





# **GATWICK AIRPORT NORTHERN RUNWAY PROJECT – DEVELOPMENT CONSENT ORDER (DCO)**

## **CRAWLEY BOROUGH COUNCIL - IP Ref: GATW-AFP107 PRINCIPAL AREAS OF DISAGREEMENT SUMMARY STATEMENT**

**21 August ~~6 June~~ 2024**

**TrackedClean Version 4**

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## Introduction

This Principal Areas of Disagreement Summary Statement (PADSS) document [Version 4](#) has been prepared by Crawley Borough Council (CBC), with input from the joint authorities and appointed consultants where required. CBC is a host authority for the Gatwick Airport Northern Runway Project, which was accepted by PINS for Examination on 3<sup>rd</sup> August 2023. This document updates the PADSS submitted on ~~26 June~~ [March](#) 2024 [REP~~5-0852-040~~]. It identifies the remaining and some new principal areas of disagreement that have been identified as further work has been undertaken ~~in preparation of the Local Impact Report~~. ~~The PADSS now~~ [and](#) includes commentary on Project Change ~~4s1-3~~ reflecting the comments provided via a Written Representation submitted at Deadline [7](#) [REP7-120]3..

~~The Council hopes further engagement with GAL through the course of the Examination, including on Statements of Common Ground, 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':-~~

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

## AVIATION CAPACITY, NEED AND FORECASTING

Please note: Work continues to be ongoing between York Aviation and the Applicant regarding a joint local authority SoCG on operations/capacity and needs/forecasting.

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
ACNF1.	The capacity deliverable with the NRP Proposed Development	<p><del>The Applicant has produced updated simulation modelling of the future capacity of the runway with the NRP [REP1-054], which uses more appropriate assumptions about the separations required between departing aircraft but, nonetheless, indicates lower levels of delay. Further information has been sought regarding the calibration of this model to verify that it does not understate delays before it can be agreed that the NRP is capable of delivering the capacity uplift assumed over the longer term [REP4-052]. 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. 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.</del></p>	<p><del>Further information regarding the validation of the updated simulation modelling is required. Assessments should be based on a lower throughput of passengers with the NRP.</del></p>	<p><del>Uncertain—</del></p>

<p>ACNF 2.</p>	<p>The forecasts for the use of the NRP are not based on a proper assessment of the market for Gatwick, having regard to the latest Department for Transport forecasts and having regard to the potential for additional capacity to be delivered at other airports. The demand forecasts are considered too optimistic.</p>	<p>The demand forecasts have been developed 'bottom up' based on an assessment of the capacity that could be delivered by the NRP (see point above). It is not considered good practice to base long term 20 year forecasts solely on a bottom up analysis without consideration of the likely scale of the market and the share that might be attained by any particular airport.</p> <p>Alternative top-down forecasts have now been presented by GAL [REP1-052] that show slower growth in the early years following the opening of the NRP. These are considered more reasonable than the original bottom-up forecasts adopted by the Applicant but still fail to take adequate account of the extent to which some part of the demand could be met by expansion at other airports serving London including a third runway or other expansion being delivered at Heathrow.</p>	<p>The adoption of the top down forecasts, including an allowance for capacity growth at the other London airports as the base case for the assessment of the impacts of the NRP and the setting of appropriate controls on growth relative to the impacts.</p>	<p><del>Uncertain – discussions are ongoing.</del></p>
<p>ACNF 3</p>	<p>Baseline Case has been overstated leading to understatement of the impacts.</p>	<p>There is concern that it is unreasonable to assume that the existing single runway operation will be able to support 67.2 mppa meaning that the assessment of impacts understates the effects, see <b>REP4-049</b>. <u>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. GAL 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 NRP and the setting of appropriate mitigations and controls.</u></p>	<p><del>Uncertain</del></p>
<p>ACNF 4.</p>	<p>Overstatement of the wider, catalytic, and national level economic benefits of the NRP.</p>	<p>The methodology used to assess the catalytic employment and GVA benefits of the development is not robust <u>as it is not based on the use of available data relating to air passenger demand in the UK. The JLA's are not confident that</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</p>	<p><del>Uncertain – subject to remodelling of impacts by GAL.</del></p>

		<p><u>these assessments present a realistic position in terms of catalytic employment at the local level such that the results should not be relied on, leading to an overstatement of the likely benefits in the local area.</u></p> <p>The national economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement effects from other airports, as well as other methodological concerns.</p>	<p>robustly identified. <u>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>The national economic impact assessment should robustly test the net impact of expansion at Gatwick having regard to the potential for growth elsewhere and properly account for Heathrow specific factors, such as hub traffic and air fares.</p> <p><b>Updated Position (Deadline 95):</b>          Although the Applicant provided some further explanation in REP3-78 (pages 100-105) <u>and REP7-077</u>, 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</p>	
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			that displacement has adequately been accounted for in the employment estimates, not least as no account is taken of the extent to which growth at Gatwick would be displaced from other airports. When coupled with the concerns regarding the catalytic impact methodology as a whole, little confidence can be placed on the reliability of the estimates of net local employment gain.	
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## PROJECT DESCRIPTION, EXISTING SITE AND OPERATION

Ref	Principal Issue in Question	Concern Held	What needs to change/be amended / be included in order to satisfactorily address the concern	<del>Likelihood of concern being addressed during the Examination</del>
<p>PD1. Existing Site and Operation (CH4 – ES) and Project Description (CH5 – ES)</p>	<p>Clarification of airfield boundaries and what the various plans show.</p>	<p>Lack of clarity about current airport boundary / operational airport boundary and extent of land needed for and controlled by the DCO. The boundaries need to be understood on drawings and in context of drafting of DCO to be clear on airport limits, any permitted development provisions and to ensure drafting of the DCO and requirements are effective and enforceable. These matters were raised at ISH2 and in the West Sussex LIR Section 4. the additional information provided by GAL in response to the ISH2 ExA questions does not satisfactorily address this point.</p>	<p>Revised plans to address these points showing for both existing boundaries and that proposed under the DCO.</p> <p><b>Updated position (Deadline 5):</b> - The Council remains unclear as to extent of the operational land boundaries and would welcome a clear explanation of these. CBC notes the Applicant has provided a further paper on 'Excepted Development' at Deadline 4 [REP4-030] which supplements the Applicant's Response to Deadline 2 submissions [REP3-106]. CBC will provide its response at Deadline 5.</p> <p><a href="#">Deadline 9 – This is still unclear – see [REP8-165]</a></p>	<p><del>Uncertain</del></p>

## DESIGN AND ACCESS STATEMENT

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 the Examination
DAS1.	Lack of design quality controls and targets	Document has been prepared without any design ambition or commitment to measurable standards.	<p>There needs to be clear commitments to meet required policies and design standards, ensuring minimum compliance with the adopted Local Plan. This has been explained in more detail in Section 24 of the West Sussex LIR (24.79 - 24.85).</p> <p><b>Deadline 5 update</b> – While there has been some limited revisions made to the Design and Access statement this substantive document is still ‘illustrative’ and the Appendix 1 – Design Principles (latest version [REP3-056] which is the intended control document is still considered inadequate. Detailed commentary on the design concerns has been provided in the Joint Authority response to ExQ1 GEN 1.21 , GEN 1.22, DCO 1.39, DCO 1.56 and DCO 1.57 [REP3-135]. [REP4-064], [REP4-062] and Section 5 [REP-042]</p> <p><b>Deadline 9 update</b> – 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 and content of the DAS remain - see [REP8-126] CBC 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</p>	<p><del>Uncertain</del></p> <p><del>Deadline 5 update – A meeting was held with the Applicants on 30<sup>th</sup> May to discuss the idea of a ‘Design Panel’ but CBC consider this needs to be part of comprehensive design solution with an improved design control document and additional details provided for consideration and agreement prior to decision on the DCO</del></p>

			<p><a href="#">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</a></p>	
DAS 2.	Indicative status of majority of DAS and lack of 'design fix'.	Appendix A1 is an inadequate Control document of insufficient detail. .	<p>Applicant needs to work up more elements of the project in detail to enable more certainty on design of development. The design control document needs to contain much greater detail. (see comments in line 1 above).</p> <p><b>Deadline 5 update</b> – see comments in line 1 of this table above.</p> <p><a href="#">Deadline 9 update – please see commentary in DAS 1 above.</a></p>	Uncertain
DAS 3.	Lack of detail in document including lack of site context analysis, site constraints and opportunities (also lacking from ES Project Description)	Some aspects of development excluded from D and A document, also a general lack of contextual analysis including site opportunities and constraints. Insufficient information on design and visual impacts. This is of particular concern in environmentally sensitive locations.	<p>More detailed design work required to ensure design quality, protection of visual amenities and more information to form any 'control' document. More certainty and detail needs to be agreed now to safeguard sensitive works sites and sensitive environmental assets. (see comments in line 1 above).</p> <p><b>Deadline 5 update</b> – see comments in line 1 of this table above.</p> <p><a href="#">Deadline 9 update – This has been partially addressed in a piecemeal fashion by the Applicant by updating of some drawings within the DAS and some additional wording included in the Development Principles as well as updating some works descriptions in Schedule 1. The overall level of detail in the Development Principles to address site constraints, opportunities and wider context</a></p>	Uncertain

			<p><a href="#">and safeguards for these features is not considered to sufficiently addressed due to the persistent argument from the Applicant for flexibility and refusal to add illustrations and plans which could provide this certainty to the control document.</a></p>	
DAS 4.	Inconsistencies in documents within DAS and in relation to other supporting documents.	Conflicting descriptions and cross- referencing lead to uncertainty over what is proposed and which details should take precedent.	<p>Updates and corrections needed for consistency and certainty. Examples have been provided in Section 24 of the West Sussex LIR.</p> <p><b>Deadline 5 update</b> – With the lack of track changes on the main DAS , the iterative nature of the DCO process and the project changes introduced these inconsistencies are difficult to keep track of. These are being identified by the Authorities and amended by the Applicant as part of the ongoing process. It is suggested this matter is kept in the list for now until documents reach a more finalised form.</p> <p><a href="#">Deadline 9 – The problems remain. Current versions of the DAS issued at Deadline 7 are inconsistent with the Development Principles document issued at Deadline 8. See [REP8-126] sections 14 and 15 for further information.</a></p>	High
DAS 5. Section 7 and dDCO	Lack of defined parameters for some development and lack of on parameter plans and within Schedule 12 Control documents.	All development should have defined parameters for all elements including soil deposition and temporary storage areas	<p>Without agreed parameters for all the development it is questionable how design details can be controlled. The applicants have not explained this. This is a complex project with some build elements being EIA scale development in their own right. Ensuring sufficient control over the numerous design elements of such a substantial project is considered essential. This has been explained in more detail in sections 8, 11 and 24 of the West Sussex LIR in respect of Pentagon Field and larger built elements of the project in general.</p>	Uncertain

			<p><b>Deadline 5 update</b> – this point is not adequately addressed by the Applicant . The absence of such detail has been again raised in response to ExQ1 DCO 1.39 and DCO 1.56 [REP3-135]</p> <p><u><a href="#">Deadline 9 – Concern still remains about the parameter plans see [REP8-126 ]section 2. Additional details to justify the inclusion of works 9, 32, 41, 43 and 44 as 'listed works' in Schedule 12 have been provided in the Legal Partnership submission at deadline 9.</a></u></p>	
DAS 6. Section 9	Lack of detail on construction phasing	Need for further understanding on sequencing and co-dependencies between the project elements to ensure appropriate phasing and control of the development and ensure mitigations in place.	<p>Further detail needed to that a comprehensive phasing plan can be agreed and to ensure all impacts from that phasing and implementation are understood and can be mitigated.</p> <p>Updated position (Deadline 5): CBC seeks further information identifying the co-dependencies between project elements to fully understand the comprehensive phasing programme. This is also important to understand the resource implications on the council in discharging many of the detailed plans.</p>	Uncertain
DAS 7. Control Document OLEMP	Safeguarding of existing landscaping and protection of visual amenities	Lack of detail on landscape protection measures and zonal approach proposed in document is too vague giving inadequate control to safeguard impacts. This is further explained in Section 8 (8.43, 8.55-8.57 and 8.67) and Section 24 of the West Sussex LIR	<p>Significant detail needs to be added to these documents now to identify all important trees, hedges and landscape assets that could be impacted by the development. Mitigation principles need to be agreed now.</p> <p><b>Deadline 5 update</b> – The level of detail provided to date is still considered to be inadequate as while there has been work done by the Applicant on tree survey work and tree protection the design principles document is still lacking in detail and the works and parameter plans provided and intended as control documents do not give sufficient certainty. The Council has responded numerous times on this point across various references in respect of responses on general design, historic</p>	Uncertain

			<p>environment and landscape and visual impacts for example see section 5 [REP4-042] and in detailed design comments to GEN 1.21 and DCO 1.56 [REP3-135]</p> <p><b>Deadline 9</b> – <a href="#">CBC acknowledge the tree survey information and revisions to the OLEMP provided during the course of the Examination. While safeguards are now identified for key landscaping features during construction, the level of tree removal remains a concern particularly where these plans are near sensitive locations such as screening to listed buildings and along the southern airport boundary with Charwood Road.</a></p>	
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## LANDSCAPE, TOWNSCAPE AND VISUAL IMPACT

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 the Examination
LTVI1.	Absence of tree mitigation strategy or any acknowledgement of CBC requirements under policy CH6 in the adopted Crawley Borough Local Plan	There is no recognition of the landscape impact from the loss of trees within the DCO area and no robust measures to mitigate tree removal. Applicant needs to address this key policy and respond in this document and control documents to provide adequate mitigation. Applicant's development should comply with the requirements of policy CH6. (see West Sussex LIR including references at 8.1C, 8.67 and Section 9).	<p>Applicant needs to address this key policy provide adequate mitigation to comply with the requirements of policy CH6.</p> <p><b>Deadline 5 update</b> – CBC welcome the Applicant's acknowledgement of this policy however the level of detail provided to date means that it is not yet clear if a policy compliant tree mitigation strategy is being proposed. Recent commentary on this point and tree related matters is set out within section 3.1, section 7.1 and 7.2 [REP4-042]</p> <p><a href="#">Deadline 9 – The recognition of of this policy is welcomed, Condition 39 [REP8-005] is a positive addition but the wording requires refinement to fully address the policy and to secure replanting earlier in the Project. Leaving the the tree balance until 2038 to identify any shortfall is too late.</a></p>	Uncertain
LTVI 2.	Lack of controls over visual impacts for some key project sites which are in sensitive locations including those near rights of way or close to the site boundary.	Concerns held that there is no control in relation to the townscape /landscape impact (both overall scale, landscape loss and lack of understanding of context) to ensure that future development does not harm the character of the area. These are identified in Section 8 and Section 11 of the West Sussex LIR.	<p>Additional information to be provided and associated mitigation to be reviewed and amended.</p> <p><b>Deadline 5 update</b> – no additional information provided which addresses this point</p> <p><a href="#">Deadline 9 update- concerns remain see DAS1.</a></p>	Uncertain



<p>LTVI 3.</p>	<p>Draft Development Consent Order, Requirements and Schedule 11 documents</p>	<p>Concern remains in relation to the controls to ensure the visual impacts of the development are appropriately mitigated.</p>	<p>Applicant to provide further information in relation to proposed landscape and visual impacts and further discussion and agreement needed on DCO wording. Further information has now been set out in the West Sussex LIR for the GAL's consideration.</p> <p><b>Updated position (Deadline 5):</b> CBC maintains that controls are still inadequate to control visual impacts, due to the limited level of detail in the Project documents see recent references in response to GEN 1.21 and DCO 1.56 [REP3-135].</p> <p><u><a href="#">Deadline 9 update – Draft DCO and Requirements are still subject of discussion and concerns remain (see submission at Deadline 9) and [REP8-163] and [REP8-126] sections 14,15 and 23 in relation to design.</a></u></p>	<p><u>Uncertain</u></p>
<p><u>LTVI 4.</u></p>	<p><u>Planning Statement Para 8.17.11</u></p>	<p><u>It is not clear how the mitigation referred to in para 8.17.11 (Artificial Light, Smoke and Steam) will be secured.</u></p>	<p><u>Applicant to provide further information</u></p> <p><u>-Updated position (Deadline 5): This matter is still not resolved due to the inadequacies of Appendix 1 of the Design and Access Statement. Based on the response in the SoCG (2.14.4.5) it is not clear how the operational lighting framework ties into the mitigation DCO 1.3 [REP4-062]</u></p>	<p><u>Uncertain.</u></p>

## HISTORIC ENVIRONMENT

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 the Examination
<p>HE1. Code of Construction Practice (CoCP: Document 5.3.2)</p>	<p>Management of Historic Environment effects.</p>	<p>Section 5.2 (Historic Environment) of the Code of Construction Practice does not reflect the work proposed. The objective should be to protect or mitigate the setting of built heritage and the recording of affected archaeological deposits.</p> <p>Section 6.1 (Roles and Responsibilities) does not detail a Heritage Clerk of Works.</p>	<p>Further information is needed which should be related to the methodology proposed within the submitted Written Scheme of Investigation (Document 5.3, Appendix 7.8.2).</p> <p>A Heritage Clerk of Works should be appointed to manage the heritage and archaeological facets of the project.</p>	<p>High. — Updated position (Deadline 1): CBC are happy to discuss at the TWG both the wording of the CoCP and the need for a Clerk of Works. The extent of the proposed archaeological programme is at present not agreed but the document proposed under 7.2 will assist these discussions.</p> <p><b>Deadline 5 update:</b> No documents submitted to examination to date to address these concerns</p>
<p>HE 2. Environmental Statement (Chapter 7: Historic Environment)</p>	<p>Lack of historic background to the airport.</p>	<p>No clear understanding or description of the history of the airport development.</p>	<p>Provide an appropriate history of the development of the airport from the first half of the 20<sup>th</sup> century and relate this to the potential archaeological impact of the scheme and where areas may be disturbed.</p> <p><b>Deadline 5 update:</b> The Applicants have shared a draft report with CBC which is to be submitted into the Examination</p>	<p>High — GAL have indicated in SoCG (V1 — March 24) that it will prepare such a report and will discuss this with CBC via Topic Working Groups.</p> <p><b>Deadline 5 update:</b> A draft report has been shared and addresses the planning history of the airport.</p>
<p>HE 3. Environmental Statement (Chapter 7: Historic Environment)</p>	<p>Lack of archaeological evaluation within the airport perimeter.</p>	<p>The scheme of archaeological investigation undertaken prior to the submission of the DCO application has been focused on areas within the proposed development that were easily accessible and has not covered all potential areas of impact.</p>	<p>Appropriate commitment (with description and methodology) given within the Written Scheme of Investigation (Document 5.3, Appendix 7.8.2) to undertake investigations in all areas under threat from the proposed development, which have not been shown to have been disturbed/destroyed by previous development.</p> <p><b>Deadline 9 update:</b> Although the submitted report detailing the history and development of the airport has resolved the majority of</p>	<p>Uncertain — no progress to date on this issue</p> <p><b>Deadline 5 update</b> — discussions are ongoing — details to be included in revised WSI.</p>

			<p><u>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.</u></p>	
<p>HE 4- Document 5.3, Appendix 7.8.2</p>	<p>Proposed mitigation on areas already evaluated.</p>	<p>There is concern that the proposed mitigation identified within the WSI on areas that have been evaluated is not sufficient and will need to be expanded. A list of concerns regarding the proposed mitigation method and extent has been provided within the LIR and we would suggest that these can be discussed and hopefully agreed at the next TWG.(Section 7).</p>	<p>Improved and expanded mitigation strategy within the WSI.</p>	<p>High</p> <p><b>Deadline 5 update</b>—discussions are ongoing—details to be included in revised WSI.</p>
<p>HE 5- Document 5.3, Appendix 7.8.2</p>	<p>Proposed building recording of control tower.</p>	<p>Proposed level 2 recording not appropriate for this type of rare structure.</p>	<p>Needs to be increased to a level 3 record and should be identified as a heritage asset.</p>	<p>High—Level 3 recording has been agreed by GAL but this now needs to be reflected in a revised version of the WSI for West Sussex.</p> <p><b>Deadline 5 update</b>—The applicants again confirmed verbal agreement to level 3 recording at the meeting held on 31<sup>st</sup> May 2024, this needs to be incorporated into the WSI.</p>
<p>HE 6- Document 5.3, Appendix 7.8.2 and Code of Construction Practice (CoCP: Document 5.3.2)</p>	<p>No proposals for heritage community outreach which would normally be expected from a development of this nature.</p>	<p>No potential heritage community engagement identified in section 4.12.</p>	<p>Identify an outreach programme to inform the local area and heritage community of the results of the archaeological work.</p> <p><b>Deadline 5 update</b>—This aspect would be included within the West Sussex WSI</p>	<p>GAL have indicated in SoCG (V1— March 24) that they are happy to discuss adding a section regarding community engagement into the WSI for West Sussex. CBC are willing to engage and discuss further. Uncertain</p> <p><b>Deadline 5 update</b>— This matter was discussed with the Applicant</p>

<p>HE 7. Document 5.3, Appendix 7.8.2</p>	<p><del>There needs to be clarity within the documentation on the role of the local authority archaeologist in signing off the archaeological mitigation.</del></p>	<p><del>The submitted documentation fails to define a procedure for the monitoring and signing off of the archaeological and building recording mitigation works.</del></p>	<p><del>Clear sign off procedure needed, detailed within Written Scheme of Investigation.</del></p>	<p><del>on 31<sup>st</sup> May who agreed to explore this further.</del>                  GAL have indicated in SoCgG (1 – March 24) that happy to discuss adding this to WSI (matter to be progressed via TWG and SoCG discussions – High   <b>Deadline 5 update:</b> No documents submitted to examination to date to address these concerns</p>
<p>HE 8.</p>	<p>Impact on setting of nearby listed heritage assets</p>	<p>There is no evidence in this submission that the setting is not harmed though visual impact or light impacts.</p>	<p>Evidence to be provided and further information needed to understand how the proposed control documents such as the Design and Access Statement and Lighting strategy address these impacts / provide adequate safeguards for these assets. This point has been explained in more detail in Section 7 of the West Sussex LIR.</p> <p>Deadline 5 Update: This point is still unresolved see response to HE.1.1 and HE.1.3 [REP4-065]</p> <p><b>Deadline 9</b> – This has still not been satisfactorily addressed in respect of <u>Charlwood Park Farmhouse and Charlwood House due to the lack of detail with the Development Principles document [REP8-090] and inconsistency with parameter plan and for Charlwood Park Farmhouse with the absence of information from project change 4 on works site 32</u></p>	<p><del>Uncertain</del></p>

## AGRICULTURAL LAND USE AND RECREATION

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
ALUR1	Quality of and impacts upon existing recreational routes affected by the DCO works during and post construction	Lack of detail on the impacts on existing recreational routes as result of the works and the measures proposed to protect users (e.g., lorry routing, dust, damage to surfacing). Lack of detail or acknowledgement of potential opportunities to enhance and improve these routes for benefit of local community and for promotion of active travel. Further detail is set out in Section 11 of the West Sussex LIR (11.22-11.25, 11.28, 11.30)	<p>Further detail needed on impacts and mitigations during construction and information on reinstatement and potential enhancements. Detail required to ensure rights of way remain open and safe to use. (See Table 11.1a , 11.1B and 11.1D for suggested mitigation</p> <p>Deadline 5 update – The Applicant has not considered the requests in the West Sussex LIR [REP1-068]. The Council’s position is set out most recently in paragraph 2.80 of the West Sussex Authorities comments to submissions made at Deadline 3 [REP4-042</p>	–Low
ALUR 2.	Appropriateness and adequacy of the proposed open space and recreation provision	Car Park B - Whether location is appropriate and lack of detail on the quality amenity benefit, function purpose, use and management. Museum Field – quality of provision/ usability of space and connectivity with surroundings. Further detail is set out in Section 11 of the West Sussex LIR (Car Park B 11.29 and Museum Field 11.26)	<p>Further detail needed on routes and linkages, landscaping, signposting, amenity benefit, function, timing and delivery purpose and management of these spaces. See Table 11.1C for suggested mitigation and 11.31 in relation to Museum Field.</p> <p><b>Updated position (Deadline 5):</b> CBC consider there is sufficient information provided to understand the proposed delivery and maintenance of the southern part of Car Park B (which is the portion within the Borough Boundary) as open space. Subject to delivery and long term maintenance of the land being secured with appropriately worded provisions in the dDCO and OLEMP the wording of which is still under discussion, this point could be resolved.</p>	<p>High – Car Park B</p> <p>Uncertain – Museum Field</p>

			<p>Museum Field – Concerns remain [see REP4-066], [REP3-135 – page 45] and [REP1-068] - chapter 11 (as referenced above).</p> <p><u><a href="#">Deadline 9: The connectivity of Museum Field via a permissive path/crossing to Horley Road has not been acknowledged by the Applicant in its latest control documents and this is disappointing despite a positive meeting back in July [.REP7-110] L.U.2.5 This should be a clearly stated commitment for this site with the caveat that the matter is with Surrey County Council to investigate whether there are any highway safety objections and whether a further safety audit is required.</a></u></p>	
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## ECOLOGY / NATURE CONSERVATION AND ARBORICULTURE

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
ENA1	The extent of loss of mature broadleaved woodland (net loss over 5 ha)	<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 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"> <li><u>1. As a Priority Habitat, there should be no net loss of deciduous woodland</u></li> <li><u>2. New woodland planting may take many decades to reach maturity and fully compensate for that lost</u></li> </ol> <p><u>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>	<p>The Applicant should seek additional compensation measures, if necessary off-site, to ensure no adverse impacts on broadleaved woodland habitat and bats.</p> <p>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 OLEMP, and further explanation of the woodland BNG calculations</p> <p><u>Deadline 9:</u> <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>	Uncertain
ENA2	Lack of approaching assessing and addressing ecological impacts at a landscape scale	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	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	Uncertain

		<p>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 connectivity across the airport and wider landscape remains a concern.</p>	<p>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>	
ENA3	<p>Lack of opportunities for biodiversity enhancement</p>	<p>Many potential opportunities for biodiversity enhancement, both within and outside the DCO limits, were never explored.</p>	<p>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 Crawter's Brook.</p> <p>This concern is repeated in the Joint West Sussex LIR. CBC hopes to have further discussions with the Applicant, including regarding the landscape design for the internal road network.</p>	<p>Uncertain</p>
ENA4	<p>Need for security of long-term positive management of the two biodiversity areas – the North West Zone and Land East of the Railway Line.</p>	<p>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.</p>	<p>A legal commitment to provide certainty that these two biodiversity areas will continue to be managed for wildlife.</p> <p>The Joint West Sussex LIR request greater clarity and commitment in the OLEMP regarding the long term positive management of these areas.</p>	<p>Likely</p>
<p><b>Arboriculture</b></p>				
ENA5	<p>Evidence for null findings of ancient or veteran trees, as well as important hedgerows.</p>	<p>No demonstration that these receptors have been appropriately surveyed, nor followed appropriate methodology.</p>	<p>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.</p>	<p>Likely</p>
ENA6	<p>Need for further demonstration that the Project proposals have been adequately designed with consideration of arboricultural features</p>	<p>Potential loss or impacts to multiple arboricultural features which may be avoidable, mitigated or better compensated for.</p>	<p>Provide a full arboricultural assessment for all arboricultural features in line with BS5837:2012 (inclusive of an impact assessment, outline method statement and tree protection plans).</p> <p>Within the Arboricultural Impact Assessment (REP1-026):</p>	<p>High (if further discussion is initiated)</p>



	through avoidance, mitigation or compensation.		<ul style="list-style-type: none"> <li>• Provide further detail of project proposals to demonstrate the need for the proposed tree removals, notably high quality and TPO trees (justify why mitigation measures would not be appropriate).</li> <li>• Provide design principles which may reduce tree loss during detailed design</li> <li>• Identify how Horleyland wood (and 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).</li> <li>• Identify how compensatory tree planting proposals considers Local Plan Policy CH6 of the Crawley Borough Local Plan 2015–2030 of the Joint West Sussex LIR0</li> </ul>	
ENA7	The Outline Arboricultural Method Statement does not demonstrate sufficient methodology for tree protection including ancient woodland buffer zones.	Potential for adverse impacts to arboricultural features, including irreplaceable habitat, due to a lack of tree protection.	<p>Within the Outline Arboricultural Method Statement (REP1-023; REP1-024 and REP1-025):</p> <ul style="list-style-type: none"> <li>• Provide protection measures to be adopted for ancient woodland buffer zones.</li> <li>• Provide affirmative wording throughout (avoiding such words as 'should').</li> <li>• Address conflicting working methodologies (such as 3.2.3 and 4.1.1 conflicting with 3.4.1)</li> <li>• Provide working methodologies for all types of works which may occur with root protection areas of retained trees (including landscape works)</li> <li>• Amend Section 4.4 to ensure monitoring is recorded and accounts for other tree protection measures such as ground protection.</li> <li>• Provide 'heads of terms' and general principles to be included within the detailed arboricultural methods statements</li> </ul>	Likely

			<p>which accounts for all working methodologies near trees, tree work operations and provision of physical tree protection.</p> <ul style="list-style-type: none"> <li>Identify what will be shown within tree protection plans.</li> <li>Identify when arboricultural advice or supervision will be required for working methodologies near trees.</li> </ul> <p>Where appropriate, amend the CoCP to reflect any changes as a result of the above.</p>	
ENA8	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 needs to provide adequate aftercare for tree planting (as detailed within paragraph 9.72 of the Joint West Sussex LIR).;	High
ENA9	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.	High
1. ENA10	Compensation strategies for tree, woodland and hedgerow loss does not demonstrate adequate compensation.	The net loss of woodland, the fragmentation of habitat connectivity, and the long-term effect from the time required to establish new planting.	The OLEMP lacks demonstration that compensatory tree planting proposals consider local plan policy CH6 of the Crawley Borough Local Plan 2015 – 2030 (as detailed within para 9.73 of the Joint West Sussex LIR).	Likely

## WATER ENVIRONMENT

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
<del>WE1.</del>	<del>In respect of the overall drainage strategy CBC remain concerned that the concept designs did not provide sufficient. It would be helpful if GAL could share the Consultee comments from key stakeholders such as the Environment Agency to understand how aligned or otherwise, they are with our views on the drainage and FRA work done to date. It was not clear how all this has progressed from the PEIR consultation.</del>	<del>These need to be circulated in advance before the TWG if meaningful feedback is expected.</del>	<del>CBC would like to see the evidence behind the FRA work that underpin the concept design.</del>	<del>Low</del>
<del>WE2.</del>	<del>Drainage—South Terminal Roundabout substantial modification to surface water pond.</del>	<del>CBC request the design parameters for the new pond are provided if this proposal is to be taken forward along with details of the changes that will be carried out on the existing pond, the impact and mitigation measures and most importantly, of how water quality has been addressed in accordance with the SuDS manual.</del>	<del>CBC and other stakeholders would like to see the design parameters for the new pond and the mitigation measures put in place</del>	<del>Low</del>
<del>WE3.</del>	<del>Evidence to show that the connection between the museum field compensation storage area and the river Mole will not have a detrimental effect on the geomorphology of the watercourse bed.</del>	<del>CBC also requests confirmation of how the possible adverse effect of this connection will be mitigated. GAL in APP083 has proposed to use soft/bio engineering at the connection between the new flood compensation areas and the river Mole. This connection has to be properly managed to prevent further environmental disaster to the geomorphology and the bank of the watercourse. Although at this stage GAL's proposal is a generic statement, but a more detailed information of the</del>	<del>CBC would like to see the evidence of the work done in this area and a plan showing how any identified adverse effect on the watercourse geomorphology will be mitigated.</del>	<del>High</del>

		type of soft engineering and how it will be implemented is expected at the sooner rather than later because of the significance of this connection to the overall drainage strategy and future environmental issues		
WE4.	CBC request further information of the likely landscape and visual impacts from the attenuation features proposed at Car Park X and Car Park Y.	Car Park X and Y works may have potential negative impact on nearby buildings	Can further details be provided of what these works consist of and what the impacts are.	High
WE5.	GAL has proposed an additional three hectares of carriageway will be created from the proposed work to the highway and three attenuation basins and two oversized pipes have been planned as part of the highway drainage strategy to mitigate the increase in impermeable area	The proposal can be improved, and this should be an opportunity for GAL has only provided details of how water quantity will be mitigated and that water quality have been reviewed using HEWRAT assessment and DMRB, while these may have considered certain aspect of water quality, but the acceptable approach is the SuDS manual and GAL should provide details of how water quality will be mitigated using the SuDS manual.	A code of construction practice APP083 has been provided by GAL. The measures set out in this document to manage water quality and potential flood risk during the construction phase are generic and a more site specific and design related plan will be required. Most likely more relevant information will be made available after the detailed design. An improved proposal with more done around water quantity and quality mitigation.	Low
WE6.	While it is understood that there is the need for GAL to attenuate water using systems that can be designed to reduce the attraction of birds	The use of concrete attenuation structures if possible be avoided.	the use of a more sustainable approach with reduced carbon footprint will be the preferred option rather than using designs with a high carbon footprint. Although, GAL has proposed in APP 078 to use soft engineering where there is a connection between the new flood compensation areas and the watercourse, but what kind of flood features will be adopted for the FCA is not stated.	Low
WE7.	Residual risk when flood structures are overwhelmed.	While Gal has proposed several mitigation strategies as it relates to flood risk, how they intend to deal with possible residual risks in the event these structures are overwhelmed or a possible blockage on the watercourse	The need to consider residual risk residual risks should be identified, and if possible, this should be considered as part of the drainage mitigation strategy is a statutory requirement and such risk should be used to inform the design during the drainage design especially flow paths when the	Low

		<del>should be identified. Possible blockage on the flow system.</del>	drainage system is overwhelmed <u>or there is a blockage in the system</u>	
WE8.	<del>The proposed highway drainage strategy will reduce discharge by 38% to the Gatwick stream and 50% to the river Mole</del>	<del>Can GAL have a look at the effect this reduction in discharge will have on biodiversity and provide mitigation where necessary</del>	<del>CBC would like to see the evidence of the work done in this area and a plan showing how any identified adverse effect on the biodiversity of the ecosystem will be mitigated.</del>	<del>Low</del>
WE9.	Overlap between drainage and ecology matters in relation to the northwest area and the impact on the river Mole	It would be good to understand the impact the drainage design and engineering solutions have on ecology in relation to matters such as sediment build up, flood overflow, de-icer storage and pollution control measures.	Further information should be provided on the management of both the drainage features and ecological mitigation measures.	Low
WE10.	<del>Inconsistency with the design life of what constitute a surface access work and an airfield access work</del> <u>Climate change allowance for fluvial mitigation strategy</u>	GAL has stated that a joint <u>fluvial</u> mitigation approach has been adopted for both the surface access and the airfield structures using a 100-year return period and 20% CC. GAL should be using a 40% CC because the 2080's epoch for GAL is up to 20132, which is 7 years more than the EA's 20125 standard for the 2080's epoch. <u>Although the GAL has said a sensitivity test has shown that the extra 7 years will not have a significant impact, but this does not address our concerns and the use of a 40% CC will provide a more robust mitigation strategy.</u>	GAL's allowance for climate change should be 40% and not 20% because their 2080's epoch exceeds the EA standard by 7 years	Uncertain
WE11.	<del>Water demand mitigation</del> <u>Climate change allowance for Pluvial mitigation strategy</u>	<del>No specific water use targets, and no commitments to ensure sufficient water supply impacts in an area of water stress. This point is explained in Section 24 of the West Sussex LIR para 24.83 and Table 24.1D.</del>	Commitment to specific targets and defined measures  <b>Deadline 5 update</b> – No detailed response on this point has been provided on why the water targets set out in policy ENV9 cannot be met.	Uncertain

		<p><u>The surface water drainage hydraulic model has been designed for the 1% AEP event plus a 25% allowance for climate change for the airfield works, assuming a lifetime of 40 years. According to the Environment Agency guidance (Flood risk assessment: climate change allowances (2022), the drainage system should be designed for the 1% AEP event plus a 40% allowance for climate change if the lifetime of the development is 2100 or beyond.</u></p> <p><u>During ISH 7, the Applicant acknowledged that some individual elements within the airfield works may have a lifetime longer than 40 years, therefore we consider that a more extensive lifetime is used in the assessment. Additionally, there is existing airport infrastructure, which is either 40 years or older and still in use, which demonstrates that the proposed airfield works may also be in place for longer than 40 years. As such, WSCC considers that a</u></p>	<p><u>Deadline 9:</u>  <u>GAL's allowance for Pluvial climate change mitigation strategy should be 40% and not 25% because some of the airfield structures have a life of more than 40 years or will continue to be used and a more robust strategy using a 40% CC allowance should be used.</u></p>	
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		<p>lifetime of at least 75 years should be used and an increased climate change allowance of 40%. The Applicant should therefore design to the 1% AEP event plus a 40% allowance for climate change or provide justification for the lifetime of the development.</p>		
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## TRAFFIC AND TRANSPORTATION

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 the Examination
<p><b>The Council also endorses the PADSS submitted by West Sussex County Council as the Highway Authority particularly regarding the transport modelling and mitigation for impacts on the highways which are not repeated here.</b></p>				
TT1.	<p>Surface Access Commitments (SACs) and the proposed controls, should the surface access mode shares not be met. —target mode shares</p>	<p><del>Insufficient evidence and justification provided to demonstrate how the target mode shares will be achieved. Stronger commitment to the aspirational mode shares should be made. As per the feedback of West Sussex County Council as Highways Authority, the council retains concerns that it will be challenging to achieve the 55% public transport mode share target through the identified bus and coach measures alone, i.e. without wider bus priority measures nor any changes to rail.</del></p> <p><del>There is an opportunity to increase the attractiveness of alternative modes of travel, i.e. through bus priority measures to deliver journey time savings, or a clearer approach as to what rail interventions can be made. Such measures could support delivery of the 55% mode share target for public transport, or enable a greater percentage of staff and passengers to access the airport via sustainable transport modes.</del></p> <p><del>West Sussex LIR Paras 17.72 to 17.93 refer.</del></p> <p><u>The CBC Position is as per that of WSCC as the Highways Authority, as set out below:</u></p>	<p><del>SACs and associated mitigation to be reviewed with more clarity on specific sustainable travel improvements</del></p> <p><u>The SACs and associated mitigation to be reviewed and amended.</u></p>	Uncertain



		<p><u>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 of suitable control should the SACs not be met.</u></p> <p><u>Whilst the ExA's revisions to requirement 20, which are supported by the Highway Authority, and the Applicant's supplements to the SACs, 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 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.</u></p> <p><u>The specific concerns, relating to the SACs, are set out in the Joint West Sussex LIR but include:</u></p>		
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|  |  | <ul style="list-style-type: none"> <li>• <b><u>Transport Forum Steering Group (TFSG)</u></b><br/> <b><u>Terms of Reference</u></b> – 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 TMFDG, the ToR or the main 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.</li> <li>• <b><u>ISH 9 additional controls to requirement 20</u></b><br/> – 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.<br/><br/> 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.<br/><br/> 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 able to use the South Terminal Office</li> </ul> |  |  |
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		<p><u>(on former car park H). This has not been included in the latest version of the SACs.</u></p> <ul style="list-style-type: none"> <li>• <b><u>Commitment 12 Staff Travel</u></b> – 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.</li> <li>• <b><u>Commitment 13 Sustainable Transport Fund</u></b> – 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 indexed. This is to ensure 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.</li> <li>• <b><u>Commitment 16 Monitoring Commitments</u></b> – 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</li> </ul>		
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		<p><u>control of GAL, which could impact on its ability to achieve the mode share commitments.</u></p> <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 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>WSSC 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 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>		
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TT2.	Surface Access Commitments – rail	<p>High rail mode shares are critical to the SACs but there are no measures to enhance rail services or further improve the station, despite the evidence demonstrating services on the Brighton Mainline are already and will continue to be overcrowded with just standing capacity available and the station will be congested at times.</p> <p>At ISH4, the GTR representative raised concerns about over-crowding/standing for both peak and off-peak services, and advised that increased rail capacity is needed to accommodate additional air passengers on top of domestic passengers as a minimum. GTR suggested that a reasonable, proportionate contribution would be sought towards increasing rail capacity.</p> <p>This reflects concerns raised by the Joint Local Authorities regarding impacts on the Brighton main line, as set out at Paragraphs 17.43 to 17.47 of the West Sussex LIR.</p>	<p>Request that GAL continue dialogue with Network Rail to agree appropriate mitigation and provide funding to support rail improvements.</p> <p><b>Updated position (Deadline 5):</b> The Applicant's updated position of April 2024 (as set out in SoCG Row 2.20.4.1) is noted and that an updated version of the Surface Access Commitments (REP3-028) has been submitted at Deadline 3. However, this revised document does not include any further mitigation in relation to bus priority measures. Whilst it makes reference to working with rail operators to increase mode share under 'Further Aspirations', opportunities to maximise the contribution of rail access do not look to have been explored as part of the proposed SACs. Concerns remain that there is insufficient mitigation and controls within the SACs (REP3-028) to ensure that the modal split commitments are delivered.</p>	Low
TT3.	Surface Access Commitments – Active Travel connections	<p>Enhancements to routes beyond the immediate airport connecting to wider networks, particularly improvements to NCR21 south to Crawley are essential to meet staff mode share targets, given how low current Active Travel mode share is. This is discussed at 17.92 of the West Sussex LIR. GAL's commitment to developing an ASAS to support the SAC document, and to engage with the local authorities regarding active travel infrastructure is acknowledged. However, certainty on the delivery of required improvements is</p>	<p>Ensure improvements to active travel connections are provided (or funding and agreed commitments for delivering these)</p> <p><b>Updated Position (Deadline 5):</b> CBC welcome recognition (SoCG Row 2.20.4.3) that additional active travel interventions will be delivered by the Applicant as and when necessary to support achieving the mode</p>	Uncertain

		<p>needed to determine if the effectiveness of the staff active travel mode share targets are realistic.</p>	<p>share commitments, particularly for staff mode share. This is more positive than the response to the same issue raised in 2.1.3.1 of the CBC/GAL SoCG.</p> <p>- <b>Updated position (Deadline 9):</b>  <a href="#">There are 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.</a></p>	
<p>TT4.</p>	<p><a href="#">Surface Access Commitments – Bus services</a>  <a href="#">Bus Priority Measures</a></p>	<p>Commitments made in relation to bus and coach service provision should include Route 200 (from Horsham, through Crawley’s western neighbourhoods and Manor Royal to Gatwick Airport). The Joint Local Authorities note that the Applicant’s response in the SoCG appears to focus on roads within and close to the airport, but this misses the point that improvements across the whole network should be supported. Bus priority measures across the network to reduce journey times should also be included. This is discussed at 17.32 to 17.36 of the West Sussex LIR.</p>	<p>Provide bus priority measures that achieve improvements on the wider network (or funding for these), not just roads that are within the control of the Applicant. For example, funding improvements to Route 200 continue to be considered necessary.</p> <p><b>Updated Position (Deadline 5):</b> The Applicant’s updated position of April 2024 is noted and that an updated version of the Surface Access Commitments (REP3-028) has been submitted at Deadline 3. However, this revised document does not include any further mitigation in relation to bus priority measures or other sustainable transport modes. Concerns remain that no measures are to be implemented that would increase the attractiveness of alternative modes of travel that would offer time savings over use off the private car such as bus priority measures to deliver journey time savings. Concerns remain that there is insufficient mitigation and controls within the SACs (REP3-028) to ensure that the modal <del>split</del> commitments are delivered.</p> <p><b>Updated position (Deadline 9):</b></p>	<p><del>Uncertain</del></p>

			<p><u>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.</u></p> <p><u>As per the views of WSCC as Highway Authority, CBC 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.</u></p> <p><u>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.</u></p>	
<p><u>TT5.</u></p>	<p><u>Surface Access Commitments -Transport Mitigation Fund</u></p>	<p><u>The Transport Mitigation Fund, as currently proposed by GAL, would provide £10million over a nine year period. We question if this is sufficient, and whilst there remains uncertainty as to what projects this is intended to cover, if there is expectation that it is used for Active Travel north/south/ east/west of the Airport, plus bus priority and/or service improvements across the wider network on routes serving the airport, and potentially also rail improvements, then the £10million is unlikely to be sufficient. As an example, improvement of Crawley Route A alone (Gatwick Airport to Town Centre via Manor Royal) is currently estimated through the Crawley Local Cycling and Walking Strategy (LCWIP) to cost between £4.06m and £7.2m. Three other Active Travel Route improvements are referred to in the West</u></p>	<p><u>Clarify nature and scale of funding — under discussion as part of S106 agreement</u>  <u>Updated position (Deadline 9): This matter is subject to ongoing discussion through negotiation on the S106 agreement. CBC notes that whilst discussion remains ongoing, the principle of funding is broadly agreed.</u></p>	<p><u>High Subject to confirmation of the S106, this point is agreed.</u></p>

		<p>Sussex LIR (Para 17.92) as mitigation for the DCO— these are collectively costed at between £5.09m and £14.22m.</p> <p>This point is not covered in detail in the West Sussex LIR as discussion has been ongoing. We note that the Transport Mitigation Fund remains subject to ongoing negotiation through the S106 agreement process.</p>		
TT6.	<p>Surface Access Commitments —Sustainable Transport Fund</p>	<p>Commitment to continue the parking levy to support the Sustainable Transport Fund is welcomed but the amount per space needs to increase to compensate for the proportionate decrease in staff and passenger parking. This matter is subject to ongoing negotiation through the S106 agreement process.</p> <p>Paragraph 17.86 of the West Sussex LIR refers.</p>	<p><del>Ensure that the Sustainable Transport Fund methodology provides sufficient funding to support sustainable transport access to the airport in line with passenger growth.</del></p> <p>This point does not appear to have been responded to by the Applicant in the SoCG.</p> <p>Under discussion as part of S106 agreement.</p> <p><b>Updated Position (Deadline 5):</b> This matter is subject to ongoing discussion through negotiation on the S106 agreement.</p> <p><b>Updated position (Deadline 9):</b> <del>CBC note that whilst discussion is ongoing with regards to the S106, the principle of the SACs being secured by requirement is agreed. As the Applicant will be required to deliver upon the SACs, and this is the case irrespective of funding, the specific point regarding a Sustainable Transport Fund is no longer being pursued.</del></p>	<p>High <del>No longer pursued</del></p>
TT7.	<p>Surface Access Commitments —Parking Enforcement</p>	<p>CBC welcome the Applicant's offer to make an annual financial contribution towards airport-related parking investigation/enforcement. We do however have concern that the monies proposed are not sufficient to fund a post at the required level. This matter is subject to ongoing negotiation through the S106 agreement process.</p>	<p>Clarify the nature and scale of funding. Under discussion as part of S106 agreement.</p> <p><b>Updated Position (Deadline 5):</b> This matter is subject to ongoing discussion through negotiation on the S106 agreement.</p>	<p>High</p>



		Paragraph 17.86 of the West Sussex LIR refers:		
TT8.	Surface Access Commitments – enforcement	<p>The proposed monitoring framework does not demonstrate how remedial action, should it be necessary, will be secured nor what sanction will be in place should commitments remain unmet.</p> <p>CBC remain of the view that a more robust approach is required to ensure that growth in passenger numbers is suitably aligned with the applicant delivering upon its surface access commitments. Greater certainty should be provided through a ‘Green Controlled Growth’ approach similar to that progressed at Luton Airport, whereby the growth of the airport is linked to the meeting of the relevant targets associated with surface access transport. This would provide a more effective mechanism (as opposed to GAL’s proposed approach of additional interventions and annual review) to ensure that passenger growth is aligned with delivery of the surface access commitments. This is discussed at Paragraphs 17.83 and 17.92 of the West Sussex LIR.</p> <p>We note the Applicant’s response in the Crawley SoCG, which sets out that the proposed SA monitoring strategy is in keeping with the existing process. CBC would however point out that the current process is set through the existing S106 Agreement. That Agreement is not related to any planning permission and is entered into voluntarily by the airport operator. As such, there has been very little, if any scope, for CBC and WSCC to seek substantial changes to the Agreement. Accordingly, although both Authorities have signed the 2022 Agreement, and its predecessors, this should not be taken as an indication of CBC and WSCC being satisfied with its contents and the extent of the mitigation contained within it. This is discussed at Paragraphs 4.6 to 4.16 of the West Sussex LIR.</p>	<p>Greater certainty should be provided through a ‘Green Controlled Growth’ approach similar to that progressed at Luton Airport, whereby the growth of the airport is linked to the meeting of the relevant targets associated with surface access transport.</p> <p><b>Updated Position (Deadline 5):</b> Concerns remain that there is insufficient mitigation and controls within the SACs (REP3-028) to ensure that the modal split commitments are delivered. The JLA’s submitted an Introduction to their proposal for an Environmentally Managed Growth Framework at Deadline 4 [REP4-050] and further background information at Deadline 5. This matter is subject to ongoing discussion through negotiation on the S106 agreement.</p>	Uncertain

TT9.	CoCP and OCTMP	Concern about the lack of detail and clarity in the CoCP and CTMP. Limited information provided by Applicant in SoCG to be submitted at D5 suggesting possible criteria for when contingency routes will be able to be used reaffirms these concerns.	<p><u>Additional information to address these concerns is required.</u></p> <p><u>Updated Position (Deadline 9): Crawley Borough Council continues to have concerns about the risks associated with construction traffic utilising routes through Crawley's AQMA from the J10 of M23.</u></p> <p><u>Information requested by the Council at the July TWG for detailed criteria for use of this contingency route has not been provided.</u></p> <p><u>The Council does not consider the use of contingency access "when primary access is impaired" is sufficiently clear and may lead to wide interpretation and inadequately controlled access through the AQMA.</u></p> <p><u>The Council maintains its position that detailed restrictions for contingency access should be provided in the oCMTP to give assurance that the final CMTP will be substantially in accordance with any agreed prohibitions.</u></p>	Uncertain
TT10.	Methodology used to identify amount of new passenger parking	<p><del>The Applicant's Response to Rule 17 Letter — Car Parking [REP4 017] at Table A1 confirms that the Applicant's car parking calculations factor in only GAL-operated on-airport parking, and does not count existing on-airport parking run by other operators.</del></p> <p><del>CBC strongly disagree with the Applicant having omitted existing on-airport spaces from its calculations simply because these are not operated by GAL. Whilst not operated by GAL, factually these spaces are situated on airport (located within the Local Plan airport boundary) and are used by passengers travelling to/from the airport, thereby adding to the percentage of</del></p>	<p><del>The Applicant should be taking account of all on-airport passenger parking in its calculations.</del></p>	High

		<p>airport users travelling to the airport by private vehicle. These existing spaces should be taken into account by the Applicant in its calculation of future passenger parking spaces to support the DCO, as to ignore existing on-airport spaces simply because these are not operated by GAL will potentially result in an over-provision of passenger parking. This omission brings into question the need for 1,100 further spaces as part of the Project.</p> <p>More broadly, it brings into question the clarity of the SACs, as it is now uncertain if/how non-GAL operated on-airport parking is factored into the Applicant's approach. As it stands, 4,694 authorised on-airport spaces, each of which represents a space being used by passengers travelling to/from the airport by private vehicle, appear to be omitted from calculations. Listed in full, the omitted on-airport passenger parking spaces are located at:</p> <p>Purple Parking (3,265 spaces)          Hilton South Terminal (106)          Travelodge, Povey Cross (623)          Airport Inn Britannia (123)          Sofitel, North Terminal (565)</p> <p>To clarify, the annual Gatwick Airport parking survey counts non-GAL operated spaces, where located within the airport boundary as shown on the Local Plan Map, as on-airport. Whilst the airport operator provides a 'read-out' for the number of vehicles parked on sites within its control, the Local Authority also undertakes a count of the number of vehicles parked in on-airport passenger parking located by other operators. This is necessary for the effective application of Crawley Borough Local Plan Policy GAT3, which requires firstly that passenger parking spaces are located on-airport (i.e. within the Gatwick Airport boundary as shown on the Local Plan Map) and secondly that it is justified by a demonstrable need within the context of proposals for</p>		
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		<p>achieving a sustainable approach to surface transport access to the airport. The operator of the spaces is not relevant to the effective application of the policy.</p> <p>CBC note the Applicant's confirmation that it is no longer taking account of the lapsed 820 spaces at Hilton Hotel in its calculations. However, relating to the concerns stated above, there would appear to be inconsistency in the Applicant's approach, as it had previously included what would have been 820 non-GAL operated spaces (over which it has no control) as part of its baseline, but at the same time is omitting other non-GAL operated on-airport spaces from its calculations on the basis that it has no control of these spaces.</p>		
TT11.	Staff Parking Numbers and Updated Staff Travel Survey	<p>The council previously noted that whilst supporting the objective to increase staff travel by sustainable modes, it is not clear how the 1,150 space reduction in staff parking relates to sustainable mode share objectives especially since there will be more staff at the airport as a result of the project. The Applicant's Response to Rule 17 Letter – Car Parking [REP4-017] at Table A1 (Action Point 6) appears to confirm that the proposed 1,150 space reduction in staff spaces will be re-provided as part of the project, enabling the number of staff spaces to be flexed whilst not exceeding the existing 6,000 space total. The addresses the council's question on this matter.</p> <p>CBC note that the Applicant has published slides summarising the updated 2023 Staff Travel Survey. However, it remains unclear if/how the updated information on staff travel is being factored into the approach to staff parking proposed through the Project.</p>	<p><del>Detail should be provided as to how the 2023 Staff Travel Survey has (or will) inform the approach to staff parking that is proposed in the Project. It is important that the most up-to-date evidence on staff travel is feeding into the DCO evidence base to help assess the scope for delivering the Surface Access Commitments.</del></p> <p><b>Updated Position (Deadline 9):</b> <del>The Applicant addressed CBC's question about the number of staff spaces at Deadline 5. CBC notes the Applicant's explanation set out in the Applicant's response to the Authorities [REP5-072] at Table 45, 17.10, which clarifies the 2023 staff survey showing the airport as still in recovery post-pandemic, with the mode share results not representing suitable direct comparator to the forecast mode shares in the strategic modelling. This matter is now agreed.</del></p>	High
TT13.	Permitted Development Rights	<p>GAL has extensive permitted development rights which include the provision of parking, and the Council is concerned that there is no control through the DCO or</p>	<p><del>It is considered that greater control is needed to ensure that permitted development rights do not result in an over provision of on-</del></p>	Uncertain

		<p>proposed s106 agreement to prevent these being used to create an overprovision of parking in the future, undermining the surface access commitments.</p>	<p><del>airport passenger parking, undermining the meeting of SACs. This matter is subject to ongoing discussion through negotiation on the S106 agreement.</del></p> <p><b>Updated Position (Deadline 5):</b> The council continues to consider that the removal of permitted development rights is the only way to ensure it can effectively control the provision of future airport parking and ensure that Gatwick provides sufficient but no more parking than is required to support its sustainable strategy for airport access. Concerns remain that there is insufficient mitigation and controls within the SACs (REP3-028) to ensure that the modal split commitments are delivered. This matter is subject to ongoing discussion through negotiation on the S106 agreement</p> <p><del>-Updated position (Deadline 9): CBC welcome the proposed New Requirement 1, which would remove permitted development rights related to airport parking. However, it is considered that additional clarity could be added by incorporating reference within the requirement to the number of parking spaces referred to under Requirement 37. This would then mean that New Requirement 1 is clear in setting out that no additional car parking shall be provided at the airport, beyond the 53,260 car parking spaces, unless otherwise permitted by CBC. This is further discussed in the Deadline 9 response submitted by the Joint Legal Authorities.</del></p>	
<p>TT14.</p>	<p>Baseline parking assumptions</p>	<p>Robotic Parking: Do not agree with the applicant's assumption that 2,500 robotic parking spaces can form part of the baseline. This would significantly increase parking capacity beyond the 100 space temporary three-month trial and would significantly increase</p>	<p>The applicant should not be assuming for an increase of 2,500 passenger spaces through robotic parking in its baseline – this should form part of the DCO itself.</p>	<p>Low</p>

		<p>parking capacity, the full highway impact of which would need to be properly assessed. The Applicant appears to be assuming that all 2,500 parking spaces can be taken as a given at this stage. However, this assumption is made some way in advance of individual Permitted Development Rights (PDR) consultations that GAL advise would be submitted in 2024/25/26. Given that each of those PDR consultations would be expected to be supported by sufficient evidence to demonstrate 'sufficient but no more parking' than is needed to ensure GAL's mode share obligations can be met, it is not considered appropriate for GAL to simply assume, without providing justification through evidence, that 2,500 robotic spaces coming forward through PDR can be considered as forming part of the baseline. It would be more appropriate if GAL were to include this parking as part of the DCO. This is discussed further at 17.68 and 17.69 of the West Sussex LIR.</p>	<p><b>Updated Position (Deadline 5):</b> The council remain of the view that the 2,500 passenger spaces proposed through robotic parking should form part of the DCO. Given that the Applicant has previously advised PDR consultations on robotic parking will be submitted in 2024/25/26, it is questionable whether these parking changes will come forward in advance of the DCO, which (if consented) would likely be in place from 2025.</p> <p><u><a href="#">Updated position (Deadline 9): CBC retains its concern that the 2,500 robotic spaces should form part of the DCO rather than the 'without project' baseline.</a></u></p>	
TT15.	Hotel parking	<p>The Authorities (particularly Crawley Borough Council) have concerns regarding the need to ensure that Control Documents include adequate controls on the provision of additional on-airport parking at hotels <u>and offices</u>.</p>	<p>The Authorities' view is that any such (i.e. hotel-related) parking should be operational parking only so as to support the Applicant's Surface Access Commitments. This is particularly important as the hotels will, in due course, exist as commercial operations operated by other parties and so there is no reason that they should be exempt from the Local Planning Authorities wider policies in relation to car parking merely by virtue of their conception under the DCO for authorising consent.</p> <p><b>Updated position (Deadline 5):</b> CBC note the Applicant's response (SoCG Row 2.20.5.6) confirming that no additional parking is proposed or assumed for any new hotels in relation to the Project. The council would re-state its view that controls will be required to prevent hotel parking (except for operational spaces) being created in future, and there would need to be some way any</p>	<p><u>Uncertain</u></p>

			<p>future operator would be signed into the airport surface access commitments</p> <p><u>.Updated position (Deadline 9):</u> CBC note that the Applicant has confirmed that no additional parking is proposed for any hotels or commercial floorspace related to the Project. However, the Authorities note that this is not currently secured by way of a Requirement. As for Row TT13 above, incorporating the R37 parking cap number into New Requirement 1 would provide additional clarity to ensure that Permitted Development Rights would be removed to ensure the number of car parking spaces is capped at 53,260. This would provide comfort that further parking at hotels, in excess of the R37 cap, could not be brought forward through permitted development rights. This is further discussed in the Deadline 9 response submitted by the Joint Legal Authorities.</p>	
TT16.	Commercial Floorspace	<p>The Applicant's response at Rows 5.3 and 5.24 of AS-060 appears to clarify that no parking is proposed for new offices through the Northern Runway Project. However, CBC consider that there would still need to be controls with regards to parking (to meet the Applicant's Surface Access Commitments).</p>	<p>Controls are needed to ensure that any parking provision associated with office uses is consistent with meeting the Surface Access Commitments.</p> <p><u>Updated position (Deadline 5):</u> CBC notes the Applicant's response (SoCG Row 2.20.5.7) confirming that no additional parking is proposed or assumed for any new offices in relation to the Project. The council would re-state its view that controls will still be required to ensure any future operator would be signed into the airport surface access commitments.</p> <p><u>Updated position (Deadline 9):</u> The Applicant has confirmed that no additional parking is proposed for any commercial office</p>	Uncertain

			<p><u>floorspace related to the Project. As for Row TT13 above, incorporating the R37 parking cap number into New Requirement 1 would provide additional clarity to ensure that Permitted Development Rights would be removed to ensure the number of car parking spaces is capped at 53,260. This would provide comfort that further parking at hotels, in excess of the R37 cap, could not be brought forward through permitted development rights. This is further discussed in the Deadline 9 response submitted by the Joint Legal Authorities.</u></p>	
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## AIR QUALITY

~~Please note: For most air quality matters further information has been provided by the Applicant at Deadline 1, including a 567 page technical note on air quality and a new version of Environmental Statement air quality figures. This information is currently being reviewed and means that Crawley Borough Council is unable to update the resolution status or otherwise on many of the air quality matters within the PADSS. This will be completed and submitted to the ExA at Deadline 3 and separately in further communications with the Applicant. This applies to all points herein for air quality.~~

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
AQ1.	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 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><b>Updated Position (Deadline 5)</b> 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 JLAs have addressed this point in their D4 response [REP4-042] and detailed review of the AQAP [REP4-053].</p>	Uncertain

			<p>A response from GAL is awaited to further progress this area of disagreement. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p><a href="#"><u>Updated Position 12-08-24</u></a></p> <p><u>The Council 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 emissions as a result of the Project should be mitigated to the value of the damage costs.</u></p> <p><u>The Damage costs are based on the health impact of a unit of air pollutant on mortality and morbidity from the Project related emissions. They are used to provide a monetary value when assessing the effects of air pollution within the economic appraisal (LAQM TG22 and PG 22).</u></p> <p><u>The Applicant has calculated this cost to society as £83.5m but has not provided any costings for the proposed mitigation to define the level of these measures within the air quality action plan in line with the guidance.</u></p>	
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			<p><u>Since the surface access commitments have already been taken into account in the assessment of air quality impacts (embedded mitigation), the value of the remaining operational mitigation being proposed in the AQAP should be shown to offset the damage costs as set out within the Sussex Guidance.</u></p>	
AQ2.	Air Quality Action Plan (AQAP)	<p>No AQAP has been provided which clearly sets out a range of measures to specifically address local air quality. Instead, the applicant has addressed air quality through the carbon action plan (CAP) and the airport surface access strategy (ASAS). This approach differs from discussions during 2 years of consultation where a draft AQAP was provided in the air quality TWG (21.10.22) and an AQAP was listed in item 19 of Schedule 2 (Requirements) of the draft DCO (28.04.23).</p> <p><b>Updated Position (Deadline 5)</b> A draft AQAP (Annex 5 of draft s106 [REP2-004]) was provided by GAL on 26 March 2024. Disappointingly, the draft AQAP simply summarises the measures within the carbon action plan, surface access commitments and construction code of practice, with no commitment to additional targeted measures. No additional information has therefore been provided which addresses the Council's concerns.</p> <p>The CAP and ASAS do not specifically or adequately address air quality mitigation</p>	<p>A combined operational air quality management plan should be provided which specifically focuses on local air quality, and which draws together measures aimed at local mitigation to reduce the health impacts from emissions, in addition to those outlined in the SAS and the CAP.</p> <p><b>Updated Position (Deadline 5)</b> 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 costs) are those impacts that arise after the embedded mitigation has been considered.</p> <p>The Authorities 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>	Uncertain

		<p>measures based on health, and both lack the means to measure short-term exposure or provide monitoring to check compliance.</p> <p><del>CBC has concerns that the lack of a dedicated AQAP will undermine its ability to fulfil its own LAQM requirements and is not consistent with Defra's Air Quality Strategy.</del></p>	<p>The Joint Local Authorities have submitted a detailed review of GALs Draft AQAP [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made to update this area of disagreement. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p><u>Updated Position 12-08-24. As above.</u></p> <p>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 Applicant's draft AQAP is essentially a retrospective reporting and updating document. It lacks the forward-looking element required of a plan and does not identify which measures are already embedded mitigation and therefore technically not mitigation (since they have already been accounted for in the assessment of impacts - such as the surface access commitments). It also does not identify what level of air quality improvement may be achieved from the proposed measures, or the value of the measures proportionate to the damage costs of the Project.</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 mitigation measures for the air quality</p>	
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			<p>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>	
AQ3.	Dust Management Plan (DMP)	<p><del>No DMP has been provided which clearly sets out specific mitigation measures to ensure potential adverse impacts from construction dust are avoided during all construction stages.</del></p> <p><b>Updated Position (Deadline 5)</b> A draft Dust Management Plan [No Examination Ref] has been shared with the JLAs on 26 March 2024. This is welcomed by the Council, 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>	<p>The applicant proposes a DMP once detailed design plans are available. However, there is no reason why a DMP or outline DMP cannot be produced at this stage since construction compound locations and transport routes have been provided. A DMP is therefore requested for the examination, and to provide additional confidence in the control measures and monitoring for the construction phase.</p> <p><b>Updated Position (Deadline 5)</b> The Joint Local Authorities have submitted a detailed review of GAL's draft DMP [No Examination Ref]. This review [REP4-053] identifies 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 GAL to the DMP review (and any updated DMP committed to by GAL for Deadline 5 [REP4-033]) further progress cannot be made to update this area of disagreement. It is anticipated that further progress can be</p>	Uncertain

			<p>made before the next Examination Deadline.</p> <p><u>Updated Position 16-08-24</u></p> <p><u>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. 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).</u></p> <p><u>The proactive sharing of dust complaints and monitoring data is particularly important given the availability of the Article 49 defence to proceedings in respect of statutory nuisance (ANPS 5.231).</u></p> <p><u>It has also been noted that visual observations are listed to be undertaken on a weekly frequency (paragraph 5.7.1). It would be preferable if these were undertaken on a daily basis. Inspections should be undertaken on a daily basis as per IAQM (2018) guidance (para 4.7) which states that</u></p>	
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			<p><u>visual inspections “should be conducted at least once on each working day”.</u></p> <p><u>Additionally, it is noted that a review of the CDMP will be undertaken on a 3 monthly basis with any new controls to be agreed and implemented in a new strategy (paragraph 5.6.7). Text should be added to this paragraph to <del>include reference to require</del> issuing of any new updated strategy to the local authorities for approval.</u></p> <p><u>Lastly, paragraph 5.8.3 identifies the possibility that unacceptable dust emissions may occur despite additional mitigation measures but requires only that “consideration should be given” to taking action. This paragraph should be strengthened to read ‘In the event that unacceptable dust emissions continue, despite the additional mitigation measures, site operations will be modified in liaison with the local authority, and site operations temporarily suspended until the issue can be resolved.’</u></p> <p>On this basis, whilst the progress made with Applicant is welcome, the CDMS remains an area of disagreement. Further additions <u>outlined above should be made to the CDMS to address these concerns.</u></p>	
<p>AQ4.</p>	<p>Construction Traffic Management Plan (CTMP)</p>	<p>Section 6.5 of the CTMP (Restrictions and Monitoring) identifies risks associated with construction traffic utilising routes through the J10 M23 and Hazelwick Air Quality Management Areas in Crawley. Reference is made to a monitoring system that ‘it is envisaged’ will be developed in the full CTMP. However, no details on this monitoring system are provided to help</p>	<p>Further details are requested during the examination on the proposed monitoring system and how this would protect air quality in Crawley’s AQMA. More clarification is required regarding the additional traffic that would be expected in the future situation.  <b>Updated Position (Deadline 5)</b>                  No additional information has been provided which address these points.</p>	<p><u>Uncertain</u></p>

		<p>understand how this would protect air quality. It is also unclear if the plan takes into account additional traffic associated with the natural growth of airport traffic, or additional traffic growth associated with the additional capacity already created in the first phase of construction.</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].          GAL's 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 from GAL to these technical air quality issues the Council is unable to update the resolution status of concerns relating to the CTMP.</p> <p><u><a href="#">Updated Position – 12-08-24</a></u></p> <p><u><a href="#">Further information (as described above) requested by the Council to show how monitoring will be used to identify any deviation from the expected impacts has not been received.</a></u></p> <p><u><a href="#">Detailed monitoring requirements should be provided in the outline plans to provide assurance that the final CMTP and CWTP will be substantially in accordance with any agreed monitoring plans</a></u></p> <p><u><a href="#">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.</a></u></p> <p><u><a href="#">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</a></u></p>	
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			<p><u>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>	
AQ5.	Operational Air Quality Monitoring	<p>CBC has 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 the monitoring of air quality in line with Local Air Quality Monitoring guidelines (equivalence reference method criteria for continuous monitoring) particularly with regards to short term level exceedances. As such they are not sufficient to demonstrate compliance with air quality standards. This introduces uncertainty on how air quality will be evaluated and reported to the council, which in turn reduces transparency on the effectiveness of measures relied upon to improve air quality.</p>	<p>Further information is requested to understand how air quality will be monitored, evaluated and reported to local authorities, along with the further steps that would be taken should air quality exceed short term limits or deteriorate further than predicted. CBC would welcome a commitment from the applicant to use monitoring equipment that meets the equivalence reference method.</p> <p><b>Updated Position (Deadline 5)</b>                  Outstanding areas of concern relating to air quality, were provided by AECOM on behalf of the JLAs at Deadline 3 [REP3-117 – Appendix A].                  GAL’s 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 from GAL 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><u><a href="#">Updated Position 16-08-24</a></u></p>	Uncertain

			<p><u>Operational odour monitoring is addressed in the Applicant's <i>Odour Monitoring and Management Plan (OMMP) - Version 2 (Tracked)</i> [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].</u></p> <p><u>The recommended elements within the guidance expected in an OMMP include: Essential Site Details, Routine Controls Under Normal Conditions, Reasonably Foreseeable Abnormal Conditions and Additional Controls, Triggers For Additional Controls and Checks on Effectiveness and Management of Good Practice.</u></p> <p><u>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. This is because the Applicant has only presented a risk-based review [APP-038] rather than a quantitative assessment. This is despite complaints received over an extended duration at Gatwick before any further expansion of operations.</u></p>	
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			<p><u>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.</u></p>	
<p>AQ6:</p>	<p>Funding for Local Ambient Air Quality Monitoring</p>	<p>The ES does not specifically identify which of the existing LA continuous air quality monitoring stations on and around the airport will be funded.          The LAQM process requires a LA with a major airport in its district to carry out an assessment of sensitive receptors within 4000m of the airport. Therefore CBC has an air quality monitoring station located on the eastern perimeter of the airport to provide independently measured pollution data for this assessment for Crawley residents living close to the airport who are impacted by airport emissions.  <b>Updated Position (Deadline 5)</b>          The Applicant, in expressing a wish to support the understanding of air pollution effects more generally in the local area, has committed to continuing its current funding for monitoring for the local authorities (SoCG 2.2.4.5 [REP1-032] and ISH7 – Part 4, 00:16:07). However, no support is currently provided to Crawley Borough Council for air quality monitoring, and a request for funding for its monitoring station on the eastern border of the airport has been turned down by the Applicant.</p>	<p>Further clarification is requested on funding of the LA monitoring stations on and around the airport.  <b>Updated Position (Deadline 5)</b>          The request from Crawley Borough Council for funding for its air quality monitoring station meets the test for S106 to make the development acceptable. The Council has an obligation to ensure that all relevant air quality standards continue to be met, which is an ongoing obligation, and recognises that standards may change over time.           Concerns regarding costs of the Councils monitoring station have not been resolved.   <u>Updated Position 16-08-24</u>   <u>This matter is addressed and the Council welcomes the funding for CBC air quality monitoring.</u></p>	<p>Uncertain</p>

<p>AQ7.</p>	<p>Surface Access Commitments and Controlled Growth</p>	<p>There is insufficient information and a lack of sensitivity testing to clearly demonstrate how differing levels of modal shift attainment could impact future air quality predictions.</p> <p>CBC has concerns over whether the modal shift can be achieved, and if this is not achieved what the air quality effects may be.</p> <p>CBC continues to have concerns that there are no effective control measures in place to restrict growth if mode share targets are not achieved. Air quality impacts have been calculated based on the Applicants target surface access parameters, if these targets are not achieved then the predicted air quality and emissions impacts for the Project will be under reported.</p>	<p>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 strategy should be linked to controls if modal shift targets aren't 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, CBC consider 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><b>Updated Position (Deadline 5)</b></p> <p>The Joint Local Authorities submitted 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. Response from GAL is awaited to progress resolution on the Council's concerns regarding controlled growth. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p><a href="#">Updated Position 16-08-24</a></p> <p><a href="#">The Council 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.</a></p> <p><a href="#">The purpose of the Environmentally Managed Growth (EMG) Framework proposed by the JLAs is to introduce action thresholds (which align with LAQM guidance TG22) to identify where a risk of exceedance is likely. The EMG</a></p>	<p>Uncertain</p>
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			<p><u>approach would be clearly linked to air quality monitoring.</u></p> <p><u>The Applicant argues this is unreasonable and tries to suggest that the JLAs are attempting to prevent planning consent on the basis of potential future change in air quality (which was the basis of the Stansted Airport appeal it cites) which is clearly not the case, since these thresholds would be implemented during operation of a consented development, and <b>only if</b> future legislative requirements were to result in risk of exceedance.</u></p> <p><u>The JLAs maintain that this approach is necessary because, there is no acknowledgement on the part of the Applicant of the possibility that air quality standards may change over the lifetime of the Project, and their draft AQAP provides inadequate controls to manage change including a retrospective 5 yearly reporting cycle.</u></p>	
<p>AQ8.</p>	<p>Assessment Scenarios (including 2047 Full Capacity)</p>	<p>The scenarios assessed in Chapter 13 of the ES (Listed para 13.5.23) 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. In addition, there is no operational assessment for the final full-capacity assessment year of 2047, as per ANPS</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 requested.</p> <p><b>Updated Position (Deadline 5)</b>                  Outstanding areas of concern relating to air quality, were provided by AECOM on behalf of the JLAs at Deadline 3 [REP3-117 – Appendix A].                  GAL's states [REP4-031 para 3.7.7] that its response to these air quality concerns will be provided by Deadline 5. The Council is awaiting a response from GAL to these technical air quality issues.</p>	<p><u>Uncertain</u></p>

		<p>(para 5.33) which identifies the need to include assessment when at full capacity.</p>	<p>Further concerns have been identified with regards to how the Applicant has conducted its assessment in the ES of the worst-case Project effects on the road network and air quality from the combined operational and construction activities for the 2029 with Project scenario.</p> <p>These concerns are outlined in more detail in CBCs Statement of Common Ground response (Air Quality Table 2.2 reference 2.2.4.3) for Deadline 5.</p> <p>The Council will await a response from GAL to these concerns which have implications not only for the air quality effects of the Project in 2029 but also for other environmental impacts including noise, traffic and the future baseline.</p> <p><a href="#">Updated Position – 16-08-24</a></p> <p><a href="#">The Applicant has provided information on road traffic emissions in 2047, but the impact of airport emissions, which will be of increased relative importance in 2047, have not been modelled for the airport at full capacity.</a></p>	
<p>AQ9.</p>	<p>Ultrafine Particles (UFPs)</p>	<p>The discussion on the health impacts of ultrafine particles (UFPs) from aviation sources within the ES (Chapter 18 para 18.8.66) is welcomed. However, although the applicant supports the monitoring of UFPs and commits to participating in national industry body studies of UFP emissions at airports, it is unclear if their commitments extend to supporting a local monitoring study.</p> <p><b>Updated position (Deadline 5)</b> The Applicants response to the Council's request for local ultrafine particulates</p>	<p>CBC would welcome further investigation into the impact of UFPs in the local area, through ongoing monitoring around the airport to help support the case for reducing emissions in line with GALs sustainability statement and protecting health in line with Defra's Clean Air Strategy.</p> <p><b>Updated position (Deadline 5)</b> Provision for UFP monitoring within the draft S106 Agreement [REP2-004] is welcomed, however, full funding has not been committed</p>	<p>Uncertain</p>

		monitoring, has been considered in the draft S106 Agreement [REP2-004].	to, and is therefore subject to further discussion with the Applicant.	
AQ10-	CARE Facility	<del>There were continuous issues with odour from the current small waste incineration plant at the CARE facility until it was "mothballed" in 2020. The odour was mainly associated with the biomass fuel which produced a sweet-smelling aromatic hydrocarbon odour. There are concerns that this may be repeated at the new CARE facility which proposes to double in size.</del>	<p><del>Further clarification is requested on the type and size of incinerators that are proposed and how odour will be controlled.</del></p> <p>Information is requested on what steps have been taken to address inadequacies with the current odour control technology to ensure odour will not be a factor in the new facility.</p> <p><b>Updated position (Deadline 5)</b> The Applicant proposes, in its Change Application Report [AS-130], to remove the food waste biomass boiler which would resolve the odour issues associate with this process.</p> <p><u>Updated Position—16-08-24</u></p> <p><u>This matter is resolved.</u></p>	Uncertain Resolved
AQ11-	Technical Details	<del>There are concerns that a realistic worst case has not been assessed due to insufficient information or clarity on a range of technical details in the ES and associated documents, including how modelled work using ADMS/ADMS Airports is presented.</del>	<p><del>Further information is requested on rates of future air quality improvement, pollutants assessed, construction plant (asphalt plant numbers of modelled concrete batching plants), heating plant and road traffic modelling to help understand if the worst case has been assessed.</del></p> <p><del>Further information is requested on the large numbers of air quality monitors excluded from the assessment and why a more up to date baseline year of 2022 was not used compared to the 2018 year utilised (using 2016 extrapolated traffic data).</del></p> <p><b>Updated position (Deadline 5)</b> The Applicant provided a Technical Note on air quality and a new version of the Environmental Statement air quality figures at Deadline 1.</p>	Uncertain

			<p>This information was reviewed, and a response was provided by AECOM on behalf of the JLAs at Deadline 3 [REP3-117— Appendix A] which included a wide range of air quality technical matters.</p> <p>Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 [REP3-117] will be responded to by Deadline 5.</p> <p>Without a response from GAL to these technical queries the Council is unable to update the resolution status or otherwise of these air quality matters.</p>	
AQ12—Project Change 3— added as new matter at Deadline 5	Proposed Water Treatment Works	CBC notes that the reedbed treatment system would require discharge consents and detailed operating technique approved by the Environment Agency.	CBC would welcome further detail on the operating technique, and how these techniques would manage capacity and odour control at this facility	Uncertain
AQ13—Project Change 3— added as new matter at Deadline 5	Proposed Water Treatment Works	Crawley Borough Council has specific concerns that construction traffic accessing the Radford Road site should not route through Crawley's AQMA. Construction traffic traveling from the M23 should exit at J9 for Gatwick not via J10 for Crawley which would bring additional HGVs through the Hazelwick area of the AQMA.	Clarification of the primary construction route to access the reedbed construction compound.	Uncertain



## NOISE AND VIBRATION

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
<b>Legislation, policy and guidance</b>				
NV1.	Local planning policies	Local planning policies are covered in Table 14.2.2 but no information is provided on how these policies are addressed in the ES.	<p>Details should be provided on how local planning policies are addressed in the ES.</p> <p><u>Updated position (Deadline 9): The Applicant has not provided any information to address concerns that no regard has been given to local planning policies.</u></p>	High
<b>Assessment of significant effects – Construction Vibration</b>				
NV3.	Assessment of vibration effects from road construction	Potential exceedances of the SOAEL are identified in the assessment of vibration emissions from compactors and rollers.	<p>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</p> <p><u>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.</u></p>	High
<b>Assessment of significant effects – Air Noise</b>				
NV4.	No assessment criteria is provided for the assessment of effects on non-residential receptors	Assessment criteria based around the LOAEL and SOAEL focuses on noise effects at residential receptors. Non-residential receptors should be considered on a case-by-case basis	Provide an assessment of likely significant air noise effects on non-residential receptors based on appropriate criteria defined by the Applicant	High

		with assessment criteria defined depending on the non-residential use.	and relevant to non-residential receptors that would be affected by the NRP.  <u>Updated position (Deadline 9): The Applicant has provided criteria from the London Luton Airport Expansion project that CBC accept as reasonable.</u>	
NV5.	Only 2032 assessment year is assessed as a worst-case	The assessment of air noise only covers 2032 as it is identified as the worst-case; however, identification of significant effects for all assessment years should be provided.	Identify significant effects during all assessment years to help understand how communities would be affected by noise throughout the project lifespan.  <u>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.</u>	Uncertain
NV6.	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 <sub>Amax</sub> , overflight, L <sub>den</sub> and L <sub>night</sub> noise metric; however, no conclusions on how this metric relates to likely significant effects have been made so the use of secondary metrics in terms of the overall assessment of likely significant effects is unclear.	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.  <u>Updated position (Deadline 9): CBC 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.</u>	Uncertain
NV7.	No details of the noise modelling or validation process are provided. No details of measured Single Event Level or LAS <sub>max</sub> noise data from the Noise-Track-Keeping are provided	It is difficult to have any confidence in the noise model without any provision of the assumptions and limitation that have been applied in the validation of the noise model and production of noise contours. Measured Single Event Level and LAS <sub>max</sub> noise data should be provided for	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 <sub>max</sub> noise data for individual aircraft variants at each monitoring location used for validation.	Uncertain

		<p>individual aircraft variants as it is key information used when defining the aircraft noise baseline.</p>	<p><u><b>Updated position (Deadline 9):</b> CBC 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 LASmax noise data after the CAA confirmed that the data was NOT confidential. The CAA are also willing to share a comparison of measured and predicted noise levels; however, they require approval from Air Noise Performance data providers in order to share this information. A request by the JLAs has been made to the ANP database data providers and a response is being awaited.</u></p>	
<b>Assessment of significant effects – Ground Noise</b>				
<p>NV8.</p>	<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 appear to be larger increases in noise as a result of the proposed development at some receptors during other assessment years. Noise contours have been provided for aircraft noise and road traffic noise, but no noise contours are provided for ground noise. These contour plots should be provided to allow better understanding of ground noise effects for each assessment year and scenario. It would be</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. Provide LAeq and LAmox 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><u><b>Updated position (Deadline 9):</b> The Applicant has submitted SOAEL ground noise contours for the day and night period of the 2032 slower</u></p>	<p>High</p>

		expected that LAeq and LMax contour plots are provided.	<u>transition fleet [REP6-065] but have dismissed any requests to provide contours from LOAEL up for all scenarios contours ground noise showing the change in ground noise 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 LMax 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.</u>	
<b>Assessment of significant effects – Road Traffic Noise</b>				
NV9.	Noise monitoring duration	<del>One 20-minute survey and one 10-minute survey is not sufficient to provide data suitable for validation of the road traffic noise model and indeed these data are not used as such. There is therefore no validation of the road traffic noise model in terms of measured levels.</del>	<del>Longer term monitoring, close to the A23 or M23 where road traffic noise can be said to dominate over aircraft noise, would be preferable. Alternatively, the applicant could explain what steps they have taken to independently validate the road traffic noise calculations.</del>  <u>Updated position (Deadline 9): The Applicant has provided information to address this matter.</u>	Addressed
<b>The Noise Envelope</b>				
NV10.	Sharing the benefits	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	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	Uncertain

		<p>in noise contour area on opening of the Northern Runway.</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, any uncertainties from airspace redesign or new aircraft technology should be covered within the constraints of the Noise Envelope.</p>	<p><b>Updated position (Deadline 9):</b> <u>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]).</u></p> <p><u>The Applicant has not addressed concerns that there is too much flexibility in the Noise Envelope through allowances for contour limits to increase. CBC support the JLAs submitted a proposal for Environmentally Managed Growth [REP4-050] and support the ExA's proposed Requirement for ratcheted reductions as set out in R15/R16 .</u></p>	
NV11.	CAA to regulate the Noise Envelope	<p>There is no mechanism for host authorities to review Noise Envelope reporting or take action against limit breaches or review any aspects of the Noise Envelope.</p>	<p>A mechanism should be included to allow the host authorities to scrutinise noise envelope reporting and take action in the case of any breaches</p> <p><b>Updated position (Deadline 9):</b> <u>The Applicant has not addressed concerns that the host authorities have no scrutiny role as part of the Noise Envelope.</u></p>	Uncertain
NV12.	Prevention of breaches	<p>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.</p> <p>24 months of breach would be required before capacity declaration restrictions for the following were adopted so it would be three years after the initial breach before capacity restrictions were in place. Capacity restrictions would not prevent new slots being allocated within the</p>	<p>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</p> <p><b>Updated position (Deadline 9):</b> <u>The JLAs submitted a proposal for Environmentally Managed Growth [REP4-050].</u></p>	Uncertain

		existing capacity and is not an effective means of preventing future noise contour limit breaches if a breach occurred in the previous year.		
<b>Noise Mitigation</b>				
NV13.	Securing of noise mitigation measures and noise limits, including timing of implementation	No clear mechanism is provided for how noise mitigation measures and some noise limits (e.g. plant noise limits) are to be secured. The timing of implementation of such mitigation measures is also important and needs to be appropriately secured. This is important to ensure that new mitigation measures are installed in advance of increased activity, changes in operations, or removal of any existing mitigation measures,	<p>Details of how mitigation measures detailed in the assessments are to be secured should be provided.</p> <p>This should include details of the timing when each such mitigation measure will be installed and how this timing is secured.</p> <p>Where new mitigation measures are being proposed to replace existing measures which are to be removed, an assessment of predicted noise levels and likely impacts during any intermediate phase during the works should be provided.</p> <p><u>Updated position (Deadline 9): Construction noise barriers used to avoid significant construction noise effects are not secured in the DCO so cannot be relied upon in the assessment. The Applicant has made no attempt to address this matter.</u></p> <p><u>Temporary effects during the period after demolition of the existing barrier until when the new barrier/ bund is complete have not been appropriately assessed by the Applicant.</u></p> <p><u>The proposed replacement bund is smaller than the existing bund, which directly contradicts the third aim of the NPSE to improve health and quality of life.</u></p>	Uncertain

Noise Insulation Scheme				
NV14.	Noise insulation scheme details	<p>How would the noise insulation scheme prioritise properties for provision of insulation.</p> <p>Residents of properties within the inner zone will be notified within 6 months of commencement of works; however, it is not clear what noise contours eligibility would be based upon.</p> <p>Is noise insulation in the Outer Zone restricted to ventilators or will the occupier have flexibility to make alternative insulation improvements?</p> <p>Schools are included in the Noise insulation Scheme, but it is unclear if other community buildings (e.g. care homes, places of worship, village halls, hospitals etc.) would be eligible for noise insulation.</p> <p>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.</p> <p>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><u><b>Updated position (Deadline 9):</b> 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 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.</u></p>	Uncertain.

## CARBON AND GREENHOUSE GASES

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
<b>Legislation, policy and guidance</b>				
CGG1. Environmental Statement Chapter 15 Climate Change	It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/ CORISA.	It's not clear if the Applicant considers in aviation forecasts used to develop the 'need case' of the impact of ETS/CORISA.	Can the Applicant please confirm in the need case for the scheme if it considered the impact of ETS/CORISA?  The need case has now been added.	Addressed
<b>Baseline information review</b>				
CGG3.	GHG emissions from airport buildings and ground operations in the ES [TR020005] (Table 16.4.1) does not appear to include maintenance, repair, replacement or refurbishment emissions.	The scope of the GHG emissions from airport buildings and ground operations does not appear to cover maintenance, repair, replacement or refurbishment emissions. This would under account operational GHG emissions. It is not clear what is captured under "other associated businesses".	Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.	Addressed
<b>Conclusions</b>				
CGG8. 5.3 Environmental Statement - Appendix 16.9.1 Assessment of Construction Greenhouse Gas Emissions	It is not clear if carbon calculations were carried out during the construction lifecycle stage in the ES [TR020005] for well-to-tank (WTT) emissions.	Excluding WTT is non-compliant with the GHG Protocol Corporate Accounting Standard, referenced in the GHG ES Methodology [TR020005] in Section 16.4.18 where scope 3 emissions were included. This also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24.	Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter 16 of the ES, APP-041].  Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and	AddressedHigh



			<p>where all such exclusions total a maximum of 5%.</p> <p><b>Updated Position (Deadline 5):</b>          In Deadline 4, the Applicant has provided WTT estimates for construction, ABAGO, surface access, and aviation. These updates increase the total emissions from the project between 2018 and 2050 by 3,978,000 tCO<sub>2</sub>e, representing a 19.83% increase.</p> <p>To contextualise these emissions against the carbon budget, the Applicant references DUKES 2023 Chapter 3: Oil and Oil Products, estimating that around 36% of WTT aviation emissions occur within the UK boundary. Using this justification, the Applicant compares only this portion of aviation WTT emissions to the carbon budget, along with the WTT emissions from construction, ABAGO, and surface access.</p> <p>The Applicant then presents only the net impact, stating it accounts for 0.649% of the UK's 6th carbon budget, without displaying the total future impact of the airport as done in the ES.</p> <p>The Applicant should further forecast the percentage impact on future estimated carbon budgets using the CCC projections to estimate the project's impact on future carbon budgets to understand if it is decarbonising in line with the estimated net zero trajectory.</p>	
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<p>CGG9.</p>	<p>The RICS distances were referenced in Table 4.1.1 of the ES [TR020005] for the average material haulage distances. However, the RICS transport distances were not applied comprehensively.</p>	<p>Currently, only 100km was considered for construction-related A4 emissions, which is not in alignment with the recommended RICS transport distances. Furthermore, no global shipping emissions were considered as part of the GHG assessment, which is not in alignment with the RICS global transport scenario. This therefore under accounts the construction transport emissions.</p>	<p>The Applicant needs to update the transport assessment in compliance with the RICS methodology quoted in the ES to ensure shipping transport emissions are accounted for. This can then be used to inform appropriate transport efficiency mitigation measures as part of the CAP under Appendix 5.4.2 in the ES [APP-091].</p>	<p>Addressed</p>
<p>CGG10. 5.3 Environmental Statement - Appendix 16.9.2 Assessment of Greenhouse Gas Emissions for Airport Buildings and Ground Operations (ABAGO)</p>	<p>In Table 2.1.1 it is confirmed that the carbon calculations do not include well-to-tank (WTT) emissions, which is not aligned to the GHG Protocol Standard mentioned in the GHG ES Methodology [TR020005].</p>	<p>Not accounting for WTT is non-compliant with the GHG Protocol Corporate Accounting standard (referenced in the GHG ES Methodology [TR020005] in Section 16.4.18). This also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24</p>	<p>Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are &lt;1% of total emissions and where all such exclusions total a maximum of 5%.</p> <p><b>Updated Position (Deadline 5):</b> In Deadline 4, the Applicant has provided WTT estimates for construction, ABAGO, surface access, and aviation. These updates increase the total emissions from the project between 2018 and 2050 by 3,978,000 tCO<sub>2</sub>e, representing a 19.83% increase.</p> <p>To contextualise these emissions against the carbon budget, the Applicant references DUKES 2023 Chapter 3: Oil and Oil Products, estimating that around 36% of WTT aviation emissions occur within the UK boundary. Using this justification, the Applicant compares only this portion of aviation WTT emissions to the carbon budget, along with the WTT emissions from construction, ABAGO, and surface access.</p>	<p>AddressedHigh</p>

			<p>The Applicant then presents only the net impact, stating it accounts for 0.649% of the UK's 6th carbon budget, without displaying the total future impact of the airport as done in the ES.</p> <p>The Applicant should further forecast the percentage impact on future estimated carbon budgets using the CCC projections to estimate the project's impact on future carbon budgets to understand if it is decarbonising in line with the estimated net zero trajectory.</p>	
CGG11.	In Section 1.2.1, it is not clear if carbon calculations are carried out for maintenance, repair, replacement or refurbishment emissions.	Maintenance, repair, replacement or refurbishment emissions are not indicated to be scoped in the GHG ABAGO assessment. These emission sources could potentially account for a significant portion of the ABAGO emissions.	Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.	Addressed
CGG14.	In Aviation methodology well-to-tank (WTT) emission sources are not confirmed to be accounted for which is against the GHG Protocol Standard mentioned in the GHG ES Methodology [TR020005].	Not accounting for WTT is non-compliant with the GHG Protocol Corporate Accounting standard, referenced in the GHG ES Methodology [TR020005] in Section 16.4.18 where scope 3 emissions were included. Furthermore, this also contradicts the GHG ES Methodology [TR020005] referenced under Section 16.4.24. This would result in an underestimation of the GHG emissions associated with aviation since a 20.77% (BEIS, 2023) uplift would be required on all aviation emissions. Therefore, this would result in 1,106,530tCO <sub>2</sub> e not being accounted for in 2028 (the most carbon-intensive year), where 5.327 MtCO <sub>2</sub> e was estimated to be released (Table 5.2.1).	<p>Excluding WTT is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard, the UK Government's carbon accounting methodology and the IEMA GHG Assessment methodology used in the ES [Chapter 16 of the ES, APP-041].</p> <p>Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are &lt;1% of total emissions and where all such exclusions total a maximum of 5%.</p> <p><b>Updated Position (Deadline 5):</b> In Deadline 4, the Applicant has provided WTT estimates for construction, ABAGO,</p>	AddressedHigh

			<p>surface access, and aviation. These updates increase the total emissions from the project between 2018 and 2050 by 3,978,000 tCO<sub>2</sub>e, representing a 19.83% increase.</p> <p>To contextualise these emissions against the carbon budget, the Applicant references DUKES 2023 Chapter 3: Oil and Oil Products, estimating that around 36% of WTT aviation emissions occur within the UK boundary. Using this justification, the Applicant compares only this portion of aviation WTT emissions to the carbon budget, along with the WTT emissions from construction, ABAGO, and surface access.</p> <p>The Applicant then presents only the net impact, stating it accounts for 0.649% of the UK's 6th carbon budget, without displaying the total future impact of the airport as done in the ES.</p> <p>The Applicant should further forecast the percentage impact on future estimated carbon budgets using the CCC projections to estimate the project's impact on future carbon budgets to understand if it is decarbonising in line with the estimated net zero trajectory.</p>	
<p>CGG15</p>	<p>GAL does not identify the risks associated with using carbon offset schemes.</p>	<p>Document 5.4.2, Section 1.14</p> <p><i>This states that, "In 2016/17, we achieved 'Level 3+ - Neutrality' status under the Airport Carbon Accreditation scheme, which is a global carbon management certification programme for airports (Ref 1.1). GAL has been working hard to reduce carbon emissions under GAL's control (from a 1990</i></p>	<p>GAL should state if they comply with the Airport Carbon Accreditation Offset Guidance Document which specifies the type of offsetting Schemes that need to be used.</p> <p>In addition, and where reasonably practical, GAL should seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local</p>	<p>Addressed</p>

		<p><i>baseline) and offset the remaining emissions using internationally recognised offset schemes."</i></p> <p><i>The scientific community has identified various risks around using offsetting schemes to claim net zero or carbon neutrality. GAL should specifically state which offset scheme they intend to use so research can be conducted into the trustworthiness of the scheme.</i></p>	<p>community around the airport. Offsets should align with the following key offsetting principles i.e. that they should be:</p> <ul style="list-style-type: none"> <li>○ additional in that would not have occurred in the absence of the project</li> <li>○ monitored, reported and verified</li> <li>○ permanent and irreversible</li> <li>○ without leakage in that they don't increase emissions outside of the proposed development</li> <li>○ Have a robust accounting system to avoid double counting and</li> <li>○ Be without negative environmental or social externalities.</li> </ul>	
CGG16	The unsustainable growth of airport operations may result in significant adverse impacts to the climate.	The increased demand in GAL's services may lead to unsustainable surface access transportation and airport operation growth, which may significantly impact the climate.		Uncertain
CGG17	<del>If the Applicant does not provide infrastructure or services to help decarbonise surface transport emissions it may have the potential to result in the underreporting of the Proposed Development's impact on the climate. The full impact of the Proposed Development on the government meeting its net zero targets cannot be identified</del>	<del>The Applicant must actively promote the transition to a decarbonised economy, incentivising airport users to adopt low-carbon technologies like electric cars and public transportation systems.</del>	<p>The Applicant should provide infrastructure within the Airport to support the anticipated uptake of electric vehicles and provide electric vehicle charging infrastructure.</p> <p>Additionally, to support this movement, the Applicant should support a Green Bus Programme such as the expansion of the network of hydrogen buses used in the Gatwick/Crawley area into Mid Sussex with accompanying Infrastructure.</p>	Addressed

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## CLIMATE CHANGE

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
<b>Mitigation, enhancement and monitoring</b>				
CC5-5.3 Environmental Statement – Appendix 15.5.2 Urban Heat Island Assessment	Mitigation measures should be proposed to reduce the impact of UHI effect.	The UHI Assessment states that ‘mitigation of UHI is essential to ensure future resilience as the climate changes’ and that that project could ‘exacerbate the increase in UHI effect’ but does not propose the implementation of any specific mitigation measures, e.g. additional vegetation or water bodies could be proposed at this stage to minimise impacts.	<p>Identification of further adaptation measures that can be implemented in design, construction or operation to further reduce the UHI effect. Updated position (Deadline 1 SoCG): It is acknowledged that the Applicant will monitor UHI. It’s also recommended that where feasible and appropriate additional UHI mitigation measures are incorporated.</p> <p>Updated Position Deadline 5: The Applicant has provided confirmation in April 2024 that where feasible and appropriate, additional UHI mitigation measures could be incorporated if they are required. As stated in paragraph 6.6.5 of the Design &amp; Access Statement – Volume 5 [REP2-036], GAL has a commitment to ensure that climate risks are not increased and climate resilience is considered throughout detailed design; this includes measures related to the UHI.</p>	Addressed
<b>Assessment of significant effects</b>				
CC11-	Lack of consideration of wildfire	Wildfire is not mentioned as a possible climate hazard impacting the airport’s operation. Wildfires in the surrounding area, in particular the smoke they	The Applicant should consider the risks associated with wildfire & associated smoke.	Addressed

		<p>generate, can impact airport operations, e.g. flights can be delayed, or certain planes may have to be diverted. Refer to following incident: <a href="https://www.express.co.uk/news/uk/1653913/Gatwick-airport-fire-smoke-runway-flights-wildfire-heatwave-drought">https://www.express.co.uk/news/uk/1653913/Gatwick-airport-fire-smoke-runway-flights-wildfire-heatwave-drought</a></p>	<p>Update Position Deadline 5 The Applicant has submitted in April 2024 the document '<i>Examination Technical Note – Climate Change 2: Wildfire and fog risks</i>'. [REP4-039]</p> <p>This has now addressed the concerns raised with regard to wildfires.</p>	
CG12.	Lack of consideration of fog	<p>Risks associated with fog were not included in the risk assessment. Fog can impact visibility and the ability to perform day to day airport operations. Adequate consideration should be given to this in the risk assessment.</p>	<p>The Applicant should undertake further research to gain clarity around how fog may change in the future as a result of climate change and give further consideration to its risks.</p> <p>Update Position Deadline 5: The Applicant has submitted in April 2024 the document '<i>Examination Technical Note – Climate Change 2: Wildfire and fog risks</i>'. [REP4-039]</p> <p>This has now addressed the concerns raised with regard to fog.</p>	Addressed.



## LOCAL ECONOMIC AND SOCIO-ECONOMIC IMPACTS

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
<b>Assessment Methodology</b>				
LESE1.	Confirmation on projects which informed methodological approach	Paragraph 17.4.2 states that 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 consultation process.	<p>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.</p> <p><b>Updated Position (Deadline 5):</b> No change. The Applicant has named relevant projects but has not explained how they are relevant to informing development of methodology. The expectation is for the Applicant to highlight how specific aspects of these “exemplar” projects were of relevance.</p> <p><b>Updated Position (Deadline 9):</b> 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</p>	HighLow

			<u>deficiency in terms of the assessment itself.</u>	
LESE2.	No consideration of effects at a Crawley borough level.	Despite being raised as a gap in the assessment at several Socio-economic Topic Working Group meetings, there is still no qualitative assessment of effects undertaken at a local authority level. The impacts of the project on key variables such as employment, labour market, housing (including affordable), and temporary accommodation need to be assessed given they affect both functioning and decision making at the local level.	<p>The Applicant should undertake an assessment of project impacts on each local authority located within the Northern West Sussex Functional Economic Market Area (FEMA), providing a commentary to adequately explain the extent of impacts at a local level.</p> <p><b>Updated Position (Deadline 5):</b> No change. In the absence of detailed local level analysis, it is difficult to accurately gauge the local impacts of the Project.</p> <p><b>Updated Position (Deadline 9):</b> <u>CBC considers that an assessment of impacts is required at the Local Authority level. The consequences of the absence of a local level assessment could in some way be alleviated through the ESBS and housing fund, which are being negotiated within the s106.</u></p>	Low
LESE 3.	Assessment of impacts on property prices	An assessment of project impact on property values has been scoped out of the assessment despite PINS advice on the issue (PINS ID 4.10.3). Unless subsequently agreed otherwise by PINS, an assessment of project impacts on property prices is still required.	<p>At the minimum, the Applicant should undertake a qualitative assessment which robustly assesses the project's impacts on property prices.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p>	Low <u>No longer pursuing this point</u>
LESE 4.	Clarification on use of pre-Covid data	Paragraph 17.4.14 states that 2019 data was primarily used given concerns with the Covid pandemic potentially affecting baseline data. However, this is a confusing message given some of the data sources used are post Covid and it is not clear why the Applicant has applied this approach.	<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> <p><b>Updated Position (Deadline 5):</b> <u>CBC note that the Applicant has in</u></p>	High <u>No longer pursuing this point</u>

			<p><del>some cases revisited its assessments with more recent data. However, in the absence of detailed local level analysis, it is difficult to accurately gauge the local impacts of the Project.</del></p> <p><del>CBC suggest this Point can be combined with Socio-Economic Points 6, 16, 24, 28 below.</del></p> <p><b>Updated Position (Deadline 9):</b>  <u>Discussed at TWGs held 6 and 8 August. CBC consider that clarifications regarding the use of pre-Covid data have now largely been provided sufficient to address this matter. No longer pursuing.</u></p>	
LESE 5.	Magnitude of impacts definition	<p><del>Paragraph 17.4.25 presents tables defining the scale of magnitude of impacts for construction and operational periods of the project. 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.</del></p>	<p><del>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.</del></p> <p><b>Updated Position (Deadline 5):</b>          No change.</p> <p><b>Updated position (Deadline 9):</b>  <u>CBC 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 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.</u></p>	Low
LESE 7.	Consideration of worst case scenario for employment benefit	<p><del>Paragraph 17.5.5 states that the construction assessment presented in Section 17.9 focuses on the project's potential maximum effects. Whilst it is</del></p>	<p><del>The Applicant should clarify whether they have estimated a</del></p>	Low

		<p>important to consider the maximum scale of impacts 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>worst case scenario for numbers of construction workers.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated position (Deadline 9):</b> Discussed at TWGs held 6 and 8 August 2024. CBC notes that no worst case assessment has been presented in terms of employment benefit despite the helpful provision of lower employment numbers. CBC 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>	
<p>LESE 8.</p>	<p>Workplace earnings trends and impact on affordability</p>	<p>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>	<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><b>Updated Position (Deadline 5):</b> No change</p> <p><b>Updated position (Deadline 9):</b> CBC'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, which</p>	<p>Low</p>

			<u>are being negotiated within the s106.</u>	
LESE 9.	<u>Assessment of sensitivity of receptors</u>	<u>Paragraph 17.6.121 presents a table setting out sensitivity of receptors. We question the sensitivity grading for employment and supply chain impacts, labour market impacts, disruption of existing resident activities. The sensitivity gradings should be revisited for these receptors.</u>	<u>The Applicant should revisit the sensitivity gradings for identified receptors.</u>  <u>Updated Position (Deadline 5): No change. Updated position (Deadline 9): CBC 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 for the ExA to consider in determining weight afforded to the assessment within the overall planning balance.</u>	Low
<b>Assessment of significant effects</b>				
LESE 10.	<u>Assessment of construction effects</u>	<u>Assessment of labour market effects, effects on temporary accommodation, effects on community facilities, and effects on employment during construction need to be revisited. Concerns have been raised about the sensitivity of these effects. The magnitude of effects on construction employment for all study areas is also questioned, and magnitude of labour market effects based on magnitude criteria being used. There are also potential data limitations in relation to construction employment calculations as outlined in the review of Appendix 17.9.1. The Applicant hasn't undertaken any assessment at local authority level.</u>	<u>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, providing a qualitative commentary to explain the implications rather than just signposting to numeric tables.</u>  <u>Updated Position (Deadline 5): No change. Updated position (Deadline 9): CBC considers that the Non Home Based worker assumption is not sufficiently precautionary. CBC'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</u>	Low

			<p><del>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.</del></p> <p><del>Impacts on temporary accommodation and the role of the housing fund are discussed at Row LESE21.</del></p>	
<p>LESE 11.</p>	<p><del>Assessment of construction effects during the first year of operation</del></p>	<p><del>Assessment of construction effects during the first year of operation (including labour market effects, effects on population, effects on temporary accommodation, construction noise impacts on residents, effects on community facilities, and effects on construction employment) need to be revisited. The magnitude score of 'high' for all study areas is questioned.</del></p> <p><del>Whilst there should be positive employment impacts during the construction phase, any positive economic impacts must be considered alongside related impacts, some of which are negative or uncertain. It should also be noted that the construction jobs calculation appears to be based on a "maximum" scenario. The Applicant hasn't undertaken any assessment at local authority level.</del></p>	<p><del>The Applicant should revisit this assessment based on the comments. The Applicant should also undertake an assessment of impact at local authority level for those authorities based in the FEMA, providing a qualitative commentary to explain the implications rather than just signposting to numeric tables.</del></p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> CBC'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</p>	<p>Low</p>

			<p><del>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 it addresses local need.</del></p> <p><del>Impacts on temporary accommodation and the role of the housing fund are discussed at Row LESE21.</del></p>	
LESE-12.	Operational effects	<p>Assessment of operational labour market effects, effects on affordable housing needs 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. The Applicant also hasn't undertaken any assessment at local authority level.</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, providing a qualitative commentary to explain the implications rather than just signposting to numeric tables.</p> <p><del>Updated Position (Deadline 5): No change.</del></p> <p><del>Updated Position (Deadline 9): Gatwick Airport is located in an area facing housing pressures. There will be housing impacts during the operational phase but the JLAs agree that these will not require mitigation.</del></p>	<p>Low <del>No longer pursued</del></p>
LESE-13.	Commercial Floorspace	<p>Project General Mitigation of the Update on the Development of Local Authority Issues Trackers (Ref AS-060), Row 3.86 confirms that one office block is proposed, principally to replace lost airport-related office space at Destinations Place. Airport-related office use would appear to fall within the definition of associated development, but the Applicant's use of the word 'principally' appears to leave open the possibility that some of the space may be non-airport related.</p>	<p>Applicant to clarify that proposed office floorspace is to be used for airport-related use only (with controls in place to ensure this). Controls restricting use to airport-related uses only are essential, or this element of the Project should be removed.</p> <p><del>Updated Position (Deadline 9): The Applicant has clarified in its response [REP7-091] to ExA</del></p>	<p>Uncertain</p>

		<p>The Applicant's recent comments at Row 2.10.5.3 of the SoCG with CBC (May 2024) suggest that offices are intended to be used by occupiers not related to the operation of the airport. If that is the case, this would mean that the offices within the DCO are not Associated Development because they could be used by any business with no connection whatsoever with the operation of the airport. Controls restricting use to airport related uses only are essential, or this element of the Project should be removed.</p>	<p><del>Question 2.10 that the offices will be used for airport-related uses only. The Applicant's proposed Requirement 34 (Office Occupier) provides the necessary comfort in this regard. The point is 'Agreed' and is removed from the PADSS</del></p>	
LESE 14.	Application of assessment issues across all scenarios	<p>With regards to the sections on other scenarios:</p> <p>(1) Interim Assessment Year: 2032 (Paragraphs 17.9.80-17.9.119)</p> <p>(1) Design Year: 2038 (Paragraphs 17.9.120-17.9.142)</p> <p>(2) Long Term Forecast: 2047 (Paragraphs 17.9.143-17.9.165)</p> <p>All of the construction and operational phase assessment scenarios in the chapter have been undertaken using the same assessment methodology. Therefore, all comments made on the initial construction and operation phase scenarios are relevant to the other scenarios.</p>	<p>The Applicant should revisit the assessments for all construction and operation phase scenarios.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> <u>This is not agreed. However, CBC are content not to pursue this point.</u></p>	Low <u>No longer pursued.</u>
LESE 15.	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 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. Furthermore, paragraph 17.11.9 states that the construction period of the project will overlap 'to some degree' with Tier 1 schemes. The statement 'to some degree' is understating the potential labour supply issues. It is clear there will be commonality of skills and trades demanded by the project and other construction projects. The operational cumulative effects (first full year) section is based on projections of future population, labour supply, jobs and housing and is unlikely to have a material effect on the conclusions from the initial assessment. A number of queries related to population, labour supply, jobs and</p>	<p>The Applicant should revisit and undertake a comprehensive cumulative assessment. The Applicant should undertake an assessment at local authority level for those authorities based in the FEMA, providing a qualitative commentary to explain the implications rather than just signposting to numeric tables.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> CBC's position is as set out at Issue Specific Hearing 9 whereby its Counsel stated that the absence of a local authority level</p>	Low



		housing have been raised which would have an impact on this assessment.	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 theyit addresses local need.  Impacts on temporary accommodation and the role of the housing fund are discussed at Row LESE21.	
<b>Document name: Environmental Statement Appendix 17.9.3: Assessment of Population and Housing Effects</b>				
			<b>Updated Position (Deadline 5):</b> CBC suggest merging this with Socio-Economic Points 4 and 6.	
LESE 17.	The approach to analysis of housing delivery does not analyse the full range of inputs required when determining local affordable housing need.	There needs to be a more granular assessment of housing delivery in the area, in particular 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.  <b>Updated Position (Deadline 5):</b> No change. <b>Updated position (Deadline 9):</b> <u>Gatwick Airport is located in an area facing housing pressures. There will be housing impacts during the operational phase but the JLAs agree that these will not require mitigation.</u>	<u>Low</u> <del>No longer pursued</del>

			The Authorities remain of the view that there are impacts that require mitigation in relation to the construction phase. Impacts on temporary accommodation and the role of the housing fund are discussed at Row LESE21.	
<del>LESE 18.</del>			<del>Updated Position (Deadline 5): This point has been removed from the SoCG. CBC suggest removing from PADSS also.</del>	
LESE 19.	Assessment of impacts on labour supply	Paragraph 5.2.14 states that the project is only expected to be a determinant in whether there is labour shortfall or 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. 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. In particular, the Authorities understand there to be skills shortages across the construction sector in Sussex, including for basic construction skills and more specialist sectors within the supply chain, as informed by Future Skills Sussex in its Local Skills Improvement Plan (2023). This is discussed further in the West Sussex LIR, Paragraphs 18.36 to 18.48.	<p>Given the limitations in its approach, the Applicant justify the basis of the assessment which concludes that the 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><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> <u>CBC remains of the view that the Applicant's NHB worker assumptions are not sufficiently precautionary. CBC'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</u></p>	Low

			<del>local level assessment could in some way be alleviated through the ESBS.</del>	
LESE 20.	Vacant properties	In paragraph 6.2.3-6.2.4 the Applicant provides an analysis of vacant properties, which implies that bringing these back into use will help meet the demand generated by non-home based workers. There is no analysis of why these properties are vacant, length of time vacant and barriers bringing them back into use.	<p>A more robust assessment of the current private rented market is required. The Applicant needs to consider how it can help to bring these properties back into use, both in the short term by the non-home based workers but also by bringing a benefit to local areas and bringing properties back into use by local population once construction is complete.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> Whilst CBC agree that use of Census 2021 data is broadly robust, there are pressures in the private rented sector which have increased since the Census 2021, which reflected unprecedented changes to the housing market arising from the Covid-19 pandemic, whereby there was a greater than normal availability of PRS. Therefore vacancy is more limited than the data suggests. Pressure is felt through shorter void periods and high demand per unit on the market, albeit data is limited. The need to place asylum seekers in either the PRS or hotels has added to the pressures. There is a risk that increased demand for PRS housing and hotels arising from the construction phase of the Project could make the homelessness position worse. In light of this, a Homelessness</p>	Low

			<p><u>Prevention Fund has been agreed within the s106 which the council can draw down from based on evidence of impacts on the housing market.</u></p>	
<p><del>LESE 21.</del></p>	<p><del>Construction Phase Impacts on Temporary Accommodation</del></p>	<p><del>In Crawley, GAL's estimation of 119 available properties to rent, derived from Lichfield's interpretation of the 2011 Census data, is considered to be high, as there is in reality limited stock available on the market and increasing demand for private rented accommodation. CBC has insufficient temporary accommodation within its own portfolio and cannot source sufficient short term private accommodation within the borough, resulting in some families having to be housed in accommodation which does not meet their needs, possibly out of the borough and for long periods of time. The unprecedented growth in the demand for temporary accommodation, and the indications of this trajectory continuing along this trend is the main reason for CBC declaring a Housing Emergency on 21 February 2024. Any increased demand and competition from NHB construction workers for the Project seeking short term private rented accommodation in Crawley, or the surrounding areas will increase the demand pressure still further. This is discussed in further detail in the West Sussex LIR Paragraphs 18.49 to 18.56.</del></p>	<p><del>The Applicant should review other potential sources that could inform a more up to date understanding of available private rented accommodation. This could include liaison with local authorities in the FEMA. The analysis should also take account of other schemes that could need construction workers who may require temporary accommodation.</del></p> <p><b><del>Updated Position (Deadline 5):</del></b>  <del>CBC note that the Applicant has updated with 2021 census data. Notwithstanding this update, CBC retains concerns regarding the impact of the construction workforce on demands for short-term private rented accommodation.</del></p> <p><b><del>Updated Position (Deadline 9):</del></b>  <del>CBC's concern in respect of short term accommodation is that the 2021 Census reflects temporary and unprecedented changes to the housing market arising from the Covid-19 pandemic, whereby there was a greater than normal availability of PRS, representing a deviation from long-term trends. This was addressed by CBC and the Authorities in their</del></p>	<p><del>Low</del></p>

			<p><u>Deadline 3 Submission [REP3-117] Section 2.3, specifically paragraphs 2.3.5 to 2.3.7. With the market now returning to pre-pandemic levels, CBC contend that the supply of available bedspaces measured at the 2021 Census would be higher than in today's more normal operating market if measured again. This is reflected in the council's own experience, where there has been a significant worsening in the availability of short and medium term accommodation in the years since the 2021 Census was undertaken.</u></p> <p><u>Whilst not reflected in the 2021 census data, there is a risk that increased demand for PRS housing and hotels could make the homelessness position worse, this could in some way be alleviated through the ESBS which is being negotiated within the s106. CBC notes the Applicant's Deadline 3A Response to ISH9 Action Point 36 (consideration of asylum seekers within the assessment). CBC would note in response:</u></p> <p><u>At 2.2.2 the Applicant states that it is not known whether the 80 remaining households were able to be accommodated elsewhere within the housing market area. CBC would reiterate that neighbouring authorities also have concerns about the availability of PRS and short to medium term accommodation in their own areas. Indeed, as of July 2024</u></p>	
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			<p><u>CBC has needed to place 185 households outside of the borough.</u></p> <p><u>At 3.1.1 the Applicant refers to the government's stated policy, as of March 2024, to end the use of hotels for people seeking asylum. Whilst this is the intention, the extent to which this is achievable is expected to vary by area. CBC note that at the time of writing, several hotels in the area remain in use providing asylum accommodation, and there has in any case been a change of government since that statement was published.</u></p> <p><u>As set out in the CBC/GAL SoCG, it is agreed that "there is a risk that increased demand for PRS housing and hotels could make the homelessness position worse, so a fund is required to prevent and address homelessness (e.g. CBC SoCG Row 2.19.2.8). The Housing Fund, including the appropriate uses for the funding (which now differ from those set out in this 8A Response to Action Point 36), is being negotiated within the s106.</u></p>	
LESE 22.	Impacts on affordable housing	<p>Paragraph 7.5.1 recognises that the project is likely to generate demand for affordable rented housing which is greater than the number of homes in the existing stock. If this exercise is done at a local authority level, then the figures are very different and the true impacts at local authority level are being hidden.</p> <p>Secondly, assessment goes on to conclude that despite the demand from the project being skewed towards affordable housing, there are unlikely to be impacts on affordable housing beyond what is emerging or planned for. However, analysis of</p>	<p>The Applicant should substantiate the conclusion that the project is unlikely to have any impact on affordable housing demand. The analysis should be updated at a local authority level in order to help identify issues which need to be planned for and mitigated.</p> <p><b>Updated Position (Deadline 5):</b> The council notes the response by the Applicant in REP4-031 to</p>	<p><u>Low. No longer pursued</u></p>

		<p>completions by local authority (Table 7.4.1) has demonstrated that the delivery frequently does not meet the need, and therefore a shortfall is likely. On that basis, the conclusion that the project is unlikely to have any impact on affordable housing demand beyond what is planned for does not appear well founded.</p> <p>For Crawley, total affordable housing need is almost as high as its overall housing need of 755 dwellings per annum (12,835 over the plan period 2023-2040), of which only 42% (5,330) can be met within the borough). Only 17% of Crawley's identified affordable housing can be met in the borough. The Applicant acknowledges at paragraph 17.9.68 of the Environmental Statement (APP-042) that potential tenure demands associated with the Project are likely to be slightly skewed more towards affordable housing than the existing employment base. Given that Crawley is unable to meet its existing affordable housing need, it follows that the Project will exacerbate what is an existing unmet need for affordable housing within Crawley Borough. Further detail is provided in West Sussex LIR Paragraphs 18.76 to 18.80.</p>	<p>SE.1.15 but considers it cannot be said with certainty that there will be no increase in the need for affordable housing in the borough, where there is already a significant unmet need, and remains of the view that a contribution to affordable housing is appropriate.</p>	
<b>Document name:</b> Environmental Statement Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note				
LESE 23:	Distance travelled to work data	<p>Paragraph 2.1.6 explains that the study draws on data provided by the Construction Industry Training Board (CITB) in terms of average distance workers travel to sites for each region of the UK. 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.</p>	<p>The Applicant should review their approach to this assessment and apply relevant assumptions to the modelling to take account of local variations.</p> <p><b>Updated Position (Deadline 5):</b> No change.  <b>Updated Position (Deadline 9):</b> CBC are content that the matter in respect of distance travelled to work data can be agreed</p>	Low
			<p><b>Updated Position (Deadline 5):</b> No change. CBC suggest merging this with Point 4.</p>	

<p>LESE-25-</p>	<p>Labour supply constraints</p>	<p>The Gravity Model used to identify the split of construction workers as 80% HB and 20% as NHB 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% HB construction workers doesn't appear to be very realistic in practice or indeed a worst-case approach.</p>	<p>The Applicant should revisit their approach and include a worst-case scenario which assumes all construction workers will be NHB.</p> <p><b>Updated Position (Deadline 5):</b> No change.</p> <p><b>Updated Position (Deadline 9):</b> <u>CBC remains of the view that the Applicant's NHB worker assumptions are not sufficiently precautionary. CBC'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</u></p>	<p>Low</p>
<p>LESE-26-</p>	<p>Private rented sector (PRS) accommodation</p>	<p>Section 6.3 provides details of allocation of NHB workers by local authority vs supply of private rental sector beds. Table 6-5 presents PRS bed supply for 2021 by local authority but it isn't clear how these figures have been derived given Paragraph 3.5.2 advised the data on bedrooms was gathered from the 2011 Census. In addition, whilst the figures present PRS bed supply, they do not advise on the availability of accommodation. In the light of a declining supply of rental accommodation and feedback from local authorities on limited availability (PADSS Row 21 refers) this would seem to be a significant omission. Further detail is provided in West Sussex LIR Paragraphs 18.76 to 18.80.</p>	<p>The Applicant should review other potential sources that could inform a more up-to-date understanding of available private rented accommodation. This could include liaison with local authorities in the FEMA. The analysis should also take account of other schemes that could need construction workers who may require temporary accommodation.</p> <p><b>Updated Position (Deadline 5):</b> No change. CBC note this is a similar point to that raised at Point 21 above, albeit in reference to a different application document.</p>	<p>Low</p>
<p><b>Document name:</b> Appendix 17.8.1 Employment, Skills and Business Strategy</p>				



<p>LESE-27-</p>	<p>Lack of information on implementation plan, performance, measurable targets, funding and financial management, monitoring and reporting. Route map from ESBS to Implementation Plan is not identified.</p>	<p>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 unclear why the Applicant is unable to provide further details on these arrangements within the ESBS (which is the control document) in order to provide sufficient reassurance that appropriate systems will be in place. The ESBS also provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO vs. provision and outputs offered in a Business as Usual (BAU) scenario. Furthermore, the ESBS does not set out any process for how the Implementation Plan would be developed. Given the Applicant is currently suggesting that the majority of the relevant content for the local authorities will be set out in the Implementation Plan, it is essential that the Applicant provides further details on the process for delivering this.</p>	<p>The council <del>note that the ExA have requested that the Applicant submit a first draft Implementation Plan at Deadline 3 (19 April), and welcome the Applicant's establishing of an ESBS Steering Group to feed into this work (first meeting 25 March).</del> Outcomes <del>sought</del> by the Local Authorities are summarised below:</p> <p>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 <del>demonstrate</del> local need, which should appropriately consider the variations between local authorities.</p> <p>The Applicant should provide some details on performance, <del>financial management, monitoring and reporting</del> which can be developed further as part of an Implementation Plan. <del>The achieving of appropriate and deliverable outcomes will be key.</del></p> <p>The Applicant should also clearly explain the difference of BAU and DCO scenarios in terms of provision &amp; outputs.</p> <p>A route map should be provided which explains the process from ESBS to Implementation Plan, aligned to areas of <del>identified</del> local need and outcomes.</p> <p><b>Updated Position (Deadline 5):</b> The applicant <del>submitted</del> an Implementation Plan (IP) at Deadline 3 [REP3-069]. The applicant has</p>	<p>Uncertain</p>
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			<p>held a further workshop with JLAs to discuss the detail of the IP. It is understood that the applicant will submit a revised IP at a later deadline, taking into account feedback from JLAs. CBC will provide further comments once revised version is available.</p> <p><b>Updated Position (Deadline 9):</b> The council welcomes the updated ESBS and Draft ESBS Implementation Plan which were shared at Deadline 7, and also the Thematic Plans shared offline. There will be a need to ensure that the Implementation Plans are sufficiently developed and robust in order to support existing need particularly the need which has emerged through the impact of the Scheme. CBC understand that the final Implementation Plans will provide sufficient detail including evidence of need and the interventions which will address this.</p>	
<b>Document name:</b> Environmental Statement Appendix 17.6.1: Socio-Economic Data Tables				
			<p><b>Updated Position (Deadline 5):</b> No change. This point is similar to several others regarding baseline data, albeit in reference to a different application document. Suggest combining with Socio-Economic Point 4.</p>	
<b>Document name:</b> Appendix 17.9.2 Local Economic Impact Assessment				
LESE 29.	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,	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.	Low

		<p>assumptions can still be applied through the application of a precautionary approach and use of benchmarks.</p> <p>This is further discussed in Appendix F of the West Sussex LIR.</p> <p>Please note: Work is ongoing between York Aviation and the Applicant regarding a joint local authority SoCG on operations/capacity and needs/forecasting. As this is a work in progress, the PADSS for these elements have not been updated but will be at Deadline 5, when the ExA request this is next submitted into the Examination.</p>	<p><b>Updated Position (Deadline 5):</b>                  CBC note that agreement has been reached (please see SoCG Row 2.19.2.1) as to the methodology for operational employment and GVA, i.e. on-site employment, indirect and induced employment and the associated GVA. This element of disagreement can be removed.</p> <p>This is distinct from any issues regarding the local impact of that employment and the implications for housing, employment and training, as well as considerations of construction employment and the wider catalytic impact of the airport on other business growth and employment. These matters are all subject of ongoing discussion.</p> <p><u><a href="#">Updated position (Deadline 9): 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.</a></u></p> <p><u><a href="#">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 this could weigh too highly in the planning balance.</a></u></p> <p><u><a href="#">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</a></u></p>	
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			<p><u>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>	
LESE 30.	Basis for distribution assessment of direct impacts	<p>Paraph 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><b>Updated Position (Deadline 5):</b> Applicant has confirmed date of passholder information. Whilst there remains an issue as to the date of this data, this specific issue can be removed.</p>	Agreed

## ~~HEALTH AND WELLBEING~~

~~Crawley Borough Council have removed this section from its PADSS as the issues contained within it reflect those concerns raised by West Sussex County Council who are the public health lead local authority. CBC supports the concerns raised by WSCC in its PADSS.~~

<del>Ref</del>	<del>Principal Issue in Question</del>	<del>Concern held</del>	<del>What needs to change/be amended/be included in order to satisfactorily address the concern</del>	<del>Likelihood of concern being addressed during Examination</del>
<del>1.</del>				
<del>2.</del>				
<del>3.</del>				
<del>4.</del>				
<del>5.</del>				
<del>6.</del>				

### CUMULATIVE ASSESSMENT AND IMPACTS

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
CA1.	Lack of support for the Crawley Western Multi-Modal Transport Link	<p>It is unclear to what extent the transport impacts of the development at West of Ifield have been considered alongside the construction phase of the Project. The Applicant indicates that it has not been considered necessary to include a cumulative assessment which includes the scheme. The Authorities do not agree with this decision by the applicant and consider there is the potential for unassessed and unmitigated impacts. The Transport Assessment (para 15.5.24 and 18.7.5) acknowledges the modelling shows traffic may take a route on the west side of the Airport from Ifield Avenue in Crawley via Bonnets Lane, these routes are adjacent to the West of Ifield site. There are a number of highways works associated with the West of Ifield scheme, in particular a multi-modal route which the West Sussex Transport Plan and the Crawley Borough Local Plan 2023-2040, Main Modifications Consultation Draft February 2024, identify as an Area of Search. GAL's support for the Crawley Western Multi-modal Transport Link is necessary to alleviate this future impact. West Sussex LIR Paras 19.28 to 19.32 refer.</p>	<p>Provide support, in policy terms and potentially financially, for the Crawley Western Multi-Modal Transport Link to enable developers to alleviate this impact should development West of Ifield come forward.                      Updated Position Deadline 5; No change  <u>Updated Position Deadline 9: No Change</u></p>	Low
CA2.	Safeguarding for a future southern runway should be removed if the NRP is approved	Safeguarding for a potential future southern runway significantly impedes the ability of Crawley to meet its development needs for housing, employment and noise sensitive supporting infrastructure such as	<p>Confirm that GAL will not pursue the requirement for safeguarding                      Updated Position Deadline 5; No change</p>	Low

		schools. GAL is not actively pursuing this option and, given growth through the Project continues to 2047, it would be unlikely a southern runway would be needed until around 2050 <u>at the earliest</u> . West Sussex LIR Para 18.81 refers.	<u>Updated Position Deadline 9: Should consent be given for the NRP providing capacity for very significant expansion at Gatwick, CBC will urge the Secretary of State to provide certainty as to whether land will continue to need to be safeguarded for a potential future southern runway beyond 2050 for Gatwick, given the significant constraint it imposes on housing and economic development in Crawley.</u>	
<del>CA3.</del>	<del>Gatwick Green Strategic Employment Location</del>	<del>The date of construction of Gatwick Green was assumed in Table 12.11.1 of Chapter 12 of the ES to be 20% complete in 2029, 50% in 2032 and 100% in 2047. However, evidence submitted to the Crawley Borough Local Plan Examination identifies the completion date as 2035. The Crawley Infrastructure Delivery Schedule December 2023 identifying on-site delivery from 2027/28, indicating construction could commence in 2025. The Gatwick Green allocation is sited immediately east of the Project, and there is considerable potential for overlaps to occur with the construction of the modified M23 Spur and particularly with the Balcombe Road bridge widening which is in close proximity to the northern access to the Gatwick Green site. This would create unassessed impacts to occur on the local highway network, particularly Balcombe Road, and/or on the operation of this Strategic Site. West Sussex LIR Para 19.27 refers.</del>	<del>The Applicant needs to ensure that access to third party land, for this site and any other, is maintained throughout the construction period as a commitment within the Construction Management Plan. Updated Position Deadline 5: The council notes the Applicant has engaged with the Gatwick Green developers. The Outline Construction Traffic Management Plan needs to include a commitment to ensuring access to third party land is maintained.</del>	<del>High</del>
<del>CA4.</del>	<del>Capacity of Crawley Sewerage Treatment Works,</del>	<del>The Authorities have not yet been assured by the Applicant that Thames Water has confirmed that the impact of the DCO's increased wastewater flows, together with those from planned development in the area have been taken into account. The Authorities are concerned that the physical design of the Project works, including the</del>	<del>If upgrades to the Works are deemed necessary, there is no clarity on whether this could impact on phasing for other developments, Confirmation from Thames Water. Updated Position (Deadline 5): The Applicant has now notified the ExA and is consulting on a Change to the DCO to</del>	<del>High</del>

		<del>new Reed beds, could compromise the ability of the Crawley Wastewater Treatment Works to expand should that be necessary in the future.</del>	<del>provide an on-airport foul water treatment works. CBC welcomes this in principle and will review the information with regard to the impact of these works.—</del>	
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## DRAFT DCO / OTHER MISCELLANEOUS CONCERNS

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 the Examination
DCO1.	The Council has wide-ranging concerns about the dDCO.	<p>These will be shared with the Applicant in due course and set out in the Council’s LIR.</p> <p>A summary of the Council’s main concerns (which is not exhaustive) is set out below –</p> <ul style="list-style-type: none"> <li>i. the definition of “commencement” and, in particular, the implications arising from certain operations which fall outside that definition and which do not appear to be controlled (article 2(1), interpretation).</li> <li>ii. clarification of other definitions relating to various airport and boundary plans listed in the order and extent of operational land.</li> <li>iii. the drafting of article 3 (development consent etc. granted by Order).</li> <li>iv. the drafting of article 6 (limit of works) which appears to allow GAL to exceed parameters beyond those assessed in the Environment Statement.</li> <li>v. the drafting of article 9 (planning permission) and provisions in relation to existing planning conditions and future planning controls (including permitted development rights).</li> <li>vi. the drafting of article 25, which concerns trees and hedgerows.</li> <li>vii. the drafting of Part 6 (Miscellaneous and General) particularly the impact of article 46 (disapplication of legislative provisions) on</li> </ul>	<p>Amended wording to ensure the dDCO is worded appropriately to ensure they are meaningful and enforceable.</p> <p>Outstanding concerns remain regarding the dDCO and a schedule of changes has been commented upon and attached to the ‘Comments on the Applicant’s Deadline 1 Submission Development Consent Order – schedule of Changes’ [REP1-005].</p> <p>Iterations of this schedule are likely to be presented at appropriate deadlines.</p> <p><b>Deadline 5 Update:</b> Concerns remain about the drafting of the dDCO. Comments are being exchanged at each deadline. CBC will review the expected revised draft DCO due for submission from the Applicants at this deadline.</p> <p><u>Deadline 9 – The summary position is that while some matters have been addressed, concerns remain about the drafting of the dDCO and further comments will be submitted exchanged at Deadline 9.</u></p> <p><u>In respect of matters i. to xi. In the column headed “Concern Held”, the position is as follows.</u></p>	Uncertain.

		<p>drainage and article 48, which provides a defence to statutory nuisance.</p> <ul style="list-style-type: none"> <li>viii. the inclusion of Work Nos. 26, 27, 28 and 29 (which all concern hotels) in Schedule 1 (authorised development).</li> <li>ix. the drafting of several requirements (Schedule 2) including: the drafting of “start date” (R.3(2) (time limits and notifications); the 14-day notification period in R3(2); why some documents must be produced “in accordance with” the certified documents and others must be produced either “in general accordance” or “in substantial accordance” with them; the drafting of R.14 (archaeological remains); and of those which concern noise (e.g. R.15 (air noise envelope), R.18 (noise insulation scheme)); the ambiguous drafting in R.19 (airport operations);</li> <li>x. concerns regarding Schedule 11, including the proposed timeframe for granting approval for the works, particularly those which are complex and for which limited information has been provided. The lack of any fee proposal for the processing approvals etc. is a matter of genuine concern.</li> <li>xi. the limited information contained in the documents listed in Schedule 12 (documents to be certified).</li> </ul>	<p>Those matters mentioned next to points ii. iii. and iv. are no longer live.</p> <p><u>Regarding i. – as explained in row 1 of Part B of the Authorities’ Deadline 8 Consolidated Submission on the draft DCO [REP8-163] this issue is capable of resolution if, in respect of temporary buildings and structures; the establishment of temporary haul roads; and the temporary display of site notices etc. the Code of Construction Practice is amended to state that these temporary sites will, when no longer needed, be reinstated to their previous use and habitats will be restored to their existing value (as a minimum). The Code of Construction Practice already does this in respect of other temporary works falling within the definition of “commencement” and so CBC consider this final request to be uncontroversial.</u></p> <p><u>Regarding v. – please see the commentary on Article 9 (planning permission) in Part A of the Authorities’ Deadline 9 submission on the draft DCO.</u></p> <p><u>Regarding vi. – please see the commentary on Article 25 (felling or lopping of trees and removal of hedgerows) in Part A of the Authorities’ Deadline 9 submission on the draft DCO.</u></p> <p><u>Regarding vii. – please see the commentary on Article 49 (defence to proceedings in</u></p>	
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DCO2.	Resources, timings and costs involved with discharge of requirements and monitoring and enforcement of ongoing mitigation measures	There has been no discussion with applicant to date on this matter. Schedule 11 in the DCO is not populated. This remains the case as of 26.3.24 (contrary to what might be suggested in the wording in the SoCG 2.7.1.12).	<p>The scale and complexity of the project will require significant LPA resource. CBC welcomes dialogue with the applicant to progress this matter. CBC welcome the opportunity to discuss with GAL.</p> <p><b>Deadline 5 update</b> – GAL have updated Schedule 11 however the fees proposed will not cover the CBC resourcing required to support the delivery of the project. Further discussions are needed to address this important point . Various written comments have been provided on this matter including in response to ExQ1 DCO 1.7 [REP3-0135 and REP4-062]</p> <p><b>Deadline 9 update</b> – GAL have agreed to fund <a href="#">a principal planning officer post to oversee the discharge of requirements and to fund some</a></p>	Uncertain

			<p><a href="#">admin officer time to support this process (Schedule 9 of the S106)</a>  <a href="#">CBC also welcome the agreement that a PPA will be entered into no later than 27 November 2024 to ensure cost recovery for the additional time spent by the local authorities and their consultants in the discharging of requirements. This remains an area of disagreement as the terms and details of the PPA terms still need to be discussed and would be removed from this table only when a suitable agreement is in place.</a></p>	
DCO 3.	Exclusion of Local Plan Policies and lack of consideration of their requirements.	<p>Lack of reference or acknowledgement of the adopted policies and relevant supplementary guidance that should be considered as part of the DCO. Through the SoCG (most recently at Section 2.17), the Applicant has committed to preparing a “Local Policy Assessment Table”, but this is yet to be provided. Related to this, CBC has asked the Applicant to include reference to the policies of the Crawley Borough Local Plan 2023-2040, Main Modifications Consultation Draft, February 2024. This is also yet to be addressed.</p>	<p>Amendments to ensure all policies and documents referenced in the main ES are listed in Appendices and demonstration that the DCO works comply with these requirements (or explain why not).</p> <p><b>Deadline 5 update</b>— A policy compliance table was provided and has been commented on see Section 7.7 [REP4-042]. To date compliance has not been demonstrated.</p>	Uncertain
DCO 5.	CAA No Impediments	<p><del>When GAL expects the Civil Aviation Authority to confirm there are no obvious safety related impediments</del></p>	<p>Applicant to provide CAA letter of No Impediment. GAL comment that letter should be submitted early in Examination stage is noted.</p> <p><b>Updated Position (Deadline 5):</b> CBC notes the draft SoCG between the CCA and the Applicant [REP3-068] and draft letter of No Impediment.</p>	High
DCO 6.	Northern Runway operation controls	<p>How the runway operation changes mentioned in paragraphs 1.3.7 and 1.3.8 will be secured and appropriately controlled</p>	<p>dDCO requirement to be added and agreed.</p> <p><b>Updated Position (Deadline 5) - No Change</b></p> <p><a href="#">Updated Position (Deadline 9) CBC supports the proposed amended Requirement 19 (Airport Operations) published by the ExA on 14 August limiting aircraft movements to 389,000 per annum, and a passenger cap of 80.2million</a></p>	high

			<u>passengers per annum. Subject to the inclusion of the ExA's proposed amendments of 14 August to this Requirement, this matter is resolved.</u>	
DCO 7. Planning Statement	Airports National Policy relevance to the DCO determination	Whether there is any legal precedent for the statement that it is "appropriate to use the policy framework of the [Airports National Policy Statement (ANPS) as the primary framework against which the project as whole should be tested" (para 1.5.19)	Legal Confirmation <b>Updated position (Deadline 9)</b> <u>CBC's position on the correct policy context is set out in the Authorities' Deadline 7 document Response to "The Applicant's Position on Section 104 and Section 105 of the Planning Act 2008" [REP7-107].</u>	<u>Uncertain</u>
DCO 8. Planning Statement (Appendix A)	Planning History	The Applicant has committed to undertake a review of the Planning History. However, as currently drafted this is incomplete, inaccurate and misleading. No details on the current controls and conditions imposed by existing planning permissions have been included, and no evidence is provided to justify the baseline position being relied upon.	Reviewed Planning History to be agreed with the LPA. The Applicant has not addressed this request. CBC has therefore provided this key information in the West Sussex LIR, and await the Applicant's comments.  <b>Updated position (Deadline 5) :</b> As demonstrated by Appendix C in the West Sussex LIR [REP1-069], the planning history submitted to the Examination (as Appendix A) is misleading and incomplete and the relevance of some of the entries to the DCO submission is still unexplained. The response provided by GAL in December 2023 [AS-115] provided answers to specific detailed questions posed by the Examination Panel well in advance of the submission of the West Sussex LIR in March 2024 and does not respond to the points raised in Chapter 4 of this document [REP1-068] in respect of the existing planning controls currently in force at the airport, incompatible controls and permitted development rights. The response provided is not adequate and GAL have not provided any response to the detailed submission on this matter provided in the LIR. CBC is not satisfied the current airport planning restrictions have been properly considered as part of the DCO.  <b>Updated position (Deadline 9)</b>	<u>Uncertain.</u>

			<p><u>CBC's position is set out in section 13 of the Authorities' Deadline 8 response to the Applicant's Deadline 7 submissions.—This response needs to be consistent with SoCG—see also section 13 [REP8-126]</u></p>	
DCO 11	<p><del>Applicant to provide details of ease law in respect of making best use (MBU) of existing runways in respect of Stansted and Manston airports.</del></p>	<p><del>The Authorities have questioned the applicability of the national Making Best Use of Existing Runways policy to this application as they are not, at this stage, entirely clear as to the scope of the works being proposed.</del></p>	<p><del>The Applicant has provided more detail on the scope of the engineering work at D1 through Application Document Ref: 10.9.2 (The Applicant's Response to Actions—ISH1 The Case for the Proposed Development) Action Point 3. The Authorities will come to a view as to whether the works are an alteration to a runway or the creation of a new runway.</del></p> <p><del><b>Updated Position (Deadline 5):</b> The additional construction details provided by the Applicant at D4 have been reviewed (refer to West Sussex Authorities response provided at D5 for update).</del></p>	High
DCO 12	<p>Airports NPS and National Networks NPS (position regarding s104 and s105 of the Planning Act 2008 and National Policy Statements).</p>	<p>The Council consider that the application falls within the scope of s.104 PA 2008 and its provisions should be applied. The NNNPS has effect in relation to application in so far as it comprises the 'highway related development' elements of the proposal. The Airports NPS does not have effect in relation to any parts of the application, but it is an important and relevant matter in so far as the proposal comprises 'airport related development'. Because the NNNPS does not contain any guidance on the assessment of 'airport related development', and that development is a fundamental component of the proposal, the NNNPS does not provide a sufficient guide to determine whether the application, taken as a whole, is in accordance with it. This is discussed in greater detail through the West Sussex LIR (Paragraphs 6.1 to 6.10).</p>	<p>The Applicant has provided more detail on the scope of the engineering work at D1 through Application Document Ref: 10.9.2 (The Applicant's Response to Actions – ISH1 The Case for the Proposed Development) Action Point 1. The Authorities will review the material submitted by the Applicant and form a view.</p> <p><b>Updated Position (Deadline 5):</b> Matter under discussion.</p> <p><u>Updated position (Deadline 9): CBC's position is set out in section 13 of the Authorities' Deadline 8 response to the Applicant's Deadline 7 submissions [REP8-107]. In brief, the Authorities and the Applicant have agreed to disagree regarding the application of section 104 and 105 on the basis that the application for development consent can be determined without the SoS having to make a definitive interpretation of the correct approach to those provisions.</u></p>	High

DCO13	Community Fund	The council 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."	<del>Updated Position (Deadline 5):</del> This matter is subject to ongoing discussion through negotiation on the S106 agreement.	Uncertain
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