

**Gatwick Northern Runway
TR020005
Cover Letter Deadline 10**

August 2024

Our ref: 20044834

Your ref: TR020005

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Via E-Mail to:

27 August 2024

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Dear Mr Gleeson,

GATWICK NORTHERN RUNWAY PROJECT – DEADLINE 10 SUBMISSION

Please find attached National Highways' Deadline 10 submission, which consists of a response to Rule 17 Letter dated 20 August 2024.

In addition to the above document that has been submitted at Deadline 10, National Highways has provided the following updates on other matters:

[Updates to outstanding matters contained in the Statement of Common Ground and Closing Statement issued at Deadline 9](#)

The Statement of Common Ground and Closing Statement submitted by National Highways and the Applicant at Deadline 9 set out the latest position that had been reached between both parties. Post the submission of Deadline 9, National Highways has continued to engage with the Applicant and can confirm the following updates:

Indemnity

National Highways has had no further dialogue with the Applicant on this matter since Deadline 9. However National Highways considers that its preferred indemnity be provided to be of paramount importance and has therefore reiterated this in our final cover letter as part of the examination. The full justification for National Highways' position on the Applicant's unprecedented and inappropriate proposed indemnity in National Highways' Protective Provisions is provided in its Closing Submissions. The absence of agreement on that matter means that National Highways maintains its objection under section 127 of the Planning Act 2008.

National Highways would request that the Applicant adopts its preferred set, or that if it intends to respond at the very end of the examination, or the ExA makes a recommendation that the Secretary of State adopts the Applicant's drafting that the Secretary of State – during the decision stage – provides an opportunity to National Highways to respond to a provision which puts significant public money and, consequently, the integrity of the Strategic Road Network, at risk.

Justification for the use of the South Terminal Roundabout for site compound access

National Highways closing statement submitted at Deadline 9, set out an outstanding concern that the justification for the use of the South Terminal Roundabout for the site compound access had not been adequately justified. The Applicant has since provided the additional information requested, and after reviewing this information, National Highways is content with the justification set out and is now able to confirm that this matter is agreed.

National Highways agreement with the Applicant for the provision of the temporary access for the South Terminal Compound is on the basis that this access will be removed following the completion of construction activities associated with the Strategic Road Network. National Highways refers the Applicant and Examining Authority to its responses to the Rule 17 letter issued on the 20th August which has been submitted at Deadline 10 which relate to any access arrangements off South Terminal Roundabout.

Compulsory Acquisition Powers

In National Highways closing statement submitted at Deadline 9, National Highways requested that the following changes were made to a series of land parcels:

- Land parcels 4/474B and 4/474C will be converted to land subject to permanent rights (presumed highway)
- Land parcels 1/138A and 1/256 will be converted to Land subject to permanent acquisition

National Highways can confirm that it has reviewed the Deadline 9 submissions and the above changes have been reflected in the updated Book of Reference. However National Highways notes that the Applicant has not published an updated copy of the Land Plans in order to reflect this change. National Highways has liaised with the Applicant and the Applicant has confirmed that an updated copy of the Land Plans will be issued at Deadline 10. This will ensure that, at the close of the examination, the Book of Reference can be read in conjunction with a corresponding version of the Land Plans. In light of the protections provided to National Highways in its Protective Provisions, National Highways does not anticipate commenting on this issue further.

Fluvial Model and Blockage Assessments

In National Highways cover letter to its Deadline 9 submission, it was noted that the Applicant had not resolved outstanding points relating to the fluvial model with the Environment Agency. Subsequent to this, the Applicant provided National Highways with a copy of the Statement of Common Ground with the Environment Agency on 27 August 2024. This document demonstrates that all matters related to the fluvial model in the Water Environment



section have been agreed or superseded. Therefore, this satisfies matters 2.22.2.2, 2.22.2.6, 2.22.2.7 and 2.22.4.2 with the Statement of Common Ground with National Highways

With regards to the Blockage Assessment, National Highways maintains its concerns set out in matter 2.22.3.3 of the Statement of Common Ground with National Highways.

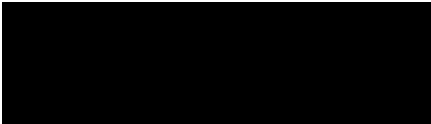
On the basis of the progress made on the above issues since Deadline 9, National Highways has agreed with the Applicant an update to the Statement of Common Ground previously submitted. This update is to be submitted by the Applicant at Deadline 10.

National Highways appreciates the efforts that the Applicant has taken through the examination to resolve National Highways concerns raised as part of its Relevant Representation **[RR-3222]** and Written Representation **[REP1-088]** submissions. The proactive working relationship between both parties has resulted in the withdrawal of the majority of National Highways fundamental objections to the application with only a limited number of matters either not agreed or remaining under discussion which are outlined above.

Subject to the outcomes of the Examining Authorities Recommendations Report and the Secretary of State's decision notice, National Highways will continue to work with the Applicant to ensure that the development aligns with National Highways requirements and protects the safe operation of the Strategic Road Network.

If the Examining Authority or Secretary of State requires any additional information post the close of examination, National Highways will endeavour to provide the necessary detail that is within its remit.

Yours Sincerely,



Peter Fisher

Head of 3rd Party Infrastructure