been considered / explored?</p> <p><b>Updated Position Deadline 9</b></p>

			This matter has not been resolved
14.	Need to adopt a landscape scale approach to assessing and addressing ecological impacts	<b>Ecological impacts will extend beyond the Project Site boundary</b> with potential impacts on bat populations, riparian habitats downstream of the airport and the spread of non-native aquatic species. Disturbance and habitat severance within the airport, including the removal of woodland, trees and scrub along the A23, will impact the functioning of wildlife corridors, notably bat commuting routes both within the Site and the wider landscape. Maintenance of habitat connectivity across the airport and wider landscape remains a concern.	<p>GAL should adopt a landscape scale approach to assessing and addressing ecological impacts, including the need to provide off site mitigation, compensation and BNG. RBBC would expect enhancements to green corridors and improved habitat connectivity to extend beyond the confines of the airport, along key corridors such as the River Mole and Gatwick Stream. The local authorities are requesting a landscape and ecology enhancement fund to target landscape enhancement.</p> <p><b>Updated position (Deadline 5):</b> The local authorities continue to request a landscape and ecology enhancement fund. Additional mitigation is required, and this is being explored further through S106 discussions with the Applicant.</p> <p><b>Updated position Deadline 9</b> Additional information has been provided by the applicant. No longer pursuing.</p>
15.	Additional opportunities for	Many potential opportunities for biodiversity enhancement, both within and outside the Site, were never explored. For example, conversion	Explore further opportunities for biodiversity enhancement, both within and outside the Site. The local

	biodiversity enhancement	of 'amenity grassland' currently present on road verges and roundabouts within the Site to wildflower grassland through reduced mowing and/or re-seeding with wildflowers, and the improved management of Gatwick Stream.	<p>authorities are requesting a new role to manage the above fund and support delivery of projects.</p> <p><b>Updated position (Deadline 5):</b> The local authorities continue to request a landscape and ecology enhancement fund. Additional mitigation is required and this is being explored further through S106 discussions with the Applicant.</p> <p><b>Updated position Deadline 9:</b> The services of an ecologist have been agreed to by the applicant along with support for the Gatwick Greenspace Partnership as part of the s106 which RBBC is a signatory.</p>
18.	Gatwick Greenspace partnership	<i>The Planning Statement refers to the Gatwick Greenspace Partnership 'GAL works closely with Gatwick Greenspace, which benefits people, wildlife and the countryside. Gatwick Greenspace is one of the Sussex Wildlife Trust's Living Landscape projects and works across 200 square kilometres of countryside between Horsham, Crawley, Horley, Reigate and Dorking. Its aim is to inform, educate and involve a diverse range of people and work with local landowners including the Forestry Commission, the Wildlife Trusts and the Woodland Trust, plus local authorities to support them in managing their land more sustainably and in partnership</i>	<p>Clarification required as to why this has not been included within the S106 provided in Feb 2024 as set out in the Planning Statement.</p> <p><b>Updated position (Deadline 5):</b> Discussions are continuing on the draft s106 in relation to the Ecology schedules.</p> <p><b>Updated Position (Deadline 9):</b> We are pleased that the Applicant will continue its commitment to the GGP</p>

		<i>with others. GAL has supported the Gatwick Greenspace Partnership with the introduction of an Assistant People and Wildlife Officer overseeing habitat management and coordinating volunteers who help maintain and improve the 75 hectares of woodland, grassland and wetland around the airport. As part of this Project, it is proposed to continue to support this initiative via the new NRP Section 106 Agreement'</i>	and that this is reflected in the s106 Schedule 6
	<b>WATER</b>		
19.	Increased flood risk to Longbridge Road	Adjacent to confluence of Gatwick Stream, River Mole and Highways drainage channel are houses in Longbridge Road which risk being flooded. Not clear if proposer's on airport flood control measures would reduce flood impact along Longbridge Road	<p>RBBC would welcome opportunities to reduce floodrisk in this locality. Chapter 9 of the Surrey JCs' LIR provides additional context.</p> <p><b>Updated position (Deadline 5):</b> We understand discussions are on-going with the EA and wait for those to be satisfactorily concluded.</p> <p><b>Updated position Deadline 9</b> The EA have confirmed <a href="#">[REP7-101]</a> that they are broadly satisfied with the proposed flood mitigation measures.</p>
	<b>TRAFFIC AND TRANSPORT</b>		
20.	Proposed Surface Access Interventions	Surface Access Commitments (SAC) Interventions include:	RBBC wish to understand the details behind these proposals, including the typical parking and access charge, size of Sustainable Transport Fund

		<ul style="list-style-type: none"> <li>• Financial support for enhanced regional express bus or coach services and local bus services;</li> <li>• Funding to support local authorities in implementing additional parking controls or in enforcement action against unauthorised off-airport passenger parking sites;</li> <li>• Charges for car parking and forecourt access to influence passenger travel choices;</li> <li>• Introducing measures to discourage single-occupancy private vehicle use by staff, incentivise active travel use and increase staff public transport discounts;</li> <li>• Use of the Sustainable Transport Fund to support sustainable transport initiatives; and</li> <li>• Provision of a Transport Mitigation Fund to support additional measures should these be needed as a result of growth related to the Airport</li> </ul> <p>In April 2024 the Applicant stated that Paragraph 5 of Schedule 3 to the draft DCO S106 Agreement [<a href="#">REP2-004</a>] secures a minimum £10 million investment from the Applicant to support the introduction or operation or use of bus and coach services.</p>	<p>and Transport Mitigation Fund to provide confidence that the measures can and will be delivered. Following ISH4, it is clear that the ambitions of the Second Decade of Change are just an aspiration and that there remain fundamental challenges regarding rail capacity to contribute meeting the modal shift. This is considered in the Surrey JC's LIR Chapter 10 Securing the Surface Access Strategy para 10.178-10.185</p> <p><b>Updated position (Deadline 5).</b> Noted the draft DCO proposal but Applicant needs to demonstrate what this means in terms of interventions.</p> <p><b>Updated position (Deadline 9):</b> Schedule 3 of the s106 contains measures to support modal shift and surface access, and controls for unauthorised parking. These are welcomed.</p>
21.	Ability to achieve modal shift	The proposal will increase airport capacity in the early morning slots. However, for most passengers checking in before 7pm – 2 to 2.5 hours before their departure there is only very limited public transport.	<p>Improvements to public transport including rail services from 4am to deliver modal shift targets.</p> <p><b>Updated Position (Deadline 5):</b></p>



		<p>The promoter will argue this is beyond their remit. However, unless such improvements are achieved, modal shift improvements to 60% of passengers is unlikely to be achieved in our view and therefore a cap on flights before 8am should be introduced until the modal shift for those passengers is achieved.</p>	<p>Environmental Managed Growth document being submitted to Examination on behalf of Joint Authorities.</p> <p><b>Updated Position (Deadline 9);</b> We note that the ExA DCO [PD-028] includes additional controls in Requirement 20 which are welcomed.</p>
	<b>AIR QUALITY</b>		
26.	Monitoring (Conventional) (AQ13 in LIR)	<p><b>The commitment to funding the council's monitoring needs to be to 2047 or 389 000 movements whichever occurs later</b> and then after this period subject to review, not 2038 as in the current document.</p> <p><b>Reason</b> The airport based on the emissions inventory will see an overall increase in emissions of 4.3% between 2038 and 2047 with a 7.9 % increase in aviation emissions (the dominant local pollution source) over this period, given pollution levels from the airport are actively increasing over this period monitoring using type approved monitoring needs to remain in place.</p> <p>This is in line with the council's final action tracker:</p>	<p>Commitment to funding the council's monitoring to 2047 or 389 000 movements whichever occurs later (not 2038).</p>

		<p>AQA 1 in action tracker: Continued funding of RG1, RG2(6) and RG3 sites on an annual basis, and also capital replacement (every 10 years RG1 and RG3 and every 7 years RG2) of these sites as per current s106 agreement, with an appropriate CPI uplift every 5 years, out to a minimum of 2047.</p> <p>Funding of the CBC owned monitor.</p> <p><b>Updated Position (Deadline 5)</b> Applicant currently not proposing to fund beyond 2038 (9 years after opening). Council view is that funding should be to full capacity 2047. Also proposed s106 lacks a clear capital replacement program.</p> <p><b>Updated Position (Deadline 9)</b> Applicant currently proposes to fund monitoring to 2041 (with capital replacement) then stopping if standards are met, NOT 2047 / full capacity of the airport.</p> <p>The current funding commitment also lacks a movement threshold thus if growth to 2041 is say 340,000 movements not 382,000+ as forecast standards may be met but there is the potential for further deterioration into the future.</p>	
27.	Monitoring Ultrafines (AQ07 in LIR)	Para 13.9.19 p.65 GAL commits to participating in national aviation industry body studies of UFP emissions at airports including those reviewing how monitoring could be undertaken.	Funding of ultrafine particle monitoring by GAL (particle size and particle number) to standards used on the UK national network. Funding till 2047 or

		<p>The council has no issue with GAL participating in national schemes but this does little to address the impact of ultrafines on the local community, and how concentrations are changing as a result of rapid growth from the DCO and thus the potential health impact on the local community. Therefore, there is a need for GAL to fund in full from 2025 the monitoring of ultrafine particles at one of the council's real time monitoring sites examining both particle size and particle number to the same standard as that used on the UK national network. The funding needs to continue to 2047 or until the airport reaches 389,000 total movements – whichever occurs later.</p> <p><b>Updated Position (Deadline 5)</b>  Applicant currently not proposing to fund equipment until UK standards in place, and limiting funding to £30K. Capital costs of the equipment alone are around £100K.</p> <p>Given applicant's failure to assess the impact of the development on ultrafine levels, need for fully funded monitoring program is now critical from a mitigation perspective (see row 33).</p> <p><b>Updated Position (Deadline 9)</b>  Applicant to fund a one off payment up to £100K of costs in total if UK standards in place.</p>	<p>until the airport reaches 389,000 total movements – whichever occurs later. Funding to cover capital replacement (10 year basis) and annual running costs.</p>
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		<p>At the present level of funding this would cover the purchase of equipment but no running costs (c.£20K per annum) and no capital replacement costs.</p> <p>As discussed at deadline 5 given the applicant's failure to assess the impact of the development on ultrafine levels (the methodology used by the applicant was completely wrong), the need for a fully funded monitoring program is now critical from a mitigation perspective (see row 33), especially given the existing 'high' exposure on the Horley Gardens Estate, and as such the applicant needs to be funding UFP monitoring in full.</p>	
28.	Use of the Sussex air guidance (AQ06 in LIR)	<p>No provision of the webTAG calculation of the damage cost of the road traffic pollution. Para 13.12.6 in Chapter 13 states the costs associated with air pollution are considered under the Socio-Economic Effects of Chapter 17. However, these cost calculations do not appear to be in chapter 17.</p> <p>The local authorities had agreed that for the road traffic element the TAG damage cost approach was acceptable for calculating the air quality cost rather than the method in the Sussex Air Guidance. (Jan 23)</p> <p><b>Updated Position (Deadline 5)</b> Signpost to calculation has been provided. Council looks forward the revised air quality action plan that includes costings in line with DEFRA guidance.</p>	<p>Provision of TAG calculations for air quality. Correct sign post to TAG calculations now provided.</p> <p>Uncertainty remains over if applicant will now apply damage cost to mitigation measures in line with the next stage of Sussex guidance.</p>

		<p><b>Updated Position (Deadline 9)</b>  Applicant has yet to provide a forward looking air quality action plan let alone a plan with costed measures in line with DEFRA guidance.</p> <p>At this stage the Applicant needs to provide a forward looking air quality action plan that identifies the embedded mitigation i.e. that has been assumed in the DCO AQ modelling, and the additional mitigation including costs that the Applicant will be undertaking.</p>	
29.	Air Quality Action Plan – Operational (AQ05 in LIR)	<p>The mitigation and enhancement measures that are planned as part of the operational phase of the project for air quality need to be clearly set out as an action plan.</p> <p>At present it simply refers to the carbon action plan, but it is unclear which of these measures are intended to benefit air quality, nor is any indication given as to the likely reduction such measures are likely to deliver either in terms of emissions or concentrations.</p> <p>The current approach appears contrary to what was agreed in the topic working group of 16<sup>th</sup> Jan 23, when it was stated: GAL will include an Air Quality Action Plan in addition to the mitigation sections in the ES, and also the draft action plan presented to the LAs in the topic working group on 21/10/22.</p> <p>AQA 3 in action tracker  The key recommendation is for the applicant to prepare a robust Air Quality Mitigation Plan to</p>	Provision of air quality action plans measures in single document, with quantification of emissions / concentration reductions, and costings.

mitigate and/or offset the airport and airport traffic-related emissions.

**Updated Position (Deadline 5)**

A list of potential measures has been provided, but no indication of which measures have been assumed within the DCO AQ model, and which are additional measures. No indication of which measures will be implemented nor quantification of emissions / concentration reductions, and costings, start / end dates etc.

**Updated Position (Deadline 9)**

The proposed air quality action plan e.g. ((REP6-064) Appendix 5 did nothing to address the points raised at Deadline 5 and this remains the case at Deadline 9.

The plan needs to be forward looking over the next 5 years not backward over the past 5 years as currently proposed. It also needs to:

- Differentiate the 'embedded mitigation' i.e. that assumed to be in place in the air quality modelling for the DCO such as all of the surface access commitments, from the additional mitigation. This is critical as if the embedded mitigation measures do not occur or are not implemented in full or are found to deliver less than anticipated then additional measures will be needed to ensure the air quality predictions within the DCO remain on track.

		<p>- It fails to present costings, performance indicators, delivery timescales, or the level of pollution reduction the measures are likely to deliver (either as a concentration reduction on the Horley Gardens Estate or tonnage released to atmosphere)</p> <p>The applicant's air quality action plan template therefore needs to include the following information which is taken from DEFRA's air quality action plan template:</p> <ul style="list-style-type: none"> <li>• Measure No.</li> <li>• Measure</li> <li>• Estimated Year Measure to be Introduced</li> <li>• Estimated / Actual Completion Year</li> <li>• Estimated Cost of Measure</li> <li>• Measure Status</li> <li>• Target Reduction in Pollutant / Emission from Measure</li> <li>• Key Performance Indicator</li> <li>• Progress to Date</li> <li>• Comments / Potential Barriers to Implementation</li> </ul>	
30.	Air Quality Action Plan –	Dust management plan needs to be provided.	Provision of Dust Management Plan or outline DMP should be developed

	<p>Construction Dust Management Plan / Monitoring (AQ01 in LIR)</p>	<p>While some elements of the plan may be site specific there is no reason why a draft version of the plan cannot be shared at this stage.</p> <p><b>Updated Position (Deadline 5)</b> A rough plan has now been provided but there remain a number of issues with this which are set out in the councils' response to the plan [REP4-053].</p> <p><b>Updated Position (Deadline 9)</b> Remaining outstanding issues are:</p> <p>i) Off site inspections for dust need to be done on a daily basis (NOT weekly as proposed) see IAQM (2018) guidance<sup>1</sup> (para 4.7).</p> <p>ii) Complaints from the public about dust need to be shared with the relevant local authority on a proactive basis not on request from the local authority as currently proposed.</p> <p>iii) A mechanism for sharing in real time or near real time data from the automatic dust monitoring equipment, which could easily be done via a web portal.</p> <p>iv) The relevant local authority is to be notified within one working day where the site action level (SAL) is exceeded and residential premises are in the vicinity.</p>	<p>during the examination and the CoCP updated accordingly to secure the DMP.</p>
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<sup>1</sup> Guidance on Monitoring in the Vicinity of Demolition and Construction Sites (October 2018) para 4.7 which states: 'At all sites, an inspection for visible dust emissions in the vicinity of the site boundary (internal and external) should be conducted at least once on each working day. The results of this inspection should be clearly recorded in a clear and unambiguous manner'.



31.	Air Quality Action Plan – Construction Emissions Management (Traffic/ NRMM) (AQ02 in LIR)	<p>A commitment needs to be made to only use on road vehicles that meet the London Low Emission Zone standards– and for NRMM equipment to meet London's 'Low Emission Zone' for Non-Road Mobile Machinery standards with equipment meeting Stage IV requirements from 2024, and stage V from 2030.</p> <p>The current wording refers to ‘encourage’ rather than it being a mandatory requirement. Given the proposed project has a construction period extending over 14 years it needs to be using the lowest emission equipment available for the type of plant being used.</p> <p><b>Updated Position (Deadline 5)</b>  In view of the fact that the DCO air quality assessment is predicated on as a minimum construction equipment meeting Stage V from 2024 (chapter 13 para 13.6.4) [APP-038], and the applicant made the statement to the inspector at ISH 7 (Transcript of Recording of Issue Specific Hearing 7 (ISH7) - Part 3 - 1 May2024) [EV13-007] at 00:25:37:10 - 00:25:55:10) that Stage V NRMM plant would be utilised the applicant’s current statement in the code of construction practice Appendix 5.3.2 p20 version 3. [REP4-007] will need to be reworded to:</p> <p><i>All Non-Road Mobile Machinery (NRMM) net power 37kW to 560kW will comply with the engine emissions standards set by London LEZ for NRMM across all sites within the Order Limits. From 1 January 2025, NRMM used on any site will be</i></p>	<p>Commitment in CoCP.</p> <p>CoCP has been updated (p15) though still seeking clarification of ‘<i>where applicable</i>’</p> <p>CoCP has been updated again [REP4-008] p.20 but changes as per Deadline 5 update are required</p>
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		<p><i>required to meet emission standard Stage V as a minimum.</i></p> <p>It is important to note that all generators in the London Low Emission zone already (2024) need to be Stage V to comply with the London guidance.</p> <p><b>Updated Position (Deadline 9)</b> This is now agreed and included within the CoCP.</p>	
32.	2047 assessment scenario (AQ12 in LIR)	<p>The 2047 base and with development scenario need to be modelled in full.</p> <p>In 2038 over 50 % of the NOx pollution at some sites on the Horley Gardens Estate is due to the airport, and in practice is likely to be higher still given the model does not reflect the falling levels of pollution from background sources. Therefore, the airport is the dominant significant local source in 2038.</p> <p>Based on the emissions inventory the airport will see an overall increase in emissions of 4.3% between 2038 and 2047 with a 7.9 % increase in aviation emissions (the dominant pollution source of the airport component) over this period. Given the airport is both the dominant local source of pollution and emissions are increasing between 2038 and 2047 this needs to be modelled to understand the impact of the rising emissions on the local community.</p> <p><b>Updated Position (Deadline 5)</b></p>	Contour mapping and source apportionment outputs for 2047 base and 2047 with development.

		<p>The council's position is unchanged.</p> <p>In addition to the above the council would make the point that:</p> <p>The applicant considers the airport to be at full capacity in 2047, and the airports national policy statement (para 5.33) states:</p> <p>'5.33 The environmental statement should assess: Forecasts of levels for all relevant air quality pollutants at the time of opening, (a) assuming that the scheme is not built (the 'future baseline'), and (b) taking account of the impact of the scheme, including when at full capacity;'</p> <p>The policy here refers to levels i.e. the concentrations of the pollutant not the emissions of the pollutant which the applicant has calculated in the emissions inventory.</p> <p>It is important to note that not all emissions of NOx are 'equal' in terms of their impact. For example, an increase of 1 tonne of NOx from APU emissions will have a far larger potential impact on the local community than 1 tonne of NOx from an aircraft in the climb phase. Thus the emission inventory fails to assess the impact on the local community at full capacity.</p> <p><b>Updated Position (Deadline 9)</b></p>	
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		<p>The Applicant has still to model the impact of aviation emissions on the local community in 2047 / full capacity with and without development - contrary to para 5.33 of the ANPS (see above) and despite aviation emissions being the dominant and rising source of pollution from 2038 onwards on the Horley Gardens Estate.</p> <p>This omission is compounded by the fact that the applicant currently has no plans to fund monitoring beyond 2041 if standards are met by this point, even if aircraft movements are lower than forecast at that point in time.</p>	
33.	<p>Ultrafines Health Assessment (Linked to need for ultrafines monitoring - AQ07 in LIR)</p>	<p><b>The health impact assessment of ultrafine particles understates the potential health impact as it appears to assume exposure is correlated to PM<sub>2.5</sub> exposure.</b></p> <p>At this stage clarification is needed on what assumptions have been made in relation to correlations between ultrafine particle concentrations and PM<sub>2.5</sub> concentrations in the qualitative health assessment of ultrafines, especially in relation to the aviation derived ultrafines component.</p> <p><b>Updated Position (Deadline 5)</b> The air quality assessment of the change in ultrafine particle exposure as a result of the development is quite simply wrong given it appears to assume some form of relationship with PM<sub>2.5</sub> concentrations or emissions.</p>	<p>Depends on clarification response.</p> <p>In view of the response the applicant needs to fund in full ultrafines monitoring (size and number distribution) from commencement of the project to the airport at full capacity including capital replacement on a 10 year basis.</p>

		<p>As a result, the health impact assessment has no valid data to work with for its assessment, and thus in effect is meaningless.</p> <p>It is also important to note that residents on the Horley Gardens are already starting from a position of 'High' ultrafine pollution exposure (as monitored by the council), with current exposures in terms of number of hours 'high' greater than a heavily polluted site in London.</p> <p>Thus the failure to assess the impact of the development, and lack of any appropriate mitigation e.g. monitoring funded in full by the airport from commencement to full capacity is a significant issue.</p> <p><b>Updated Position (Deadline 9)</b> The position is unchanged from that stated at Deadline 5 i.e.</p> <p>The assessment of the change in ultrafines exposure from the air quality assessment that feeds into the health assessment was simply wrong and so there is no valid data for the health impact assessment.</p> <p>As discussed above the number of hours classed as 'High' (WHO methodology) on the Horley Gardens Estate is double that at Marylebone Road in Central London which is on the kerb of a 6 lane road as opposed to the middle of a residential housing estate.</p> <p>Having failed to assess the magnitude of the change due to the development, and the potential health impact of this, the applicant is not proposing any</p>	
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		<p>monitoring until UK standards are in place, and then without the running costs.</p> <p>Thus the Applicant's current proposals do not even allow for the measurement of the magnitude of the change in exposure with the development and an assessment of the likely health impact via this route.</p>	
34.	Modelling 2029 to 2032	<p><b>The separation of construction and operational assessments over the period 2029 to 2032 is likely to result in an underestimation of the 'true' pollutant concentrations experienced by residents during this period.</b></p> <p>For residents of the Horley Gardens Estate there is rapid growth in aviation pollution between 2029 and 2032, while construction traffic is likely to be elevated throughout this period and not just in 2029.</p> <p>There is no information in either the air quality chapter or the Surface Access Commitments document of how air quality data will be reviewed to check that changes are not more adverse than predicted, nor what measures would be taken if a significant adverse deterioration was monitored.</p> <p><b>Updated Position (Deadline 5)</b> This is still under discussion with the applicant. The concern at present is how the construction traffic in</p>	Depends on clarification response.

		<p>2029 has been modelled in the 'with development' scenario within the traffic model.</p> <p><b>Updated Position (Deadline 9)</b> This concern has been addressed and based on the information provided is no longer seen as an issue.</p>	
34a	Operational Odour	<p>Lack of a quantitative operational odour assessment of the impact of aviation fuel odour on the local community, despite a previous quantitative assessment (2019) showing the potential for odour complaints under the existing operation and despite existing odour complaints about the airport (See REP 1-097 para 11.120 onwards).</p> <p><b>Updated Position (Deadline 9)</b> The applicant's Deadline 8 Submission '10.57 Odour Monitoring and Management Plan - Version 2 (Tracked)' [REP8-101] is an update of the Deadline 7 Submission - 10.57 Odour Reporting Process Technical Note [REP7-094] which has just three changes:</p> <ul style="list-style-type: none"> <li>i) a name change of the document from a reporting process to a monitoring and management plan.</li> <li>ii) a new paragraph (1.2.3) that commits the Applicant to taking action in relation to odour issues following best practice.</li> <li>iii) a commitment to 'action' added to Stage 4 of the odour complaints process.</li> </ul>	Provision of a quantitative operational odour assessment for the with and without development scenarios and the development of an aviation fuel odour management and monitoring plan for agreement with the Council.

Therefore, significant updates beyond these limited changes are needed if a robust plan is to be produced. A suitable starting point is the Institute for Air Quality Management Guidance (IAQM) on the assessment of odour for planning (v1.1, July 2018). It should be noted the above IAQM odour guidance was relied upon by the Applicant in their ES [APP-038].

The recommended elements within the guidance (Table 8) include:  
Essential Site Details,  
Routine Controls Under Normal Conditions,  
Reasonably Foreseeable Abnormal Conditions and Additional Controls,  
Triggers for Additional Controls and Checks on Effectiveness and  
Management of Good Practice.

Almost all of the above is either absent or addressed only at a very high level in the applicant's current plan.

It is also important to note that the council does not agree that the Applicant currently has a clear enough understanding of odour sources and their dispersion to develop a robust plan.

This is because the Applicant has only presented a risk based review [APP-038] rather than a quantitative assessment. This is despite the complaints received over an extended duration at Gatwick before any further expansion of operations



		<p>and previous quantitative work showing that a potential odour problem already exists.</p> <p>Operational odour therefore remains an area of disagreement.</p> <p>Changes needed:</p> <p>a) A quantitative assessment of odour using dispersion modelling as per the applicant's 2019 work outside of the DCO,</p> <p>b) if the work in a) is not forthcoming then to help the applicant begin to quantitatively assess the impact of its operations so it can develop a robust odour management and monitoring plan the following needs to be undertaken:</p> <p>(i) determine the ambient concentrations of an appropriate marker for aviation fuel at which fuel odours are perceived on the Horley Gardens Estate;</p> <p>(ii) if the concentrations of the marker determined in (i) exceed the limit of detection of a suitable field based monitor then such equipment is to be installed at a location agreed with CBC and RBBC for a 1 year period to enable the examination of the distribution of events giving rise to aviation fuel odour.</p>	
	<b>NOISE</b>		
35.	Information provision	During the DCO process for Noise GAL have refused to supply and blocked access to information that the local authorities including Reigate & Banstead have asked for to help	There are a number of key areas that the authority has issues with, and as such additional matters maybe added

		<p>inform the topic working group meetings that have developed this DCO submission.</p> <p><b>Updated Position (Deadline 5)</b> View is unchanged.</p> <p><b>Updated Position (Deadline 9)</b> The council's view on this matter is unchanged and was demonstrated recently at ISH9 where the applicant declined to provide measured Single Event Level and LASmax noise data and information on how aircraft predictions compared to the measured level.</p> <p>The Applicant claimed this information was confidential to the CAA, yet when the JLAs contacted the CAA regarding this matter they received the measured Single Event Level and LASmax noise data after the CAA confirmed that the data was NOT confidential. The CAA are also willing to share a comparison of measured and predicted noise levels; however, they require approval from Air Noise Performance data providers in order to share this information. A request by the JLAs has been made to the ANP database data providers and a response is being awaited.</p>	<p>to the PADDs list as the process continues.</p>
36.	<p>Interpretation of national policy (Air Noise)</p>	<p>The Council disagrees with the Applicant's interpretation of national policy in respect of aviation noise which appears to have influenced their approach to the work. As a result, the benefits of technological improvements are not being shared sufficiently with affected</p>	<p>The relevant chapters and appendices need to be updated so that assessment of impact and assessment of impact is suitably revised.</p>

		<p>communities and the total adverse impacts of noise are not being mitigated. The approach does not appear consistent with the Noise Policy Statement for England.</p> <p><b>Updated Position (Deadline 5)</b> View is unchanged.</p> <p><b>Updated Position (Deadline 9)</b> View is unchanged.</p>	
37.	Local Planning Policy (Air Noise)	<p>Local planning policies in relation to noise are briefly referred in sections 14.2.61 to 14.2.62 of Chapter 14 the Environmental Statement. There is no explanation of the policies, the weight given to them and how they have influenced the design, assessment of impact and mitigation of the proposal. This is contrary to the 'Balanced Approach' required by UK and international policy.</p> <p><b>Updated Position (Deadline 5)</b> View is unchanged.</p> <p><b>Updated Position (Deadline 9)</b> The council's position remains unchanged on deadline 5.</p>	The undertaker needs to clearly explain how they have had regard to (or otherwise) local planning policy. This is not only in relation to noise but also for wider impacts on land use planning including provision for housing and other noise sensitive development that will be affected by the NRP. The policies are understood to be material planning considerations.
38.	Threshold and scope of LOAELs and SOAELs (Air Noise)	The ES only considers the Leq metric for LOAELs and SOAELs. In doing so it makes reference to national policy. The consideration only of Leq as a metric is too narrow and other metrics should be applied to the decision	Inclusion of assessment for a wider range of criteria, including but not exclusively, awakenings, N above contours in addition to the Lden and Lnight.

		<p>processes within the project to inform impact and mitigation. In determining the LOAELs and SOAEL more recent data, including planning decisions and revised health assessment criteria need to be applied. The consideration only of the Leq metric does not represent all the effects of air noise across the borough.</p> <p><b>Updated Position (Deadline 5)</b> View is unchanged.</p> <p><b>Updated position (Deadline 9):</b> The council's view is unchanged from deadline 5</p>	
39.	Health LOAELs and SOAELs (Air Noise)	<p>Health impact of noise (Chapter 18 – health and wellbeing) is likely to be significant under estimate of the noise impact in view of the choice of LOAELs and SOAELs.</p> <p><b>Updated position (Deadline 5)</b> The council's view is unchanged from above – given for example setting a higher LOAEL will reduce the number of people considered in the health assessment.</p> <p><b>Updated Position (Deadline 9)</b> The council's view is unchanged from deadline 5.</p>	<p>Significance of effects is calculated using more recent data. Considered in Surrey LIR Appendix C (RBBC Noise 14) ) [REP1-100] p.89 Full discussion p.73 to p.74.</p>
40.	Modelling Scenario (Air Noise)	<p>Absence of a 2029 scenario modelled using 2019 ATMs i.e.</p>	<p>Production of the noise contours in first instance.</p>

		<p>2029 noise modelling scenario is run using 284,987 ATMs to demonstrate the extent to which the airport is sharing the benefits of quieter aircraft with the local community, and to assess the health impacts of the airport growth in its totality. This data would then help inform the setting of the noise envelope on the basis of the airport is allocated 50 % of the noise improvement for its growth.</p> <p><b>Updated position (Deadline 5)</b> Applicant has not undertaken the work.</p> <p><b>Updated position (Deadline 9):</b> The Applicant has not undertaken the work despite the request for a 'no growth' scenario as per the Planning Inspectorates Scoping Report (para 2.3.13 Appendix 6.2.2 [APP-095]).</p>	
41.	Noise Envelope (Air Noise)	<p>There are issues with all aspects of the noise envelope as currently proposed.</p> <p>The Noise Envelope is not fit for purpose and the Council's concerns include: the consultation process, technology scenario used, metrics used (type and duration), noise contours used, oversight and enforcement process including the lack of local authority involvement, control mechanisms to prevent a breach, and sanctions in the event of a breach of the Envelope.</p> <p><b>Updated position (Deadline 5)</b> The Council's position is unchanged.</p>	<p>Very significant changes are required. Considered in Noise Envelope Surrey LIR Appendix C (RBBC Noise 22 to 32) [REP1-100] p.91 to 96). Full discussion p.64 onwards.</p>

		<p><b>Updated position (Deadline 9):</b> The council's position in relation to the applicant's proposals remains unchanged.</p> <p>The council supports the JLAs submitted proposal for Environmentally Managed Growth [REP4-050], and also sees considerable merit in the ExAs suggested requirement R15 in Schedule 2 [PD-028].</p>	
42.	Noise insulation	<p>The noise insulation scheme is not sufficient to protect those who will suffer adverse effects of noise and the consequences of the installation of noise insulation. There are multiple issues with the scheme, by way of example we disagree that the thresholds of qualification are set at the correct level and for the correct parameters; consider it has no regard to overheating created as a result of the installation of noise insulation measures; disagree that once installation is complete all ongoing maintenance / running and potential replacement costs are borne by the householder / person in charge of the premises; and everyone should be eligible for the scheme whether or not they have qualified previously.</p> <p><b>Updated position (Deadline 5)</b> The Council's position is unchanged.</p> <p><b>Updated position (Deadline 9)</b> The Council's position is unchanged in relation to the applicant's proposals.</p>	<p>The applicant will need to improve the offering based on consideration of a wider range of determinants and having regard to multiple use types; make separate provision for prevention of overheating; define qualifying areas based on single mode noise contours.</p> <p>Considered in Surrey LIR Appendix C (RBBC Noise 13, 16 to 21) [REP1-100] p.88, 90 to 91). Full discussion p59 onwards.</p>

		The council sees considerable merit in the ExAs suggested requirement R18 in Schedule 2 [PD-028] if the overheating risk is adequately addressed.	
43.	Noise Barrier	<p>There is a need for a noise barrier on the A23 south of the Longbridge roundabout.</p> <p><b>Updated position (Deadline 5)</b> The council's view is unchanged on its response in the LIR [REP1-100] (bottom of p.50) in that it is unclear how it is acceptable for noise levels in 2047 to be largely unchanged on levels in 2018 and still be above the SOAEL i.e. 30 years above the SOAEL.</p> <p>Whereas with a barrier in place noise levels are upto 4.6 dB quieter, with levels below the SOAEL.</p> <p><b>Updated position (Deadline 9):</b> The Council's position is unchanged - noting the applicant's post COVID reassessment of road traffic.</p>	<p>Considered in Surrey LIR Appendix C (RBBC Noise 9)</p> <p>[REP1-100] Full discussion p50 to p.53.</p>
44.	Draft DCO (Noise Control)	The control of air noise, by metric and operational limitation, is under-represented in the DCO including (but not exclusively) the noise envelope requirements, use of routes, night flying restrictions, limitation on passenger numbers and freight movements; and conditional slot management.	A substantial review of the DCO to ensure there is adequate representation of, amongst other things, noise and associated operational controls, enforcement mechanisms, access to information, noise envelope scrutiny group, funding of a local authority costs including staff and specialists as

		<p>For example there is no commitment in the work to a movement cap in the core night period (23:30 to 06:00) in the winter (3,250 movements), and summer (11,200 movements) periods.</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged.</p> <p>In relation to the night movement cap - the DCO is granted based on the predication that the movement cap will continue as this is the assumption in the night noise modelling work.</p> <p>However it is important to note that the applicant is currently pushing for the removal of the movement caps in the core night period (Gatwick Airport Ltd – Response to the Night Flight Restrictions Consultation Part 2 – Sept 21 p.4 / response to Q53) where it states, 'GAL's preferred option would be to remove existing movement limits for summer and winter season and use QC limits only to incentivise utilisation of quieter aircraft.'</p> <p>As a consequence, the council is of the view that a DCO requirement is needed in relation to movements in the core night period 23:30 to 06:00 that states that movements will not exceed those set out in the existing DfT night noise policy in operation in 2023.</p> <p><b>Updated position (Deadline 9):</b> The council's position remains unchanged on deadline 5. A draft requirement was submitted in REP8-163 p.99-100.</p>	<p>required to oversee the DCO. Noise Envelope considered in Surrey LIR Appendix C (RBBC Noise 22 to 32)</p> <p>[REP1-100] p.92 to 96). Full discussion p59 onwards</p> <p>Movement Cap considered in Surrey LIR Appendix C (RBBC Noise 15) [REP1-100] p.89. Full discussion p58 onwards</p>
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45.	<p>Lack of ongoing research to test adequacy of proposals</p> <p>For example: Surrey LIR Appendix C (RBBC Noise 33)</p>	<p>The ES utilises models to predict noise levels, the impacts, the locations of the impacts and inform mitigation. All decision making is based on the knowledge described in the ES at the time of the determination of the application.</p> <p>There are no proposals for research to improve understanding as part of an iterative development of an environmental impact and management system.</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged.</p> <p><b>Updated position (Deadline 9)</b> The council's position is unchanged.</p>	<p>We expect Gatwick to fund work, that is commissioned by the local authority or Gatwick (at the discretion of the host authority) into a wide range of matters including improving the noise contours so that lower noise levels can be effectively modelled; establishing local population attitudes to noise; validating effectiveness of noise insulation works; techniques to tackle overheating in noise insulated properties. Once the work is completed it is then used to improve systems or adapt the mitigation appropriately or both as is the case with the work.</p>
46.	Construction Noise	<p>Potential issues on various topics subject to clarification and around the working hours 'off' airport.</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged.</p> <p><b>Updated position (Deadline 9)</b> The outstanding issues here are:</p> <p>i) Use of percussive piling – noise assessment assumes only less noisy vibratory piling, thus restriction on percussive piling needed in CoCP</p>	<p>Subject to further clarifications. Considered in Surrey LIR Appendix C (RBBC Noise 1 to 8) [REP1-100] p.83 to 87, full discussion p44 to p50.</p>

		<p>ii) Applicant needs to supply evidence from road noise monitoring late at night (01:00 to 04:00) that there are no breaks in road traffic noise to validate decision to raise LOAEL /SOAEL to 60 dB.</p> <p>Information to be provided prior to DCO. If not provided then SOAEL remains at 55 dB with consequential follow on for noise insulation measures.</p> <p>iii) Specifying in the CoCP the need for noise barriers including a minimum height at the following sites: A23 Brighton Road Bridge – along the southern side of the utilities diversion bridge.</p> <p>A23 London Road Bridge – along the eastern side of the temporary footpath.</p> <p>Airport Way Rail Bridge – on the northern side of the eastbound carriageway.</p> <p>Car Park X – along the southern site boundary.</p> <p>Given all of the above were assumed in the construction noise assessment, but are not secured in the CoCP.</p> <p>iv) Code of construction practice updated to offer residents where noise levels between 22:00 and 07:00 fall between the LOAEL and the SOAEL (or above the SOAEL) the option of overnight accommodation with air conditioning (at no cost) where overnight working is planned on two or more consecutive nights and where daytime temperatures are forecast to be at or above 27 C.</p>	
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46a.	Ground Noise Surrey LIR Appendix C (RBBC Noise 13)	<p>Number of issues with the ground noise model discussed in Surrey LIR (Appendix C RBBC section) suggests a major reworking of this section is needed.</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged although the applicant has produced a single contour line at the level it considers the SOAEL. The council is still unclear why contours at 3dB intervals have not been produced for ground noise given they have been for road noise and aircraft noise.</p> <p><b>Updated position (Deadline 9)</b> The Applicant has submitted SOAEL ground noise contours for the day and night period of the 2032 slower transition fleet [REP6-065] but have dismissed any requests to provide ground noise contours from LOAEL up for all scenarios along with the change in ground noise contours within the area covered the relevant LOAEL contour so that effects can be fully understood.</p>	<p>Production of ground noise contour maps (LAeq,T and LAmx) for the assessment years as done for road traffic noise and air noise.</p> <p>Slow transition case needs to be modelled as any ground noise insulation scheme should be based on the realistic worst case as a precautionary measure.</p> <p>[REP1-100] full discussion p.54 to p.55.</p>
46b.	Ground Noise - Insulation	<p>Properties at risk of noise impact from DCO not insulated before opening.</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged. We note that the applicant has identified 16 properties so far that will need insulation.</p>	<p>Houses that need insulation should be identified prior to the commencement of the project opening (currently 2029) and insulated, not after the project has opened.</p>

		<p><b>Updated position (Deadline 9):</b> The Applicant has provided information showing the rollout of the noise insulation scheme.</p>	<p>Commitment to annual monitoring of the combined air noise and ground noise levels at specified locations to check no additional properties would qualify for noise insulation.</p> <p>Considered in Surrey LIR Appendix C (RBBC Noise 1 to 8)</p> <p>[REP1-100] full discussion p.54 to p.55.</p>
46c.	Air Noise: General. Community Annoyance.	<p>Community Annoyance. Compensation in line with GAL's 2014 proposals</p> <p><b>Updated position (Deadline 5)</b> The council's position is unchanged.</p> <p>In 2014 the applicant stated in their consultation document on an additional runway at Gatwick (April 2014) (p.65): <i>'In the past, big infrastructure projects have been criticised for not providing enough financial compensation to local communities. That is why we believe that our plans to reduce the impact of a second runway should include proposals to ensure that people most affected by expansion at Gatwick are compensated financially.'</i></p> <p>The document also recognised the impact on people already living within an annoyance contour stating (p.69): <i>This proposed scheme would include homes already within the existing single runway's contour because</i></p>	<p>Annual contribution of £1,300 (with annual CPI uplift) towards the council tax of all residential households within the 54 dB LAeq, 16hr actual contour.</p> <p>Payment made following the publication of the actual contours for the previous year.</p> <p>Payments would be made only to residential properties built and addresses registered at the commencement of the project.</p> <p>Considered in Surrey LIR Appendix C (RBBC Noise 34) [REP1-100] p.97 full discussion p.74 to p.75.</p>

		<p><i>we recognise that they would also be affected by intensification of traffic due to R2.</i></p> <p><b>Updated position (Deadline 9)</b> The council's position is unchanged.</p>	
	<b>Legislation, policy and guidance</b>		
49.	<p>It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/ CORISA.</p>	<p>It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/CORISA.</p> <p><b>Updated position Deadline 5:</b> The Applicant has relied on the Jet Zero High Ambition assumptions but only tested the against the central case. The Applicant notes that if the targets are not being met, the Government will have to take action nationally to reduce demand levels and this might include higher costs of SAFs or new technologies. However, because GAL has not prepared top-down forecasts from first principles, it has simply not presented any sensitivity analysis of the consequences of higher carbon related costs on demand. This differs from the approach adopted at other airports such as Luton where sensitivity tests were explicitly presented of the effect on demand if economic growth was slower or carbon costs higher, as well as the effect of other airports bringing forward expansion.</p> <p><b>Updated Position Deadline 9</b> There is concern that the Applicant's demand forecasts underpinning the NRP do not explicitly take</p>	<p>Can the Applicant please confirm in the need case for the scheme if it considered the impact of ETS/CORISA?</p>

		into account the cost of carbon under the ETS or CORSIA. Only in the top down forecasts, which show slower growth, are the demand forecasts based on the Jet Zero Strategy High Ambition Case. However, no sensitivity testing has been undertaken of the effect of a higher or lower cost of carbon on demand.	
	<b>Conclusions</b>		
50.	No consideration is provided in the ES around the risk of the Jet Zero Strategy and the impact this would have on the significance of the assessment.		
	<b>SOCIO-ECONOMIC</b>		
74.	00881- Book 5 Appendix 17.8.1 Employment, Skills & Business Strategy	Require Implementation Plan	<p>Required to assess that local communities will benefit first from Gatwick Growth. Following Socio-Economic Topic Working Group meeting on 12th December 2023 continue to wait for a detailed Implementation Plan</p> <p><b>Updated position Deadline 5;</b> The Applicant is preparing an Implementation Plan.</p>

			<p><b>Updated position Deadline 9:</b> This will be addressed through the s106 being submitted at Deadline 9. Addressed,</p>
75.	00881- Book 5 Appendix 17.8.1 Employment, Skills & Business Strategy	Need for Agreed monitoring requirements	<p>To assess outcomes from economic growth. Will be dependent on monitoring included with Implementation Plan but progress by Applicant still to shared</p> <p><b>Updated position Deadline 5;</b> The Applicant is preparing an Implementation Plan</p> <p><b>Updated position Deadline 9:</b> Monitoring will form part of the Implementation Plan. Addressed</p>
77.	Riverside Gardens Park	Detailed tree and vegetation Removal Report	<p>Arboriculture Study submitted 12 March 2024 to ExA . RBBC to review and respond at Deadline 3</p> <p><b>Updated position Deadline 5.</b> The updated study Outline Arboricultural and Vegetation Method Statement [REP3-023] and the Tree Survey Report and Arboricultural Impact Assessment [REP3-038] have gaps in their methodology. Some clarification was provided at a meeting with the</p>

			<p>Applicant and their consultants in May 2024.</p> <p><b>Updated position Deadline 9:</b> Some refinement in methodology was provided in the amended Appendix 8.10.1 Tree Survey Report and Arboricultural Impact Assessment - Part 1 Version 3 (Tracked) [REP6-039]. Matter addressed.</p>
78.	Riverside Garden Park	Mitigation of land take and impact on Riverside Gardens Park.	<p>Tree and vegetation planting scheme to restore Riverside Gardens Park post DCO work and reduce impact of widened road – to be agreed with RBBC</p> <p><b>Updated position Deadline 5</b> – still some work to close gap on tree assessment methodology and their replacement. Detailed Landscape and Ecology Management Plan for Riverside Gardens which RBBC would be consulted provides a possible route forward.</p> <p><b>Updated Position Deadline 9):</b> In accordance with the DCO Requirement Schedule 2 Section 8, RBBC will be consulted on the detailed LEMP.</p>



79.	Riverside Garden Park	Construction Impacts	<p>Code of Construction Practice submitted 12<sup>th</sup> March by applicant and being reviewed by RBBC Will respond at Deadline 3.</p> <p><b>Updated position Deadline 5.</b> Progress has been made but the accompanying Arboricultural and Vegetation Method Statement [<a href="#">REP3-023</a>] and the Tree Survey Report and Arboricultural Impact Assessment [<a href="#">REP3-038</a>] have gaps in their methodology which need addressing by the applicant.</p> <p><b>Updated position Deadline 9:</b> Further clarification was provided in the amended Appendix 5.3.2 CoCP Annex 6 - Outline Arboricultural and Vegetation Method Statement [<a href="#">REP6-019</a>]. Matter addressed.</p>
80.	Carpark B addition to Riverside Gardens	Proposal to gift this land to RBBC to replace lost sections of Church Meadows and Riverside Gardens.	<p>Agreement will be needed with RBBC on any need for decontamination, redesign and planting of the car park along with suitable access both for users and maintenance purposes before it is vested to RBBC.</p> <p><b>Updated position Deadline 5.</b> The Applicant will now retain and maintain a relandscaped Car Park B.</p>

			<p><b>Updated position Deadline 9:</b> As part of the DCO requirements Schedule 2 Section 8 RBBC will be consulted on the final design of the Replacement Open Space at Car Park B</p>
81.	Cycle ramp into Riverside Gardens Park	Key detail missing	<p>Need detail of the ramp including new vegetation and linkages with existing paths and delivery timescales.</p> <p><b>Updated position Deadline 5.</b> oLEMP has provided some additional details and that the new cycle ramp will be agreed as part of the detailed Landscape and Ecology Management Plan for this location. This would need to be agreed with RBBC.</p> <p><b>Updated position Deadline 9</b></p> <p>In accordance with the DCO Requirement Schedule 2 Section 8, RBBC will be consulted on the detailed LEMP. We note that the s106 contains funding towards an Active Travel Route through Riverside Garden Park. This addresses our concerns.</p>
84.	Cycle Route NRP21	The route under the A23 will be closed during the road/ bridge works. Alternative north south safe cycle and pedestrian routes must be maintained throughout the closure along with	<p>Certainty needs to be included in the support documentation.</p>

		<p>effective communications by the proposer and their contractors. Before re-opening the route should be relayed on the approaches and through the tunnel to encourage more use and an awareness campaign should be run on the re-opening, by the proposer.</p> <p><b>Updated position Deadline 5.</b> The Applicant has confirmed that RBBC will be consulted on public rights of way management plan. Clarity still needed on the restoration of NRP21 as a result of adjacent bridge works over the railway line and ramp up to South Terminal Overpass.</p> <p><b>Updated position Deadline 9:</b> RBBC notes that restoration of routes is included in Environmental Statement Appendix 19.8.1: Public Rights of Way Management Strategy [APP-215] and Environmental Statement Appendix 5.3.2: Code of Construction Practice (Tracked) REP4-008 and that RBBC will be consulted on the detailed Public Rights of Way Plans. Matter Addressed,</p>	
85.	Balcombe Road to Peake Brookes Lane Access Route	<p>A new access road to a new highway drainage pond off Peaks Brook Lane is proposed (See Document 809 Book 4 Rights of Way and Access), will result in further tree and vegetation loss, and will edge into countryside land to the north at Rough's Corner.</p> <p>Updated position Deadline 5</p>	First mentioned with original submission documents. Some additional materials provided at Deadline 1 to be reviewed by officers at Deadline 3. Still unclear on changes to drainage layout and details of the access route and how access will be controlled especially as there is a

		<p>The Outline Landscape and Ecology Plan Part 1 [REP3-032] and the Design and Access Statement Design Principles [REP3-056] DBF23 combined with the Council being consulted on the Detailed Landscape and Ecology Management Plan and Public Rights of Way plans provides assurances on the design.</p> <p><b>Updated Position Deadline 9</b></p> <p>In accordance with the DCO Requirement Schedule 2 Section 8, RBBC will be consulted on the detailed LEMP which will help ensure that appropriate mitigation for the vegetation loss, as a result of the works, is appropriately addressed.</p>	<p>home immediately adjacent to the Balcombe Road access point.</p> <p>Further details sought on if controls will be instigated/necessary to limit traffic along the track from Balcombe Road towards the Highways drainage pond.</p>
86.	Car Park B Works Compound	<p>We understand that two storey accommodation will be used to house 40 construction workers on site.</p> <p><b>Updated position Deadline 5 – [REP4-008]</b> Code of Construction Practice clarifies that site will only be used as a welfare centre for construction workers and not an accommodation building.</p> <p><b>Updated position Deadline 9 –</b> The details for the hours of operation were included in Appendix 5.3.2: Code of Construction Practice, section 4.2 [REP4-007]. Matter is addressed.</p>	<p>Detail is required on the location of these units, their proximity to the residential properties in The Crescent and their appearance. Clarity still sought.</p> <p>Further details on site layout of proposed Car Park B works compound still sought.</p>
87.	South Terminal Roundabout	<p>This compound will block future redevelopment of the RBBC Local Plan Development</p>	<p>Reprioritising the road works so that the Railway Line Bridge widening,</p>

	<p>Works compound and impact on delivery of HOR9 Strategic Business Park</p>	<p>Management Plan site policy HOR9 Strategic Business Park. It could also result in a new ransom strip across the main access to the proposed business park from the South Terminal Roundabout. Whilst a compound will be required for the Highway construction works, we consider that this should be relocated to another location away from the Site Allocation such as T3. Failing that the longevity of the compound's existence should be reduced and time limited to support the HOR9 site' delivery. More detail is needed on the temporary uses on the compound.</p> <p><b>Updated position Deadline 5</b> – suggested at CAH1 that the Applicant would include means of egress to business park site from South Terminal. Roundabout but further details needed.</p> <p><b>Updated position Deadline 9:</b> The Applicant remains committed to the Works Compound T1 on the north side of the South Terminal. As a result, works of the DMP Policy HOR9 site is likely to be delayed by the proposed highway alterations associated with the DCO. RBBC remain in disagreement with the Applicant on this matter.</p>	<p>South Terminal Junction Grade separation and Balcombe Road Bridge works are completed prior to the opening of the northern runway so as to minimise the blockage to the development of the HOR9 site. The significance of the HOR9 Strategic Business Park Site is considered in Surrey LIR Socio-Economic Chapter .</p>
88.	<p>Construction works access from South Terminal Junction Works</p>	<p>Balcombe Road is a narrow predominantly residential road.</p> <p>The proposed construction methodology and construction vehicle routes is detailed in ES Appendix 5.3.1. Buildability Report Part B, and</p>	<p>Works access should be restricted to using the southern end of Balcombe Road thereby avoiding the residential properties.</p>

	<p>Compound via Balcombe Road</p>	<p>the Outline Construction Traffic Management Plan.</p> <p>All construction vehicle access will be through the South Terminal Roundabout. Additionally, a separate access route from Balcombe Road is planned specifically for constructing the compound, which includes building the ramps and connections to the South Terminal Roundabout. This access will also facilitate the Balcombe Road Bridge Replacement and the associated embankment widening works.</p> <p>The Applicant's Updated position (April 2024) states that 'all Project construction vehicles (including private vehicles) will use the temporary compound entrance at the South Terminal roundabout. Private vehicle will only use the Balcombe Road access when the use of south Terminal roundabout entrance would result in extended journeys on the local road network'.</p> <p><b>Updated position Deadline 5</b> Discussions on going with the Applicant as we continue to disagree over the use of northern section of Balcombe Road for construction traffic access.</p> <p><b>Updated position Deadline 9</b> RBBC remain in disagreement with the Applicant on the use of Balcombe Road as an access point to the South Terminal Works Compound T1 for the reasons mentioned above.</p>	
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	<b>dDCO</b>		
89	Article 40 (special category land)	<p>Timing of vesting of special category land.</p> <p><b>Updated position Deadline 5</b> – position remains unchanged but discussions ongoing.</p> <p><b>Updated position Deadline 9</b> No special category land will be vested with RBBC. RBBC are no longer pursuing.</p>	<p>Vesting of open space should be subject to the satisfaction of the relevant body to ensure that appropriate agreed mitigation measures have been implemented.</p>
90	Article 49 (48)	<p>Article 49 draft DCO (version 5) (Defence to proceedings in respect of statutory nuisance). Unclear why such a provision is needed to accommodate additional 13 mppa growth i.e. the DCO increment, given airport has grown by 27.8mppa since the introduction of legislation without this defence, and is forecast to grow by an additional 20.6 mppa (under the base case) also without this defence.</p> <p><b>Updated position Deadline 5</b> The Applicant has maintained its position regarding the need to keep article 49 in its unamended form and, in response, the relevant Councils have maintained their position re the need for the article to be amended.</p> <p><b>Updated position Deadline 9</b> The ExAs proposed change [PD-028] to Article 49 i.e. deleting the word ‘operational’ would address one of the council’s main concerns.</p>	<p>Article to be removed.</p> <p>If retained scope needs to be significantly reduced. For example, the council notes that in the model provisions (The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009) the only exemption was for:</p> <p style="padding-left: 40px;">(g) noise emitted from premises so as to be prejudicial to health or a nuisance;</p> <p>In addition, if retained article 49(1)(b) to be amended as follows – changes in italics:</p> <p>b) is a consequence of the construction, maintenance or</p>

			operation of the authorised development and that it cannot, <i>to the reasonable satisfaction of the local authority</i> reasonably be avoided.
91	Drafting of Requirement 15 (air noise envelope)	<p>The Air Noise Envelope is not considered fit for purpose as it does not align with policy requirements. In addition, there is no role for any local authority control in this requirement. A mechanism should be included in the DCO to require the CAA to involve the local authorities and other key stakeholders in scrutinising noise envelope reporting.</p> <p><b>Updated position Deadline 5</b> – position remains unchanged but discussions ongoing.</p> <p><b>Updated position (Deadline 9):</b> The council's position in relation to the applicant's proposals remains unchanged.</p> <p>The council supports the JLAs submitted proposal for Environmentally Managed Growth [REP4-050], and also sees considerable merit in the ExAs suggested requirement R15 in Schedule 2 [PD-028].</p>	<p>The air noise envelope provision should include:</p> <ul style="list-style-type: none"> <li>-A “mitigate to grow approach”</li> <li>An Environmental Scrutiny Group (ESG) including local authorities</li> <li>-Appropriate enforcement powers for the ESG</li> <li>-Establish appropriate sanctions for technical and limit breaches</li> <li>-Integrate existing noise controls into the noise envelope</li> </ul>
92	Drafting of Requirement 19 (airport operations)	<p>Greater specificity is required.</p> <p>R.19(2) would restrict dual runway operations to 386,000 <u>commercial</u> air transport movements per annum. The Councils consider a control on <u>total</u> air transport movements per annum would be preferable.</p>	Revisions required



R.19(3) allows the use of the northern runway between the hours of 23:00 - 06:00 when the southern runway is not available for use “for any reason”. The Councils consider “for any reason” to be too broad and considers the use of the northern runway between these times should only be used when the southern runway is not available because of planned maintenance and engineering works.

The requirement needs to restrict use of the northern runway to departures.

The requirement needs to include a night movement cap.

**Updated position Deadline 5**

In the Statements of Common Ground which mentioned R.19, the relevant Councils cross-referred to the JLA’s proposed amendments to existing Requirement 19, as set out in row 92 of Appendix A to [REP4-042]. The SoCG also explained that the JLA’s proposed that R.19 would fall within the JLA’s proposed Environmentally Managed Growth Framework.

**Updated position Deadline 9:**

We note that the ExA version of the draft DCO includes additional elements to Requirement 19 These are supported. This and other requirements included in PD-028 will meet a number of the JLA’s Environmentally Managed Growth Framework.

93	Drafting of Requirement 20 (surface access)	<p>The dDCO gives too much flexibility in allowing the development to proceed with only retrospective checks to see if the mitigation proposed is delivering results. This is reactive and ineffective, in particular in considering whether the development is appropriate for the communities who may be affected by the adverse impacts of the development and whether there is sufficient amelioration of those impacts. R20 appears to say that the operation can only be carried on if there is adherence to the surface access commitments but when those surface access commitments are considered more carefully, they are toothless in terms of constraining any activity at the airport.</p> <p>The intention is that the surface commitments will be a certified document, and Requirement 20 requires the operation to be in accordance with those commitments. For example, the mode shift target of 55% has to be tested three years after the commencement of operations. If this is not achieved, the monitoring arrangements in the SAC envisage a reporting process and preparation of action plans for future activity. However, there is no commitment to curtail operations either during the period of the preparation of action plans or until such time as the targets are met. Therefore, this target does not actually constrain the operation of the airport.</p> <p><b>Updated position Deadline 5:</b></p>	<p>RBBC considers it as more appropriate to have clear steps set out in the DCO to regulate the growth and clear sanctions should the mitigation measures not be achieved.</p> <p>The Luton airport expansion is currently before the Secretary of State with proposals which seek to manage growth as the Authorities suggest, i.e. green controlled growth (which is set out in Part 3 of Schedule 2 of the Luton dDCO). The Secretary of State will have to decide, in deciding that development consent order, whether those controls are necessary, but it is clearly relevant that the operator and promoter of that development consider that managed growth is workable, and they are putting that forward as the way in which they will achieve both their growth but also achieve the environmental objectives.</p>

		<p>Draft Environmental Managed Growth document will be shared at D5 by Joint Authorities.</p> <p><b>Updated position Deadline 9:</b> We note that the Joint Authorities Environmentally Managed Growth Framework would in part be addressed through the s106 and the ExA's version of the draft DCO Including Requirement 20 [PD-028].</p>	
95	Finalisation of Section 106 Agreement	<p>Substantial revisions required to draft S106.</p> <p><b>Updated position Deadline 5</b> Updated draft s106 shared by the Applicant being reviewed.</p> <p><b>Updated position Deadline 9</b> The s106 is being submitted at Deadline 9, RBBC is one of the signatory parties.</p>	A draft was shared in Feb 2024. The local authorities have provided initial comments to the Applicant.