

Gatwick Northern Runway

TR020005

National Highways Comments on any Submissions Received by Deadline 8

August 2024

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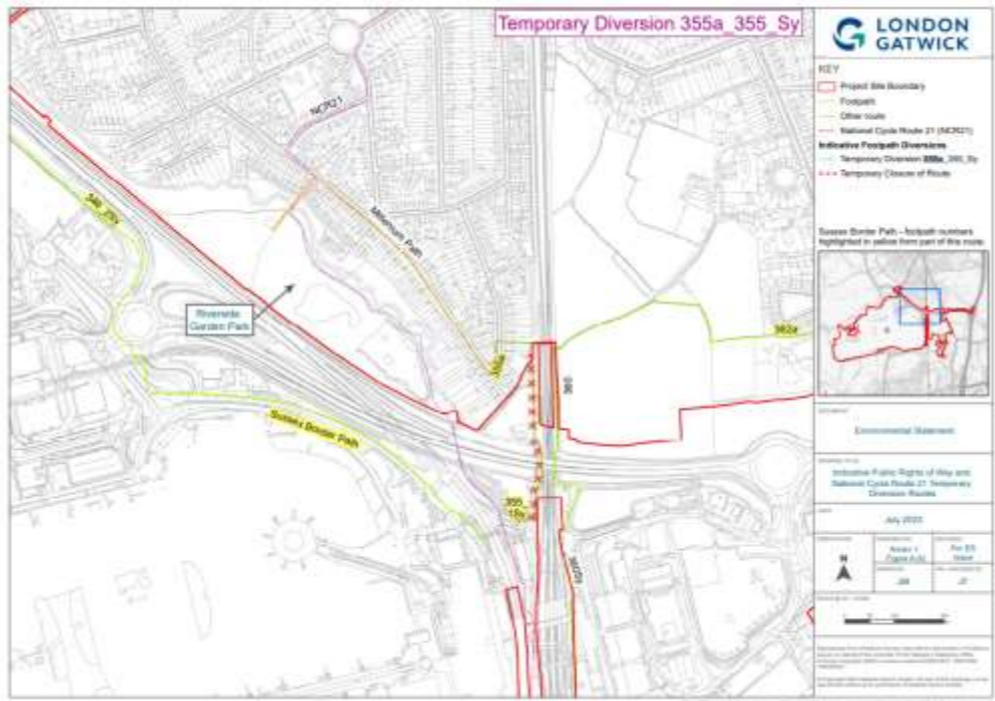
1 **Comments on any Submissions Received by Deadline 8**

This document has been prepared by National Highways to set out its position in respect to matters raised by either the Applicant or other Interested Parties as part of their Deadline 8 submissions. National Highways position has been provided in order to provide clarity to the Examining Authority on points of agreement, disagreement or where additional clarity is being sought in order to resolve the matters raised by National Highways as part of its Relevant Representation **[TR020005/RR/3222]** and Written Representation **[TR020005/REP1/088]**. These can be found in Table 1.1 below.

Table 1-1 National Highways Comments on any Submissions Received by Deadline 8

Reference	Examination Library Reference Number	Statement	National Highways Comment
Legal Partnership Authorities - Compulsory Acquisition Hearing 2 post-hearing submission			
Section 3.3	REP8-164	<p><u>Temporary and Permanent Access</u></p> <p>The Authorities noted that one sticking point in discussions has been the need to ensure that the temporary access required by the Applicant for its works could be constructed without prejudicing the delivery of a permanent access required for the Horley Strategic Business Park.</p> <p>On this issue, the Authorities contend that a joined-up planning approach is required to facilitate access to the allocated site particularly due to the importance of the junction on the strategic highway network. Although this junction might not remain part of the strategic road network post-project implementation, the Authorities noted that successive schemes of works would cause significant disruption to the same location and the Applicant should seek to avoid this. The Authorities have therefore advocated a solution allowing the Applicant's temporary access to be modified into the permanent access for the allocated site. This approach would require more detail and coordination between the parties.</p> <p>Whilst the Applicant asserts that their development should not need to design access so as to "cater for another development", the Authorities would emphasise that paragraph 15 of the National Planning Policy Framework makes clear that "the planning system should be genuinely plan-led". Given the Horley Strategic Business Park is an allocated site in the adopted Reigate and Banstead Development Management Plan, the Authorities maintain that it would be in accordance with national policy for the Applicant take the allocated site's need for permanent access into account when designing their temporary access.</p> <p>Whilst the Authorities understand that the Applicant's approach under the WebTAG guidance – which excluded assessment of the allocated site in the modelled Core Scenario of the transport assessment due to the absence of a planning application – reassurance is required regarding the combined effects on both the strategic and local highway networks of the Applicant's development and the allocated site development. Given the allocated status of the Horley Strategic Business Park and the complex highway design and network capacity constraints in this location, it would not be acceptable for the Applicant's development to take, in effect, a 'first come, first served' approach to utilising available capacity. Further assessment is required to establish that both developments could operate without prejudicing the strategic or local road networks. While the Applicant had provided some assessment as part of its cumulative assessment of transport impacts, the Authorities had not seen the detailed modelling and required further information to satisfy their concerns. There have been discussions regarding which of the parties need to provide information for this purpose, causing delays.</p> <p>The Authorities acknowledged the ExA's concern about this ongoing issue and committed to communicating effectively to provide the required information. Additionally, the Authorities noted that concerns remain about the justification for the attenuation pond, its rationale, and the feasibility of alternative locations. Noting the</p>	<p>National Highways refers the Examining Authority to its response provided in [REP4-079] to question CA.1.40 which stated the following:</p> <p><i>National Highways, as the relevant Highway Authority, does not support the temporary access proposals being converted to a permanent feature and listed as part of Work Number 35 in the dDCO [TR020005/REP3/006]. No designs, assessment, or modelling has been produced in connection with the operational impact of such a proposal, either as an access to Bayhorne Farm, or to facilitate the proposed Horley Strategic Business Park.</i></p> <p>National Highways agreement with the Applicant for the provision of the temporary access for the South Terminal Compound is on the basis that this access will be removed following the completion of construction activities associated with the Strategic Road Network.</p> <p>National Highways supports the Applicant's proposals for the location of the attenuation pond off South Terminal Roundabout and has not seen any other viable alternative which would meet National Highways requirements.</p>

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		<p>on-going nature of discussions, the Authorities explained that they will seek to identify any issues requiring the ExA's adjudication and are hopeful that productive work will narrow the areas of difference before the close of the examination.</p> <p>Post-Hearing Note:</p> <ul style="list-style-type: none"> • SCCaL and the Applicant have continued negotiations in relation to the points discussed at the hearing and SCCaL have received a revised offer from the Applicant. • At the time of writing, it appears unlikely that agreement will be reached in relation to the location of the attenuation pond. The Authorities consider that the location of this pond sterilises a part of the site that could lend itself to alternative uses and frustrates SCCaL's ability to bring this part of the site forward at a later date. • Despite the Applicant's references to an agreed position between SCCaL and the Applicant on flooding matters at CAH2, SCCaL do not consider that these matters are agreed. SCCaL would note that it appears there was no consultation on alternative locations proposed for the highway drainage as an alternative to Bayhorne Farm. Therefore, the Authorities remain of the view that the Applicant has chosen the easiest option and not considered alternatives, despite the site's allocation for employment uses. 	
The Applicant's Response to Actions ISH9: Mitigation			
Action Point 6	REP8-111	<p>7.1.1 The A27 Arundel Bypass will not now be funded. The Examining Authority has asked the Applicant to consider what effect has this for the analysis contained in the Transport Assessment. The following response is provided.</p> <p>7.1.2 The core modelling used in the Application does not contain the A27 Arundel Bypass scheme, so the recent announcement has no effect on the analysis presented in the Transport Assessment [REP3-058] or in ES Chapter 12: Traffic and Transport [REP3-016].</p> <p>7.1.3 Following discussions with National Highways, the A27 Arundel Bypass was included within the sensitivity testing reported in the Accounting for Covid-19 in Transport Modelling [AS-121]. This showed that the inclusion of the bypass in that post-COVID test led to only localised differences in flows on the network in that area, compared to the core modelling, and did not affect flows in the vicinity or on the approaches to the Airport.</p>	National Highways has reviewed the response provided by the Applicant and can confirm that they are satisfied with the conclusions that the Applicant has outlined.
Appendix 19.8.1 Public Rights of Way Management Strategy Version 3			

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Annex 1: Fire A (b)	REP8-089		National Highways notes that the diversion of this route would be via the National Cycle Route 21, as reported in Table 4.1.1, however according to the Figure Key, the diversion route is not shown in Figure A(b) contained in Annex 1. National Highways requests that this is updated for clarity.
2.1 Draft Development Consent Order - Version 10			
Schedule 9, Part 3, para 18(5)	REP8-005	<p>Indemnity</p> <p>(5) The undertaker's total liability pursuant to this Part of this Schedule (cumulatively) shall not exceed the greater of —</p> <p>(a) 30% of the cost of the specified works; or</p> <p>(b) £100,000,000 (one hundred million pounds).</p>	National Highways wholly rejects the Applicant's attempt to limit its liability in the protective provisions in this way. National Highways' position and preferred form of indemnity are set out in its Closing Submission document.