

Gatwick Northern Runway Project (Project Reference: TR020005)
Principal Areas of Disagreement Summary Statement (PADSS) – Version ~~xx34~~
West Sussex County Council (IP Ref: 20044715)
Deadline ~~99~~: 21 August~~6 June~~ 2024



Introduction

This report has been prepared by West Sussex County Council (WSCC), with input from the joint authorities and appointed consultants where required. WSCC is a host authority for the Gatwick Northern Runway Project DCO. This document identifies the remaining principal areas of disagreement at the closure of Examination, updating Version 3 (REP5-115) submitted in June 2024, ~~that have been identified when reviewing the DCO documentation, updating on Version 2 (REP2-067).~~

The 'likelihood of being addressed during the Examination' column has been removed, as this is no longer relevant. This statement should be read in conjunction with the three signed Statements of Common Ground (SoCG)¹ submitted by the Applicant at Deadline 9, to understand how areas of concern have been addressed. ~~WSCC appreciates this document is long; however, its length is a reflection of the scale of its main concerns with the application. In the light of these concerns, WSCC considers the length of the document to be reasonable.~~

~~WSCC will continue to engage with the Applicant through the course of the Examination, including on Statements of Common Ground, which will enable these Areas of Disagreement to be reduced when the PADSS is finalised at Deadline 9.~~

~~Unless a fuller explanation is provided, the following terms have been used in the column headed 'Likelihood of concern being addressed during the Examination':~~

- ~~• **Likely** — where agreement should be possible, or a relatively simple change is required.~~
- ~~• **Uncertain** — where an issue is being, or will be, discussed and the WSCC intends to provide an update on the position in due course.~~
- ~~• **Unlikely** — where agreement on an issue is unlikely or it is difficult to identify a solution.~~

¹ SoCG between Gatwick Airport Limited and West Sussex County Council, SoCG between Gatwick Airport Limited and the Joint Local Authorities – Capacity and Operations, and SoCG between Gatwick Airport Limited and the Joint Local Authorities – Forecasting and Need.

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Forecasting and Capacity				
1.	The capacity deliverable with the Project.	<p><u>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.</u></p> <p><u>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.</u></p> <p>The Applicant has produced updated simulation modelling of the future capacity of the runway with the NRP [REP1-054], which uses more appropriate assumptions about the separations required between departing aircraft but, nonetheless, indicates lower levels of delay. Further information has been sought regarding the calibration of this model to verify that it does not understate delays before it can be agreed that the NRP is capable of delivering the capacity uplift</p>	<p><u>Assessments should be based on a lower throughput of passengers with the NRP. Further information regarding the validation of the updated simulation modelling is required.</u></p>	Uncertain

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		<p>assumed over the longer term [REP4-052].</p>		
2.	<p>The forecasts for the use of the Project 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><u>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.</u></p> <p><u>Alternative top-down forecasts have now been presented by GAL [REP1-052] that show slower growth in the early years following the opening of the NRP. These are considered more reasonable than the original bottom-up forecasts adopted by the Applicant but still fail to take adequate account of the extent to which some part of the demand could be met by expansion at other airports serving London including a third runway or other expansion being delivered at Heathrow.</u></p> <p>The demand forecasts have been developed 'bottom up' based on an assessment of the capacity that could</p>	<p><u>The adoption of the top down forecasts, including an allowance for capacity growth at the other London airports as the base case for the assessment of the impacts of the NRP and the setting of appropriate controls on growth relative to the impacts.</u> 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>	<p>Uncertain</p>

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		<p>be delivered by the Project (see Ref 1). 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. 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>		
3.	<p>Baseline Case has been overstated leading to understatement of the impacts.</p>	<p><u>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 JLA's 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 should be adopted as the basis for assessing the effects of the Proposed Development.</u></p>	<p><u>The Alternative Baseline Case should be adopted as the basis for assessing the impacts of the NRP. The Applicant is undertaking sensitivity analysis of alternative baseline assumptions as directed by the ExA. It is considered that the results of this sensitivity analysis should be used as the basis for the assessment of the impact of the Project and the setting of appropriate mitigations and controls.</u></p>	<p><u>Uncertain</u></p>

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		<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.</p>		
4.	<p>Overstatement of the wider, catalytic, and national level economic benefits of the Project.</p>	<p><u>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.</u></p> <p><u>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.</u></p> <p>The methodology used to assess the catalytic employment and GVA benefits of the Project is not robust, leading to an overstatement of the likely benefits in the local area. The national</p>	<p><u>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.</u></p> <p><u>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.</u></p> <p>Updated Position (Deadline 9): <u>Although the Applicant provided some further explanation in REP3-78 (pages</u></p>	<p>Uncertain</p>

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		<p>economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement effects, as well as other methodological concerns.</p>	<p>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 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</p>	

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			<p><u>reliability of the estimates of net local employment gain.</u></p> <p>The catalytic impact methodology needs to properly account for the specific catchment area and demand characteristics of each of the cross-section of airports to ensure that the catalytic impacts of airport growth are robustly identified. The national economic impact assessment should robustly test the net impact of expansion at Gatwick Airport having regard to the potential for growth elsewhere and properly account for Heathrow specific factors, such as hub traffic and air fares.</p>	
Assessment of Alternatives				
5.	Lack of detailed evidence with regards environmental and social criteria for assessment of Project options.	Without further evidence of environmental and social criteria influencing the options appraisal process, stakeholders cannot be satisfied that the least impactful option has been taken forward.	<p>The Applicant <u>has not presented to present</u> supporting constraints and opportunities mapping, along with further evidence on scoring narrative, to support the conclusions of the assessment work.</p>	Likely
Project Description				

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6.—	The Applicant has proposed a significant amount of development to support the increase in passenger throughput.	WSCC questions whether the inclusion of new hotels and office blocks is relevant or directly related to this growth.	Justification is therefore needed for the required supporting infrastructure and its necessity to facilitate the required passenger throughput. The Applicant is asked to justify and make clear what is part of the 'Authorised Development' in the NSIP and what is considered to be the 'Associated Development' and how this does/does not relate to the future baseline.	Uncertain
7.—	Lack of construction phasing information.	Further information is needed to satisfy stakeholders correct levels of mitigation have been put in place through the lengthy construction phase, including traffic management.	Production of more detailed construction phasing information	Likely
8.—	Community engagement through the construction phase.	Lack of clarity or outline control document with regards community engagement through the construction phase	WSCC acknowledge the production of the Construction Communications and Engagement Plan by the Applicant, as part of the CoCP. WSCC are currently reviewing this Plan.	Likely
Historic Environment				
9.—	Management of Historic Environment effects.	The CoCP does not reflect the archaeological work proposed. The objective should be to protect or mitigate the setting of built heritage and the recording of affected archaeological deposits. It also does not detail a Heritage Clerk of Works.	Further information is needed which should be related to the methodology proposed within the Written Scheme of Investigation (Document 5.3, Appendix 7.8.2). A Heritage Clerk of Works should be appointed.	Likely

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10.	Lack of historic background to the Airport.	No clear understanding or description of the history of the airport development.	Provide an appropriate history of the development of the Airport and relate this to the potential archaeological impact of the Project. The Applicant has indicated in SoCG (V1 – March 24) that it will prepare such a report and will discuss this via Topic Working Groups. A draft report has been shared and addresses the planning history of the airport.	Likely
11.6.	Lack of archaeological evaluation within the Airport perimeter.	The scheme of archaeological investigation undertaken to date, has been focused on areas within the Project that were easily accessible and has not covered all potential areas of impact.	Appropriate commitment within the WSI to undertake investigations in all areas under threat from the Project. <u>Although the submitted report detailing the history and development of the airport has resolved the majority of concerns, one site remains where it recommended that a programme of archaeological trial trenching is undertaken (after determination) - new hotel, office and multi-storey Car park – Works No. 28 (Car Park H). This has been discussed with the Applicants previously and stated again in the response at Deadline 8. Discussions are ongoing with the Applicant. Details are to be included within the revised WSI.</u>	Uncertain

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12.	Proposed mitigation on areas already evaluated.	The proposed mitigation identified within the WSI on areas that have been evaluated is not sufficient and will need to be expanded.	Improved and expanded mitigation strategy within the WSI. Discussions are ongoing with the Applicant. Details are to be included within the revised WSI.	Likely
13.	Proposed building recording of control tower.	Proposed level 2 recording not appropriate for this type of rare structure.	Needs to be increased to a level 3 record and should be identified as a heritage asset. Level 3 recording has been agreed by The Applicant but this now needs to be reflected in a revised version of the WSI for West Sussex. The Applicant has again confirmed verbal agreement to level 3 recording at the meeting held on 31st May 2024, this needs to be incorporated into the WSI.	Likely
14.	No proposals for heritage community outreach.	No potential heritage community engagement identified in the CoCP.	Identify an outreach programme to inform the community of the archaeological findings. This matter was discussed with the Applicant on 31st May who agreed to explore this further.	Uncertain
15.	Clarity in sign-off for archaeological mitigation.	Failure to define a procedure for the monitoring and signing-off of the archaeological works.	Clear sign-off procedure needed, detailed within the WSI. The Applicant has indicated in SoCG (1 – March 24) that happy to discuss adding this to WSI (matter to be progressed via TWG and	Likely

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			SoCG discussions. No documents have been submitted into the Examination to date to address these concerns.	
Landscape, Townscape and Visual Assessment				
16.	Zone of Theoretical Visibility (ZTV) for construction compounds	Understanding visual impacts of the ZTVs produced for the construction compounds.	WSCC are currently reviewing the ZTVs for the construction compounds. Further assessment is required to understand how construction phase visual effects will be mitigated.	Likely
17.7.	Lack of certainty high quality design will be secured.	The design principles, upon which the detailed design would be secured against, have had no input from stakeholders and are currently not detailed enough for each element of the Project.	<p>Further development of the design principles and content of the DAS to secure better outcomes in detailed design for Project infrastructure. WSCC has provided further commentary to how good quality sustainable design and integration of the Proposed Development into the landscape is achieved in the detailed design, construction and operation of the Project to the answer given at GEN 1.21 in REP3 135. Discussions are on-going with the Applicant on this matter.</p> <p>The latest version of the Design Principles document [REP8-090] is updated to reflect Project Change 4 but the concerns regarding the overall detail within this control document, lack of design ambition and the indicative status</p>	Uncertain

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			<p>and content of the DAS remain - see [REP8-126]</p> <p>WSCC is disappointed that the suggested Design Panel approach for reviewing design quality has not been adopted by the Applicant, while a Design Advisor is now proposed it is still not clear from the level of detail in the Development Principles how meaningful engagement with the discharging authorities will be secured. In addition, the proposed 'consultation process' provides no meaningful opportunity for design discussion and there remains concern about design quality given the limited design information in the Development Principles Document and generous extent of the works, parameter and tree removal plans.</p>	
Ecology and Nature Conservation				
18.8.	<p>The extent of loss of mature broadleaved woodland (net loss over 5 ha). <u>Inadequate compensation for loss of semi-mature and mature broadleaved woodland (net loss of 3.12ha).</u></p>	<p>Although some woodland will be re-planted along the new highway alignment it will be years before bat foraging and roosting habitat, and habitat connectivity are fully reinstated. The assessment concludes there is a significant effect on bat behaviour until new woodland planting had established. Current mitigation and compensation measures are insufficient to maintain bat foraging</p>	<p>The Applicant should seek additional compensation measures, if necessary off-site, to ensure no adverse impacts on broadleaved woodland habitat and bats. The Joint West Sussex LIR (REP1-068 and REP1-069) makes recommendations, including advance highway tree planting. It also requests greater clarity on woodland loss and compensatory planting in the Sketch Landscape Concept Plans within the</p>	<p>Uncertain Unlikely</p>

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		<p>habitat and commuting routes over the short and medium term.</p> <p><u>The proposed development will result in a net loss of 3.12ha of woodland, much of this being semi-mature or mature deciduous woodland. Additional mitigation is required, if necessary off-site, for the following reasons:</u></p> <ol style="list-style-type: none"> <u>1. As a Priority Habitat, there should be no net loss of deciduous woodland</u> <u>2. New woodland planting may take many decades to reach maturity and fully compensate for that lost</u> <u>3. If the Project is to truly deliver 10% BNG (and meet BNG trading rules) this needs to include woodland, as woodland is a key habitat impacted by the Development.</u> 	<p>OLEMP, and further explanation of the woodland BNG calculations.</p> <p><u>The Applicant should seek additional locations for the planting of broadleaved woodland, with particular emphasis on enhancing woodland connectivity for bats. It is recognised that, due to airport safeguarding constraints, it may not be possible to plant further woodland within the DCO limits. Thus, off-site woodland creation may be required. Suitable locations might include the River Mole Biodiversity Opportunity Area (BOA), Ifield Brook BOA, Gatwick Woods BOA, and Glover’s Wood and Edolph’s Copse BOA.</u></p>	
19.	<p>Lack of approaching assessing and addressing ecological impacts at a landscape scale.</p>	<p>Ecological impacts will extend beyond the DCO limits 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 will impact the functioning of wildlife corridors, notably bat commuting routes, both within the Site and the wider landscape. Maintenance of habitat</p>	<p>The Applicant should adopt a landscape scale approach to assessing and addressing ecological impacts, including the need to provide off site mitigation, compensation, and Biodiversity Net Gain. Enhancements are required 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.</p>	<p>Uncertain</p>

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		connectivity across the airport and wider landscape remains a concern.		
20.	Lack of opportunities for biodiversity enhancement.	Many potential opportunities for biodiversity enhancement, both within and outside the DCO limits, were never explored.	Explore further opportunities for biodiversity enhancement e.g., conversion of 'amenity grassland' on road verges and roundabouts to wildflower grassland, and the improved management of Gatwick Stream and Crawler's Brook. This concern is repeated in the Joint West Sussex LIR. WSCC hopes to have further discussions with the Applicant, including regarding the landscape design for the internal road network.	Uncertain
21.	Need for security of long-term positive management of the two biodiversity areas – the North West Zone and Land East of the Railway Line.	These areas are of considerable biodiversity value and key components of the ecological network. Any loss or degradation could have significant impacts on the effectiveness and viability of the proposed mitigation areas.	A legal commitment to provide certainty that these two biodiversity areas will continue to be managed for wildlife. The Joint West Sussex LIR requests greater clarity and commitment in the OLEMP regarding the long-term positive management of these areas.	Likely
Arboriculture				
22.	Evidence for null findings of ancient or veteran trees, as well as important hedgerows.	No demonstration that these receptors have been appropriately surveyed, nor followed appropriate methodology.	Demonstrate the methodology used to survey and identify potential ancient and veteran trees as defined by the NPPF (2021) which could be impacted within or surrounding the project boundary, as well as providing the survey data findings (including for important hedgerows).	Likely

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23-	<p>Need for further demonstration that Project proposals have been adequately designed with consideration of arboricultural features through avoidance, mitigation or compensation. <u>Concerns with the realistic worst case tree loss presented.</u></p>	<p><u>Potential loss of impacts to multiple arboricultural features which may be avoidable or, mitigated for from the onset or, rather than refined or compensated for post consent better compensated for.</u></p> <p><u>The authorities remain concerned over the significant quantity of proposed tree loss whereby justification or understanding of proposed removals is unknown or excessive. Such circumstances have been detailed within appendix C of the Authorities deadline 3 submission – ‘Comments on any further information/submissions received by Deadline 2’ [REP3-117] and the Response to the Applicant’s Deadline 6 Submissions [REP7-103]. This includes, though not limited to, hedgerow and tree losses proposed for 12m wide clearances to facilitate construction accesses at both Museum Field and Pentagon Field, which is considered to be excessive with no demonstration of need for such widths.</u></p>	<p><u>Provide a Further understanding of as to what triggers the need for any proposed tree removal has been requested within the full arboricultural assessment for all arboricultural features in line with BS5837:2012 (inclusive of an impact assessment, outline method statement and tree protection plans). <u>Tree Survey Report and Arboricultural Impact Assessment (AIA).</u></u></p> <p><u>Within the Arboricultural Impact Assessment (REP1-026):</u></p> <ul style="list-style-type: none"> <u>— Provide further detail of project proposals to demonstrate the need for the proposed tree removals, notably high quality and TPO trees (justify why mitigating measures would not be appropriate).</u> <u>— Provide design principles which may reduce tree loss during detailed design.</u> <u>— Identify how Horleyland Wood (and any other ancient woodland) is impacted at a worst case design scenario (including direct and indirect impacts) and detail any measures proposed in mitigation or compensation (such as appropriate buffer zones specific to the site).</u> <u>— Identify how compensatory tree planting proposals considers local policy CH6 of the Crawley Borough</u> 	<p><u>Unlikely</u></p>

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			<p>Local Plan 2015—2030 (as detailed withing para. 9.73 of the Joint West Sussex LIR).</p>	
24.	<p>The Outline Arboricultural Method Statement does not demonstrate sufficient methodology for tree protection including ancient woodland buffer zones.</p>	<p>Potential for adverse impacts to arboricultural features, including irreplaceable habitat, due to a lack of tree protection.</p>	<p>Within the Outline Arboricultural Method Statement (REP1-023; REP1-024 & REP1-025):</p> <ul style="list-style-type: none"> — Provide protection measures to be adopted for ancient woodland buffer zones. — Provide affirmative wording throughout (avoiding words such as “should”). — Address conflicting working methodologies (such as 3.2.3 & 4.1.1 conflicting with 3.4.1). — Provide working methodologies for all types of works which may occur with the root protection areas of retained trees (including landscaping works). — Amend section 4.4 to ensure monitoring is recorded and accounts for other tree protection measures such as ground protection. 	Likely

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			<p>— Provide 'heads of terms' and general principles to be included within the detailed arboricultural method statements which accounts for all working methodologies near trees, tree work operations, and provision of physical tree protection.</p> <p>— Identify what will be shown within tree protection plans.</p> <p>— Identify when arboricultural advice or supervision will be required for working methodologies near trees.</p> <p>Where appropriate, amend the CoCP to reflect any changes as a result of the above.</p>	
25.	The OLEMP does not provide sufficient detail to ensure that adequate planting and aftercare plans will be provided within proposed LEMPs.	Inadequate provision of aftercare for proposed tree planting.	The OLEMP needs to identify what will be included within the detailed planting and specification plans. It also need to provide adequate aftercare for tree planting (as detailed withing para. 9.72 of the Joint West Sussex LIR)	Likely
26.	Inadequate consideration and demonstration for the protection of ancient woodland. Conflicting with the finding of 'no impact' occurring to these receptors.	Potential impact to ancient woodlands receptors where barriers are specified to form buffer zone protection. This is of principle concern for Horleyland Wood due to the adjacent proposed works area for the new foul water pipeline.	Where barriers are specified to form buffer zone protection, spacing/distance of buffer should follow recommendation withing statutory guidance provided by Natural England and Forestry Commission 2022. The specification and methodology for the proposed barriers and need to be demonstrated.	Likely
27.9.	Compensation/mitigation strategies for tree and,	⚠Concern is held with the overall net loss of woodland, the fragmentation of	Whilst the Applicant has provided detail within the OLEMP that includes	Unlikely

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	<p>woodland and hedgerow loss does not <u>been adequately demonstrated</u> adequate compensation.</p>	<p>habitat connectivity, and the long-term effect from the time required to establish new <u>tree and woodland</u> planting.</p>	<p><u>compensatory tree and woodland planting, there is an overall loss in total woodland area that the applicant has been unable to secure elsewhere within or surrounding the Order Limits.</u></p> <p><u>Justification has been provided for the area of woodland loss aligning the A23/M23 road corridor that cannot be replaced in line with certain design guidance, however, it has not been made clear as to why additional woodland planting is not proposed in land outside of the Order Limits.</u></p> <p>The OLEMP lacks demonstration that compensatory tree planting proposals considers local policy CH6 of the Crawley Borough Local Plan 2015 – 2030 (as detailed withing para. 9.73 of the Joint West Sussex LIR).</p>	
Operational Waste				
28.10	<p>Limited information is provided on how the proposed CARE facility will be consistent with the Overarching concern around the Waste application of the Waste Hierarchy and proximity Proximity principlePrinciple.</p>	<p>There is limited information provided on how the proposed waste technologies and management methods, are consistent with the Waste Hierarchy and <u>Pproximity principlePrinciple</u>.</p>	<p>Justification is required for the waste management methods and technologies that are proposed, including the consideration given to alternatives waste management methods. This could be provided through updates to the Operational Waste Management Strategy</p>	Likely

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29-11	Limited information provided on the design of the CARE facility	<p>The DAS and design principles (DBF12 and DBF13, REP8-090) for the CARE facility <u>provide little information regarding how the CARE facility will be designed to limit the impacts associated with operating waste facilities, including, but not limited to, noise, dust, odour, vermin etc, as required by the Airports NPS (paragraph 4.70).</u></p> <p><u>Concerns about the DAS are also provided in Row 17 of this PADSS-are limited-</u></p>	<p>The DAS and design principles should be strengthened to include how the building will be designed to limit the impacts associated with operating waste facilities.</p> <p><u>The CARE facility (Work No. 9) should be included as 'listed works' in Schedule 12, as set out in the Authorities D8 submission [REP8-126]. Additional details have been provided in the Legal Partnership Submission at Deadline 9.</u></p>	Uncertain
30-12	No links to local waste planning policy in relation to design of the CARE facility	<p>The DAS [6.2.5, REP7-062] sets out local government design guidance, that excludes key information on design of waste facilities, as presented in The West Sussex Waste Local Plan (2014) and associated SPD on High Quality Waste Developments.</p> <p>It is noted that the Operational Waste Management Strategy provides reference to relevant WLP policies, but <u>this does not look to enable consideration of design, that will be secured via Requirement 4. it is not clear if/how the strategy will influence the design-</u></p>	<p>The Waste Local Plan and High Quality Waste Developments SPD provide guidance on the designing of waste facilities, and mitigation measures, that should be considered as part of the DCO, with key principles applied to the DAS to ensure the CARE is designed to minimise harm upon sensitive receptors.</p> <p><u>In the absence of the DAS referencing local waste planning policy and guidance Works No. 9 (CARE) should be included as 'listed works' in Schedule 12.</u></p>	Uncertain

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Code of nstructionconstruction Practice-waste				
13.	The Status of the CoCP	WSCC has a number of concerns related to the status of the CoCP (see DCO2.26 [REP7-110] and section 4 [REP8-126].	The document should be considered as 'outline'.	
31.	Construction waste management at the temporary construction compounds will give rise to noise and dust pollution.	The Project Description states that the compounds will be determined post consent, and in accordance with the COCP. It is important that beyond gaining permits to manage emissions from crushing activities, proper consideration is given to mitigation measures that limit the effects of operating the compounds.	Controls and measures (through strengthening of the DAS and CoCP) are required on the heights of stockpiles, hours of crushing, and other suitable mitigation measures to minimise the impact upon sensitive receptors from the temporary compounds.	Uncertain
Water Environment				
32.	Confidence in surface water drainage hydraulic model	The surface water drainage hydraulic model has not used the most up-to-date FEH2022 rainfall data.	The Applicant confirmed in the SoCG that FSR data has been used. FEH2022 data should be considered at this stage of the design, in comparison to the FSR data, to demonstrate that the over provision of attenuation storage will be sufficient to prevent flooding to the site or elsewhere	Likely
33.	New pumping station proposed in the southwest zone, south of the existing runway in the former Pond A catchment.	The pumping station is proposed, however pumping stations are not preferred as they require failure and emergency procedures which have not been provided.	Pump failure and emergency procedures should be provided at this stage to ensure that the residual risk of flooding is appropriately managed in accordance with NPPF and PPG. It must be demonstrated that a failure of 24 hours does not increase flood risk within the	Likely

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			DCO Order Limits or elsewhere. The water must not leave the DCO Order Limits uncontrolled and unrestricted during the design storm and the site within the DCO Order Limits must still be safe and suitably mitigated.	
Transport and Surface Access				
34.	Traffic Assessment Methodology	<p>Concerns remain that the level of growth assumed by the Applicant is too high, these concerns are supported by the assessment made by York Aviation (see Chapter 6 and Appendix F of the Joint West Sussex LIR). This could be resulting in an over forecast of the demand and therefore over provision of car parking and highway elements of the infrastructure. The Applicant should provide realistic forecasts for airport capacity and resultant demand generated.</p> <p>Further transport modelling information, to that already provided, is required to fully appraise the Projects impact upon the Local Road Network. The Joint West Sussex LIR highlights the further transport modelling information that is required but this includes:</p>	<p>The use of the most relevant and representative data should be used to ensure an appropriate baseline assessment is developed and all. Whilst plausible and justified forecasts of airport capacity and resultant demand should be provided and as necessary the transport modelling work and the resultant highway mitigation amended.</p> <p>Further, more detailed modelling information should be provided by the applicant to fully appraise the transport impacts of the Project on the Local Road Network.</p>	Uncertain

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		<ul style="list-style-type: none"> • Additional modelling results should be obtained from Vissim including vehicle delays and plotting queue length over time • A LINSIG assessment of the Northern Terminal signalised junction. • A summary of the demand matrix changes that have been applied in the Vissim model for each future scenario. <p>A meeting was held between the Applicant and WSCC on the 10th May and some of the above information was provided by the applicant relating to additional modelling results from the VISSIM model. This information is currently being reviewed by the Highway Authority. The Applicant also agreed to provide further information in relation to demand matrix changes. Once this information is received it will be assessed by the Highway Authority. The Applicant does not consider that a standalone LINSIG model is necessary but the Highway Authority remain of the view that it would be beneficial to enable full assessment of the impacts.</p> <p>Concerns remain that the growth assumed by the Applicant is too high and they note the discussions taking</p>		

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		place between the Applicant and York Aviation.		
35.14	Concerns with Surface Access improvements – highways (primary mitigation).	<p>WSCC has the following concerns in relation to the highway works to the WSCC highway network:</p> <ul style="list-style-type: none"> • Speed limit reductions are proposed on London Road (A23) to 40mph are proposed and no justification has been provided or review against WSCC’s Speed Limit Policy. • Stage 1 Road Safety Audit, whilst an audit has been undertaken it has not been submitted as part of the DCO and not all the auditor’s recommendations have been satisfactorily addressed in the form of a designer’s response. Concerns remain that it has not been demonstrated that safe and suitable access can be provided. • <u>Stage 1 RSA Response Report – WSCC have now received the Stage 1 RSA Response Report and have signed and dated this as Overseeing Organisation. However, as noted by the Applicant in the Statement of Common Ground (SoCG) WSCC as Highway Authority need to be in receipt of a copy, with the Applicant’s, as designer, signature included.</u> 	<p>The Applicant should provide relevant information including justification and review of the proposed speed limit changes against the relevant guidance and policy, submit a Stage 1 Road Safety Audit and Designers Response, undertake a Design Review of the proposed works and demonstrate how it accords with the relevant highway design standard, as set out within the Joint West Sussex LIR. <u>to the Highway Authority, a signed and dated copy of the Stage 1 RSA and agree and include an additional requirement, to the DCO, securing the need to monitor the speed limit on London Road (A23) and, if necessary, implement additional measures to address speed limit compliance.</u></p>	Uncertain

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		<p><u>In addition to this there is also the need to agree and include an additional requirement securing the need to monitor the speed limit and, if necessary, implement additional measures to address speed limit compliance. This has specifically been put forward by the Applicant to address Problem 3.1 within the Stage 1 RSA. The Legal Partnership Authorities have highlighted the need for this additional requirement in their Deadline 7 Submission – Consolidated submissions on the draft Development Consent Order [REP7-108] and this has been included in the Applicant’s Deadline 8 submission, Development Consent Order – Version 10 (Tracked) [REP8-006], as Requirement 38.</u></p> <p><u>Subject to the Highway Authority receiving a signed and dated copy of the Stage 1 RSA Response Report and the inclusion of the additional requirement, that requires the Applicant to undertake a Speed Limit Monitoring Strategy and potentially introduce additional measures to ensure compliance with the speed limit, being included</u></p>		

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		<p>in the DCO, this issue would be resolved.</p> <ul style="list-style-type: none"> Suitable justification for some of the proposed sustainable transport infrastructure, to ensure it accords with the current relevant guidance such as LTN 1/20, has not been provided. <p>No design review appraising the design of the proposed highway works has been submitted to check that it accords with the relevant design standards. Further active and sustainable travel mitigation is also considered necessary to maximise the level of trips to and from the airport via sustainable modes.</p> <ul style="list-style-type: none"> <u>Proposed Design Review –</u> <u>the submitted Design Review does not include a detail design review of the new signalised junction against CD123 – Geometric design of at-grade priority and signal-controlled junctions, however it is noted the Applicant states they have designed to this standard and identified Departures from Standards. In the Statement of Common Ground, the Applicant states a geometric design</u> 		

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		<p><u>review of the new signalised junction on the A23 against DMRB CD124 will be undertaken and included in an updated technical report. This has not been received to date.</u></p> <p>The Applicant has recently engaged with the Highway Authority in relation to outstanding matters associated with the proposed highway works. This engagement will continue with a view to addressing the outstanding matters.</p>		
36.15	<p>Concerns with Surface Access Commitments (SACs) and <u>target mode shares, the proposed controls, should the surface access mode shares not be met.</u></p>	<p>Concerns are held about the SACs that underpin the creation of a new Surface Access Strategy and the approach to meeting and monitoring these targets. There is considered to be a lack of detail and robustness to the SACs and lack of clarity or suitable control should the SACs not be met. The Highway Authority is advocating an alternative approach similar to that adopted by Luton Airport to control growth against meeting surface access modal splits.</p> <p><u>Whist the ExA's revisions to requirement 20, which are supported by the Highway Authority, and the Applicant's supplements to the SACs,</u></p>	<p>SACs and associated mitigation to be reviewed and amended.</p>	<p><u>Uncertain</u></p>

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		<p><u>are considered to be improvements, in themselves they are not considered sufficient to provide appropriate controls that the mode share commitments will be met and that suitable and timely mitigation will be provided, if they are not met.</u></p> <p><u>It therefore remains the Highway Authority's position that more is required in relation to surface access and specifically additional controls to ensure compliance with the mode share commitments. The Highway Authority considers that the JLA's proposals for EMG, which include clearer, and earlier, checks on whether the mode share commitments will be met, provides a more robust set of controls to deliver the required outcomes in accordance with the Environmental Statement and the SACs. The EMG approach also allows the use of controlling growth at the Airport as a mechanism to help meet the SACs.</u></p> <p><u>The JLA's have also set out the measures and changes they would require should the ExA and the SoS not be persuaded of the JLA's justification for EMG, in relation to surface access. These are set out in REP7-102 and, in</u></p>		

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		<p>light of the material that the Applicant submitted at Deadline 8, a further Deadline 9 submission from the Legal Partnership Authorities, providing additional points on the SACs and drafting of DCO.</p> <p>The specific concerns, relating to the SACs, are set out in the Joint West Sussex LIR but include:</p> <ul style="list-style-type: none"> Transport Forum Steering Group (TFSG) Terms of Reference – whilst the TFSG is an already established group, the DCO and proposals within the SACs are changing this group from an advisory group to a decision making one. The Terms of Reference of this group and how decisions shall be made have not been agreed between the Highway Authorities and the Applicant. It is noted that in the latest version of the SACs Commitment 14C is included which requires the Applicant to update the Terms of Reference of this group. The Highway Authority is of the view though that, as with other groups being formed as part of the DCO ie TMDG, the ToR or the main 		

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		<p><u>principles of those ToR should be defined at examination. The decision making of the TFSG and how this takes place is a fundamental matter relating to the control of the development and it is not presently defined in the SACs.</u></p> <ul style="list-style-type: none"> • <u>ISH 9 additional controls to requirement 20</u> – The revised SAC’s does not fully incorporate the suggested amendments the ExA made to requirement 20 as part ISH9. The targets, included by the Applicant in the latest revision of the SACs [REP8-053], are set out as interim mode share commitments. <p><u>However, there are no restrictions on the use of airport facilities should these not be met, as was included in the ExA’s suggested requirement.</u></p> <p><u>The final suggested mode split target by the ExA was, not more than 44.9% of staff travelling to the airport are car drivers in the monitored year. Should this car driver mode share be exceeded then the Applicant would not be</u></p>		

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		<p>able to use the South Terminal Office (on former car park H). This has not been included in the latest version of the SACs.</p> <ul style="list-style-type: none"> <li data-bbox="685 491 1214 1107"> <p>• Commitment 12 Staff Travel – This commitment requires the Applicant to introduce measures to discourage single-occupancy private vehicle use by staff. At the JLAs request the Applicant has included typical measures that could be introduced. The JLAs also requested that the measures were developed in consultation with and approved by the local highway authorities and National Highways. As presently written it only requires the Applicant to consult with the TFSG. There is therefore no independent approval body for such measures. This is considered to be akin to an applicant discharging their own condition.</p> <li data-bbox="685 1142 1214 1398"> <p>• Commitment 13 Sustainable Transport Fund – The Joint Local Authorities previously requested that the £10 per annum contribution towards the Sustainable Transport Fund (STF) for each Staff Car Park Pass Holder was index linked. This is to ensure</p> 		

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		<p><u>that the STF is an appropriate mechanism to fund the delivery of the SACs into the longer term and that inflation does not reduce the ability of the fund to deliver appropriate interventions. This part of the fund has not been indexed linked and the Applicant has not included this request in the latest version of the SACs.</u></p> <ul style="list-style-type: none"> • <u>Commitment 16 Monitoring Commitments</u> – <u>The initial concern in relation to this commitment is that, GAL have not included wording stating that the baseline public transport services are considered to be those during 2024 and not the service levels as modelled within the DCO, and that this is not considered to be a matter that is beyond the control of GAL, which could impact on its ability to achieve the mode share commitments.</u> <p><u>The JLA’s earlier concerns about the time periods being allowed, where compliance with the SACs is not being met, remain. The Applicant has provided no justification for the period of time a breach of the mode share commitments could occur, before</u></p>		

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		<p><u>monitoring of the modal share target, results in the need to prepare an action plan. Only when two successive Annual Monitoring Reports report show a breach does the Applicant produce the SAC Mitigation Action Plan. In the latest draft of the SACs the Applicant commits to providing the SAC Mitigation Action Plan to the TFSG within 30 days.</u></p> <p><u>Should the SAC Mitigation Action Plan not be agreed between the Applicant and the TFSG, the Applicant must submit the SAC Mitigation Action Plan and the proposed measures to the Secretary of State within 30 days of receiving TFSG's written reasons for not agreeing to the SAC Mitigation Action Plan. The Applicant has been reduced this from the previously stated 90 days, but for the reasons set out above concerns remain that the time periods allowed, where the mode share Surface Access Commitments are not being met, is too long.</u></p> <p><u>WSCC also, have concerns that, in theory the SoS may be able to use whatever measures they consider as necessary, to address non-compliance with the mode share SACs, however in practice, this would not include</u></p>		

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		<p><u>measures to control growth at the airport. These specific concerns are set out in paragraph 8.2 of the Deadline 8 Joint Local Authorities Response [REP8-126]. 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.</u></p> <ul style="list-style-type: none"> • Commitment 1, to ensure 55% of passenger journeys is made by public transport is not considered ambitious or of sufficient challenge. Prior to the Pandemic the airport achieved 47.8% public transport modal share in the 12 months up to March 2020. Target mode shares set out as Commitments are only set out as percentages. The percentages masks trends in absolute numbers and permit significant increases in car trips to and from the airport. • Insufficient evidence and justification are provided to demonstrate how the mitigation proposed can provide sufficient 		

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		<p>sustainable and active travel infrastructure to successfully meet the some of the target modal splits.</p> <ul style="list-style-type: none"> • Commitments are made in relation to bus and coach service provision. Determination of mode of travel takes into a variety of factors rather than just provision of service. The Applicant has not assessed or considered the attractiveness of modes or how this could be increased. • Should the SACs not be met the proposed approach allows for higher levels of vehicular traffic than is targeted by the SACs for a substantial period of time. The Applicant will produce an Action Plan to address the failure to meet the targets. This does not provide sufficient control and the Highway Authority advocate a Green controlled Growth approach, similar to that adopted by Luton Airport. 		
37.16	Bus Priority Measures	The focus of bus mitigation has been on the provision of service rather than implementing measures, within the Applicant’s control, to increase the attractiveness of alternative modes of travel, i.e. bus priority measures to deliver journey time savings.	As necessary the Highway Authority will pursue relevant mitigation through the Transport Mitigation Fund.	

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		<p>The Highway Authority has concerns that no assessment as to the need for bus priority measures has been undertaken and that no specific infrastructure improvements, such as bus priority, has been proposed to increase the attractiveness of bus travel. The wording in the Airports NPS requires the number of journeys via sustainable modes to be maximised as much as is possible. If these measures have not been considered or implemented it is not evident if trips via bus are being maximised. Based on the mitigation currently proposed, the mechanism to secure bus priority measures would be through the Transport Mitigation Fund.</p>		
38.17	<p>Outline Construction Traffic Management Plan [REP7-027] & Outline Construction workforce Travel Plan [REP7-025]</p>	<p>Not all of the Highway Authority comments in relation to the Outline Construction Traffic Management Plan [REP7-027] and Outline Construction Workforce Travel Plan [REP7-025] have been addressed by the Applicant. These control documents are therefore not agreed. The outstanding concerns are set out in sections 5 and 6 of the Joint Local Authorities deadline 8 submission [REP8-126].</p> <p>The concerns relating to the OCWTP [REP7-025] are points of clarification in</p>	<p>Should Development Consent be granted, the Highway Authority will seek to address these outstanding matters through the discharge of the relevant requirements (Requirement 12 – Construction traffic management plan & Requirement 13 – Construction workforce travel plan).</p>	

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		<p><u>relation to staggered shift times, further clarity on incentives and subsidies to encourage the use of public transport and commit to using ultra-low emission or zero emission vehicles for contractor workforce bus services and shuttle buses.</u></p> <p><u>Concerns relating to OCTMP [REP7-027] are focussed upon, clarification of the temporary construction compounds not highlighted in the OCTMP [REP7-027], requests to extend the offered road safety training to cover local schools and further details about the management of the early arrival of construction delivery vehicles, to avoid travelling at peak hours.</u></p>		
Public Rights of Way				
39.	Concerns about elements of the PRow Strategy	<p>WSCC has concerns about:</p> <ul style="list-style-type: none"> • timescales for temporary closure of PRowS. • reference to permanent diversions of PRowS. • lack of clarity about indefinite closures of PRowS. • concerns about reinstatement of PRowS. 	Further details and amendments to PRow Strategy are needed.	Uncertain Resolved

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40.	FP346/2sy – reference to diversion onto new shared route.	This is not an improvement for pedestrians as they go from having a route for walkers only to have to then contend with cyclists.	This will likely lead to conflict between users. Also clarification needs to be provided as to whether this will retain its PRow status or not.	Uncertain Resolved
41.18	Lack of public access improvements	No proposed public access improvements on the PRow network as part of the Project.	The Project offers an opportunity to improve a number of the footpaths locally, which has not been taken forward by the Applicant, which need to be discussed with WSCC.	Uncertain Still not resolved. No PRow enhancements as part of the proposals
Air Quality				
42.19	Air Quality and Emissions Mitigation Guidance for Sussex.	<p>The Applicant has not clearly demonstrated regard to the Sussex Air Quality and Emissions Mitigation Guidance or the Defra air quality damage cost guidance in assessing air quality impacts and mitigation measures.</p> <p>The approach taken by the Applicant is not consistent with the principles of the Sussex Guidance, (local Policy ENV12) to address the impact of emissions from the development at a local level proportionate to the value of the damage to health.</p>	<p>Additional mitigation measures to address local air quality impacts, proportionate to damage costs of the scheme to be provided in accordance with the Sussex Guidance.</p> <p>The draft Air Quality Action Plan submitted by GAL [REP2 -004] fails to address local air quality impacts in line with the Air Quality and Emissions Mitigation Guidance for Sussex by identifying additional mitigation to the value of the damage cost to health.</p> <p>The Joint Local Authorities have submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is</p>	Uncertain

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			<p>anticipated that further progress can be made before the next Examination Deadline.</p> <p>The proposed mitigation to be provided through an Air Quality Action Plan secured by s.106 agreement, or a control document by Requirement in the Draft DCO.</p> <p><u>Updated Position (Deadline 9)</u></p> <p><u>WSCC maintains its position that the impacts of Project related emissions have not been adequately addressed in line with the principles of the Sussex Guidance (local Policy ENV12).</u></p> <p><u>The Sussex Guidance specifies that, even where air quality standards are met, the health effects of additional pollution <i>emissions</i> as a result of the Project should be mitigated to the value of the damage costs.</u></p>	
43-20	Lack of specific Air Quality Action Plan (AQAP).	A draft AQAP (Annex 5 of draft s106 [REP2-004]) was provided by the Applicant on 26 March 2024. Disappointingly, the draft AQAP simply summarises the measures within the carbon action plan, surface access commitments and construction code of	Many of the measures in the draft AQAP are embedded in the design and therefore already accounted for in the modelling (such as surface access mode share). Consequently, the air quality/health impacts of the Project (represented by the £83.5m damage	Uncertain

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		<p>practice, with no commitment to additional targeted measures. No additional information has therefore been provided which addresses WSCCs concerns.</p> <p>The CAP and ASAS do not specifically or adequately address air quality mitigation measures based on health, and both lack the means to measure short-term exposure or provide monitoring to check compliance.</p>	<p>costs) are those impacts that arise after the embedded mitigation has been considered. WSCC would therefore expect to see an indication of which measures in the AQAP are 'embedded mitigation' so that it is possible to identify how much additional mitigation is needed to offset emissions from the Project at a local level proportionate to the value of the damage to health.</p> <p>The Joint Local Authorities have submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p>Updated Position (Deadline 9): The proposed air quality action plan [REP6-063- Appendix 5] has done little to address the points raised above or set out in the JLAs detailed review of GALs Draft AQAP [REP4-053]</p> <p>The Council's position remains that the Applicant's proposed AQAP is not adequate for the purpose of identifying and monitoring the effectiveness of</p>	

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			<p>mitigation measures for the air quality impacts of the authorised development. (ANPS 5.35 to 5.41)</p> <p>The ExA's proposed Requirement for an air quality monitoring and management plan is welcomed. The additional requirement for the plans to be approved by the Council would help secure an effective air quality management framework.</p>	
44.21	Lack of Dust Management Plan (DMP).	A draft Dust Management Plan [No Examination Ref] has been shared with the JLAs on 26 March 2024. This is welcomed by WSCC, however, there are a number of key issues within the draft DMP that are missing or need further clarification. These are outlined in the JLAs detailed review of the DMP [REP4-053].	<p>The Joint Local Authorities have submitted a detailed review of the GAL Dust Management Plan . Please see REP4-053 for this detailed review that identified a range of issues that remain unresolved areas of concern, including; identifying high risk locations, monitoring locations, dust soiling assessment techniques, suitably qualified assessors, procedures and data sharing.</p> <p>Without a response from the Applicant to the DMP review (and any updated DMP committed to by the Applicant for Deadline 5 [REP4-033] further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	Uncertain

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			<p>Updated Position (Deadline 9):</p> <p>A review of the Deadline 8 Submission '5.3 Environmental Statement Appendix 5.3.2 Code of Construction Practice - Annex 9 - Construction Dust Management Strategy (CDMS) - Version 2 (Tracked)' [REP8-047] indicates that the majority of remaining changes required have been implemented. However, there remains two aspects of the updated CDMS that have not been addressed.</p> <p>The two aspects not addressed by the Applicant in the updated CDMS are the absence of a proactive approach to informing the Councils when there are dust complaints and the absence of an approach to share data in real time (or near real-time) for automatic particulate monitoring (e.g. Osiris monitoring). These are both points previously raised by the Councils in previous submissions e.g. [REP3-117] and the most recent technical working Group (5th July, 2024).</p> <p>Further additions to the CDMS should be made.</p>	
45-22	Outline Construction Traffic Management Plan (CTMP).	The OCTMP identifies risks associated with construction traffic utilising routes through the J10 M23 and Hazelwick Air	Further details are requested on the proposed monitoring system and how this would protect air quality. More	Uncertain

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		<p>Quality Management Areas in Crawley. Reference is made to a monitoring system that 'it is envisaged' will be developed in the CTMP. However, no details on this monitoring system are provided.</p>	<p>clarification is required regarding the additional traffic that would be expected in the future situation.</p> <p>No additional information has been provided which address these points.</p> <p>Outstanding areas of concern relating to air quality matters (including matters within the CTMP), were provided by AECOM on behalf of the JLAs at Deadline 3 [REP3-117 – Appendix A].</p> <p>The Applicant states [REP4-031 para 3.7.7] that its response to these air quality concerns will be provided by Deadline 5.</p> <p>Without a response to these technical air quality issues, WSCC is unable to update the resolution status of concerns relating to the CTMP.</p> <p>Updated Position (Deadline 9): Further information requested by the Council to show how monitoring will be used to identify any deviation from the expected impacts has not been received. Detailed monitoring requirements should be provided in the outline plans to provide assurance that the final CMTP</p>	

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			<p><u>and CWTP will be substantially in accordance with any agreed monitoring plans</u></p> <p><u>The Council continues to have particular concerns that the lack of detailed restrictions for contingency access through Crawley’s AQMA at J10 M23 will result in significantly increased traffic volumes passing through its AQMA. The Council maintains its position that contingency access needs to be tightly controlled to protect air quality. The use of restricted routes when “primary access is impaired” is insufficiently clear and may lead to wide interpretation and inadequately controlled access.</u></p> <p><u>To ensure controls will be substantially in accordance with the outline construction traffic management plan, the Council would welcome a framework of defined thresholds for the authorised use of a contingency access to be provided and secured through the oCTMP, within the DCO.</u></p>	
46.23	Operational Air Quality Monitoring.	There are concerns regarding the measurement accuracy of the AQ Mesh low-cost sensors which the Applicant is proposing to use to monitor operational phase impacts. AQ Mesh monitors are not approved by Defra for	Further information is requested to understand how air quality will be monitored, evaluated, and reported to local authorities.	Uncertain

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		<p>the monitoring of air quality and as such they are not sufficient to demonstrate compliance with air quality standards.</p>	<p>Outstanding areas of concern relating to air quality, were provided by AECOM on behalf of the JLAs at Deadline 3 [REP3-117 – Appendix A]. The Applicant states [REP4-031 para 3.7.7] that its response to these air quality concerns will be provided by Deadline 5. Without a response to these technical air quality issues the Council is unable to update the resolution status of concerns relating to operational air quality monitoring.</p> <p>Updated Position (Deadline 9): Operational odour monitoring is addressed in the Applicant’s Odour Monitoring and Management Plan (OMMP) - Version 2 (Tracked)’ [REP8-101]. However, the Council remains concerned that almost all of the IAQM (assessment of odour for planning v1.1, July 2018) best practice methodology, is either absent or addressed only at a very high level in the Applicants proposed OMMP, despite the IAQM guidance being referenced and relied upon by the Applicant in their ES [APP-038].</p> <p>The recommended elements within the guidance expected in an OMMP include:</p>	

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			<p>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.</p> <p>The Council maintains its position that the Applicant has not demonstrated a clear enough understanding of odour sources and their dispersion to develop a robust plan.</p> <p>On this basis, whilst the progress made with Applicant is welcome Operational odour therefore remains an area of concern. Further quantitative assessment and an enhanced odour management and monitoring plan, which should be agreed with the Councils, is needed.</p>	
47.	Funding for Local Ambient Air Quality Monitoring.	The ES does not specifically identify which of the existing LA continuous air quality monitoring stations on and around the Airport will be funded.	Further clarification on the funding for the LA monitoring stations on and around the Airport.	Uncertain
48.24	Controlled Growth.	There is insufficient information on how sensitive future air quality predictions are to modal shift objectives being achieved.	Further information is needed to understand how reliant on modal shift assumptions future air quality predictions are. Further information on the performance indicators to deliver against targets, and how the monitoring	Uncertain

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			<p>strategy should be linked to controls if modal shift targets are not met.</p> <p>To ensure that surface access commitments are met for mode share, and that air quality is not compromised by unchecked traffic growth, it is considered that a controlled growth approach, which would restrict growth until mode share targets for surface access are met, should be adopted by the Applicant.</p> <p>A proposal for an Environmentally Managed Growth Framework at Deadline 4 [REP4-050] and a further updated EMG framework is provided by the JLAs for Deadline 5.</p> <p><u>Updated Position (Deadline 9)</u></p> <p><u>WSCC continues to have concerns that if modal shift targets are not achieved or if air quality standards were to change in future, the current controls within the DCO provide no mechanism to manage this uncertainty and would allow uncontrolled growth to continue even where breaches were occurring.</u></p> <p><u>The purpose of the Environmentally Managed Growth (EMG) Framework proposed by the JLAs is to introduce</u></p>	

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			action thresholds (which align with LAQM guidance TG22) to identify where a risk of exceedance is likely. The EMG approach would be clearly linked to air quality monitoring.	
49.25	Assessment Scenarios (including 2047 Full Capacity)	<p>The concern is that the scenarios assessed in the ES do not provide a realistic worst-case assessment. This is particularly the case for those scenarios where both construction and operational activities are underway at the same time, but the assessment has treated them separately.</p> <p>The same concerns apply to the emissions ceiling calculations as to how realistic these are, particularly when there are construction and operational activities ongoing, and the emissions ceiling calculations treat these separately.</p> <p>In addition, there is no operational assessment for the final full-capacity assessment year of 2047.</p>	<p>Clarification is required as to how the selection of assessment years and their configuration re operational and construction was made and how this aligns with the requirements of the ANPS.</p> <p>A modelled assessment for the final full-capacity assessment year of 2047 is required.</p> <p>Outstanding areas of concern relating to air quality, were provided by AECOM on behalf of the JLA's at Deadline 3 [REP3-117 – Appendix A].</p> <p>The Applicant states [REP4-031 para 3.7.7] that its response to these air quality concerns will be provided by Deadline 5. WSCC is awaiting a response from the Applicant to these technical air quality issues.</p> <p>Updated Position (Deadline 9): The Applicant has provided information on road traffic emissions in 2047, but</p>	Uncertain

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			the impact of airport emissions, which will be of increased relative importance in 2047, have not been modelled for the airport at full capacity.	
Noise				
50-26	Local planning policies.	Local planning policies are set out in Table 14.2.2 but no information is provided on how these policies are addressed in the ES.	Details should be provided on how local planning policies are addressed in the ES. Updated position (Deadline 9): The Applicant has not provided any information to address concerns that no regard has been given to local planning policies.	Likely
51-27	Assessment of vibration effects from road construction.	Potential exceedances of the SOAEL are identified in the assessment of vibration emissions from compactors and rollers.	The Applicant should provide information as to how potential vibration impacts would be managed and levels monitored/controlled to ensure that the SOAEL is not exceeded in practice Updated position (Deadline 9): The Applicant has not addressed concerns that local communities would be exposed to vibration levels exceeding the SOAEL during construction activities.	Likely
52-28	Air noise - No assessment criteria is provided for the	Assessment criteria based around the LOAEL and SOAEL focuses on noise effects at residential receptors. Non-	Provide an assessment of likely significant air noise effects on non-residential receptors based on	Likely

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	assessment of effects on non-residential receptors.	residential receptors should be considered on a case-by-case basis	<p>appropriate criteria defined by the Applicant and relevant to non-residential receptors that would be affected by the NRP.</p> <p>Updated position (Deadline 9): WSCC accept the Applicant's non-residential receptor criteria that was referenced from the London Luton Airport Expansion ES.</p>	
53.29	Air noise - Only 2032 assessment year is assessed as a worst-case.	The assessment only covers 2032 as it is identified as the worst-case; however, identification of significant effects for all assessment years should be provided	<p>Identify significant effects during all assessment years to help understand how communities would be affected by noise throughout the project lifespan.</p> <p>Updated position (Deadline 9): The Applicant has not provided enough detail on temporal noise effects that would occur throughout the lifespan of the project. As such noise effects are not understood to the required level of detail.</p>	Likely
54.30	Air noise - No attempt has been made to expand on the assessment of likely significant effects through the use of secondary noise metrics.	Context is provided to the assessment of ground noise through consideration of the secondary L _{Amax} , overflight, L _{den} and L _{night} noise metric; however, no conclusions on how this metric relates to likely significant effects have been made so the use of secondary metrics in terms of the overall	Provide some commentary about how secondary metrics relate to likely significant effects and whether the assessment of secondary metrics warrant identifying a likely significant effect.	Uncertain

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
		assessment of likely significant effects is unclear.	Updated position (Deadline 9): WWSC are disappointed with the level of information provided regarding secondary metrics. Information has only been provided for seven "community representative" locations that do not cover all affected communities and no relevant information provided regarding overflights.	
55.31	Air noise - No details of the noise modelling or validation process are provided. No details of measured Single Event Level or LAS _{max} noise data from the Noise-Track-Keeping are provided.	Provision is needed of the assumptions and limitation that have been applied in the validation of the noise model and production of noise contours.	Details of the validation process, noise modelling process along with any assumptions and limitations applied should be provided. This should include Single Event Level and LAS _{max} noise data for individual aircraft variants at each monitoring validation location. Updated position (Deadline 9): WSCC are extremely disappointed with the Applicant's position on this matter. The Applicant continually rejected this information request stating that information on the Boeing 737-800 [REP6-065] was sufficient. The JLAs made an explicit request for information at ISH9 and the Applicant insisted that the information was confidential to the CAA. After ISH9, the JLAs contacted the CAA regarding this matter and have finally received measured Single Event Level and LAS_{max} noise data after the	Uncertain

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			<p>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>	
56-32	<p>The assessment of ground noise should also consider the slower transition case as per the aircraft noise assessment. It is not clear why 2032 is considered worst-case for ground noise. Ground noise contours are not provided.</p>	<p>Higher levels of ground noise will be identified in the Slower Transition Case. Consequently, there is potential for receptors to experience significant noise effects that are identified in the Central Case assessment. Whilst 2032 provides the highest absolute noise levels, there appears to be larger increases in noise at some receptors during other assessment years. No noise contours are provided for ground noise.</p>	<p>An assessment of Slower Transition Case ground noise effects should be provided to identify the potential for exceedances of the SOAEL at sensitive receptors. Likely significant effects for all assessment years should be identified in the ground noise assessment.</p> <p>Provide LAeq and LA_{max} noise contour plots to supplement the ground noise assessment. Contour plots should be provided for Do-minimum and Do-something scenarios for each assessment year.</p> <p>Updated position (Deadline 9): 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</p>	Likely

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			<p>along with the change in ground noise contours within the area covered the relevant LOAEL contour so that effects can be fully understood. The Applicant has refused to acknowledge that engine ground running (30-60 minute activity) should not be assessed using the LAmax metric and is more appropriate to be assessed using the LAeq,T metric. This is particularly concerning given the potential for unmitigated ground noise events to occur at the western end of the Juliet runway when there is no barrier/ bund in place.</p>	
57.33	The Noise Envelope - sharing the benefits.	<p>Paragraph 14.2.44 – sharing the benefits has been removed from the ES. This is a fundamental part of the Noise Envelope so it should be demonstrated how benefits of new aircraft technology are shared between the airport and local communities. There is no incentive to push the transition of the fleet to quieter aircraft technology. This means that the Noise Envelope allows for an increase in noise contour area on opening of the Project.</p> <p>The Applicant wants flexibility to increase noise contour area limits depending on airspace redesign and noise emissions from new aircraft technology. If expansion is consented,</p>	<p>Details on how noise benefits are shared should be provided in accordance with policy requirements set out in the Aviation Policy Framework. Noise contour area limits should be based on the Central Case. There should be no allowance for the Noise Envelope limits to increase.</p> <p>Updated position (Deadline 9): The Applicant has provided information on sharing the benefits; however, CBC do not accept the method applied and information should be provided on a 'no growth' scenario as per the Planning Inspectorates Scoping Report (para 2.3.13 Appendix 6.2.2 [APP-095]).</p>	Uncertain

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		any uncertainties from airspace redesign or new aircraft technology should be covered within the constraints of the Noise Envelope	WSCC are concerned that the Applicants Noise Envelope proposal does not allow certainty to communities regarding future noise levels by allowing noise limits to increase. WSCC support the JLAs submitted a proposal for Environmentally Managed Growth [REP4-050]	
58-34	Noise Envelope Regulation.	It is not clear in the DCO whether there would be any role for local authorities and key stakeholders in the Noise Envelope, if the Civil Aviation Authority (CAA) is the independent reviewer.	A mechanism should be included to allow the local authorities to scrutinise noise envelope reporting and take action in the case of any breaches. Updated position (Deadline 9): The Applicant has refused to allow a role for local authorities to scrutinise noise envelope reporting and take action in the case of any breaches.	Uncertain
59-35	Prevention of Noise Envelope breaches.	A breach would be identified for the preceding year, with an action plan in place for the following year. Consequently, it would be two years after a breach before a plan to reduce the contour area would be in place. No details are provided on what kind of actions are proposed for an action plan to achieve compliance. 24 months of breach would be required before capacity declaration restrictions for the following were adopted so it would be	More forward-planning needs to be adopted to ensure that action plans are in place before a breach of the noise contour area limit occurs. Adoption of thresholds that prompt action before a limit breach occurs would provide confidence in the noise envelope. Slot restriction measures should be adopted in the event of a breach being identified for the previous year of operation.	Uncertain

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		<p>three years after the initial breach before capacity restrictions were in place. Capacity restrictions would not prevent new slots being allocated within the existing capacity and is not an effective means of preventing future noise contour limit breaches if a breach occurred in the previous year</p>	<p>Updated position (Deadline 9): WSCC support the JLAs submitted a proposal for Environmentally Managed Growth [REP4-050]</p>	
<p>60-36</p>	<p>Lack of detail regarding the Noise insulation scheme.</p>	<p>It is not clear how the noise insulation scheme would prioritise properties for provision of insulation. Residents of properties within the inner zone will be notified within six months of commencement of works; however, it is not clear what noise contours eligibility would be based upon. Lack of detail on the noise insulation measures in the Outer Zone. Schools are included in the Noise insulation Scheme, but it is unclear if other community buildings would be eligible for noise insulation. It is unclear how noise monitoring would be undertaken to determine eligibility through cumulative ground and air noise.</p>	<p>Provide details on how the scheme would roll out. Clarify what noise contours would be used to define eligibility.</p> <p>Clarify on the flexibility of the noise insulation scheme.</p> <p>Provide details on what community buildings would be eligible for noise insulation and what level of insulation would be provided.</p> <p>Provide details on how monitoring of ground noise would be undertaken and how a property would be identified as appropriate for monitoring of ground noise.</p> <p>Updated position (Deadline 9): The Applicant has provided information regarding the timing of noise insulation scheme rollout. However, concerns about the ground noise insulation scheme have not been addressed. The Applicant has refused to extend the scope of the</p>	<p>Likely</p>

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			<p>ground noise insulation scheme to the outer Zone. The Applicant has continually benchmarked against the Luton Airport Expansion project but rejects any comparison to the Luton Airport ground noise insulation scheme, which extends to the 55dB LAeq,16h and 45dB LAeq,8h contours.</p>	
Greenhouse Gases				
Appendix 16.9.1 Assessment of Construction Greenhouse Gas Emissions				
61.37	<p>The unsustainable growth of airport operations may result in significant adverse impacts to the climate.</p>	<p>The increased demand in GAL's services may lead to unsustainable surface access transportation and airport operation growth, which may significantly impact the climate.</p>	<p>The measures in the Carbon Action Plan are too weak and will not allow for effective monitoring of the Greenhouse Gas impacts of construction and operating the NRP. The CAP lacks an effective mechanism to ensure that carbon reductions align with the Applicant's proposed targets. WSCC would support the imposition of a further requirement setting a carbon gap, either through a Requirement of the DCO or the JLA EMGF.</p> <p>To monitor and control GHG emissions during the project construction and operation it is suggested a control mechanism to similar to the Green Controlled Growth Framework submitted as part of the London Luton Airport Expansion Application, is provided. Implementing such a framework would</p>	<p>Uncertain</p>

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			<p>make sure that the Applicant demonstrates sustainable growth while effectively managing its environmental impact. Within this document, the Applicant should define monitoring and reporting requirements for GHG emissions for the Applicant's construction activities, airport operations and surface access transportation. Similar to the London Luton Airport Green Controlled Growth Framework, emission limits and thresholds for pertinent project stages should be established. Should any exceedances of these defined limits occur, the Applicant must cease project activities. Where appropriate the Applicant should undertake emission offsetting in accordance with the Airport Carbon Accreditation Offset Guidance Document to comply with this mechanism.</p> <p>In addition, and where reasonably practical, the airport will seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community around the airport. Offsets should align with the following key offsetting principles i.e. that they should be:</p>	

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			<ul style="list-style-type: none"> ○ additional in that would not have occurred in the absence of the project ○ monitored, reported and verified ○ permanent and irreversible ○ without leakage in that they don't increase emissions outside of the proposed development ○ Have a robust accounting system to avoid double counting and ○ Be without negative environmental or social externalities. 	
Appendix 16.9.4 Assessment of Aviation Greenhouse Gas Emissions				
62-	WTT emission sources are not confirmed to be accounted for which is against the GHG Protocol Standard mentioned in the GHG ES Methodology.			
Climate Change				
63-	Lack of consideration of storm events, wildfires and fog.	<p>Storm events are not considered sufficiently in this assessment. Wildfire is not mentioned as a possible climate hazard to impact the Airport's operation.</p> <p>Risks associated with fog were not included in the risk assessment.</p>	The Applicant should give further consideration to be given to these events and risk description and rating to be revised. It is understood further information is to be proved by the Applicant to address this detail. This has not yet been received.	Likely

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			<p>Update May 2024: WSCC note that the Applicant has submitted in April 2024 the document 'Examination Technical Note - Climate Change 2: Wildfire and fog risks'. [REP4-039]</p> <p>This has now addressed the concerns raised with regards to wildfires and fog</p>	
Economic Development				
64-	Incomplete consideration of local planning policies.	The review of policies is considered incomplete and provide limited analysis of how the Project aligns with the policies of host and neighbouring authorities.	Applicant should include a full list of adopted and emerging policies and how the project aligns with those policies and strategies.	Likely
65-38	Comments raised by local authorities not sufficiently captured.	The chapter does not capture the significant extent or detail of comments raised by the local authorities particularly on the scope of the assessment, assessment approach and study area.	<p>The Applicant should clearly set out in detail all of the issues raised by the local authorities and how they were being dealt with in the ES.</p> <p>Updated Position (Deadline 9): <u>The Applicant has provided responses at the TWG meeting (06.08.24) but has not clearly set out in detail how all issues are being dealt with in the ES.</u></p>	Likely
66-39	Confirmation on which projects informed the methodological approach.	The methodology has been based on accepted industry practice, a review of socio-economic assessments for other relevant projects including other airport or significant infrastructure schemes, and feedback received by PINS and local authorities during the	The Applicant should clarify which relevant projects were drawn upon, setting out why they are relevant, to inform the development of the methodology for this assessment.	Likely

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		consultation process, this is not evidenced.	Updated Position (Deadline 9): The Authorities requested at the TWG meeting (06.08.24) that the Applicant provide further details of why the projects listed represent relevant exemplar projects and how they have informed the assessment. This has not been provided. However, CBC is satisfied that this is not a legal deficiency in terms of the assessment itself.	
67.	Clarification on use of pre-Covid data.	2019 data was primarily used given concerns with the Covid pandemic potentially affecting baseline data. However, some of the data sources used are post Covid and it is not clear why the Applicant has applied this approach.	The Applicant should source up-to-date data to inform the socio-economic baseline. If there are concerns with any of the data sources the Applicant can retain the pre-Covid baseline for context.	Likely
68.40	Magnitude of impacts definition.	The use of numbers and percentages to quantify impact can be challenging especially given all study areas are different and can be influenced by a number of different factors. It is not clear how these the ranges were defined to inform the assessment.	The Applicant should review these numbers to determine their appropriateness given the study areas for the Project. The Applicant should also provide the rationale for the job ranges provided. Updated position (Deadline 9): WSCC acknowledge the Applicant's further explanation at the August 2024 TWG that the scale of magnitude and sensitivity criteria are based on professional judgement. Its position is that no further discussion will resolve its	Unlikely

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			<p>concerns and as such it is content to consider this Not Agreed and for the ExA to consider in determining weight afforded to the assessment within the overall planning balance.</p>	
69.	<p>Use of up-to-date information sources.</p>	<p>Data from the 2021 Census has been used, where available, at the relevant spatial scale. The baseline assessment presented comprised the most up-to-date position at the time of writing, however newer data is now available.</p>	<p>The Applicant should source up-to-date data to inform the socio-economic baseline. If there are concerns with any of the data sources the Applicant can retain the pre-Covid baseline for context.</p>	Likely
70. 41	<p>Consideration of worst-case scenario for employment benefit.</p>	<p>The construction assessment presented focuses on the Project’s potential maximum effects. Whilst it is important in terms of potential implications on local areas, it is also important to present a worst-case scenario in terms of employment benefit.</p>	<p>The Applicant should clarify whether they have estimated a worst-case scenario for numbers of construction workers.</p> <p>Updated position (Deadline 9): Discussed at TWGs held 6 and 8 August 2024. WSCC notes that no worst-case assessment has been presented in terms of employment benefit despite the helpful provision of lower employment numbers. WSCC is satisfied that this is not a legal deficiency in terms of the assessment itself. It retains its position that the lack of a local area analysis of employment effects causes concerns.</p>	Unlikely

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71 .42	Workplace earnings trends and impact on affordability.	Workplace earnings are shown to be growing at a higher rate than resident earnings and it is implied this may lead to less out-commuting. This trend could impact the affordability ratio, which would have implications elsewhere in the socio-economic evidence, for example, assumptions on future housing growth and demand for affordable housing.	<p>The assumption needs to be evidenced. This should include a trend analysis as well as consideration of likely variances at a local authority level.</p> <p>Updated Position (Deadline 9): WSCC’s position is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS however this will depend on the extent to which it addresses local need.</p>	Unlikely
72 .43	Assessment of sensitivity of receptors.	WSCC question the sensitivity grading for employment and supply chain impacts, labour market impacts, disruption of existing resident activities, housing supply in the HMAs relevant to LSA and FEMA, community facilities and services.	<p>The Applicant should revisit the sensitivity gradings for this receptor.</p> <p>Updated position (Deadline 9): WSCC acknowledge the Applicant’s further explanation at the recent (August 2024) TWG that the scale of magnitude and sensitivity criteria are based on professional judgement. Its position is that no further discussion will resolve its concerns and as such it is content to consider this Not Agreed and</p>	Unlikely

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
			for the ExA to consider in determining weight afforded to the assessment within the overall planning balance.	
73.44	Assessment of construction effects.	<p>The magnitude of effects on construction employment for all study areas, and magnitude of labour market effects based on magnitude criteria being used needs clarification. There are also potential data limitations in relation to construction employment calculations. The Applicant has not undertaken any assessment at local authority level which is considered essential given existing constraints on labour supply for Crawley, Mid Sussex, and Horsham.</p>	<p>The Applicant should revisit this assessment. The Applicant should also undertake an assessment of impact at local authority level for those authorities based in the FEMA.</p> <p>Updated position (Deadline 9): WSCC considers that the Non Home Based worker assumption is not sufficiently precautionary. WSCC’s position is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS and housing fund however this will depend on the extent to which they address local need. As such this remains Not Agreed.</p>	Unlikely
74.45	Assessment of construction effects during the first year of operation.	Assessment of construction effects during the first year of operation need to be revisited. The number of construction jobs would appear	The Applicant should revisit this assessment based on the comments. The Applicant should also undertake an assessment of impact at local authority	Unlikely

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
		<p>unlikely to have a significant beneficial effect in the FEMA and LMA. It should also be noted that the construction jobs calculation appears to be based on a 'maximum' scenario.</p>	<p>level for those authorities based in the FEMA.</p> <p>Updated Position (Deadline 9): WSCC's position is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS and housing fund however this will depend on the extent to which they address local need.</p>	
75-	Operational effects.	<p>Assessment of operational labour market effects, effects on housing, population and community facilities and services need to be revisited. We have outlined our concerns above in relation to the magnitude criteria being used for this assessment and the sensitivity grading of this receptor for the LMA and FEMA.</p>	<p>The Applicant should revisit this assessment based on the comments made. The Applicant should also undertake an assessment of impact at local authority level for those authorities based in the FEMA.</p>	<p>Unlikely</p>
76-46	Cumulative effects.	<p>The conclusion that in the absence of information, it is not possible to provide a cumulative assessment for all construction effects, is simplistic</p>	<p>The Applicant should revisit and undertake a comprehensive cumulative assessment. The Applicant should undertake an assessment at local</p>	<p>Unlikely</p>

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
		and given the significant concerns raised with the main assessment, a comprehensive cumulative assessment should be undertaken to establish if there are potential issues within the study areas.	<p>authority level for those authorities based in the FEMA.</p> <p>Updated Position (Deadline 9): WSCC's position is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS and housing fund however this will depend on the extent to which they address local need.</p>	
Appendix 17.9.3: Assessment of Population and Housing Effects				
77-	The approach to analysis of housing delivery does not analyse the full range of inputs required when determining local housing needs or requirements at a housing market area or local level	A more granular assessment of housing delivery in the area is needed, in particular of the unmet affordable housing need to inform the assessment.	The Applicant should revisit the assessment and undertake a more granular assessment of affordable housing delivery to take account of existing constraints. Further justification should be provided and reviewed against past performance to substantiate the conclusions.	Unlikely
78-47	Assessment of impacts on labour supply.	The Applicant states that the Project is only expected to be a determinant in whether there is labour shortfall or	Given the limitations in its approach, the Applicant should justify the basis of the assessment which concludes that the	Unlikely

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
		<p>surplus in the HMA for one area (Croydon and East Surrey) where the Project tips surplus into supply in a single year. The basis for this conclusion does not appear robust, as based on the analysis the project is shown to exacerbate labour shortfall issues across multiple areas.</p> <p>Furthermore, if underlying inputs in the model are changed to reflect the fact that the labour market is already more constrained as has been modelled, it is likely shortfalls would be greater across many of the areas.</p>	<p>Project is only expected to be a determinant in whether there is labour shortfall or surplus in the HMA for one area. The Applicant should revisit the assessment which should be undertaken at a local authority level.</p> <p>Updated Position (Deadline 9): WSCC remains of the view that the Applicant's NHB worker assumptions are not sufficiently precautionary. WSCC's position overall in respect of the implications of this is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS however this will depend on the extent to which it addresses local need.</p>	
Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note				
79.	Distance travelled to work data	The application of a regional estimate to capture numbers of home based workers can be problematic given the considerable differences that exist within local geographies.	Applicant should review their approach to this assessment and apply relevant assumptions to the modelling to take account of local variations.	Unlikely

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80-48	Labour supply constraints	The Gravity Model used to identify the split of construction workers as 80% home-based and 20% as non-home based does not appear to have taken account of current labour supply constraints within the local authorities located in the FEMA. Given these constraints, an assumption of 80% home-based construction workers is not realistic or a worst-case approach.	<p>The Applicant should revisit their approach and include a worst-case scenario which assumes all construction workers will be non-home based.</p> <p>Updated Position (Deadline 9): WSCC remains of the view that the Applicant’s NHB worker assumptions are not sufficiently precautionary. WSCC’s position overall in respect of the implications of this is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level assessment is not a legal deficiency in the ES but is a shortcoming affecting the weight given to benefits within the planning balance related to the socio-economic assessment. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS however this will depend on the extent to which it addresses local need.</p>	Unlikely
Appendix 17.8.1 Employment, Skills and Business Strategy				
81-	Lack of information on implementation plan, performance, measurable targets, funding and financial management, monitoring and reporting. Route map from	Options identified in the ESBS are not necessarily directly aligned with local specific issues and need. The document states that performance, financial management, monitoring and reporting systems will be set out in detail in the Implementation Plan. It is	The Applicant as part of ESBS should provide more detail on potential tailored initiatives that would specifically align with and support local communities. This should include relevant baseline information to demonstrate local need, which should appropriately consider the	Uncertain

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	ESBS to Implementation Plan is not identified.	unclear why the Applicant is unable to provide further details on these arrangements within the ESBS in order to provide sufficient reassurance that appropriate systems will be in place. The ESBS also provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO vs. provision and outputs offered in a Business as Usual (BAU) scenario.	variations between local authorities. The Applicant should provide some details on performance, financial management, monitoring and reporting which can be developed further as part of an Implementation Plan. The Applicant should also clearly explain the difference of BAU and DCO scenarios in terms of provision & outputs. A route map should be provided which explains the process from ESBS to Implementation Plan, aligned to areas of identified local need and outcomes.	
Appendix 17.6.1: Socio-Economic Data Tables				
82.	Out of date data.	Several Baseline Data Tables are out of date and don't use the most recent data sources available at the time.	The Applicant should be using the most up to date sources.	Likely
Appendix 17.9.2 Local Economic Impact Assessment				
83-49	Additionality assumptions.	It is unclear to what extent additionality assumptions have been accounted for in the estimates of GVA and employment effects including direct, indirect, induced and catalytic effects. Paragraph 6.3.5 states that estimating net direct, indirect and induced impacts requires assumptions on displacement that are difficult to determine robustly. Whilst it is acknowledged that estimating levels of displacement can be tricky,	Updated position (Deadline 9): <u>Although further discussions have been held, there has not been any productive progress on this outstanding area of disagreement since the submission of Statements of Common Ground at Deadline 5.</u> <u>In overall terms, there remains concern that aspects of the benefits may have been overstated, particularly in terms of the national level economic benefits and</u>	Unlikely

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		<p>assumptions can still be applied through the application of a precautionary approach and use of benchmarks.</p>	<p><u>this could weigh too highly in the planning balance.</u></p> <p>—</p> <p><u>At a more local level, there is concern that the catalytic benefits to local employment are simply not robust and appear more likely to have been overstated. It remains uncertain whether the assessment of these effects represents a worst case in terms of the economic benefits to be realised nor broader consequences. This links to the absence of any robust sensitivity testing of the demand forecasts, again meaning that a reasonable worst case cannot be assessed in terms of either downside risks to benefits or upside potential to effects.</u></p> <p><u>The Applicant to clarify its approach to additionality. The Applicant should apply displacement (and other additionality assumptions) to the various calculations to align with Green Book guidance.</u></p>	
84.	<p>Basis for distribution assessment of direct impacts.</p>	<p>Paragraph 5.3.9 states that the impact estimates on the basis of residency distribution of direct impacts are presented. GAL has provided pass holder address information to inform this. It is not clear when this information was obtained therefore the local authorities cannot be certain the information used is up to date.</p>	<p>The Applicant to confirm the date of pass holder information used.</p>	<p>Unlikely</p>

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Health and Wellbeing				
85.50	Potential adverse impact on the health of West Sussex communities including vulnerable groups during construction and operational phases of the Project	The Applicant has not completed a standalone HIA or integrated a HIA to the same quality, scope, and scale as a standalone assessment specifically for West Sussex.	<p>It is recommended the Applicant undertakes a HIA that seeks to robustly assess the potential effects, including physical and mental, on the health of the population, analysis of some of the data on smaller geographies to highlight inequalities, and to make clear the mitigations or that need further consideration.</p> <p>The Applicant has produced an Equality Statement but this is not the HIA as WSCC would expect.</p> <p><u>In the absence of an HIA, the applicant should consider how they will monitor the impacts on communities' health during construction and operational phases of the project, ideally at a SLOA level as impacts can be diluted when looking at a Local Authority District and Borough level. This should consider vulnerable groups (including physical, psychological and mental health impacts) within those communities, and review any mitigation to safeguard the public's health.</u></p> <p><u>The Communications Plan for the project should include a clear pathway for the public to raise concerns and impacts affecting individuals and communities</u></p>	Uncertain

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			<p>with the applicant and a robust policy for responding to issues raised. The Communications Plan should consider a range of publication routes that accommodate individuals with disabilities and non-English speakers and ethnic groups.</p>	
86-	<p>Limited local intelligence and insight into the planning assumptions of the Project, specifically how this may influence local communities and vulnerable populations</p>	<p>There is no evidence of how community engagement with the affected communities has influenced the outcome and any mitigation made in the Applicants' assessments.</p>	<p>It is recommended the Applicant expands on the HIA that makes use of local intelligence and robustly engages vulnerable populations. The HIA should make clear how the Applicant has feedback from those communities to inform the assessment of health effects.</p>	Uncertain
87-	<p>Potential increased demand on local health care services</p>	<p>The impact from construction staff on primary care and secondary care services is evidenced. However, the increased footfall of passengers when increased flights are operational, and the impact on emergency attendances for this group within secondary care A&E services is unclear.</p>	<p>It is recommended that the Applicant provides clarity in relation to the points identified above. The Applicant has only stated an increase in A&E attendances, but not the impact on any other NHS Services beyond A&E attendances</p>	Uncertain
88-	<p>Potential to adversely impact air quality during construction and operational phases.</p>	<p>Also, reference is made to the UKHSA assessment (RR 4687) which identifies a potential moderate impact from long term concentrations which have not been detailed in the assessment.</p>	<p>Reference is made to the required changes and mitigation measures as reported in this LIR, section 15 Air Quality. The Authorities support UKHSA recommendations in relation to air</p>	Uncertain

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			quality and clarity needed from the Applicant.	
89-	Potential adverse noise impacts on health during construction and operational phases	Reference is made to the required changes and mitigation measures as reported in this LIR, section 16- Noimase and Vibration. Increase in operations and flights, leading to an increase in noise are likely to adversely impact health. The increase is expected to rise by approx. 13 million passengers per annum (mppa) by 2047.	UKHSA (RR 4687) notes limitations in the Applicant's assessment of noise and evidence of effectiveness in relation to some of the mitigations. The Authorities support UKHSA recommendations in relation to air quality and clarity needed from the Applicant.	Uncertain
90-	Potential impact on healthy lifestyle behaviours due to land take at Riverside Garden Park and Church Meadows	The land is located within Surrey close to the West Sussex border and is accessible to West Sussex residents. There is potentially a negative impact on mental and physical health due to the inability to promote and sustain healthy behaviours that may be due to a reconfiguration of the recreational/green space. This might amount to limited and more difficult access to key facilities or may impact on the ability to safely undertake physical activity for example	The Applicant should assess the potential for proposed changes to the recreational space that may adversely impact on people's ability to maintain health and wellbeing. Additionally, the impact, and assessment of noise in recreational areas requires further understanding, ideally through engagement with communities to understand local views and concerns.	Uncertain
Overarching areas of concern				
91.51	Concerns about dDCO wording.	WSCC provided comments on the dDCO in [the Joint West Sussex LIR, Appendix M (REP1-069), Principal areas of disagreement remain in relation to various articles and	<u>Further consideration of the outstanding matters of concern have been submitted by the Legal Partnership Authorities at D9. The Applicant to engage in discussions regarding the current dDCO</u>	Uncertain

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		schedules within the dDCO. This has been subsequently built upon in submissions at all subsequent deadlines by the Legal Partnership Authorities, as at Deadlines 2, 3 and 4.	wording and proposed amendments in Appendix M of the LIR and subsequent submissions by WSCC.	
92.	Community Fund	WSCC considers the level of funding in the Community Fund as secured in the dDCO section 106 agreement is insufficient to better reflect the residual and intangible impacts of the development, particularly given the very significant increase in flights.	This matter is subject to ongoing discussion through negotiation on the S106 agreement.	Uncertain
93.	Draft S106 agreement.	A draft of the S.106 agreement was shared on 1st February 2024, and negotiations are underway between Sharpe Prichard and the Applicants' legal representatives. WSCC has concerns regarding the limited scope of the proposals.	The Applicant to engage in further discussions regarding the draft S106 Agreement.	Uncertain
94.52	The proposals to mitigate impacts of airport growth.	WSCC has concerns that the proposals to mitigate the impacts of airport growth are not environmentally focussed.	The proposals to mitigate should be delivered following the environmentally-focused <u>principles of Environmentally Managed Growth (EMG) as proposed by the JLAs through the Examination. The key references are to be found in REP4-050, REP5-093, REP6-100 (which sets out in Appendix II an Outline EMG Framework for the purposes of a</u>	Uncertain

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			<p>proposed requirement), REP7-102, and in Appendix 1 of REP7-108 (which sets out detailed wording for a proposed EMG requirement to be incorporated in to the draft DCO, updating an earlier version in Appendix 1 of REP6-100 which had some formatting issues).</p> <p>This position is also reiterated in the Closing Position Statement. principles of 'Green Controlled Growth', as proposed in the recent Luton Airport DCO and as proposed within the submission made at Deadline 4 (REP4-050), which introduced a proposal for an Environmentally Managed Growth Framework.</p>	

Gatwick Airport Northern Runway Project (Project Reference: TR020005)
 Principal Areas of Disagreement Summary Statement
 West Sussex County Council (IP 20044715)
 Submitted on Deadline ~~9~~ ~~21 August~~ ~~5~~ – ~~6 June~~ 2024