



Crawley 2035

Ref No:

Office use only

Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council
by 5pm on 2 March 2020.

Representations can be made via this form and emailed to forward.planning@crawley.gov.uk or sent via post to: Local Plan Consultation, Strategic Planning, Crawley Borough Council, Town Hall, The Boulevard, Crawley, RH10 1UZ. Alternatively, representations can be made online using the [eform](#) which allows attachments of documents.

This form has two parts:

PART A – Personal details

By law, representations cannot be made anonymously. All representations will be published alongside your name, company name (if applicable), and your client's name/company (if applicable). The Council will use the information you submit to assist with formulating planning policy.

Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018, for example, how to contact the Data Protection Officer, how long information is held or how we process your personal information can be found at www.crawley.gov.uk/privacy. Specific reference to the Local Plan and planning policy related public consultation can be found on: www.crawley.gov.uk/pw/web/PUB351893

PART B – Your representation

Please fill in a separate sheet for each representation you wish to make. You may submit multiple "PART B" sections with a single "PART A" completed.

PART A – Personal details

Please ensure that you complete all fields in 1. If a planning agent is appointed, please enter the Title, Name and Organisation in 1, and complete the full contact details of the agent in 2.

	1. Personal details	2. Agent's details
Title:	Ms	Mr
First name:	Sophie	Iain
Surname:	Groves	Painting
Organisation:	Legal & General	Barton Willmore LLP
Address line 1:	c/o Agent	7 Soho Square

Address line 2:

Town/city:

Postcode:

Telephone:

Email:

PART B – Your representation

3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

4. Which part of the Local Plan does this representation relate to?

Paragraph:

Policy:

Other:

5. Do you consider the Local Plan to be: (Please tick)

- 5.1. Legally compliant? Yes No
- 5.2. Sound? Yes No
- 5.3. Compliant with the duty to co-operate? Yes No

6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

See attached.

If required, please continue your response on an additional piece of paper and securely attach it to this response

- 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.**

See attached.

If required, please continue your response on an additional piece of paper and securely attach it to this response

Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations. **After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues s/he identifies for examination.**

8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

To participate in discussions on economic growth, Gatwick Airport and cross boundary issues.

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

If you would like to make a representation on another policy or part of the Local Plan then please complete a separate PART B section of the form or securely attach an additional piece of paper. Copies of the representation form can also be downloaded from the council's website at: www.crawley.gov.uk/crawley2035

Signature



Date

02/03/2020

Crawley Local Plan Review: Reg 19 Consultation

Land North of Gatwick Airport

Legal and General ('L&G') owns some 155 hectares of land immediately to the north of Gatwick Airport within Mole Valley District but adjacent to the boundary with Crawley Borough. L&G submitted representations to the Regulation 18 consultation (16 September 2019). The representations below should be read in conjunction with the previous representations.

Gatwick Airport

Gatwick Airport is identified in the emerging Local Plan as the 'economic core' of the Borough that allows Crawley to be a 'focus for large businesses, travel and retail provision' (paragraph 2.6). The Airport has published a Master Plan (2019) setting out its proposals for future growth and has commenced the Development Consent Order ('DCO') process. The Airport proposes to make efficient use of its existing runways, in line with national policy (Aviation Strategy: making best use of existing runways, June 2018), by bringing its standby runway in to regular use. The Master Plan estimates that this will give rise to an increase from 79,000 to 91,000 direct and indirect jobs associated with the Airport by 2028 (paragraph 5.6.13). This presents a unique opportunity to capitalise on the economic benefits arising from growth at Gatwick.

Notwithstanding the above, limited consideration has been given in the Local Plan Review and its evidence base to the impact of the proposed growth at the Airport. Indeed, the Economic Growth Assessment (2020: 'EGA') recognises the important role of the Airport and the economic benefits of expansion (see paragraph 2.27). However, none of the scenarios for forecasting the future requirements for employment space (Chapter 8.0) take account of growth at the Airport. This is in direct conflict with NPPF (2019) paragraph 22 that requires local plans:

'...to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.'

In short, the impact of expansion of Gatwick is not recognised in the forecasts for future employment needs when the evidence of the Airport indicates a significant increase in jobs. Moreover, no attempt appears to have been made to positively plan to capture the benefits arising from Airport expansion in line with the NPPF. Should the Plan progress on this basis, having regard to the likely timeframes of the Gatwick DCO, there is a significant risk that the Local Plan will be out of date prior to, or shortly after adoption. Given the strategic significance of the Airport in the area, approval of the expansion proposals could give rise to a need for an early local plan review.

The growth in jobs associated with expansion of the Airport is a significant public benefit weighing heavily in favour of the proposals. A Local Plan formulated in denial or ignorance of the Airport expansion proposals would not be justified and therefore unsound. The intentions of Gatwick are known and are being progressed. Whilst the outcome of the DCO process is not certain at this stage, the Airports NPS is the published policy and the proposals of Gatwick are sufficiently advanced for the Council to be required to consider the impact thereof in order to bring forward a sound plan. The views of Inspectors are clear on planned infrastructure improvements, with the Inspector for the Vale of Aylesbury Local Plan, for example, stating in his interim findings (29 August 2018) that:

'7) Predictable events should be planned for. Both Heathrow expansion and the Oxford-Cambridge expressway are predictable, known, events. Only the route of the latter is not yet fixed. To be sound, VALP should make contingency plans to accommodate them, not simply abandon its function to a future review of uncertain timescale.'

Economic Needs

Even without any growth at the Airport, the EGA identifies a need for some additional 33 hectares of employment land in Crawley based on past development rates. However, under the baseline labour supply scenario, which takes account of population growth assumptions based on the Standard Method, this increases markedly to 113 hectares (Table 8.16). Taking account of employment land supply, the EGA identifies a shortfall of 21 hectares against the past development rate requirement and over 100 hectares when population growth is taken into consideration (Table 10.5). The Council is therefore, reliant on adjacent authorities to assist in accommodating this significant unmet need.

Historically, authorities such as Horsham and Mid Sussex have sought to accommodate a proportion of unmet housing need from Crawley but accommodation of unmet employment need has been more limited. The spatial strategy of the emerging Local Plan recognises the role of the Airport (but without expansion) and seeks to locate employment development in proximity. Horley Business Park in Reigate and Banstead Borough provides a large office (B1) facility in proximity to the Airport. However, limited if any consideration appears to have been given to the potential of other cross boundary land to assist in meeting unmet employment need.

For example, Mole Valley is currently consulting on its emerging Local Plan (Regulation 18). L&G's land to the north of Gatwick Airport has been promoted for employment use associated with the Airport through the Mole Valley Local Plan. Mole Valley's Strategic Housing and Economic Land Availability Assessment (2020: 'SHELAA') discounts the Site from further consideration as *'[n]o identified requirement for site allocation for B Class Uses'* (Table 19: Site Ref. HK-008). This fails to consider the significant unmet need for B Class employment space from Crawley, not least given the clear spatial relationship to Crawley and the Airport in particular.

Full consideration ought to be given to all land capable of accommodating employment uses in proximity to Crawley to assist in meeting the unmet employment space needs identified through the EGA. In addition, further consideration should be given to the expansion proposals of the Airport which would appear highly likely to further increase the employment land requirements and level of unmet need over the Plan period.

The Plan does not appear to have been informed by the discharge of the 'Duty to Co-operate' in respect of this fundamental element.

Removal of Safeguarding

Land to the south of Gatwick Airport is safeguarded for future airport development. The emerging Local Plan states that the Council it is seeking to challenge the on-going safeguarding of that land as a means of accommodating additional employment and infrastructure development within the Borough (see paragraph 2.8). Whilst the National Policy Statement (June 2018) supports a new runway at Heathrow, there continues to be significant uncertainty over future aviation development. This is recognised in the Aviation 2050 consultation document (December 2018) which states that 'It is prudent to continue with a safeguarding policy to maintain a supply of land for future national requirements' (paragraph 3.66).

The NPS does not propose the removal of the safeguarding nor that the safeguarding is or will be subject to review.

Until such a time as the safeguarding is reviewed, the Local Plan should progress on the basis that the safeguarding will remain and should proactively explore alternative options for accommodating unmet need including cross boundary opportunities. Any proposals that are reliant upon the removal of the safeguarding are not justified nor achievable and would be unsound.

The remedy proposed by the Council to address the potential time lag between adoption of the Local Plan and a review of the safeguarding is the preparation of an Area Action Plan ('AAP') for North Crawley. Deferring consideration of this to an AAP is unsound given the fundamental change that would arise and the strategic implications not only for Crawley but beyond. It is for the Local Plan to set the spatial strategy and an AAP is a tool for implementation. Again, the proposal for an AAP on this basis would render the Plan unsound.

Conclusion

It is accepted that the Council faces many challenges in accommodating housing needs and employment growth. In terms of population, the evidence base identifies:

- Greater proportion of younger people (ages 25 to 34) with two-thirds of current population below 45 years of age.
- Lower percentage of elderly but disproportionate projected increase compared to other age groups.
- High levels of employment and strong demand for additional employment space but a shortfall of between 21ha and over 100ha of employment land over the Plan period.
- Housing need of 11,280 to 2035 (based on Standard Method) with land to accommodate circa 48% of that need leaving a significant proportion of unmet need.

It also benefits from close proximity to the Airport which is not only a significant contributor to economic growth in its current iteration, but which has ambitious plans for further growth. It is remiss of the Council not to seek to actively plan and capture these benefits for the benefit of the community at large.

We recognise that Crawley is effectively 'land locked' with little opportunity for spatial expansion beyond its administrative borders. However, the Duty to Co-operate exists to provide a mechanism for such matters to be addressed in co-operation with the neighbouring authorities. However, unless the needs are properly evidenced in the Plan, the exercise of the Duty to Co-operate will fail, regardless of the ambitions of the relevant authorities. The draft Plan ignores the proposals of the Airport and relies on removal of the existing safeguarding to meet what need the Council does recognise. There is no evidence that the adjacent authorities (see Mole Valley) are planning positively to meet these unmet needs (with and without Airport expansion).

The Plan is unsound in this basis. The Duty to Co-operate has not been met. The Plan is not justified nor is it achievable.

BARTON WILLMORE
2 March 2020