
# Gatwick Airport Northern Runway Project

## Statement of Comon Ground Between Gatwick Airport Limited and Environment Agency – Tracked Version

## Book 10

**VERSION: 3.0**

**DATE: AUGUST 2024**

**Application Document Ref: 10.1.12**

**PINS Reference Number: TR020005**

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# 1 Introduction

1.1.1 This Statement of Common Ground (SoCG) has been prepared in support of the examination phase for the proposed Gatwick Northern Runway Project (NRP). The Application was made by Gatwick Airport Limited (the Applicant) to the Secretary of State for the Department for Transport (the Secretary of State) pursuant to Section 37 of the Planning Act 2008 (PA 2008).

1.1.2 The Application comprises alterations to the existing northern runway which, together with the lifting of the current restrictions on its use, would enable dual runway operations. It also includes the development of a range of infrastructure and facilities which, with the alterations to the northern runway, would enable an increase in the airport's passenger throughput capacity. This includes substantial upgrade works to certain surface access routes which lead to the airport. A full description of the Proposed Development is included in **ES Chapter 5: Project Description** (Doc Ref. 5.1).

1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be considered during the Examination. The purpose and possible content of SoCG is detailed in the Department for Communities and Local Government's guidance entitled 'Planning Act 2008: examination of applications for development consent' (2015), stating:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

1.1.4 The SoCGs between the Applicant and the local authorities comprises several documents, to which this document is one. The Statement of Commonality provides details of the structure and status of the SoCG between all the relevant Interested Parties, including the local authorities. Naturally, the level of detail across the suite of SoCG varies to reflect the nature and complexity of the matter, as well as the position between the parties.

1.1.5 This document solely relates to matters between the Applicant and Environment Agency. A summary of the meetings and correspondence that has taken place between the parties is detailed in **Appendix 1** of this document.

1.1.6 The engagement between the parties across the breadth of matters is ongoing. Therefore, the SoCG is an evolving document and the detailed wording within it is still being discussed in detail between the parties. Future iterations will be submitted at each deadline; and both parties reserve the right to supplement the matters identified as discussions progress, to ensure it is comprehensive and up to date.

1.1.7 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not (yet) been reached, and is presented in a tabular form. This SoCG does not seek to replicate information that is available elsewhere, either within the Application and/or Examination documents, referring out where

appropriate. The terminology used within the SoCG to reflect the status between the parties is either:

- "Agreed" to indicate where a matter has been resolved to the satisfaction of the parties.
- "Not Agreed" to indicate a final position where parties cannot agree.
- "Under discussion" to indicate where matters are subject of on-going discussion with the aim to either resolve or refine the extent of disagreement between the parties.

1.1.8 It can be assumed that any matters not specifically referred to in Section 2 of this SoCG are not of material interest or relevance to Environment Agency; and therefore, have not been the subject of any discussions between the parties. As such, those matters should be assumed to be agreed, unless otherwise raised in due course by any of the parties.

# 2 Current Position

## 2.1. Agricultural Land Use and Recreation

2.1.1 **Table 2.1** sets out the position of both parties in relation to agricultural land use and recreation matters.

**Table 2.1 Statement of Common Ground – Agricultural Land Use and Recreation Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Agricultural Land Use and Recreation within this Statement of Common Ground.* | | | | | |

## 2.2. Air Quality

2.2.1 **Table 2.2** sets out the position of both parties in relation to air quality matters.

**Table 2.2 Statement of Common Ground – Air Quality Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Air Quality within this Statement of Common Ground.* | | | | | |

## 2.3. Capacity and Operations

2.3.1 **Table 2.3** sets out the position of both parties in relation to capacity and operations matters.

**Table 2.3 Statement of Common Ground – Capacity and Operations Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Capacity and Operations within this Statement of Common Ground.* | | | | | |

## 2.4. Climate Change

2.4.1 **Table 2.4** sets out the position of both parties in relation to climate change matters.

**Table 2.4 Statement of Common Ground – Climate Change Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Climate Change within this Statement of Common Ground.* | | | | | |

## 2.5. Construction

2.5.1 **Table 2.5** sets out the position of both parties in relation to construction matters.

**Table 2.5 Statement of Common Ground – Construction Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Construction within this Statement of Common Ground.* | | | | | |

## 2.6. Cumulative Effects and Interrelationships

2.6.1 **Table 2.6** sets out the position of both parties in relation to cumulative effects and interrelationships matters.

**Table 2.6 Statement of Common Ground – Cumulative Effects and Interrelationships Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Cumulative Effects and Interrelationships within this Statement of Common Ground.* | | | | | |

## 2.7. Draft DCO and Explanatory Memorandum

2.7.1 **Table 2.7** sets out the position of both parties in relation to Draft DCO and Explanatory Memorandum matters.

**Table 2.7 Statement of Common Ground – Draft DCO and Explanatory Memorandum Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to the Draft DCO and Explanatory Memorandum within this Statement of Common Ground.* | | | | | |

## 2.8. Ecology and Nature Conservation

2.8.1 **Table 2.8** sets out the position of both parties in relation to ecology and nature conservation matters.

**Table 2.8 Statement of Common Ground – Ecology and Nature Conservation Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| **Baseline** | | | | | |
| *There are no issues relating to the baseline for this topic within this Statement of Common Ground.* | | | | | |
| **Assessment Methodology** | | | | | |
| **2.8.2.1** | Biosecurity and invasive non-native species management plan | We note that considerations have not been addressed in the submission. There is minimal reference to invasive non-native species impact within Chapter 9: Ecology and Nature Conservation. | A suitable management plan with respect to INNS will be produced and will be included within the CoCP.<br><br>**Updated Position (April 2024):** draft of the INNS Management Plan to be provided at Deadline 4. | | Agreed |
| **2.8.2.2** | The widening of the road bridge over Burstow stream | The proposal for permanent loss of habitat and increased overshadowing is a tangible impact on the watercourse although argued in the submission as minor due to other encroaching elements.<br><br>We would expect to see this captured through a River Condition Assessment and the river metric adjusted accordingly.<br><br>We request clarification of how this impact has been assessed, the methods and justification if omitted. Furthermore, if it has been reflected in the Biodiversity Net Gain balance. | Noted. A River Condition Assessment of this stretch of the watercourse will be completed by GAL in 2024 and the BNG assessment updated accordingly. | | Agreed |
| **Assessment** | | | | | |
| **2.8.3.1** | Museum field: retaining existing mature habitat where it is compatible with the function of flood compensation area | There are existing mature trees situated within in the Museum Field, which were discussed in a previous joint consultation meeting whether these might be retained and could be assessed for compatibility with the function of that flood compensation feature.<br><br>The landscaping plans refers to a clear space with new grassland being created within the flood compensation area and note the landscaping design approach which will test the suitability of existing habitat features for incorporation and retention. However, it remains unclear about the fate of these trees within the Museum field flood compensation area, and therefore request clarification.<br><br>The approach is welcome with established river corridor habitat structures and commitments to protect these sensitive receptors from light pollution at all phases of development. | The flood compensation area has been sized and designed to ensure that the majority of trees that surround the area are retained. The only exception will be a small section on the eastern boundary to facilitate connection to the River Mole. An Arboriculture Impact Assessment and Tree Protection Plan are being produced and will be shared once available. | | Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
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| **2.8.3.2** | Tree survey schedule' – ref no G29 | The proposal must consider whether the 'poor quality' Robina pseudoacacia will be managed/removed (Ref 'Tree survey schedule' – ref no G29) | Noted. An Arboriculture Impact Assessment and Tree Protection Plan are being produced and will be shared with the local authorities once available. This will consider whether it is appropriate to remove the Robina. The presence of INNS such as Robina will be considered in the next iteration of the outline LEMP. | | Agreed |
| **Mitigation and Compensation** | | | | | |
| **2.8.4.1** | Biosecurity and invasive non-native species management plan | There are no details of a proposed management plan in either Appendix 8.8.1: Outline Landscape and Ecology Management Plan or Chapter 9 and whether this will be secured later. | A suitable management plan with respect to INNS will be produced and will be included within the CoCP.<br><br>**Updated Position (April 2024):** draft of the of the INNS Strategy to be provided at Deadline 4. | | Agreed |
| **2.8.4.2** | Biosecurity and invasive non-native species management plan | Appendix 5.3.2: Code of Construction Practice<br>Biosecurity or invasive non-native species management has not been included in this document. | A suitable management plan with respect to INNS will be produced and will be included within the CoCP.<br><br>**Updated Position (April 2024):** draft of the of the INNS Strategy to be provided at Deadline 4. | | Agreed |
| **2.8.4.3** | Measures to intercept and treat suspended fine sediments | Appendix 5.3.2: Code of Construction Practice Annex 1 - Water Management Plan<br>Paragraph 10.5.4 describes biosecurity measures are required to minimise the risk of introducing undesirable invasive non-native species plants.<br><br>The document describes the main pathways for spread via machine and people, although a recommendation would be to label it under its own sub-heading in this document and the main Code of Construction Practice Ecology & Conservation Objectives. There is also room to enhance references for best biosecurity practice within the Soil Management Strategy (currently, there is one relevant line that if invasive plants are encountered, the relevant legislation will be adhered to – but not consideration of a biosecurity-based response). | A suitable management plan with respect to INNS will be produced and will be included within the CoCP.<br><br>**Updated Position (April 2024):** draft of the INNS Strategy to be provided at Deadline 4.<br><br>Additionally, the final Soil Management Strategy will also be updated to reference best biosecurity practices. | | Agreed |
| **2.8.4.4** | Measures to intercept and treat suspended fine sediments | The water environment statement refers to Appendix 8.8.1: Outline Landscape and Ecology Management Plan for further details; however, it is not clear how this benefits the outcome. It demonstrates landowner and procurement management in principle, such as preventing plant disease and pests to establish | A suitable management plan with respect to INNS will be produced and will be included within the CoCP and oLEMP.<br><br>**Updated Position (April 2024):** draft of the INNS Strategy to be provided at Deadline 4. | | Agreed |
| **2.8.4.5** | Biosecurity | Biosecurity practice should feature during every phase of development, ensuring that where known invasive non-native species plants occur – no new potential spread pathways are created due to the construction and development activity. A good standard of biosecurity provision at depots | A suitable management plan with respect to INNS will be produced and will be included within the CoCP. This will include reference to the biosecurity protocols to be adopted throughout the construction period. | | Agreed |

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| | | and compounds will also contribute towards maintaining best efforts to reduce the risk of either introducing or spreading pests and diseases.<br><br>Biosecurity protocols should be clearly reiterated for all documents supporting construction plans and activities and will be expected when determining environmental permit applications.<br><br>If any activity or construction plans overlap with areas of known INNS contamination, a potential spread pathways analysis should be carried out. | **Updated Position (April 2024):** draft of the INNS Strategy to be provided at Deadline 4. | | |
| **2.8.4.6** | Biosecurity | Environmental Statement - Appendix 8.8.1 Outline Landscape and Ecology Management Plan<br>Section 7.2.7 - The airfield satellite construction compound will occupy land outside of the River Mole diversion footprint to allow the new river channel to establish early in the Project. A minimum 8 metre buffer will be created along the channel to allow for this.<br>We ask for justification on why this is not set to be a minimum of 10m buffer in line with the Natural England Biodiversity Net Gain metric requirements. | The 8m buffer has been included as the distance required for notification to the EA of works to a watercourse. As such, it was considered appropriate for a temporary buffer during construction. In the long term, there will be no development within 10m of the River Mole and, as such the 10m minimum for absence of development would be achieved.<br><br>**Updated Position (April 2024)**: The 8m buffer is provided for within section 7.7.2 of ES Appendix oLEMP which is secured via DCO Requirement 8. | | Agreed |
| **2.8.4.7** | Artificial lighting ethos and future strategy | The document describes the importance to connect habitats and people throughout the approach, but to also recognise the criticality of controlling artificial light spill onto natural habitats and wildlife foraging corridors.<br><br>This ethos is expected to be retained particularly to protect the river corridors, their buffer zones and associated wetland habitats from any disturbances.<br>Further details are requested that identify the priority light-sensitive receptors for the site when refining the lighting strategy.<br><br>This should address impacts and mitigation for all phases of development. Any non- mitigated effects will be expected to amend the Environmental Impact Assessment accordingly. This has been included in the Code of Construction Practice Ecology objectives.<br><br>We recommend minimising artificial light spill onto river corridors to a range of 0-2lux, which is comparable to background light levels. | Details identifying the light-sensitive receptors will be provided within the lighting strategies for both the construction and operational phases of the Project. This will include, for example, consideration for the European Eel.<br><br>**Updated position (April 2024)**: Construction lighting will be controlled via the Section 4.7 of the **Code of Construction Practice (CoCP)** [REP1-021], secured via Requirement 7 of the dDCO (Doc Ref. 2.1), which includes details of light-sensitive receptors and the principles that must be followed to protect ecology. All construction activities must be carried out in accordance with the CoCP.<br>Operational lighting forms part of the Design Principles for the Project (Design Principle LA9) (Appendix 1 to the Design and Access Statement (Doc Ref. 7.3 v3). This sets out that lighting in the vicinity of sensitive receptors should ensure that potential adverse effects are identified, controlled and mitigated. Mitigation should typically be provided in the form of lighting equipment utilising precise optics and lenses, baffles and light shields, in conjunction with a suitable lighting control regime. Individual habitat requirements may necessitate the specification of a particular lighting spectrum, however this should be proportionate and not at the expense of safety. | **Code of Construction Practice (CoCP)** [REP1-021] | Agreed |

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| | | | It will be a requirement of the design for any phase of the development to accord with this Design Principle. As such, the presence of any light-sensitive receptors would be identified by the Project Ecologist during the design stage for that phase and any necessary mitigation included, as per the Design Principle. Detailed designs must be in accordance with the Design Principles under DCO Requirements 4 and 5 | | |
| **2.8.4.8** | River Mole alignment and recovery post storm damage | The document describes the commitment to re-naturalise this section of the River Mole and represents a significant gain for the water environment and ecology. It states in the summary that an appropriate design of the two-stage channel will allow for floodplain features to occur. The indicative dimensions are unclear, it is expected that any wet grassland habitats able to establish are managed in response to their development over time. | Full details of the habitat design and management will be set out within the relevant LEMP to be produced for the River Mole area based on the principals set out in Appendix 8.8.1 of the oLEMP (DCO Requirement 8). | **ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 1** [APP-113]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 2** [APP-114]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 3** [APP-115]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 4** [APP-116] | Agreed |
| **2.8.4.9** | River Mole alignment and recovery post storm damage | It is welcome to see an overarching objective in the Landscape and Ecology Management Plan whereby regular condition monitoring is intended for all stages of habitat establishment, including monitoring of sediments in the realigned Mole, prevention of spread of invasive non-native species is also welcomed and to include post storm damage. | Noted. | | Agreed |
| **2.8.4.10** | River Mole alignment and recovery post storm damage | We recommend enhancing the commitment to include priority reinstatement for lost and damaged culvert habitats (these represent unique mitigation requirements and need to reinstated or mitigated before a new ecological season sets in). Species conservation measures should also be incorporated into the designed habitats matrix throughout the site. Ensuring connectivity of habitats is maintained.<br>We look forward to reviewing further detailed designs | Full details of the habitat reinstatement following storm damage will be set out within the relevant LEMP to be produced for the River Mole area based on the principals set out in Appendix 8.8.1 oLEMP (DCO Requirement 8). Specifically, for the area of the re-aligned River Mole and its open lidded culvert. The re-aligned channel should be inspected post a significant storm event for 10 years after construction. | **ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 1** [APP-113]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology** | Agreed |

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| | | | | **Management Plan Part 2** [APP-114]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 3** [APP-115]<br>**ES Appendix 8.8.1 Outline Landscape and Ecology Management Plan Part 4** [APP-116] | |
| **2.8.4.11** | Requirement outlining principles within an invasive non-native species management plan | Introduction or spread of invasive species: invasive non-native species management and Biosecurity plan.<br>It is expected to see a targeted invasive non-native species management and biosecurity plan produced for the known invasive non-native species plant and pest species on site, this may be a chapter within the management plan required to uphold Biodiversity Net Gain implementation and/or a document.<br>Consideration for non-chemical means and collaboration with catchment partners and experts is strongly encouraged to feature. | A suitable management plan with respect to INNS will be produced and will be included within the CoCP. This will include reference to the biosecurity protocols to be adopted throughout the construction period.<br><br>**Updated Position (April 2024):** draft of the of the INNS Strategy to be provided at Deadline 4. | | Agreed |
| **2.8.4.12** | Awareness for novel invasive non-native species and rapid response | We encourage the continual appreciation and awareness of good biosecurity practice and tree pest/disease prevention, with the ability to adapt management and supply chain scrutiny.<br><br>We further recommend that invasive non-native species and landscape management approaches and plans also incorporate awareness and readiness for dealing with potential incidents where a rapid response to isolate and eradicate a new invasive non-native species related threat is detected on site.<br><br>Depending on the species there may be DEFRA issued Plant/Species Control Orders issued for immediate response. For other species, it may simply be a wise choice of action for the sake of preserving the highest cost-benefit outcome by rapid intervention for site eradication, i.e., versus long term management and disposal. | A suitable management plan with respect to INNS will be included within the LEMPs to be produced for each development area. This will include details of how any new discoveries will be isolated and managed with details of where information with respect to different species can be obtained. | | Agreed |
| **2.8.4.13** | Relevant invasive non-native species documents and legislation to consider | Where invasive non-native species management can contribute to tackling a wider catchment approach for that species, e.g., riparian invasive non-native species. The applicant should consider opportunities to liaise with catchment partners for forming a coherent treatment and management plan, and to also use the forum for sharing distribution information and tracking spread and management effectiveness trends. We would also be interested to be informed of management progress for | A suitable management plan with respect to INNS will be included within the LEMPs to be produced for each development area. This will include details of how any new discoveries will be isolated and managed with details of where information with respect to different species can be obtained (the NNSS, for example). | | Agreed |

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| | | invasive non- native species within the river corridor and wetland environments and can support technical queries through the customer engagement team.<br><br>The Non-Native Species Secretariat hosts a very useful resource for all knowledge and novel species Alert needs, it is recommended to sign up to mailing lists. There are also biosecurity training resources that can be incorporated into induction sessions for operational field staff. | | | |
| **2.8.4.14** | Other invasive non-native species legislation | The landscaping- invasive non-native species sections may also want to reflect awareness for consideration around The Invasive Alien Species (Enforcement and Permitting) Order 2019 and maintaining compliance.<br><br>Invasive non-native (alien) plant species: rules in England and Wales - GOV.UK | Noted. A suitable management plan with respect to INNS will be included within the LEMPs to be produced for each development area. The CoCP will refer to the INNS management plan for construction. | | Agreed |
| **2.8.4.15** | Pesticides: Use near to water | Section 10.15 describes a default approach that pesticides for plant control are reserved for situations where plant species are classed as infestations and that non- chemical means of management is the primary approach.<br><br>The agreement can be found here - Application to use herbicides in or near water | Noted. | | Agreed |
| **2.8.4.16** | Pesticides: Use near to water | We agree with the recommendations around triggers for seeking advice and agreement for use near to water, another consideration is where the chosen product label instructs the user to do so. | Noted. This will be included in the final LEMPs. | | Agreed |
| **2.8.4.17** | Appendix 8.8.1: Outline Landscape and Ecology Management Plan - Part 3 | Table A3. 10: Ornamental Shrubs<br>Consideration and justification should be given whether Ruso rugosa in the 'Ornamental planting mix' is compliant with Schedule 9 of the Wildlife and Countryside Act 1981 (See Table A3.10) | *Rosa Rugosa* will be removed from the next draft of the oLEMP.<br><br>**Updated Position (April 2024):** A revised version of the oLEMP with *R. Rugosa* removed submitted at Deadline 3. | | Agreed |
| **2.8.4.18** | Landscape design and management approach | Paragraph 5.9 describes an intention to utilise a mix of native marginal and aquatic plants. We would like to further support awareness within the landscape design and management approach that native species will be the preferred basis for all natural areas, and these should be prioritised. It should be noted that we would expect only native plant species, of appropriate genetic province and suited to the catchment character to be intended for river and connected wetland habitats. This includes planting of the 'daylighted' culvert (River Mole), where the open grill will limit light availability and appropriate species choices are required. | Noted. The recommendations opposite will be incorporated into the final landscape designs. A suitable management plan with respect to INNS will be included within the LEMPs to be produced for each development area. | | Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
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| | | • We would recommend highlighting some precaution where invasive non-native plant species may be considered for landscaping design, in particular those chosen for climate change resilience and that those selected species are appropriate for the potential environmental risk of escape (and establishment) into the wild.<br>• One specific example for appropriate consideration is the mention of Climbers (section 5.6), virginia creeper and false virginia creeper for example are listed on Schedule 9 of WCA legislation. Similarly, Vinca major (Greater periwinkle) features in the plant lists and is a non-native invasive perennial plant of the UK, typically found growing in woodland, hedgerows and waste ground, it has an invasive habit that could succeed well in the wild.<br>• Euphorbia amygdaloides robbiae<br>The subspecies robbiae is commonly grown in gardens and often escapes or is deliberately planted in the wild. The flowers are the same, but the 1st year stem leaves are leathery, often shiny, dark green and smooth. The native plant (subspecies amygdaloides) has 1st year stem-leaves which are hairy on margins and underside, usually pale- to mid-green, and dull in texture. | | | |
| **2.8.4.19** | Design & Access - General comment & query: | A commitment to integrate nature-based solutions is promising, however it doesn't state if any options for Natural Flood Management opportunities have been scoped in and/or assessed. | The realignment of the River Mole and associated flood storage provides natural flood management. | | Agreed |
| **2.8.4.20** | Biodiversity Net Gain Statement | When looking at the Biodiversity Net Gain units it seems apparent that Irreplaceable habitat units (including Hedgerows) are not specified. However, throughout the Landscape and Ecology Management Plan hedgerows are mentioned frequently as a removed/reinstated/managed element, including for native hedgerow planting. Are all hedgerow elements related to mitigation, rather than additional for Biodiversity Net Gain? | Hedgerows are not considered irreplaceable habitats. These are ancient woodlands and similar. No such habitats are within the Project order limits and those that occur nearby will be protected.<br><br>The Project results in the temporary loss of a number of species poor hedgerows from within existing carparks during reconfiguration activities. These will be replaced with new species-rich hedgerows once works are complete.<br><br>The BNG assessment will be updated to account for the hedgerows.<br><br>**Updated position (April 2024):** An updated BNG Assessment that includes hedgerows has been provided at Deadline 3. In the absence of a detailed landscape design, this assumes that sufficient hedgerow will be planted within the final design to ensure the Project delivers at least 10% net gain with respect to hedgerows. These hedgerows will be planted in appropriate | | Agreed |

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| | | | locations to include along Crawters Brook, to the south of Car Park X along with around areas of new car parking. | | |
| **2.8.4.21** | Fisheries | We need to ensure delivery of the fish pass on the southern exit of the culverts. This needs to be a multispecies fish pass appropriate to the fish species and life-stages found in the Mole both up and downstream of the airport. It also needs to provide safe passage for eels. The detailed, technical design of such a pass can be agreed later, but the delivery of this is a key element of their mitigation. | Noted. The fish pass will be designed in consultation with the Environment Agency and delivered at the same time as the culvert – this will be the subject of a Requirement.<br><br>**Updated position (April 2024)**: Construction of the fish pass is secured in the Draft Development Consent Order (Doc Ref. 2.1) Works No. 42. | | Agreed |
| **2.8.4.22** | Fisheries | We would seek for the fish pass to be delivered before, or when, the culvert extension is implemented, so Gatwick will need to incorporate the planning and delivery of this within their work programme. The delivery of an appropriate fish pass and any necessary clearance and maintenance required for it to function as designed needs to be stated as a deliverable element to the project.<br><br>**Updated position (Deadline 5)**<br>A good timing for this to take place would be around End of June to around September, October latest. This would ensure we miss Close seasons for Trout and Coarse fish as well as missing out spawning times for all species weather dependent and having little impact on fish migration during this period. We request that the DCO is updated with the timings. | Noted. The fish pass will be designed in consultation with the Environment Agency and delivered at the same time as the culvert – this will be the subject of a Requirement.<br><br>**Updated position (April 2024)**: Construction of the fish pass is secured in the Draft Development Consent Order (Doc Ref. 2.1) Works No. 42. | | Agreed |
| **2.8.4.23** | Fisheries | Requirement: A fish pass shall be installed either before, or when, the culvert extension is implemented. The applicant shall incorporate the planning and delivery of the fish pass within their work programme. The delivery of an appropriate fish pass and any necessary clearance and maintenance required for it to function as designed shall be stated as a deliverable element to the project. The design and maintenance programme the fish pass shall be agreed in writing with the Environment Agency prior to its installation.<br><br>Reason: To ensure fish and other aquatic species can freely move through the water course.<br><br>**Updated position (Deadline 5)**<br><br>A good timing for this to take place would be around End of June to around September, October latest. This would ensure we miss Close seasons for Trout and Coarse fish as well as missing out spawning times for all species weather dependent and having little impact on fish migration during this period. We request that the DCO is updated with the timings. | A new requirement will be added to confirm the timing of the construction of the fish pass in the updated dDCO to be submitted to examination at Deadline 5.<br><br>**Updated position (July 2024)**<br>The Water Management Plan has been updated at Deadline 8 to recognise the Environment Agency's recommended timing of the construction of the works.<br><br>**Updated position (August 2024)**<br>*Paragraph 5.4.11 of the CoCP has be~~n~~en updated, stating that GAL would seek to avoid construction of the fish pass during fish spawning season.* | ES Appendix 5.3.2 Code of Construction Practice – Annex 1 – Water Management Plan (Doc Ref 5.3) | ~~Under discussion~~Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| **Other** | | | | | |
| **2.8.5.1** | Relevant invasive non-native species documents and legislation to consider | We have reviewed The Great Britain Invasive-non-native-species Strategy 2015-2030. Every audience has a role to play, and co-ordinated catchment working is often more successful at managing invasive non-native species overall.<br><br>Furthermore, the HM Government's Environmental Improvement Plan 2023 introduces a determined Biosecurity target to tackle and reduce the rate of introduction and establishment of invasive non-native species by at least 50% by 2030 (compared to 2000 trends). With supporting plant biosecurity policy and strategies rapidly forming. The applicant is a key stakeholder in this aspect, as part of border control, however a continued sense of responsibility should be applied including for landowners. It would therefore be appropriate to demonstrate due diligence in this respect. | Noted. | | Agreed |

## 2.9. Forecasting and Need

2.9.1 **Table 2.9** sets out the position of both parties in relation to forecasting and need matters.

**Table 2.9 Statement of Common Ground – Forecasting and Need Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Forecasting and Need within this Statement of Common Ground.* | | | | | |

## 2.10. Geology and Ground Conditions

2.10.1 **Table 2.10** sets out the position of both parties in relation to geology and ground conditions matters.

**Table 2.10 Statement of Common Ground – Geology and Ground Conditions Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| **Baseline** | | | | | |
| *There are no issues relating to the baseline for this topic within this Statement of Common Ground.* | | | | | |
| **Assessment Methodology** | | | | | |
| *There are no issues relating to the assessment methodology for this topic within this Statement of Common Ground.* | | | | | |
| **Assessment** | | | | | |
| **2.10.3.1** | 5.3 Environmental Statement - Appendix 10.9.1 Preliminary Risk Assessment | This document contains various sources of information, including previous investigations and a contemporary site walkover. This has identified numerous potential areas of concern that represent potential sources of contamination resulting from existing and historical land uses. A range of potential contaminants have been identified from these areas. Further investigation is proposed for these areas, with the scope of works to be agreed with the Environment Agency and Local Authority. Areas not identified as potential areas of concerns but within the Project area will be subject to a discovery strategy.<br><br>Considering the proposed mitigation measures, the short-term impacts of the Project on groundwater and surface water are assessed as negligible/insignificant.<br><br>We acknowledge the content, conclusions and recommendations of this Environmental Statement Chapter and the Preliminary Risk Assessment. We acknowledge and agree that further work will be required, but that at present these recommendations address, or will address, our main areas of concern in relation to land contamination and impacts to controlled waters. | Noted. | | Agreed |
| **Mitigation and Compensation** | | | | | |
| **2.10.4.1** | Environmental Statement - Appendix 5.3.2 Code of Construction Practice | This document outlines the environmental mitigation measures to be employed during construction of the project as authorised by the DCO and includes as annexes additional management plans (including water management and soil management, etc.). These mitigation measures are applicable to both activities and risks identified in the 'Geology and Ground Conditions' and 'Water Environment' ES Chapters. The Code of Construction Practice includes the requirement for additional ground investigations in areas of potential concern, followed by remediation (if necessary) and verification. It also outlines requirements for a discovery strategy, and production of a pollution prevention plan. | Noted. | Requirement 7 and Requirement 9 of the **Draft DCO** [AS-004] | Agreed |
| **Other** | | | | | |

| |
|---|
| *There are no other issues relating to this topic within this Statement of Common Ground.* |

## 2.11. Greenhouse Gases

2.11.1 **Table 2.11** sets out the position of both parties in relation to greenhouse gases matters.

**Table 2.11 Statement of Common Ground – Greenhouse Gases Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Greenhouse Gases within this Statement of Common Ground.* | | | | | |

## 2.12. Health and Wellbeing

2.12.1 **Table 2.12** sets out the position of both parties in relation to health and wellbeing matters.

**Table 2.12 Statement of Common Ground – Health and Wellbeing Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Health and Wellbeing within this Statement of Common Ground.* | | | | | |

## 2.13. Historic Environment

2.13.1 **Table 2.13** sets out the position of both parties in relation to historic environment matters.

**Table 2.13 Statement of Common Ground Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Historic Environment in this Statement of Common Ground.* | | | | | |

## 2.14. Landscape, Townscape and Visual

2.14.1 **Table 2.14** sets out the position of both parties in relation to landscape, townscape and visual matters.

**Table 2.14 Statement of Common Ground – Landscape, Townscape and Visual Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Landscape, Townscape and Visual within this Statement of Common Ground.* | | | | | |

## 2.15. Major Accidents and Disasters

2.15.1 **Table 2.15** sets out the position of both parties in relation to major accidents and disasters matters.

**Table 2.15 Statement of Common Ground Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Major Accidents and Disasters within this Statement of Common Ground.* | | | | | |

## 2.16. Noise and Vibration

2.16.1 **Table 2.16** sets out the position of both parties in relation to noise and vibration matters.

**Table 2.16 Statement of Common Ground Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Noise and Vibration within this Statement of Common Ground.* | | | | | |

## 2.17. Planning and Policy

2.17.1 **Table 2.17** sets out the position of both parties in relation to planning and policy matters.

**Table 2.17 Statement of Common Ground – Planning and Policy Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Planning and Policy within this Statement of Common Ground.* | | | | | |

## 2.18. Project Elements and Approach to Mitigation

2.18.1 **Table 2.18** sets out the position of both parties in relation to project elements and approach to mitigation matters.

**Table 2.18 Statement of Common Ground – Project Elements and Approach to Mitigation Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Project Elements and Approach to Mitigation within this Statement of Common Ground.* | | | | | |

## 2.19. Socio-Economics and Economics

2.19.1 **Table 2.19** sets out the position of both parties in relation to socio-economics and economics matters.

**Table 2.19 Statement of Common Ground – Socio-Economics and Economics Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Socio-Economics and Economics within this Statement of Common Ground.* | | | | | |

## 2.20. Traffic and Transport

2.20.1 **Table 2.20** sets out the position of both parties in relation to traffic and transport matters.

**Table 2.20 Statement of Common Ground – Traffic and Transport Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Traffic and Transport within this Statement of Common Ground.* | | | | | |

## 2.21. Waste and Materials

2.21.1 **Table 2.21** sets out the position of both parties in relation to waste and materials matters.

**Table 2.21 Statement of Common Ground – Waste and Materials Matters**

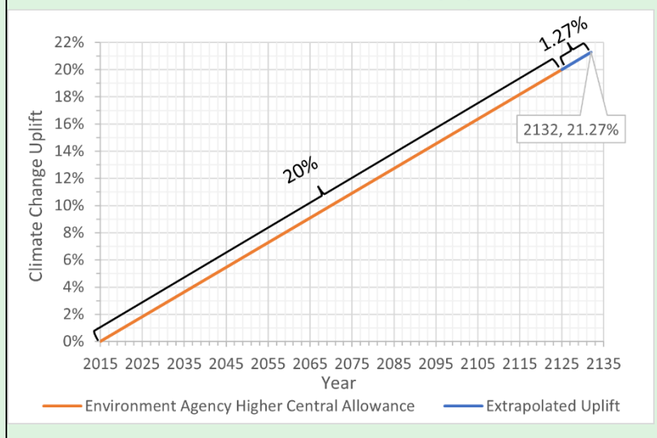
| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| *There are no issues relating to Waste and Materials in this Statement of Common Ground.* | | | | | |

## 2.22. Water Environment

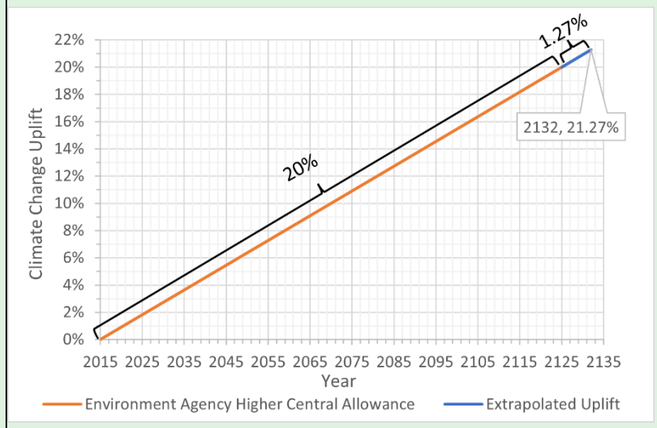
2.22.1 **Table 2.22** sets out the position of both parties in relation to water environment matters.

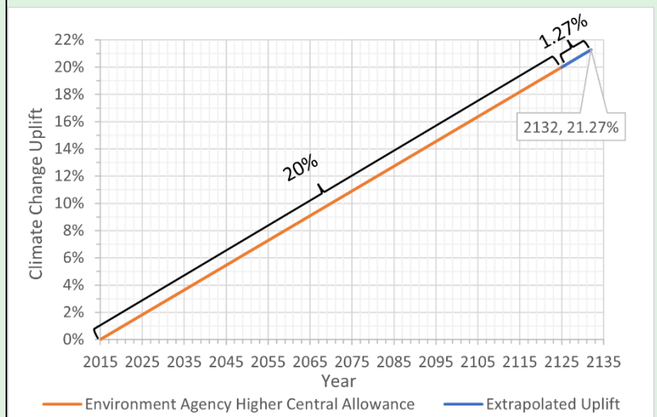
**Table 2.22 Statement of Common Ground – Water Environment Matters**

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| **Baseline** | | | | | |
| *There are no issues relating to the baseline for this topic within this Statement of Common Ground.* | | | | | |
| **Assessment Methodology** | | | | | |
| **2.22.2.1** | ES Appendix 11.9.6 Flood Risk Assessment | The document states climate change and the associated increase in peak river flows for the River Mole Management catchment. Table 3.7.1 is reflective of the most up to date peak river flow climate change allowances from 2022. The applicant should consider the impact of climate change, clearly stating the development lifetime over which the assessment has been made.<br><br>**Updated position (Deadline 5)**<br>We note the submission of an updated fluvial modelling report to support the operation and functionality of the proposed Flood Compensation Areas. We would wish to review the FCA Delivery Plan. update to the fluvial modelling report and response to the queries below prior to agreeing this point, so we would consider 2.22.2.1 as still Under Discussion.<br><br>The adopted lifetime for the airfield works is given as 40 years. During previous discussion, the applicant highlighted that although these have been assigned a 40-year lifetime, consideration of these elements as part of the wider 100 year lifetime for the overall development has also been undertaken. We request confirmation on this.<br><br>In addition, it is noted the first full year of opening is considered to be 2032, giving the surface access work an adopted lifetime of 100 years up to 2132. We note the climate change figures for the 2080's epoch cover the period up to the year 2125. We require confirmation what consideration has been given to the time period between 2125 and the first full year of opening in relation to the design of the flood compensation/mitigation strategy.<br><br>Relating to the adopted lifetime of the airfield works of 40 years, we have requested further information on why this lifetime was chosen and whether the airfield works are considered within the overall flood mitigation for the site which has a 100 year design life.<br><br>**Updated Position (Deadline 9)** | The incorporation of the predicted impact of climate change is addressed in Section 3.7 of the FRA. The adopted lifetime for the airfield works of 40 years (up to 2069), and the adopted lifetime of the surface access works is 100 years (up to 2132).<br><br>The fluvial and surface water flood risk assessment of the Project and its mitigation strategies were completed using the +20%/25% climate change uplift for the Central allowance, as well as +40% uplift for the Upper End allowance in accordance with Environment Agency guidance.<br><br>Section 7 of the FRA demonstrates that through the provision of additional attenuation storage, floodplain connections (syphons) and floodplain compensatory storage the Project will not increase flood risk to other parties for its lifetime taking climate change into account.<br><br>A Technical Note will be provided to the EA for discussion.<br><br>**Updated Position (Deadline 5):**<br>The **Floodplain Compensation Area Delivery Plan (FCDP)** and an update to the fluvial modelling report (ES Appendix 11.9.6 – Annex 5 ) will describe the philosophy and functionality of the proposed River Mole diversion and the two FCAs and the relationship of proposed works with these. The FCDP will be submitted to examination at Deadline 5, and the fluvial modelling report was shared with the EA in advance of Deadline 5 on 17 May 2024.<br><br>**Project design life:** GAL met with the EA on 23 May 2024 to discuss the rationale for the airfield component of the Northern Runway Project being given a design life of 40 years. At this it was explained that the combination of the fluvial flood storage provided by the River Mole and the proposed FCAs at Museum Field and Car Park X will provide off-site flood protection in excess of 100 years plus 40% climate change (the credible maximum scenario) | **ES Appendix 11.9.6: Flood Risk Assessment** [REP6-053~~APP-147~~]<br><br>**The Applicant's Response to Deadline 7 Submissions** (Doc Ref. 10.65) | ~~Under discussion~~Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | The applicant has added additional information to Appendix 11.9.6: Flood Risk Assessment (FRA) with the latest being Version 3.0 dated June 2024. This document contains an expanded Executive Summary which includes further information on the choice of lifetimes for the proposed development, and importantly, confirmation that the project as a whole considers the 100-year lifetime for the purposes of the management of flood risk.<br><br>Further information has been provided by the applicant regarding climate change for peak river flow and the 100-year lifetime of the development. Previously, the applicant has suggested using the 40% uplift as a proxy to consider the 7 years beyond 2125, up to 2132. The applicant has now also linearly extrapolated the higher central allowance of 20% for the additional 7 years to 2132, with the result a suggested 1.27% uplift. Although it would be useful to see some additional detail on this extrapolation, such as more description on methodology or the information in a graphical format within the Flood Risk Assessment (FRA), this additional work suggests the use of the 40% uplift as a proxy is reasonable to consider the additional 7 years lifetime of the development<br><br>**Updated Position August 2024**<br>The addition of further explanation on the extrapolation methodology and the addition of a graph to visually depict how the uplift has been calculated is welcomed. | for the Project as a whole – ~~ie~~i.e. to beyond 2025. The FRA will be updated to make this clearer and shared with the EA for comment in advance of formal submission to the examination at Deadline 6.~~.~~<br><br>**Updated Position July 2024**<br>The Applicant submitted an updated FRA at Deadline 6 [REP6-053] which clarifies Gatwick's position in relation to the issues raised. Further clarification regarding the consideration of climate change between 2125 and 2132 is also provided within The Applicant's Response to Deadline 7 Submissions shared at Deadline 8.<br><br>**Updated Position August 2024**<br>The Environment Agency's climate change allowances use 2015 as the baseline. Therefore, to extrapolate the climate change uplift for the additional 7 years beyond 2125 to 2132, the 20 per cent Higher Central climate change allowance for the 2080s epoch was first divided by 110, the number of years between 2015 and 2125. This annual uplift was then multiplied by 7 to estimate the total potential uplift over a 7-year period, 1.27 per cent. The potential uplift between 2015 and 2132 is illustrated in the graphic below.<br>  | | |
| **2.22.2.2** | ES Appendix 11.9.6 Flood Risk Assessment – Climate Change | Paragraphs 3.7.6, 3.7.8, 3,7.9 and 3.7.10, describe the design life and subsequent peak river flow climate change allowance percentages assessed.<br><br>The surface access works as described in paragraph 2.2.3, have been given an adopted lifetime of 100 years whilst the airfield and associated works as described in paragraph 2.2.2 have been given an adopted lifetime of 40 years. | Noted. | | Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | Peak river flow allowance uplifts of 20% and 12% have been applied to the applicants 1% AEP modelled flood events within their 'with-scheme' fluvial hydraulic model to represent future increases in flood risk. These peak river flow allowances are in line with the most up to date information for the River Mole management catchment for the Higher Central allowance in both the 2050s and 2080s epochs. Works are also proposed within the 2020s epoch which require assessing against the peak flow allowance uplift of 16%. Although many of these works are temporary in nature, such as access bridges, a suitable assessment that also uses the Higher Central allowance is necessary. This is noted in paragraph 3.7.12). | | | |
| **2.22.2.3** | ES Appendix 11.9.6 Flood Risk Assessment – Fluvial Flood Risk | Paragraphs 5.2.20 to 5.2.25 describe the differences between the outputs of the applicant's model and the Flood Zones as shown by the Environment Agency's Flood Map for Planning (Rivers and Sea). The applicants flood risk model contains features more specific to the Airport than the Environment Agency's flood risk model and offers a more detailed picture of the site within the DCO boundary. However, the flood extents shown by the Environment Agency's Flood Map for Planning should still be considered by the applicant for resilience planning and future proofing of the proposed development. | The FRA has been informed by both the published EA flood zones and outputs from the Upper Mole Hydraulic Model as it is considered to provide a more realistic and informative approach to assessing fluvial flood risk to the Project. The Environment Agency Flood Zones would offer the worst-case scenario for the assessment as it ignores the presence of flood defences, therefore considered for residual risks/future proofing the development. | Para 5.5.21 to 5.2.26 of **ES Appendix 11.9.6: Flood Risk Assessment** [APP-147] | Agreed |
| **Assessment** | | | | | |
| **2.22.3.1** | ES Appendix 11.9.6 Flood Risk Assessment – Climate Change | We would consider the proposed development of the airfield and surface element to have a flood risk vulnerability classification of essential infrastructure in line with Table 2 Flood and Costal Risk Change of the National Planning Policy Framework Planning Practice Guidance. Therefore, the Higher Central Allowance climate change figure(s) should be adopted when considering climate change for development in Flood Zones 2, 3 and 3b. This is noted by the applicant in paragraph 3.7.8. This proposal must consider the credible maximum scenario as a sensitivity test to assess how sensitive the proposal is to changes in the climate for future scenarios.<br><br>For this proposal, the credible maximum scenario would be the Upper End climate change figure of a 40% increase in peak river flows. This requirement is noted by the applicant in paragraph 3.7.11.<br><br>**Updated position (Deadline 5)**<br><br>As highlighted in 2.22.2.1, the overall lifetime of the development sits outside of the end of the 2080's climate change allowance epoch (2125). Can the applicant confirm the time period between 2125 and | The FRA demonstrates that through the provision of additional attenuation storage and floodplain compensatory storage the Project will not increase flood risk for its lifetime taking credible maximum scenario climate change (+40%) into account.<br><br>**Updated Position July 2024**<br>The Applicant submitted an updated FRA at Deadline 6 [RE6-053], the executive summary of which clarifies Gatwick's position in relation to the assumed lifetime of the development and the consideration of climate change beyond 2124. Further clarification regarding the consideration of climate change between 2125 and 2132 is also provided within The Applicant's Response to Deadline 7 Submissions shared at Deadline 8.<br><br>**Updated Position August 2024** | Para 7.2.28 to 7.2.30 of **ES Appendix 11.9.6: Flood Risk Assessment** [REP6-053~~APP-147~~]<br><br>Para 7.3.20 to 7.3.23 of **ES Appendix 11.9.6: Flood Risk Assessment** [REP6-053~~APP-147~~]<br><br>**The Applicant's Response to Deadline 7 Submissions** (Doc Ref. 10.65) | ~~Under discussion~~Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | the first full year of opening has been fully considered as part of the assessment of the credible maximum scenario?<br><br>Updated position (Deadline 9)<br>Further information has been provided by the applicant regarding climate change for peak river flow and the 100-year lifetime of the development. Previously, the applicant has suggested using the 40% uplift as a proxy to consider the 7 years beyond 2125, up to 2132. The applicant has now also linearly extrapolated the higher central allowance of 20% for the additional 7 years to 2132, with the result a suggested 1.27% uplift. Although it would be useful to see some additional detail on this extrapolation, such as more description on methodology or the information in a graphical format within the Flood Risk Assessment (FRA), this additional work suggests the use of the 40% uplift as a proxy is reasonable to consider the additional 7 years lifetime of the development.<br><br>The applicant has also provided an expanded Executive Summary within Appendix 11.9.6: Flood Risk Assessment Version 3.0 which sets out the considerations around climate change and the overall lifetime of the proposed development | The Environment Agency's climate change allowances use 2015 as the baseline. Therefore, to extrapolate the climate change uplift for the additional 7 years beyond 2125 to 2132, the 20 per cent Higher Central climate change allowance for the 2080s epoch was first divided by 110, the number of years between 2015 and 2125. This annual uplift was then multiplied by 7 to estimate the total potential uplift over a 7-year period, 1.27 per cent. The potential uplift between 2015 and 2132 is illustrated in the graphic below.<br>  <br> | | |
| **2.22.3.2** | ES Appendix 11.9.6 Flood Risk Assessment – Climate Change | Paragraphs 3.7.8 to 3.7.78 describe the total percentage uplifts to be applied in terms of peak river flows for various elements of the proposal. As the proposed works would take place over a period with the various project elements having suggested development design lives ranging from 40 to 100 years, this would span different epochs of predicted climatic change. Therefore, there is a need to consider a range of increases in peak river flow as part of the Flood Risk Assessment.<br><br>**Updated position (Deadline 5)**<br><br>As per 2.22.2.1 and 2.22.3.1, our comment around the overall lifetime of the development and the end of the 2080's epoch also applies.<br><br>Updated position (Deadline 9)<br>Further information has been provided by the applicant regarding climate change for peak river flow and the 100-year lifetime of the development. Previously, the applicant has suggested using the 40% uplift as a proxy to consider the 7 years beyond 2125, up to 2132. The applicant has now also linearly extrapolated the higher central allowance of 20% for the additional 7 years to 2132, with the result a suggested 1.27% uplift. Although it would be useful to see some | The FRA demonstrates the Project and its fluvial mitigation strategy was assessed for the 12% and 20% climate change scenarios and there will be no increase flood risk for its lifetime.<br><br>**Updated Position (April 2024):**<br>The FRA also includes consideration of the impacts of the Credible Maximum Scenario in accordance with Environment Agency guidance as a more extreme impact of climate change on peak river flow. The FRA demonstrates that the Project would not give rise to new significant effects under such a scenario.<br><br>**Updated Position (July 2024)**<br>The Applicant submitted an updated FRA at Deadline 6 [RE6-053], the executive summary of which clarifies Gatwick's position in relation to the assumed lifetime of the development and the consideration of climate change beyond 2125. Further clarification regarding the consideration of climate change between 2125 and 2132 is also provided within The Applicant's Response to Deadline 7 Submissions shared at Deadline 8.<br><br>**Updated Position August 2024** | Para 7.2.15 to 7.2.30 of **ES Appendix 11.9.6: Flood Risk Assessment** [REP6-053~~APP-147~~]<br><br>**The Applicant's Response to Deadline 7 Submissions** (Doc Ref. 10.65) | Agreed ~~Under discussion~~ |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | additional detail on this extrapolation, such as more description on methodology or the information in a graphical format within the Flood Risk Assessment (FRA), this additional work suggests the use of the 40% uplift as a proxy is reasonable to consider the additional 7 years lifetime of the development.<br><br>The applicant has also provided an expanded Executive Summary within Appendix 11.9.6: Flood Risk Assessment Version 3.0 which sets out the considerations around climate change and the overall lifetime of the proposed development | The Environment Agency's climate change allowances use 2015 as the baseline. Therefore, to extrapolate the climate change uplift for the additional 7 years beyond 2125 to 2132, the 20 per cent Higher Central climate change allowance for the 2080s epoch was first divided by 110, the number of years between 2015 and 2125. This annual uplift was then multiplied by 7 to estimate the total potential uplift over a 7-year period, 1.27 per cent. The potential uplift between 2015 and 2132 is illustrated in the graphic below.<br>  | | |
| **2.22.3.3** | ES Appendix 11.9.6 Floor Risk Assessment – Fluvial Flood Risk | Section 6.2 concludes that fluvial flood risk would be increased by the development proposals due to floodplain losses and the displacement of flood waters. As the proposal encroaches on the existing floodplain. | The conclusion of Section 6.2 of the FRA is based on the impacts of the Project without the consideration of the proposed mitigation measures. The section refers to Section 7.2 that summarises the mitigation strategy.<br>The FRA demonstrates that through the provision of additional attenuation storage, floodplain connectivity and floodplain compensatory storage the Project will not increase flood risk for its lifetime taking climate change into account.<br><br>**Updated Position (April 2024):**<br>It is understood that the Environment Agency is awaiting their acceptance of the Applicants with--scheme hydraulic modelling before commenting on the proposed fluvial mitigation strategy. The Applicant intends to respond to the review comments provided by the Environment Agency in February 2024 in early May 2024.<br><br>**Updated Position (July 2024):**<br>The Applicant responded to the Environment Agency's latest comments on the with-scheme hydraulic modelling in July 2024 and await their response. | Section 6.2 and 7.2 of **ES Appendix 11.9.6 Flood Risk Assessment** [APP-147] | ~~Under discussion~~Superseded by items 2.22.3.16 to 18 |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| **2.22.3.4** | ES Appendix 11.9.6 Flood Risk Assessment – Flood Risk During Construction – Areas Outstanding | Paragraphs 7.2.39 and 7.2.40 conclude the proposed fluvial mitigation measures would not result in an increase in flood risk off-site, though there are some increases in flood risk within the DCO boundary. However, we cannot comment in any detail on these conclusions at the present time and whether we agree with the applicants' findings, as a detailed review of the applicants 'with-scheme' flood risk modelling has yet to be completed. Appendix 11.9.6 Flood Risk Assessment Annex 5 (Document Reference 5.3 details the build of the applicants 'with-scheme' model, which we will use as part of the model review. We are working with the applicant to obtain all the relevant data to enable this review to take place. | The Environment Agency has been provided with all information to enable them to review the Applicant's assessment of with-Project impacts. The Applicant awaits their comments.<br><br>**Updated Position (April 2024):**<br>It is understood that the Environment Agency is awaiting their acceptance of the Applicants with -scheme hydraulic modelling before commenting on the proposed fluvial mitigation strategy. The Applicant intends to respond to the review comments provided by the Environment Agency in February 2024 in early May 2024.<br><br>**Updated Position (July 2024):**<br>The Applicant responded to the Environment Agency's latest comments on the with-scheme hydraulic modelling in July 2024 and await their response.. | **ES Appendix 11.9.6: Flood Risk Assessment** [APP-147] - Annex 5 | ~~Under discussion~~Superseded by items 2.22.3.16 to 18 |
| **2.22.3.5** | ES Appendix 11.9.6 Floo~~r~~d Risk Assessment – Flood Risk During Construction – Areas Outstanding | Section 7.5 of the Flood Risk Assessment discusses flood risk during construction. It is essential that flood risk is managed throughout all phases of the proposed development, and the construction of the flood compensation areas early in the development phasing is essential.<br><br>Table 7.5.1 sets out the proposed phases of construction, the inclusion by the applicant of the flood compensation areas and River Mole diversion in the Initial Construction Period 2024 up to 2029 is noted.<br><br>The applicant has carried out modelling for all the construction phases, the outputs of which are shown in mapping included in the Flood Risk Assessment. As stated above, we have not yet completed a detailed review of the applicants 'with-scheme' modelling and cannot comment further on this aspect at the present time. We are working with the applicant to obtain all the relevant data to enable this review to take place. | The Environment Agency has been provided with all information to enable them to review the Applicant's assessment of construction impacts. The Applicant awaits their comments.<br><br>**Updated Position (April 2024):**<br>It is understood that the Environment Agency is awaiting their acceptance of the Applicants with -scheme hydraulic modelling before commenting on the proposed fluvial mitigation strategy. The Applicant intends to respond to the review comments provided by the Environment Agency in February 2024 in early May 2024.<br><br>**Updated Position (July 2024):**<br>The Applicant responded to the Environment Agency's latest comments on the with-scheme hydraulic modelling in July 2024 and await their response.. | **ES Appendix 11.9.6: Flood Risk Assessment** [APP-147] - Annex 5 | ~~Under discussion~~Superseded by items 2.22.3.16 to 18 |
| **2.22.3.6** | ES Appendix 11.9.6 Floor Risk Assessment – Flood Risk During Construction – Areas Outstanding | We have also requested details of the Integrated Hydraulic Model the applicant has developed to support their proposal; this model is discussed in Annex 4 of the Flood Risk Assessment. Although our focus is around fluvial flood risk, the integrated model assesses a combination of fluvial and surface water flood risk, we have therefore requested further details on this modelling and will seek to carry out a model review. We are working with the applicant to obtain all the relevant data to enable this review to take place and cannot comment | The Environment Agency has been provided with all information (including the integrated hydraulic model) to enable them to review the Applicant's assessment of with-Project impacts. The Applicant awaits their comments.<br><br>**Updated Position (April 2024):**<br>It is understood that the Environment Agency is awaiting their acceptance of the Applicants with -scheme hydraulic modelling before commenting on the proposed fluvial mitigation strategy. The | **ES Appendix 11.9.6: Flood Risk Assessment** [APP-147] - Annex 4 | ~~Under discussion~~Superseded by items 2.22.3.16 to 18 |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | in further detail on the conclusions of this modelling at the present time. | Applicant intends to respond to the review comments provided by the Environment Agency in February 2024 in early May 2024.<br><br>**Updated Position (July 2024):**<br>The Applicant responded to the Environment Agency's latest comments on the with-scheme hydraulic modelling in July 2024 and await their response~~.~~.. | | |
| **2.22.3.7** | 11.8.4 Aquatic Ecology Improvement Measures | We support this option to send most flow down the western box culvert by the installation of 300mm weir on the eastern culvert. This should also reduce siltation and the need to dredge the eastern culvert as frequently. | The Applicant notes the Environment Agency's positive response to this enhancement. | | Agreed |
| **2.22.3.8** | Table 11.7.1: Maximum Design Scenarios | We do not agree with the use of the word daylighted. The document states 26 m of daylighted channel which indicates that existing culverted channel is to be reopened to the air. This is not the case. Existing natural channel is to be changed into an open box culvert with a metal mesh roof, reducing the biodiversity value and reducing the likelihood of fish passage through the existing 550 m culvert. Mitigations for this are included. | The comment from the Environment Agency is noted and GAL accepts the change in terminology, noting that with the inclusion of the mitigation measures the Project would not result in significant environmental effects. Open lidded culvert with substrate. | Table 11.8.1 of **ES Chapter 11 Water Environment** [APP-036] | Agreed |
| **2.22.3.9** | Geomorphological mitigation for River Mole channel extension within the Juliet taxiway planform | Misuse of the word 'daylighted': No existing culverted channel is to be reopened to the air. | This requirement will be added to the Design and Access Statement Design Principles using the term open lidded culvert with substrate. | **Design and Access Statement Volume 5, Appendix 1** [APP-259] | Agreed |
| **2.22.3.10** | Environmental Statement - Chapter 11 Water Environment | Various aspects of the assessment have assumed no penetration into the Tunbridge Wells Sands. While we can accept this at present, further detailed ground investigations may be required for certain aspects of the Project, which may alter the risk level to that receptor (Tunbridge Wells Sand). | Additional GI and a piling risk assessment will be undertaken to inform the detailed design. This is stated in the Code of Construction Practice which is secured via Requirement 7 of the draft DCO. | **ES Chapter 11 Water Environment** [APP-036]<br><br>**ES Appendix 5.3.2: Code of Construction Practice** (REP3-006)<br><br>Section 8.7, 9.3 of **ES Appendix 5.3.2: Code of Construction Practice Annex 1 - Water Management Plan** [APP-083] | Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
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| | | | | **Draft DCO** (REP3-006) | |
| **2.22.3.11** | Environmental Statement - Chapter 11 Water Environment | We are pleased to see groundwater (in superficial deposits) and surface water interactions have been included within the assessment, and potential impacts from dewatering on mobilisation of existing contamination. | Noted. | | Agreed |
| **2.22.3.12** | Environmental Statement - Chapter 11 Water Environment | We would also recommend additional site investigations/watching briefs in areas proposed for dewatering to ensure any existing contamination is not mobilised | Additional GI will be undertaken to inform the detailed design. This is stated in the Code of Construction Practice which is secured via Requirement 7 of the draft DCO.<br><br>Detailed site-specific dewatering assessments would be developed for construction excavations as required to inform the detailed design, temporary works and subsequent permit applications.<br><br>Additionally, subject to the scope and results of the remediation strategy, groundwater monitoring will be undertaken where appropriate to inform construction activities and the detailed design of buildings (Section 5.5.10 of Appendix 5.3.2: Code of Construction Practice). | **ES Appendix 5.3.2: Code of Construction Practice** (REP1-021)<br><br>Section 8.6, 9.3 and 10.10 of **ES Appendix 5.3.2: Code of Construction Practice Annex 1 - Water Management Plan** [APP-083]<br><br>**Draft DCO** (REP3-006) | Agreed |
| **2.22.3.13** | Environmental Statement - Chapter 11 Water Environment | It is understood that all foul drainage is proposed to discharge to local Thames Water Wastewater Treatment Works, subject to assessment and approval from Thames Water. As no discharges to the environment are proposed, and therefore no environmental permit required, we have no further comment to make on wastewater plans for the Project.<br><br>**Updated position (Deadline 5)**<br>The new proposal for an onsite foul sewage treatment facility significantly changes this element. The new treatment facility would require a bespoke environmental permit with a full assessment and review by our Permitting team and would likely be a matter of significant public interest. It would introduce another discharge into the Mole of material previously discharged via Crawley STW to the Gatwick Stream. We are unsure whether this could be granted in an area which is served by an established sewerage network.<br><br>From www.gov.uk Discharges to surface water:<br>Planning new developments<br>If you're planning a new development, plan your foul sewerage at an early stage and consult with the local council and sewerage | **Updated position at Deadline 5**<br>The EA's comments are noted.<br><br>In its **Relevant Representations** [RR-4518] and **Written Representations** [REP1-103], TWUL requested a Requirement to be included in the Draft DCO that specifies that no airport growth arising from the Project can be implemented (and wastewater flows discharged) until any necessary upgrade works to TW's network and processing facilities have been implemented. Whilst this request was not repeated in TWUL's most recent submission at Deadline 3 in response to **ExQ1 WE.1.8** [REP3-149], it is understood that this remains TWUL's position. The Applicant is resistant to including such a requirement in the Draft DCO for several reasons as stated in its response to **ExQ1 WE.1.8** [REP3-105].<br><br>The Applicant is submitting a Second Change Application for an 'alternative' option in the DCO, were the Secretary of State to be minded to include the restriction of the nature sought by TWUL. The bespoke airport facility would obviate the need for such a requirement, as all additional flows generated by the Project (and indeed all airport flows more generally) would now be serviced by this facility. This would mean there would be no adverse impact on the TWUL network facilities, and indeed there would be a beneficial | | ~~Under discussion~~Agreed |

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| | | undertaker. If you got planning permission on the basis that the development will be connected to the public foul sewer, this indicates it's likely to be reasonable to do so.<br><br>The Environment Agency will not normally give you a permit for use of a private sewage treatment system based on the nearest public foul sewer not having enough capacity. If necessary, you should agree improvements to the sewerage network with the sewerage undertaker so you can connect to it. These improvements must be put in place before the development is occupied. This reflects planning practice guidance and building regulations.<br><br>It was apparent at the Hearing (ISH7) on 1 May 2024 there was some work to be done on overall modelling before TWUL were comfortable with the proposal. There is potential for a permit application to be considered if there is no capacity in the network or sufficient treatment capacity and Thames Water have no plans to make treatment capacity available to cover the development.<br><br>The information supplied regarding the potential new facility lacks detail. For example, flows, population equivalent. We would ask how has the planned layout been sized?<br><br>The flow profile for an international airport with near 24 hour operation would differ from a normal domestic STW.<br><br>We request confirmation of the following:<br><br>if this would be foul sewage only or whether there would be other contributary sources (trade effluent).<br>What is the specific treatment process.<br>Would chemical dosing be required as part of the process.<br><br>if a permit application was successful, options include the inclusion of an improvement condition stating that connection to the sewerage network would be required at the point at which capacity became available or if Thames Water adopt the facility in the future. | impact as current airport flows would be removed from TWUL's network and diverted away from the existing processing facilities.<br><br>The effluent from the new works would meet the best current industry standards. The Applicant will engage with the EA on the issues identified opposite and provide a response by Deadline 6.<br><br>Updated Position (August 2024):<br>GAL's preference would be to connect into the Thames Water network. However Thames Water has thus far not been able to confirm their ability to accept the additional Project flows. Consequently, GAL has introduced the option of a new on-airport WwTW. Should this be necessary it is GALs preference for it to be operated by a NAV | | |
| **2.22.3.14** | Environmental Statement - Chapter 11 Water Environment | Overall, the assessed impacts to all aspects of the water environment are deemed not significant when proposed mitigation measures are considered. | Noted. | | Agreed |

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| **2.22.3.15** | Appendix 11.9.3 - Water Quality HEWRAT Assessment | Whilst recognising the 'minor adverse' classification we encourage every effort to minimise impact of road run-off to future-proof any development wherever possible. | Noted. | | Agreed |
| **2.22.3.16** | ES Appendix 11.9.6 Flood Risk Assessment – Hydraulic Modelling, Baseline Model | ~~*We suggest* - The baseline hydraulic modelling scenario was reviewed and accepted by the EA. confirmed via email in 14 August 2023.~~<br><br>~~The EAs with-scheme modelling review has made comments in relation to the baseline model and observations made in the original model build report in 2018 relating to:~~<br>~~- Adopted catchment roughness~~<br>~~- Model calibration~~<br><br>During the second review of the baseline modelling, the reviewer noted comments in relation to the baseline model and observations made in the original catchment scale model build report in 2018 relating to:<br>• Adopted catchment roughness<br>• Model calibration<br><br>These comments set out some limitations to these elements of the catchment scale model which could be reconsidered when future modelling was carried out. Further information requested from the applicant on how the suggested limitations within the catchment scale model, which the project model is based on, may impact on the nature and scale of flood risk for the proposed project.<br><br>We appreciate the baseline model was agreed in August 2023 and only a subsequent review highlighted the queries around catchment roughness and model calibration.<br><br>The applicant has provided commentary on both aspects. They have acknowledged limitations were noted in the 2018 modelling around model calibration, however, investigations have concluded no new data is available to update the model calibration.<br>In terms of catchment roughness, no additional sensitivity testing has been undertaken to inform the outline design though we note the comments from the 2018 sensitivity analysis. For any detailed design, site specific topography and the representation of buildings within the study area should be considered in greater detail to ensure roughness used is the most appropriate. The applicant may also wish to consider whether any further sensitivity testing outside the study area would be beneficial at the detailed design stage. | Noted. It is agreed that the baseline model is suitable for use to assess the impacts of the Project and develop the fluvial flood risk mitigation strategy to inform the FRA.<br><br>The comments made were addressed in GAL's response to the review comments:<br>• Adopted catchment roughness: sensitivity analysis undertaken in 2018 and reported in that model build report did indicate potential changes to the modelled flood extent as a result, but these were not considered significant. The adopted roughness in the Project model is considered to be suitable to inform an outline design and assess its impacts. The intention of the current analysis is to compare the baseline and with-Project scenarios to determine the impact of the Project on fluvial flood risk and develop the mitigation strategy. It is therefore not considered appropriate to revisit the adopted roughness across the whole model.<br>• Model calibration: issues were noted during the calibration as part of the original model build process in 2018 (lack of gauges and limited flood events). This was reviewed as part of the Project modelling as reported in the Fluvial Model Build Report (FRA Annex 5) however it was not considered that the catchment hydrology had significantly changed in the interim and remains appropriate. Furthermore, there have been no significant flood events nor new gauges installed since the model build in 2018 to provide additional data for an update to model calibration.<br><br>Accordingly, and as the baseline model is the basis of the EA's current published flood risk mapping, the baseline model is considered fit for purpose for this assessment. | **ES Appendix 11.9.6: Flood Risk Assessment** [APP-147] | Agreed |

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| | | Associated reporting, such as the Flood Risk Assessment and Fluvial Model Build Report (FRA Annex 5) should be updated to contain this information around baseline model catchment roughness and model calibration. | | | |
| **2.22.3.17** | ES Appendix 11.9.6 Flood Risk Assessment – Hydraulic Modelling, Model Accuracy | ~~*We suggest -*~~ The with-~~p~~Project modelling is based on the baseline model, and as reference in 2.22.3.16 the baseline is has been reviewed as suitably accurate to use to then assess the with-scheme impacts of the proposed development. After review of the with-scheme modelling, there are a number of points which have been highlighted for future consideration at the detailed design stage of the project. The with-scheme modelling is considered sufficiently accurate for the outline design and to ~~is considered sufficiently accurate and and robust suitable to inform the~~ assess ~~sment of~~ the Project impact to inform the FRA and the conclusions set out in ES Chapter 11, confirming that the Project fluvial mitigation strategy appears ~~is~~adequate. | Noted | **ES Appendix 11.9.6: Flood Risk Assessment Annex 5 Fluvial Model Build Report** [REP5-027]<br><br>**ES Chapter 11 Water Environment** [APP-036] | Agreed |
| **2.22.3.18** | The need for further hydraulic modelling | ~~*We suggest -* If the with-project design is modified within the detailed design process then additional hydraulic modelling may be necessary to inform Flood Risk Activity Permit Applications by GAL to the EA~~<br><br>As the detailed design for the with-scheme project is progressed it may be necessary for the applicant to carry out further hydraulic modelling to ensure any changes are fully reflected within the modelled environment. This will ensure flood risk is managed at all stages of the project considering design alterations and to inform the Flood Risk Activity Permits required for the proposed works.<br><br>Some aspects in the with-scheme model review have been highlighted for future consideration at the detailed design stage.<br><br>The applicant should commit to maintaining ongoing discussions with the Environment Agency during the detailed design stage to agree on when further modelling is necessary to reflect any changes made to the project during the detailed design stage, and to ensure any outstanding comments from the outline with-scheme model reviews are addressed. | The current catchment baseline and with-project model are agreed as robust and fit for purpose to inform the assessment of impact reported in the FRA and the subsequent conclusions reported in ES Chapter 11.<br>~~fit for purpose to act as a basis for the detailed design stage.~~<br><br>It may be necessary to undertake further hydraulic modelling to inform the detailed design of the Project post-DCO -should the Project design change sufficiently to warrant this, before submitting Flood Risk Activity Permit applications to the EA. This additional modelling exercise would consider the need to assess further the implications of adopted model surface roughness and ground elevations based on LiDAR data and topographic survey. | **ES Appendix 11.9.6: Flood Risk Assessment Annex 5 Fluvial Model Build Report** [REP5-027]<br><br>**ES Chapter 11 Water Environment** [APP-036] | Agreed |
| **2.22.3.19** | ES Appendix 11.9.6 Flood Risk Assessment – Flood Compensation Area Failure | The applicant should confirm if the failure of the proposed FCAs been considered and whether this has been considered in the Flood Resilience Statement in Appendix 11.9.6 Annex 6. It would be helpful to understand which structures have been includes in the assessment of defence failure for completeness. | The width between the volume of stored water and the watercourse is approximately 70m and 100m for Car Park X and Museum Field, respectively. Therefore, these widths are significant and the FCAs are highly unlikely to fail and result in a sudden discharge of water into the receiving watercourse | | Agreed |

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| | | **Updated Position Deadline 9:**<br>We previously posed a question about the potential consequence of failure of the proposed FCAs at Museum Field and Car Park X. The applicant has responded stating that as the FCAs are a distance from the River Mole, the consequence of their failure should not result in the release of a large volume of water into the river. Although not located immediately adjacent to the watercourse, should the FCAs fail to operate or their design capacity be exceeded, understanding this consequence in terms of flow routes and receptors should be considered.<br><br>**Updated Position August 2024**<br>We note the applicants comment around the consideration of the failure of the Museum Field and Car Park X FSAs to be carried out at the Flood Risk Activity Permit stage. Although flood risk modelling forms part of the Permitting process and would be needed to assess the failure of these elements, including this modelling as part the additional work for the detailed design stages may present a more joined up approach which can then be used to inform Flood Risk Activity Permit applications. | **Updated Position August 2024**<br>The proposed floodplain compensation works would be subject to the Environment Agency's acceptance of a Flood Risk Activity Permit application following completion of the detailed design and prior to construction. Therefore the consideration of failure of the Floodplain Compensation Areas at Museum Field and Car Park X would be considered through the Flood Risk Activity Permit. | | |
| **2.22.3.20** | ES Appendix 11.9.6 Flood Risk Assessment – Undefended Scenario Assessment | Section 8.2 Appendix 11.9.6 Flood Risk Assessment – Annex 5 River Mole Fluvial Model Build Report discusses the removal of mitigation measures from the 2D domain for the undefended with-model scenario. It does appear the proposed FCAs and syphons have been removed from the modelling, the Flood Risk Assessment is then signposted for refer to for more detail. If the applicant could confirm where in the FRA this detail it set out, it would be helpful to see.<br><br>**Updated Position August 2024**<br>We note the section of the FRA where comment is made around flood defence failure. It was not clear previously whether this included the proposed FCAs and syphons, though we now understand this does include these features as well as existing flood defences within the catchment. | The model results associated with the With-Project Undefended scenario are discussed within paragraphs 7.2.41 to 7.2.46 and presented in Figure 7.2.8 of the FRA.<br><br>Model scenario 901A (baseline, undefended) was undertaken to compare the Project hydraulic model to the EA's published Flood Zones which adopt an undefended scenario. It has not been used to inform the assessment of project impact and the subsequent reporting in the FRA or ES Chapter 11. | **ES Appendix 11.9.6: Flood Risk Assessment Annex 5 Fluvial Model Build Report** [REP5-027]<br><br>**ES Appendix 11.9.6: Flood Risk Assessment** [DL9 REF] | Agreed |
| **Mitigation and Compensation** | | | | | |
| **2.22.4.1** | ES Appendix 11.9.6 Flood Risk Assessment – Flood Mitigation | The fluvial mitigation strategy consists of two flood compensation areas, and several syphons to maintain floodplain connectivity. In addition, it is proposed to divert a section of the River Mole to allow for the increase in length of the River Mole culvert and syphon, with the diverted section of river channel being designed to accommodate higher flows. High level concepts of the two flood compensation areas and the River Mole diversion are shown in the Flood Risk Assessment | These proposed fluvial mitigation features will be refined as they are developed further during detailed design after the DCO application. The DCO is based on an outline design. There are Requirements in the DCO which require sign-off by the EA. Further information will be provided to the EA within the Flood Compensation Area delivery plan. | **ES Appendix 11.9.6 Flood Risk Assessment – Annex 1** [APP-148]<br><br>**Design and Access Statement Volume 5,** | ~~Under discussion~~Agreed |

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| | | - Annex 1 (Doc Ref 5.3), with some description given in Section 7.2. We cannot comment in any detail on these proposed fluvial mitigation features at the present stage as further information is required.<br><br>Updated Position Deadline 9<br>The applicant has updated Appendix 11.9.6: Flood Risk Assessment to Version 3.0 which contains some additional details on the principles of the flood mitigation works. In addition, Appendix 11.9.6: Flood Risk Assessment Annex 5 Fluvial Model Build Report has also been updated with further details on the flood mitigation works. A Flood Compensation Delivery Plan Technical Note Version 2.0 has been prepared by the applicant, this sets out details on the flood mitigation strategy and contains information on the Flood Compensation Areas and syphons.<br><br>We also note the presence of the flood mitigation works as part of the draft DCO and within the Design and Access Statement, ensuring these elements are captured within Requirements for the project.<br><br>The principle of the flood mitigation features has been demonstrated for this stage of the project. We would expect to see the level of detail for these features to be updated and be more in depth as the design progressed in the future. | **Updated Position (April 2024):**<br>The Applicant will provide the Flood Compensation Delivery Plan (DCO Requirement 23), which is to be approved by CBC in consultation with the EA.<br>Syphons design principles are summarised in the Design and Access Statement and therefore will be approved through Requirements 10 and 11 which require consultation with the EA.<br>The Applicant is also currently responding to the EA's with-scheme fluvial modelling review comments.<br><br>**Updated Position (July 2024):**<br>Further information on the intended configuration and operation of the Floodplain Compensation Areas was provided in the updated FRA Annex 5 Fluvial Model Build Report submitted at Deadline 5 [REP5-037].<br><br>The Applicant responded to the Environment Agency's latest comments on the with-scheme hydraulic modelling in ~~May~~July 2024. Refer to item 2.22.3.17. | **Appendix 1** [APP-259] | |
| **2.22.4.2** | Table 11.8.1 Provision of compensatory flood storage – Page 11-97 | The provision of swales or similar low flow channels will be critical in enabling fish to return to the main channel when the FCA drains, we would seek that these are incorporated into the final design and agreed with us. | Swales or low flow channels have been incorporated into the mitigation in principle at this stage, and detailed design of the swales/channels is required as the project progresses.<br>As stated in Requirement 23 of the draft DCO states that the authorised development must be constructed in accordance with the flood compensation delivery plan which will be submitted for approval to the relevant planning authority in consultation with the Environment Agency.<br><br>The proposed floodplain compensation works would be subject to the Environment Agency's acceptance of a Flood Risk Activity Permit application following completion of the detailed design and prior to construction. | Table 11.8.1: Mitigation, Monitoring and Enhancement Measures of **ES Chapter 11: Water Environment** [APP-036]<br><br>**Draft Development Consent Order** (REP3-006) | Agreed |
| **2.22.4.3** | Table 11.8.1 Provision of compensatory flood storage – Page 11-97 | Agree that water levels should be reduced slowly, but the flow control structures that achieve this must allow fish to move freely through them. Weirs or bottom hinged sluices will stop fish movements, top closing penstocks or fixed orifice discharge points that close to bed level without any weiring of water through the structure would be preferable | Flow structures that allow for fish passage have been incorporated into the mitigation in principle at this stage, and detailed design of the flow structures is required as the project progresses. This is stated in the Design and Access Statement Design Principle DDP16. | Table 11.8.1: Mitigation, Monitoring and Enhancement Measures of **ES Chapter 11: Water** | Agreed |

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| | | | The proposed floodplain compensation works would be subject to the Environment Agency's acceptance of a Flood Risk Activity Permit application following completion of the detailed design and prior to construction. | **Environment** [APP-036]<br><br>**Design and Access Statement Volume 5** [APP-257] | |
| **2.22.4.4** | Table 11.8.1 Provision of compensatory flood storage – Page 11-97 | Loss of aquatic habitat for fish should be mitigated for, however any new fish habitat created in mitigation needs to be explicitly identified and linked back to the loss to demonstrate that it has been addressed and to prevent any new habitat created being counted more than once | This is covered off within the BNG assessment. The impact of the scheme on ecology and the water environment is fully assessed in the ES. The specific lengths of habitat created and lost in relation to culverting of the watercourses and re-naturalisation of the River Mole are provided in the ES Chapter 11 Water Environment Appendix 11.9.1 Geomorphology Assessment. The impact on fish is assessed in ES Chapter 9 Ecology and nature Conservation and water quality in ES Chapter 11 Water Environment Appendix 11.9.2 WFD Compliance Assessment. The length of habitat created via re-naturalisation to the River Mole is approximately 300m. Habitat lost due to the extension of the runway culvert is 26m length, and modifications to the siphon is 13m length. Overall, approximately an additional 260m length of aquatic habitat is created when taking into account habitat lost. Mitigation provided for aquatic habitat lost through the culvert have been provided for in ES Chapter 11 Water Environment Table 11.8.1 and secured through the DAS to minimise the adverse effects on aquatic habitat. | **ES Chapter 11: Water Environment** [APP-036]<br><br>**ES Appendix 11.9.1 Geomorphology Assessment** [APP-142]<br><br>**ES Appendix 11.9.2 WFD Compliance Assessment** [APP-143]<br><br>**ES Chapter 9 Ecology and Nature Conservation** [APP-034] | Agreed |
| **2.22.4.5** | Table 11.8.1 Provision of compensatory flood storage – Page 11-97 | New section of River Mole channel at existing runway culvert exit – These mitigation measures have been discussed with us and we support the channel improvements and creation of a fish resting area. These, and the grid for the new section of culvert will also partially mitigate its impact upon fish movements. | Noted. | | Agreed |
| **2.22.4.6** | Table 11.8.1 Provision of compensatory flood storage – Page 11-97 | The applicant also discussed with us the creation of a multi-species fish and eel pass at an upstream weir on the southern end of the culvert. Provision of this fish passage at this structure also forms an important part of the fisheries mitigation to offset the increase in culvert length. The mechanisms for future maintenance and any debris clearance necessary for the pass to function should also be identified. | The mechanisms for future maintenance and any debris clearance necessary for the pass to function will be identified in an updated Design Principles in the Design and Access Statement. | **Design and Access Statement Volume 5** [APP-257] | Agreed |
| **2.22.4.7** | Table 11.8.1: Mitigation, Monitoring and Enhancement Measures - Page 102 | The fish pass and creation of the 300mm weir on the eastern culvert entrance to divert flows *are both mitigation measures for the impact of the increase in culvert length* therefore we do not agree that they should be described as Enhancements, as they currently are in. | The BNG tools should ensure this is adequately captured. From this point onwards GAL will not refer to these measures as "enhancements". The small diversion weir and addition of the fish pass are within the DCO as Work no. 42 in Schedule 1. The methodology for the assessment does not identify these as mitigation for the extension of the Mole Channel. Rather, this will be | Table 11.8.1 of **ES Chapter 11 Water Environment** [APP-036] | Agreed |

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| | | | mitigated to the extent possible by the use of a road traffic specification grid to soften the transition between open watercourse and the runway culvert, and incorporation of a designed substrate to allow marginal planting to establish. Additionally, a fish resting pool will also be provided at the exit to the extended channel. | | |
| **2.22.4.8** | Table 11.8.1: Mitigation, Monitoring and Enhancement Measures New section of River Mole channel at existing runway culvert exit | The table is missing the further mitigations for the culvert extension (it is such but with an open metal mesh roof and baffles on the bed) which have been discussed and confirmed elsewhere in the submission.<br>• Addition of a small diversion weir on one of the 2 box culverts under the runway. This will ensure water depths are deeper during low flows to help allow fish passage and to ensure that both box culverts don't silt up as quickly. The act of desilting is an environmental risk.<br>Addition of a fish pass to an existing 1 m high weir upstream of the culvert | From this point onwards GAL will not refer to these measures as mitigation and not enhancements. The small diversion weir and addition of the fish pass are within the DCO as Work no. 42 in Schedule 1. The methodology for the assessment does not identify these as mitigation for the extension of the Mole Channel. Rather, this will be mitigated to the extent possible by the use of a road traffic specification grid to soften the transition between open watercourse and the runway culvert, and incorporation of a designed substrate to allow marginal planting to establish. Additionally, a fish resting pool will also be provided at the exit to the extended channel. | Table 11.8.1 of **ES Chapter 11 Water Environment** [APP-036] | Agreed |
| **2.22.4.9** | Geomorphological mitigation for Flood Compensation Area) and paragraph 11.9.98 | Requirement: Soft/bio engineering within riverbanks should avoid plastics to prevent the release of microplastics into the watercourse.<br><br>Reason: Many geotextiles contain plastic strands that will release microplastics that will impact the aquatic biodiversity. | This requirement will be added to the Design and Access Statement Design Principles<br><br>**Updated Position (April 2024):**<br>Requirement is DDP16 in the Deadline 3 Submission of the Design and Access Statement Design Principles | **Design and Access Statement Volume 5,** [APP-257] Appendix 1<br><br>**Updated Position (April 2024): Design and Access Statement Appendix 1 – Design Principles** [REP3-056] | Agreed |
| **2.22.4.10** | Geomorphological mitigation for Burstow Stream Tributary culvert extension | We have a no culverting policy including culvert extensions on main river. The 4 m culvert extension on the Burstow Stream ideally should be a clear span extension, however, because it is at the point of becoming ordinary watercourse, it is beyond our jurisdiction to object. We strongly advise that this extension should still be in the form of a clear span bridge. Culverts often cause siltation/gravel deposition issues, erosion downstream and connectivity issues for flora and fauna. A 4 m wide clear span bridge would be easy to build. | This is an ordinary watercourse at this location and therefore not within the scope of this SoCG between Gatwick and the EA. | | Agreed |
| **2.22.4.11** | Paragraph 11.9.96 | Requirement: The re-naturalised channel shall not be netted.<br><br>Reasons: Netting would impinge on tree growth and natural movement of the channel impacting the biodiversity of the water course and its corridor. | Gatwick accepts that the renaturalised section of the River Mole will not be netted. This approach will be added to the design principles in the Design and Access Statement. | **Design and Access Statement Volume 5,** [APP-257] Appendix 1 | Agreed |

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| **2.22.4.12** | Paragraph 11.9.104 | East Bridge on the Man's Brook: this channel is undergoing significant adjustment since changes made to the River Mole alignment in the 1990s. Around 1 metre depth of incision is expected with associated bank collapses. It is advised to make sure the access bridges have a wider clear span than would be otherwise required in a more stable channel. | This will be considered as part of the detailed design following the DCO application process. It will be added to the design principles in an updated Design and Access Statement. | **Design and Access Statement Volume 5,** [APP-257] Appendix 1 | Agreed |
| **2.22.4.13** | Paragraph 11.9.104 | This section is missing the footbridge to be installed in Church Meadows over the River Mole at grid reference TQ2754242634 which has been shown in recent meetings. This bridge is at risk of erosion of the right bank due to it's position on an meander bend. The Mole in general is quite a dynamic river. We recommend either a wider bridge clear span or better still repositioning of the bridge slightly further upstream to avoid the outside of the meander bend | An assessment of the potential impacts of the footbridge at Church Meadows on the geomorphology has been completed as an addendum to the ES. This found Minor Adverse effects arising from the design with the bridge positioned at the meander bend. However, repositioning of the bridge downstream of the meander or a wider bridge span will be considered at detailed design. Therefore this does not alter the overall conclusions of no environmentally significant effects on the water environment. This will be added to the design principles in the Design and Access Statement. | **Design and Access Statement Volume 5, Appendix A1** [APP-257] | Agreed |
| **2.22.4.14** | Paragraph 11.9.140 | Example of response to monitoring: excessive erosion: this is only a bad things if receptors are at risk of erosion. Channel movement and dynamism should otherwise be welcomed because it has biodiversity benefits. | The ES Chapter 11 Water Environment Appendix 11.9.1 Geomorphology Appendix Section 6.6 Monitoring describes the approach to the monitoring. Should excessive erosion be observed through monitoring it would only be mitigated if receptors were placed at risk as channel movement and dynamism should be allowed due to biodiversity benefits unless receptors are at risk of erosion. | **ES Chapter 11 Water Environment** [APP-036]<br><br>**ES Appendix 11.9.1 Geomorphology** [APP-142] | Agreed |
| **2.22.4.15** | Environmental Statement - Chapter 11 Water Environment | This chapter has outlined the potential impacts of the Project (including highways works) on groundwater and surface waters, which includes deterioration in quality resulting from construction works, mobilisation of existing contamination (which should include river and attenuation pond sediments), and contaminated surface water runoff.<br><br>As part of the assessment, it has been assumed there will be no discharges to ground, and that any new attenuation ponds will be lined. We accept these assumptions on the basis that we would expect both these details to be included in the final designs. | Design principle DDP5 states Gatwick will seek to prioritise natural runoff where practicable though the current assumption is infiltration of runoff will be impracticable due to ground conditions.<br><br>Design Principle DDP9 states that ground and groundwater conditions will be taken into account in the detailed design to minimise risk to groundwater quality, to minimise impedance to groundwater flow and to minimise risk of groundwater flooding. | **Design and Access Statement Volume 5,** [APP-257] Appendix A1 | Agreed |
| **2.22.4.16** | Environmental Statement - Chapter 11 Water Environment | It has also been assumed that water quality measures for car park runoff will be considered 'embedded mitigation' and therefore be integrated into future detailed designs. | The provision of treatment of runoff from car parks is addressed in design principle DDP8 will ensure there is no detrimental impact on water quality from car park runoff. | **Design and Access Statement Volume 5, Appendix A1** [APP-257] | Agreed |
| **2.22.4.17** | Environmental Statement - Chapter 11 Water Environment | Mitigation measures have been proposed to address potential impacts, both short and long term. These include construction of a new de-icer treatment system, water quality (groundwater and surface | Noted. | | Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | water) monitoring, temporary drainage systems to contain surface water during construction (e.g., at compounds), piling risk assessments, and general good practice | | | |
| **2.22.4.18** | Environmental Statement - Chapter 11 Water Environment | These mitigation proposals are to be implemented via various documents, including the Code of Construction Practice. Overall, we are satisfied these mitigation measures address or will address our main areas of concern but appreciate that further details and plans will be required at detailed design stage. | Noted. | | Agreed |
| **2.22.4.19** | Environmental Statement - Appendix 5.3.2 Code of Construction Practice Annex 1 - Water Management Plan | We are satisfied that the contents of the Code of Construction Practice and Water Management Plan address out main areas of concern from a groundwater and land contamination perspective. Further details, for example site investigations or monitoring, will be agreed later. | Noted. | | Agreed |
| **Other** | | | | | |
| **2.22.5.1** | ES Appendix 11.9.6 Flood Risk Assessment – Flood Risk During Construction – Areas Outstanding | Annex 6 of the Flood Risk Assessment on the suitability of flood evacuation routes are primarily for other organisations to comment on. We are aware that the applicant benefits from a bespoke flood alert and warning service from the Environment Agency, which was developed following the flooding at the Airport in 2013.<br>There are a range of proposed works, including the diversion of the River Mole, proposed bridges and elements of the flood compensation areas would require Flood Risk Activity Permits. Any works in, over, under or within 8 metres of a main river would require a Permit prior to works commencing. | The proposed highway drainage works and Floodplain Compensation Areas will be subject regulatory acceptance via Ordinary Watercourse consent and Flood Risk Activity Permits respectively following completion of the detailed design. | **ES Appendix 11.9.6: Flood Risk Assessment - Annex 6** [APP-147]<br><br>**Draft Development Consent Order** (REP3-006) | Agreed |
| **2.22.5.2** | Environmental Statement - Appendix 5.3.2 Code of Construction Practice Annex 1 - Water Management Plan | The Code of Construction Practice and Water Management Plan Annex have identified that additional permits/consents will be required for specific activities. It is indicated that these will be obtained when necessary. A list of permits, licence and consent requirements is presented in section 8 of the Water Management Plan. Foul effluent from temporary compounds that are discharged to the environment would likely require an environment permit, although we expect connection to the mains sewer network to be sought in the first instance. | The proposals for temporary construction drainage will evolve as the Project progresses through detailed design. It is anticipated that further liaison will be undertaken with the Environment Agency to discuss proposed approaches to temporary site drainage at that time. | | Agreed |
| 2.22.5.3 | Table 11.8.1 Mitigation, Monitoring and Enhancement Measures | Details of the new on-site treatment facility to be supplied as soon as possible if the DCO is granted to enable modelling/permitting application to take place.<br><br>Updated Position Deadline 8 | GAL will coordinate a presentation on concept to EA to explain the forced aeration reedbed system proposed. Comment otherwise noted and a new permit will be required.<br><br>Updated Position (April 2024) | | ~~Under discussion~~Agreed |

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|---|---|---|---|---|
| | | There is also no mention of the proposed reedbed system to handle de-icer run-off. It should be clarified within the documents whether the de-icer run-off is to be discharged to Thames Water assets or not. Thames Water will need to formally state that they cannot take the trade effluent before we could find the proposal acceptable. Having a NAV operate the reed bed system may be acceptable. | The design philosophy and operation of the nature-based active treatment system (reed beds) was presented to the EA by GAL on 3 April 2024.<br>GAL has commenced pre-application discussions with the EA consenting team on their likely requirements for a new discharge consent for the outflow from the new treatment system.<br><br>Updated Position (July 2024):<br>Discussions with the Environment Agency are ongoing in relation to the operation of the new treatment system.<br><br>Updated Position (August 2024):<br>The new treatment facility will not discharge to Thames Water assets. Instead the treated outflow would be discharged directly to the Gatwick Stream (instead of to Crawley STW as it does at present).<br>There may be engineering and operational reasons to retain the connection to Crawley STW for discharge from the treatment facility in the event of an emergency. This would be discussed with Thames Water as the design of the wetland treatment facility progresses post-DCO.<br>Gatwick notes the EAs comment regarding the requirement for confirmation from Thames Water.<br>Outside of the DCO GAL is considering the potential to use this treated runoff for greywater re-use across the airport which would reduce its water demand from SESW. | | |
| **2.22.5.4** | Paragraph 11.9.2 | The interaction with Thames Water Utilities Limited is critical to ensure that any required upgrades at Crawley Sewage Treatment Works are completed in sequence with the increased wastewater output from any Gatwick redevelopment. | Discussions with Thames Water are ongoing and continue with regard to the impact of the proposed scheme on Crawley WwTW. No impediment has been raised by TW to date. | | Agreed |
| **2.22.5.5** | Section 11.11 - Cumulative impacts | The degree of housing proposed in the Crawley area, particularly Forge Wood, Kilnwood Vale and Crabbett Park, as well as proposals for a northwestern ring road which will open up land for further development, will during construction, inevitably make temporary changes to the flow and geomorphological regime (e.g., increased fine sediment input) which will in turn have impacts within the DCO red line boundary e.g., increased siltation of culverts. | Noted. It is agreed that the weir will reduce sedimentation in the Mole culvert. The ES Chapter 11 Water Environment Section 11.11 Cumulative Impacts to include impact of new housing developments on geomorphology. All impacts would be temporary during construction of the housing development and not considered to be environmentally significant. | Section 11.11 Cumulative Impacts of **ES Chapter 11 Water Environment** [APP-036] | Agreed |

# 3 Signatures

3.1.1 The above SoCG is agreed between the following:

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|---|---|
| Duly authorised for and on behalf of Gatwick Airport Limited, The Applicant | Name<br>**Jonathan Deegan**<br><br>Job Title<br>**Planning & Environment Lead**<br><br>Date<br>27/08/2024<br><br>[redacted] |
| Duly authorised for and on behalf of Environment Agency | Name<br>**Richard Penn**<br><br>Job Title<br>**Environment Planning and Engagement Manager (Kent and South London)**<br>Date<br>**23/08/2024**<br><br>[redacted] |

# Appendix 1: Record of Engagement Undertaken

| Date | Form of Contact (meeting or correspondence) | Overview of the Matters Discussed and Key Outcomes |
|---|---|---|
| 15 August 2019 | Meeting | |
| 25 November 2019 | Meeting | Presentation of proposed fluvial flood risk mitigation measures |
| 28 January 2021 | Virtual Meeting | Reintroduction to the Project following Covid hiatus |
| 29 April 2021 | Virtual Meeting | Presentation of emerging PEIR findings (flood risk) |
| 25 May 2021 | Virtual Meeting | Presentation of emerging PEIR findings (excluding flood risk) |
| 24 March 2022 | Virtual Meeting | Presentation of water quality and Water Framework Directive impacts |
| 24 November 2022 | Virtual Meeting | Presentation of design update of River Mole culvert and mitigations |
| 24 February 2023 | Virtual Meeting | Presentation of emerging findings of Environmental Statement for water |
| 6 October 2023 | Virtual Meeting | General discussion of water matters and EA relevant representation |
| 8 March 2023 | Virtual Meeting | Discussion on SoCG matters |