



Crawley 2035

Ref No:

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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
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Surname:	Dove	North
Organisation:	HX Properties Ltd	Tim North & Associates Ltd
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Address line 2:	<input type="text" value="Reading Road"/>
Town/city:	<input type="text" value="Pangbourne"/>
Postcode:	<input type="text" value="RG8 7LR"/>
Telephone:	<input type="text" value="07836678903"/> <input type="text" value="01189843333"/>
Email:	<input type="text" value="Timnorth.associates@btinternet.com"/>

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:	<input type="text"/>	Policy:	<input type="text" value="Policy EC6 with paragraphs 9.72 to 9.74"/>	Other:	<input type="text"/>
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5. Do you consider the Local Plan to be: (Please tick)

- | | | |
|---|---|--|
| 5.1. Legally compliant? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5.2. Sound? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

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

See attached letter dated 28 February 2020 from Tim North & Associates Ltd

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 letter dated 28 February 2020 from Tim North & Associates Ltd

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:

Policy EC6 and its reasoned justification appear to conflict with Policy EC3 and have not had regard to the implications generally for airport related car parking

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

Mr. Tim North of Tim North & Associates Ltd completed online

Date

28/02/2020

Our Ref: TFN/emn/21/19

Yr Ref:

Date: 28 February 2020



Tim North
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Limited

Chartered Town Planning
& Development Consultants

Strategic Planning
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Dear Sirs

Draft Crawley Borough Local Plan Review 2020-2035 – Regulation 19 Consultation

My clients, HX Properties Ltd, object to Policy EC6 of the Regulation 19 version of the Draft Crawley Borough Local Plan 2020-2035 (hereinafter referred to as the DCBLP) including paragraphs 9.72 to 9.74 inclusive, which provide the reasoned justification for the same policy. It is contended that the policy is unsound because it has not had regard to the implications generally for airport related car parking.

Policy EC6 is concerned with “*Visitor Accommodation*”. The policy has remained largely unaltered from that set out in the Regulation 18 version of the same Local Plan, albeit with reorganisation of the same paragraphs. The basis of the policy is to provide a sequential test for hotel and visitor accommodation outside the town centre, whilst at the same time permitting the same uses on the Manor Royal Main Employment Area, where it can be demonstrated that the development caters specifically for the needs of Manor Royal. In addition, it seeks to restrict parking at new hotels and visitor accommodation to that solely for use for staff and guests in residence at the development, and not to be used for any other purpose, including long term off-airport car parking.

My clients agree with the underlying purpose of the first paragraph of Policy EC6 which relies upon the sequential test in accordance with paragraph 009 ID:2b-009-20190722 of the NPPG on “*Town Centres and Retail*”, which guides town centre uses towards town centre locations first, then if no town centre locations are available, to edge of centre locations, and if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). This includes leisure/entertainment uses which support the vitality of town centres.

A reading of Policy EC6 of the Regulation 19 version of the DCBLP means that the sequential test should be applied to all hotels and visitor accommodation situated on land at London Gatwick Airport, a consideration which is in accordance with the NPPF and NPPG.



Your Council's response to this company's representations (REP181/696) raised on behalf of HX Properties Ltd to the predecessor version of Policy EC6, stated: "*The approach of this policy (now EC6) is intended for consistency with Policy GAT3 (now GAT2) which ensures that all new airport parking is provided on airport as the most sustainable location.*"

My client accepts the need for consistency in decision making as a matter of public policy. In this regard, the need for consistency has been held to be an important tenet of planning law¹. In the light of the above response from your Council, HX Properties Ltd would respectfully request that in accordance with Policy GAT2 (as it currently stands), your authority give serious consideration to amending Policy EC6, so that in cases where hotels or other visitor accommodation is provided on-airport, not only is the sequential test required to be satisfied, but also a demonstrable needs test should be met.

This is necessary because the sequential test is concerned with the location of main town centre uses, and not with having to show a demonstrable need, which is a different test. To the extent that Policy GAT2 requires a demonstrable need test to be met where it relates to on-airport car parking, and given that your Council accepts that the approach to Policy EC6 is required to be consistent with Policy GAT2, must inevitably mean that applications for hotel and visitor accommodation on-airport should only be permitted where a demonstrable need is proven.

It has been noted that there has been a change of approach on behalf of the Authority, where previously it was contended that parking at hotels and guest houses constituted an ancillary use which did not constitute development requiring planning permission. This becomes evident from the contents of the SA/SEA relating to Policy EC6. In the event that the Council's view on this matter were to have remained unchanged, there would clearly be no need for Policy EC6.

It is recognised that the Airport Owner and Operator enjoy permitted development rights in accordance with Schedule 2 Part 8 Class F of the Town & Country Planning (General Permitted Development) (England) Order 2015 (As Amended). However, as your officers will appreciate, the phrase "*operational building*" is defined in Schedule 2 Part 8 Class O as meaning "*a building, other than a hotel required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge, or transport of passengers, livestock or goods at a relevant airport*". In short, hotels do not benefit from permitted development rights, reinforcing the point regarding the need for consistency with both the sequential and demonstrable needs tests in respect of Policy EC6.

The reasoned justification in paragraph 9.73 relating to Policy EC6 requires applicants to have regard to Local Plan Policy EC3 and its supporting text when considering hotel

¹ *North Wiltshire District Council v Secretary of State for the Environment (1992) 65 P & CR 137; R (Baber) v Secretary of State for the Environment (1996) JPL 1034; JJ Gallagher Ltd v Secretary of State for Local Government Transport and the Regions (2002) EWHC 1912 (Admin); Dunster Properties Ltd v First Secretary of State (2007) EWCA Civ 236; R (Fox Strategic Land & Property Ltd) v Secretary of State for Communities and Local Government (2012) EWCA Civ 1198; Pertemps Investments Ltd v Secretary of State for Communities and Local Government (2015) EWHC 2308 (Admin); DLA Delivery Ltd v Baroness Cumberlege of Newick and Secretary of State for Communities and Local Government (2018) EWCA Civ 1305.*



development in the Manor Royal Main Employment Area. Policy EC3 is found under the title “*Manor Royal*”, in which it is stated that proposals which are not for B Class development will be permitted if it can be demonstrated that they are of a scale and

function that does not undermine the established role and function of Manor Royal. Paragraph 9.44 provides part of the reasoned justification to Policy EC3, setting out complementary business facilities and staff amenities needed to support the day to day needs of Manor Royal businesses and employees.

My clients’ concerns in this regard is that the contents of paragraph 9.44 do not refer to hotels and visitor accommodation, and neither more importantly does Policy EC4. It follows that there appears to be a conflict between the provisions of Policies EC3 and EC6 where they relate to business supporting facilities on the Main Manor Royal Employment Area, concerning the question of hotel and visitor accommodation proposals.

My clients’ reservations also extend to the implications arising from the last paragraph of Policy EC6. The reasoned justification in paragraph 9.74 refers to the need to ensure consistency with Local Plan Policy GAT2, but it appears that the implications of this policy have not been fully appreciated.

The commentary to Option 3 in the SA/SEA of the Regulation 19 version of the DCBLP concerning Policy EC6 states: “*Off airport hotels in sustainable locations such as the town centre can accommodate guests using the airport, without the need for them to drive at all, thereby reducing the need to provide extensive areas of car parking.*”

This statement presumes that travellers to town centre hotels will arrive by public transport, but there is no guarantee of that, and to the extent that a passenger wishes to rely on their private cars and stay overnight at a town centre hotel before leaving their car at an on or off-airport parking site, or alternatively rely on a minicab or taxi to ferry them to the airport, cannot constitute a sustainable form of access to London Gatwick Airport. Indeed, it is less sustainable than if a long term off-airport car parking use were permitted in close proximity to London Gatwick Airport.

It also does not prevent a hotel in a town centre location from using its car park as a temporary drop off point in connection with a long term off-airport car parking use, where cars would then be moved to an alternative location whether on or off airport, pending the customers’ return. This is already taking place in hotels nearer to Gatwick Airport with restricted car parking provision.

Either way, and despite the fact a change of use for long term off-airport car parking purposes would be required, the end result would be longer journeys to the airport or relying on mini cabs/taxis ferrying the passengers from the hotel to the airport. Restricting the use of hotel car parks will, in my clients’ experience, exacerbate unauthorised long term off-airport car parking which is of no benefit to the Council, the Airport Operator or those wishing to establish lawful long term off-airport car parking uses.



Equally, there are important implications in terms of staff resourcing, at a time when until recently, it has been accepted by your Council that unauthorised car parking provides a constituent part of airport related parking supply which is likely to continue.

In conclusion, any choice made with respect to the options for Policy EC6 seen from the SA/SEA perspective, requires to consider not only consistency with Policy GAT2, but also the implications for airport related car parking generally from a wider sustainability perspective, and in particular the consequences for those using hotels, as well as on issues of resourcing.

Yours faithfully

T.F. North

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Cc: Howard Dove, HX Properties Ltd



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First name:	Howard	Tim
Surname:	Dove	North
Organisation:	HX Properties Ltd	Tim North & Associates Ltd
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4. Which part of the Local Plan does this representation relate to?

Paragraph:	<input type="text"/>	Policy:	Policy GAT2 along with Paragraphs 10.16 to 10.19	Other:	<input type="text"/>
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- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
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See attached letter dated 27 February 2020 from Tim North & Associates Ltd

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Policy GAT2 and its reasoned justification are fundamentally flawed

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.

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Signature

Mr. Tim North of Tim North & Associates Ltd completed online

Date

27/02/2020

Our Ref: TFN/emn/21/19

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Date: 27 February 2020



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Limited

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& Development Consultants

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My clients, HX Properties Ltd, object to Policy GAT2 of the Regulation 19 version of the Draft Crawley Borough Local Plan 2020-2035 (hereinafter referred to as the DCBLP), including paragraphs 10.16 to 10.19 inclusive, which provide the reasoned justification to the same policy. In this way both the policy and its supporting text are considered unsound.

Policy GAT2 is concerned with “*Gatwick Airport Related Car Parking*” seeking the reintroduction of Policy GAT3 from the statutorily adopted Crawley Borough Local Plan 2015-2030. There has been a minor alteration to the wording of Policy GAT2, in that it now consists of a single paragraph, where previously it formed two paragraphs; the second of which commenced with the words “*All new proposals must be justified*”.

The reasoned justification behind Policy GAT2 is fundamentally flawed, in that it takes no account of, and is inconsistent with, the provisions of Schedule 2 Part 8 Class F of the Town & Country Planning (General Permitted Development) (England) Order 2015 (As Amended). The Airport Owner on “*Operational Land*” can construct surface car parking or build multi-storey car parks, in accordance with the above mentioned permitted development rights, for which no express planning permission is required, and without having to justify “*...a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport*”. This view, accepted by those advising HX Properties Ltd, means that Policy GAT2 set out in the DCBLP is unnecessary and serves no valid purpose, completely nullifying the reasoned justification set out in paragraph 10.16 to 10.19 inclusive.

The fact that the Airport Operator is under no obligation to produce an assessment of demonstrable need to justify any on-airport surface or multi-storey car park, in accordance with the second limb of Policy GAT2, becomes immediately apparent from the decision taken by your Council to raise no objection to Application No. CR/2017/0523/CON.



It is a well-known fact that Crawley Borough Council rely on Gatwick Airport Ltd (hereinafter referred to as GAL) in providing evidence on the central issue of “*demonstrable need*” to support its case in refusing proposals for long term off-airport car parking in its administrative area. The involvement of GAL means that, by association, it occupies a central position in the decision-making process, particularly in cases where an applicant proceeds to appeal against the Local Planning Authority’s refusal or non-determination of a long term off-airport car parking proposal.

GAL as a private company, has a dominant position in surface access facilities provided at London Gatwick Airport, being present in the upstream market (i.e. facilities at an airport, such as bus stations or car parks), as well as the downstream market (i.e. allowing providers to access the facilities at an airport), where they relate to levels of surface access provision. GAL’s presence as an important integral part of the decision-making process, means that land use planning decisions governing airport related car parking proposals cannot be considered transparent. That is, they cannot be divorced from, and are influenced by separate considerations governing issues of competition, i.e. through the Capital Investment Programmes prepared by GAL relating to future levels of on airport car parking expenditure.

It follows from these representations that if Policy GAT2 is to be retained in the Regulation 19 version of the DCBLP, then consideration should be given to removing permitted development rights where it relates to car parking provision on “*Operational Land*” within London Gatwick Airport through an Article 4 Direction. The Article 4 process will provide the appropriate reasoned justification and purpose behind the same policy, allowing decisions to be more transparent, if only for reasons of having to justify a demonstrable need.

In addition, a methodology should be agreed in which to assess long term demand and capacity issues concerning both on and off airport-related car parking provision, involving your Authority, GAL and representatives of those involved in lawful long term off-airport car parking facilities. This will reduce issues of dispute, or at least highlight those specific areas where agreement cannot be reached, surrounding existing and future demand for and capacity (supply) of airport related car parking, including the concept that the same two factors are “*in balance*”. To this end, through collaboration, a sound base for deciding applications will be provided, not dissimilar to the way in which the NPPF requests Local Planning Authorities to use the standard methodology in order to establish a minimum local housing needs figure (LHN) in their administrative areas.

The contents of supporting paragraph 10.16 to Policy GAT2 refer to the 2019 Section 106 Planning Obligation entered into between Crawley Borough Council, West Sussex County Council and GAL, which sets out an obligation for the Airport Operator to achieve a target of 48% of passengers travelling to the airport by public transport by 2022. The figure of 48% is used as a metric to show that the amount of airport related car parking that needs to be provided for airport passenger throughput, in accordance with the Airport Operators Interim Car Parking Strategy April 2017, is in some way commensurate with public transport modal share. The 48% figure is not considered to be a challenging target, in that in the fourth quarter of 2017, (October to December), CAA’s O & D data



reveals that a public transport modal share figure of 48.3% was reached, being in excess of the 48% target figure set down for 2022.¹

No evidence has been produced to demonstrate that long term off-airport car parking has prevented the modal share in favour of public transport from being reached, as set out in the various iterations of the Gatwick Airport Surface Access Strategy (hereinafter referred to as GASAS) and associated Section 106 Planning Obligations. The target figure of 48% is in all probability likely to be met, even in the event that the figure were to be increased, when it is realised that visitors to the UK are always more likely to use public transport than those living and working in the UK.

The contents of paragraph 10.17 providing part of the reasoned justification to Policy GAT2 refer to a number of lawful long term off-airport car parking businesses, serving the needs of passengers using London Gatwick Airport. The figure for long term off-airport car parking spaces set out at paragraph 2.3.30 of the Gatwick Airport Masterplan 2019, namely 21,196 authorised spaces is strongly disputed. It will be demonstrated that there has been a consistent and marked reduction in the supply of long term off-airport car parking provision serving the airport, since the Gatwick Airport Interim Master Plan was published in 2006.

To the extent that long term off airport car parking provides an important contribution to airport related car parking, means that it has a role to play in the supply of the same product, meeting not only a quantitative, but also a qualitative need. A number of long term off airport car parks have been found to occupy “*sustainable locations*” whilst at the same time offering “*customer choice*”². This becomes evident from Inspectors’ appeal decisions in your Council’s administrative area, as well as the contents of Case Officers’ reports granting planning permission for the same use.

A more flexible approach is required in the consideration of airport related car parking provision, given that issues of sustainability, when taken to an extreme as is the case with Policy GAT2, results in locations being defined solely by reference to whether a site lies within or outside the boundary of London Gatwick Airport. That approach produces an anomalous situation, highlighted by the fact that should the Council accept an alteration to the boundaries of London Gatwick Airport, so that it is commensurate with that indicated on Plan 20 in the Gatwick Masterplan 2019, (i.e. leading to an extension to the east beyond the London to Brighton Railway Line towards the M23 Motorway); what is at present considered to be an unsustainable location, automatically becomes sustainable.

In this regard no account is taken of i) access arrangements from the particular car park to the terminal buildings; and ii) the advantages of transporting a number of passengers to the Airport’s terminals utilising low emissions/eco-friendly buses. These benefits associated with a traditional park and ride off-airport parking facility have the ability to

¹ See the evidence of Mr Tom Nutt, Crawley BC to the Former Gasholder Station Car Park Appeal, the inquiry of which took place on 15-17 May 2017.

² See appeal decisions at Acacia Grove, Copthorne (PINS Ref 2153589); City Place, Crawley (PINS Ref 2171971 & 2071972); and the Case Officer’s report at Southways Business Park (Crawley BC Ref. No. CR/2033/0094/FUL); Site E2 Crawley Business Quarter (Crawley BC Ref. No. CR/2014/0080/FUL) and the Former BOC Edwards Site (CR/2014/0615/FUL).



lead to a reduction in traffic movements, thereby alleviating congestion at strategically located junctions situated in close proximity to London Gatwick Airport, at the same time having the propensity to reduce carbon emissions.

It is said in GAL's representations to the July 2019 version of the DCBLP that the aim is to offer an attractive on airport car parking product as a means of discouraging use of less sustainable car parking options, which create double the amount of car trips compared with "park and fly", whilst generating extra surface access journeys, which it is argued, add to congestion and CO₂ emissions. These comments are wholly predicated on the "kiss and fly" and "meet and greet" car parking mode serving London Gatwick Airport, which are the least sustainable. They take no account of traditional long term park and ride facilities, which are infinitely more sustainable than encouraging passengers to park on-airport. To the extent that GAL refer to a "residual and increasing demand for parking for those passengers who choose to use the car" dictates that the long term off-airport park and ride model has the ability to be the most sustainable option after dependence on public transport.

In devising a policy devoted to "Gatwick Airport Related Parking", requires sustainability issues to extend beyond consideration of whether a site is situated within or outside the boundaries of London Gatwick Airport. A restrictive policy of the kind set out in GAT2 has inverse implications, with associated disadvantages for airport related car parking, with inadequate account taken of other related issues surrounding airport car parking provision.

It is a known fact that unless additional resources are provided to the Authority, and a proactive approach is taken to enforcement proceedings in respect of unlawful off-airport car parking uses, the ability to ensure a sustainable approach to airport related car parking will never be realised. Your Authority are on record as stating that unauthorised long term airport related car parking will continue to be a source of capacity (supply) into the future. Given these circumstances, to pursue a strategy which perpetuates, at the same time places reliance on unauthorised long term off-airport car parking, in preference to a properly managed lawful long term off-airport car parking facility, is the very antithesis of "managing" airport related car parking provision into the future.

Evidence reveals that adopting the tact outlined in the previous paragraph will encourage long term off-airport car parking facilities of all models, in least sustainable locations seen in terms of distance to the north and south terminals, and is required to be compared with what otherwise may arise from lawful long term off-airport park and ride facilities which from a locational perspective, are sited in close proximity to the same terminals. It is also infinitely more sustainable to have sites granted planning permission, than for long term off-airport car parking facilities to be made lawful through CLEUDs.

To impose an embargo on lawful long term off-airport car parking uses based on the park and ride model, would simply play into the hands of those unauthorised long term off-airport car parking businesses operated by rogue traders, with all the ensuing bad publicity for airport related car parking. It simply hands the impetus to those seeking CLEUDs for long term off-airport car parking uses on sites distant from the airport, which along with the "meet and greet" mode, is the least desirable from a sustainability perspective.



A restrictive Policy GAT2 has paid no regard to the increasing provision of organisations such as JustPark, a technological platform matching drivers with car parking spaces through its website and app, representing what is referred to as the “*sharing economy*”, having a profound impact on the ability to reduce the private car mode in favour of public transport, and appearing less sustainable than the provision of a traditional long-term off-airport car parking facility. To these considerations can also be added the increasing focus placed on the use of on-street car parking, sometimes known as transit parking, in residential areas, before walking or taking a cab to the airport’s terminals.

In conclusion, Policy GAT2 is passing the responsibility from the Local Planning Authority to a private company, the Operator of London Gatwick Airport, who is then given the remit of meeting the modal split target of passengers, through total reliance placed on on-airport related car parking, without considering alternative forms of access to an international airport.

Yours faithfully

T.F. North

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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:	Mr	Mr
First name:	Howard	Tim
Surname:	Dove	North
Organisation:	HX Properties Ltd	Tim North & Associates Ltd
Address line 1:	Ashford Road	17A

Address line 2:	Newingreen	Reading Road
Town/city:	Hythe/Kent	Pangbourne/Berkshire
Postcode:	CT21 4JF	RG8 7LR
Telephone:	07974141696	07836678903 01189843333
Email:	howard.dove@holidayextras.com	Timnorth.associates@btinternet.com

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:	<input type="text"/>	Policy:	Policy SD3 supporting paragraphs 3.18 to 3.29 inclusive	Other:	<input type="text"/>
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5. Do you consider the Local Plan to be: (Please tick)

- | | | | | |
|---|-----|-------------------------------------|----|--------------------------|
| 5.1. Legally compliant? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 5.2. Sound? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

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

Please see attached letter dated 1st March 2020 from Tim North & Associates Ltd

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.

Please see attached letter dated 1st March 2020 from Tim North & Associates Ltd

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:

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

Mr. Tim North of Tim North & Associates Ltd completed on

01/03/2020

Our Ref: TFN/emn/21/19

Yr Ref:

Date: 01 March 2020



Tim North
& Associates
Limited

Chartered Town Planning
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Dear Sirs

Draft Crawley Borough Local Plan Review 2020-2035 – Regulation 19 Consultation

My clients, HX Properties Ltd, support the introduction of Policy SD3 in the Regulation 19 version of the Draft Crawley Borough Local Plan 2020-2035 (hereinafter referred to as the DCBLP) concerning the preparation of a North Crawley Area Action Plan (hereinafter referred to as North Crawley AAP) covering 613 ha of land lying to the north of the existing built up area of Crawley, between the town and London Gatwick Airport. In this regard, they consider that Policy SD3 to be positively prepared, justified, effective and consistent with national policy. It follows that my clients support the removal of a policy in the Regulation 19 version of the DCBLP relating specifically to “*safeguarded land*”.

As your officers will appreciate, my clients raised representations to the Regulation 18 version of the DCBLP in which they expressed a number of concerns centred on the relationship between safeguarded land and employment land provision; the contribution safeguarded land makes in meeting future employment needs; policy formulation relating to safeguarded land, and implications arising from the Gatwick Airport Masterplan 2019. The same issues are as relevant today as they were in September of last year when the Regulation 18 representations on the DCBLP were submitted to your Authority.

It is noted in this regard that work on the North Crawley AAP is to commence within three months of the adoption of the DCBLP, which is also fully supported by my clients. In addition, HX Properties Ltd, who are the freehold owners of land situated in the North Crawley AAP, are agreeable in principle either independently, or in conjunction with adjoining landowners, to promote the development potential of land in their ownership for employment generating purposes, and would wish this to be recorded as part of these representations.

My clients recognise the contribution made by London Gatwick Airport to the local, regional and national economy, although this factor cannot be considered in isolation. An equally important consideration concerns the requirement for your Council to meet its future development needs over the Plan period as part of the Gatwick Diamond Initiative, and in particular the need to provide a new knowledge based airport-related business hub



offering international business connectivity, as well as complying with the underlying objectives of the Coast to Capital Strategic Economic Plan and related Local Industrial Strategy. These future development needs have been, and will continue to be seriously constrained, unless mechanisms such as the North Crawley AAP is put in place to ensure these development needs are provided at the earliest opportunity.

The operational needs of the Airport are not the sole determining factor contributing to the continued success of the town and its hinterland population. It is essential that economic development which to date has been constrained, affecting the future success of the local economy, is now to be properly considered through the North Crawley AAP, addressing a range of different needs for future growth, allowing the operational needs of the Airport to be properly considered, alongside any other uses identified through evidence gathering and consultation of the North Crawley AAP.

The area covered by the proposed North Crawley AAP has, since 2003, been the subject of “*safeguarded land*” to accommodate the possible construction of an additional wide spaced runway and associated facilities supporting London Gatwick Airport. A combination of national and local policy considerations, together with the Green Paper entitled “*Aviation 2050: The Future of Aviation*”, has meant a fundamental change is required to be taken in making the best use of available land to accommodate your Council’s future development needs.

To date, the Green Paper which sets out draft Government aviation policy, requests airports to make the “*best use of their existing runway capacity subject to economic and environmental issues being addressed*”¹. It is said in the same chapter that the Government is supportive of growth that is sustainable development, and will provide the necessary framework for this to happen. This will require a partnership approach between the Government, the regulator and “*industry, and other interested parties*” to ensure that necessary conditions are met in respect of infrastructure, community investment and environmental measures.

The partnership for sustainable growth proposed by the Government is a long term policy objective, which will need to be flexible enough to respond to new information, developments and changing circumstances, in that it will apply to all airports and airline operators in the UK, although many policies would need to be tailored to local circumstances. For example, there could be different policies applied depending on whether an airport was continuing to grow within existing planning approvals, was bringing forward a new planning application to make the best use of existing runway, or in future was potentially seeking permission for a new runway.

It can be seen that the timing of this proposed partnership for sustainable growth is totally uncertain. The need for additional runway capacity beyond 2030 is at present required to be proven, with suitable conditions met in respect of sustainability. It has been noted that GAL’s response to the Regulation 18 version of the DCBLP was to state that it considered it “*absolutely crucial*” that the draft Plan continues to safeguard land at Gatwick for possible development of a future runway to the south of the airport. At a time when GAL

¹ Para 3.6 of the Green Paper “*Aviation 2050: The Future of UK Aviation*” and “Department of Transport (2018): *Making Best Use of Existing Runways*”



through its DCO application has unilaterally decided not to progress a new second runway; this comment is to place its long term needs above those of the local and wider regional community within the Gatwick Diamond, at the same time failing to properly recognise the full extent of those development needs required to be met over the next 16 year period.

In addition, regard should be had to the recent Court of Appeal judgment dated 28th February 2020, which upheld the challenge made by Plan B Earth and Friends of the Earth Ltd to the North West Runway at London Heathrow Airport. This was on the basis that the Government, when it published the Airport National Policy Statement (hereinafter referred to as ANPS) had not taken into account the Government's firm policy commitment on climate change in the unincorporated international Paris Agreement.

The consequences arising from this judgement comprise an important material consideration when considering the requirements of the Planning Act 2008, including applications seeking the use of existing or proposed runways at airports, and issues of increased passenger throughput and airport capacity matters. Above all, it will have an impact on the timing and extent of expansion of all regional airports in the UK, some of which, i.e. Stansted, are more readily capable of accommodating growth than others.

In short, the ANPS was found by the Court of Appeal to be legally flawed, resulting in it having no legal effect unless and until the Secretary of State has undertaken a review of its provisions². This will require amendments being made to the Strategic Environmental Assessment in accordance with the SEA Directive and SEA Regulations, along with consideration being given to the non-CO₂ climate impacts of aviation and the effect of emissions beyond 2050, the latter to be determined in accordance with the precautionary principle, in accordance with CJEU jurisprudence as set out in the "*Waddenzee*" case.

The recent Court of Appeal judgment involving Plan B Earth and Friends of the Earth Ltd cannot fail to have an impact on GAL's intention to submit a DCO application to use the existing stand-by runway routinely together with the existing runway. GAL state that it "*is no longer actively pursuing plans for an additional runway*", in accordance with paragraph 5.4.1 of the Gatwick Airport Masterplan 2019. This comment cannot be divorced from the existing constrained opportunities for economic development in your Council's administrative area.

The Northern West Sussex Employment Growth Assessment Update Report of January 2020 prepared by Lichfields, in conjunction with the advice in the NPPG, assessed three different forecasts for economic growth in Crawley. It focused on baseline job growth; continuation of past Class B development rates, and baseline labour supply, which produced a series of gross land requirements per scenario to 2036 of -1.1ha, 33ha and 113 ha respectively.

In terms of Class B gross floorspace, the range extended from 10,360 sq.m. as part of the first scenario, to 143,990 sq.m. of gross floorspace as part of the continuation of Class B development rates, and 476,200 sq.m. based on the labour supply scenario. The baseline

² It is understood at the time of submitting these representations that Heathrow Airport Ltd intends to challenge this decision in the Supreme Court, but this is not the case concerning the Government.



job growth scenario of -1.1 ha (10,360 sq.m gross floorspace) has not been pursued as it does not factor in the actual market trends in the Northern West Sussex Functional Market Area, and is therefore not an effective basis in planning for economic growth. Against these figures must be considered the impact of “*permitted development rights*” and the considerable loss of Class B1(a) floorspace in Crawley to Class C3 residential uses.

The 33 ha gross land requirement figure to 2036 has to be seen in context, namely that at present in accordance with your Council’s Employment Land Trajectory, the available land supply pipeline amounts to less than 12ha (62,394 sq.m. floorspace), resulting in an outstanding requirement of 22ha of business land or 81, 595 sq.m floorspace.

The forecast of 476,200 sq.m. of gross floorspace to 2036 derived from the baseline labour supply scenario relies on Crawley’s uncapped housing needs figure of 752 dwelling per annum. This considerable quantity and quality of additional employment land can only be accommodated in the longer term on land to the north of Manor Royal and south of London Gatwick Airport, in one or more Strategic Employment Locations, on which the North Crawley AAP will no doubt focus its attention.

These figures highlight the importance to be placed on adopting a new approach to what was previously referred to as “*safeguarded land*”, as it is considered that redevelopment and intensification of underutilised sites in Main Employment Areas for employment use will not have a significant role to play in future employment land provision.

The contents of Table 8.14 of the Northern West Sussex EGA Update prepared by Lichfields reveals that based on past development rates, 29,920 sq.m. of new Class B1(a) /B1(b) floorspace is required in Crawley Borough’ Council’s administrative area. It is understood that the challenge for your Authority is not one of quantitative office supply, but is a qualitative requirement, due to a lack of Grade A office floorspace, although this does not appear to have been fully accepted by local commercial agents.

It appears to my clients that the Horley Business Park, situated in Reigate & Banstead Borough Council’s administrative area which is the subject of Policy HOR9 in that Authority’s Development Management Plan covering the period up to 2027 is expected to cater predominantly for Class B1(a) development to meet sub-regional as well as some local needs arising in the adjoining Authority.

It follows that the intention to provide Grade A office accommodation in the Main Manor Royal Employment Area is to follow a similar policy objective to that relating to Horley Business Park, with no consideration given to the extent to which both sites are likely to meet future Class B1(a) requirements. This is in spite of the fact that Policy HOR9 is unlikely to meet the longer term employment needs of the adjoining Authority.

In this way, it is considered important that the wider employment needs of the Gatwick Diamond Area are considered, particularly at a time when adjoining authorities, such as Mid Sussex District Council, are preparing a Site Allocations DPD which does not appear to meet the wider sub-regional growth intentions.

I should be obliged if you could keep this company advised of events concerning the Crawley AAP.



I trust you will find these representations of assistance.

Yours faithfully

T.F. North

T.F. North

cc: Howard Dove, HX Properties Ltd



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:	Mr	Mr
First name:	Howard	Tim
Surname:	Dove	North
Organisation:	HX Properties Ltd	Tim North & Associates Ltd
Address line 1:	Ashford Road	17A

Address line 2:	Newingreen	Reading Road
Town/city:	Kent	Pangbourne
Postcode:	CT21 4JF	RG8 7LR
Telephone:	07974141696	07836678903 01189843333
Email:	howard.dove@holidayextras.com	Timnorth.associates@btinternet.com

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 letter dated 28 February 2020 from Tim North & Associates Ltd

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 letter dated 28 February 2020 from Tim North & Associates Ltd

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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:**

Sustainability appraisal regarding Policy GAT2 is deficient, inadequate and unsound

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

Mr. Tim North of Tim North & Associates Ltd completed online

Date

28/02/2020

Our Ref: TFN/emn/21/19

Yr Ref:

Date: 28 February 2020



Tim North
& Associates
Limited

Chartered Town Planning
& Development Consultants

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Dear Sirs

Draft Crawley Borough Local Plan Review 2020-2035 – Regulation 19 Consultation

My clients, HX Properties Ltd, object to the assessment carried out in the Sustainability Appraisal/Strategic Environmental Assessment (hereinafter referred to as SA/SEA) dated January 2020 accompanying the Regulation 19 Version of the Draft Crawley Borough Local Plan 2020-2035 (hereinafter referred to as the DCBLP), where it relates to Policy GAT2. It is contended that the SA/SEA is deficient, inadequate and unsound where the appraisal concerns Policy GAT2.

There is a duty to carry out a legally adequate SA/SEA in order to comply with the EU Strategic Environmental Assessment Directive 2001/42. The SA/SEA must consider Policy GAT2 and “reasonable alternatives” to it, with Article 5 of the Directive setting out the requirement to identify, describe and evaluate the likely significant environment effects of “reasonable alternatives”. These provisions have been transposed into UK law through the Environmental (Assessment of Plans and Programmes) Regulations 2004, Regulation 12 being involved in the preparation of an environmental report.

It is contended that additional “reasonable alternatives” to Policy GAT2 exist, which have not been evaluated by the Local Planning Authority, which it is argued represents a fundamental flaw in the soundness of the assessment process. There is no obligation, as far as the law is concerned, to choose the most sustainable option, or the most sustainable of two policy options, since the requirements of the appraisal are entirely procedural [R (on the application of Friends of the Earth) v The Welsh Ministers (2015) EWHC 776 (Admin)] {12} and {75}. Reasons must, however, be given for the rejection of “reasonable alternatives” so that consultees are able to know what those reasons are. (Save Historic Newmarket Community v Forest Heath District Council (2011) EHC 606).

In the case of the Regulation 19 version of the DCBLP, two alternative policy scenarios have been considered: Option 1 being to provide additional car parking within the airport boundary; and Option 2 to allow car parking in other areas. These are precisely the same two policy options that were considered in the SA/SEA dated December 2015, where it relates to equivalent Policy GAT3 in the statutorily adopted Crawley Borough Local Plan 2015-2030.



The SA/SEA as part of the statutorily adopted Crawley Borough Local Plan 2015-2030 considered both policy options against ten sustainability objectives. Sustainability objectives 1 to 8 inclusive set out in the SA/SEA dated December 2015 are precisely the same as the sustainability objectives against which Policy GAT2 of the Regulation 19 version of the DCBLP has been assessed.

Sustainability objectives 9 and 10 where they relate to the SA/SEA dated December 2015 concerning the adopted Local Plan have been amalgamated to produce one sustainability objective 9 in the SA/SEA Regulation 19 version of the DCBLP. In effect, what were previously sustainability objectives 9 and 10 namely *“To promote active cohesive and socially sustainable communities”* and *“To ensure everyone has the opportunity to participate in sport and to encourage active, healthy and independent lifestyles”* respectively, have now been amalgamated into a single sustainability objective 9 where it forms part of the SA/SEA Regulation 19 version of the DCBLP, viz: *“To ensure healthy, active, cohesive and socially sustainable communities. To ensure all benefit from a good quality of life., To ensure everyone has the opportunity to participate in sport and to encourage active lifestyles.”*

It follows that the SA/SEA methodology has not materially changed between that relied upon in the adopted Crawley Borough Local Plan 2015-2030 where it relates to Policy GAT3, and that which forms the basis to the Regulation 19 version of the DCBLP where it concerns the equivalent Policy GAT2. This being the case, and given that the two policy options are virtually identical between the two SA/SEAs; no reasoned justification has been advanced as to why the scores in respect of the two SA/SEAs where they relate to Policies GAT3 and GAT2 respectively, have now changed in the SA/SEA concerning the Regulation 19 version of the DCBLP.

In the SA/SEA dated December 2015 relating to the adopted Crawley Borough Local Plan 2015-2030, the two options concerning Policy GAT3 scored identically in respect of all ten sustainability objectives. It is therefore surprising that when the same two options in Policy GAT2 are examined in the context of the SA/SEA relating to the Regulation 19 version of the DCBLP, different scores are recorded, particularly in respect of Policy Option 2.

Sustainability objectives 1 and 2 concerned with the need to minimise climate change, and adapt to climate change respectively, both scored a single minus, (i.e. having a negative impact on the sustainability objective) in respect of both options relating to Policy GAT3 in the SA/SEA relating to the adopted Local Plan. The scoring has now been altered in the Regulation 19 version of the DCBLP where it concerns equivalent Policy GAT2. Sustainability objectives 1 and 2 now score a double minus (significant negative impact on the sustainability objective) where it relates to Option 2 of Policy GAT2, i.e. to allow car parking in other areas; with Option 1 retaining a single minus score as was previously the case with the adopted Local Plan.

Similarly, sustainability objective 7 concerning the need to promote sustainable journeys, previously scored a single minus in respect of both Options where they relate to Policy GAT3 forming part of the SA/SEA of the adopted Local Plan. There has been a change in the Regulation 19 version of the DCBLP with Option 2 relating to Policy GAT2 in the SA/SEA now recorded as having a double minus score, where it previously scored a single minus.



It is alterations of this nature at times when circumstances have not fundamentally changed and the sustainability objectives remain almost identical, which casts doubts on the veracity of the entire SA/SEA process. All other sustainability objectives score identically between the two SA/SEAs where they relate to Policies GAT3 and GAT2.

There are a number of other objections to the SA/SEA prepared in association with the Regulation 19 version of the DCBLP which need to be recorded, particularly as representations were not raised to the SA/SEA process where it forms part of the statutorily adopted Crawley Borough Local Plan 2015-2030.

Firstly, Option 2 is described as “*To allow car parking in other areas*”, being ill-defined such that it does not amount to a “*reasonable alternative*”. Long term off-airport car parking can take many different forms, but three generic types can be identified.

Passengers can elect to rely on a “*meet and greet*” company in which they drive their car to the airport only for the “*meet and greet*” operator to meet the customer at the airport and transfer their car to an off-airport car parking site. This may involve an intermediary step with the car being driven to a holding site prior to it being parked at an off-airport location. The “*meet and greet*” operator then drives the customer’s car to the airport on their return, enabling the passenger to drive home or to their place of work directly from the airport. A derivation of this form of off-airport car parking is where customers take advantage of a package in which they leave their car at a hotel close to an airport, where their car is often relocated to a long term off-airport car parking site. The car can either be returned to the hotel awaiting the passenger’s return, or alternatively the passenger’s car can be driven to the airport for collection by the customer.

This form of off-airport parking is materially different from the traditional “*park and ride*” long term off-airport car parking facility which involves a site with available reception facilities and compound areas where cars are blocked parked, where a courtesy mini bus or coach transfers the passengers to the airport terminals. The reverse occurs when the passenger returns, when they are picked up by the courtesy bus or coach and transferred back to the long term off-airport car parking facility to collect their car. The mini buses or coaches in such circumstances are normally replaced every three to four years, so there is the added benefit of the means of transportation relied on being the most efficient in terms of carbon emissions. In the case of a traditional long term off airport car parking use comprising Option 2 where it forms part of the SA/SEA to Policy GAT2, to score a double minus (having a significant negative impact on the sustainability objective) is, in these circumstances, disingenuous.

Certain passengers prefer to take advantage of technological platforms such as JustPark as part of the sharing economy in which they pay a reduced fee to park their car on the driveway of mostly residential properties in close proximity to the airport, where they can then either walk, take a taxi or minicab, or alternatively obtain a lift to the airport from the owners of the property. The reverse happens when the passenger returns to the airport.

Secondly, Option 2 does not state what criteria the appraisal has in mind. It is appreciated that the appraisal is operating at strategic level, but Policy GAT2 in the DCBLP is not a strategic policy in the same way as a policy relating to housing distribution is considered to be strategic policy. On the contrary, Policy GAT2 is addressing a site specific issue, with “*reasonable alternatives*” required to be assessed on an alternative basis, so as to provide the



information set out in Annex I to the Directive. It follows that a statement of the principles to be applied to long term off-airport car parking is necessary in order to assess this option fairly, and on an equivalent basis, as part of an assessment of Policy GAT2.

This is required because the principles underlying the various generic forms of long term off-airport car parking affect the sustainability performance of Option 2, with certain categories of long term off airport car parking use being capable of at least being equivalent to, if not more preferable than Option 1.

Thirdly, the Council are under an obligation to record any difficulties encountered in compiling the information required by the Directive (Annex I, paragraph (h)). As it has not sought to do so, would imply that it has some criteria or principles in mind, since otherwise it is difficult to see how an appraisal could be carried out without some notion of how Option 2 would operate.

In this way, it is considered necessary for the SA/SEA of Policy GAT2 to be redefined where it relates to Option 2, if only to distinguish between “*meet and greet*” types of long term off-airport car parking, and traditional “*park and ride*” form of long term off-airport car parking use.

These two basic generic forms have an impact on the sustainability objectives of Policy GAT2, in that they possess different characteristics affecting both the numbers and method of movement of passengers to and from the two terminals, with a traditional long term off airport car parking facility being able to take advantage of low emission mini-buses. These two types of long term off airport car parking use have different impacts on congestion and carbon emissions, as well as having an effect on residential property, particularly in cases where dwellings front onto Class A and B highways. It means that reliance placed on distance alone to the terminals is not considered to be the single determining criterion when measuring the sustainability objectives of Policy GAT2.

Fourthly, the SA/SEA with respect to Policy GAT2 of the DCBLP records that in providing additional car parking within the airport boundary as part of Option 1, no impact on the sustainability objective of conserving/enhancing biodiversity and landscape is recorded, yet the same sustainability objective is scored with a single minus (negative impact on the sustainability objective) with respect to Option 2.

There is simply no justification for this difference in scores given that there are policies within the DCBLP which seek to protect and enhance biodiversity and landscape considerations. In the case of a long term off-airport car park use based on the park and ride model, there is no reason why the scores in respect of sustainability objective 7 should not score equal to, or better than those in Option 1, given that it is in the interests of the owners of the site to manage and maintain landscaping, at the same time paying due regard to biodiversity interests, if only to ensure that a professional image of a well-run operation is portrayed to their customers.

Fifthly, a similar situation arises with respect to maintaining and supporting employment which forms the subject of sustainability objective 5. A new long term off-airport parking use is likely to generate between 70 and 100 jobs, so that it is perverse to consider Option 2 as possessing a neutral impact on this sustainability objective, when evaluating a long term of airport car parking use of the traditional model.



It follows that there is need for a complete re-evaluation of the SA/SEA of the Regulation 19 version of the DCBLP where it relates to Policy GAT2, with a reappraisal of reasonable alternatives where they relate to Option 2, if the same process is not to be considered unsound.

Yours faithfully

T.F. North

T.F. North

Cc: Howard Dove, HX Properties Ltd