



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
Title:	Ms	Mr
First name:	Sally	Simon
Surname:	Fish	Fife
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Town/city: Leatherhead

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Telephone: 01483 230320

01202856912

Email: Sally.Fish@Wilky.co.uk

sfife@savills.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: Policy GAT2

Other:

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.

1.0 Introduction

- 1.1 This representation is submitted on behalf of The Wilky Group (TWG or Wilky), which has a long-standing interest in the promotion of strategic employment land within the Crawley Borough Council (CBC) area. It relates to Chapter 10, Gatwick Airport and in particular Policy GAT2 'Gatwick Airport Related Parking' in the draft Crawley Borough Local Plan, 2020 (DCBLP).
- 1.2 TWG owns about 63.3 ha (149 acres) of land east of Gatwick Airport and north and south of the M23 spur road between Junctions 9 and 9a. The plan at **Appendix 1** shows the extent of the opportunity known as Gatwick Green (59 ha). Wilky and Aberdeen Standard Investments are discussing how they can work together in respect of Wilky's strategic landholding adjacent to Gatwick Airport to bring forward an integrated mixed use development and coordinated

infrastructure solution.

- 1.3 Wilky and Aberdeen Standard Investments are discussing how they can work together in respect of Wilky's strategic landholding adjacent to Gatwick Airport to bring forward an integrated mixed-use development and co-ordinated infrastructure solution.

Policy GAT2

- 1.4 Evidence is put forward to demonstrate that the current policy to restrict car parking to on-airport locations is not sound and should be amended to provide for flexibility in future airport car parking provision. Whilst the Council has successfully defended Policy GAT2 at several appeals concerning proposals for airport car parking in off-airport locations, none of those proposals tested the underlying evidential justification for the policy. A review of the evidence and the Council's sustainability assessment of alternatives reveals that the current policy is not justified in the context of future transport sustainability. Consequently, Policy GAT2 is not considered to be sound in accordance with the four tests contained in the NPPF (para 35).

2.0 Gatwick Airport Related Parking – Policy GAT2

On-airport / off-airport parking balance

- 2.1 The Gatwick Airport Master Plan 2019¹ identifies the current split between on and off-airport parking. Paragraph 2.3.30 records that there are 39,000 on-airport spaces and 21,196 off-airport spaces; over a third (35%) of all parking spaces are therefore off-airport. There is no evidence in the DCBLP that the off-site airport car parking provision operating legitimately with panning permission is not providing suitable and sustainable long-stay car parking for the airport. Paragraph 10.17 of the DCBLP acknowledges the existence of these car parks.
- 2.2 Car parking which lies outside the current boundary of the Airport is therefore a key part of the overall provision for those travelling by car to Gatwick. Whilst it may not all be optimally located, it illustrates that off-airport locations provide a significant amount of spaces and are likely to continue to do so in the future. A prudent policy should therefore provide for off-airport car parking in circumstances where there is a need that cannot be met on airport, or the need can be met in an equally or more sustainable location off-airport, and subject to other criteria (predominantly sustainability).

Off-airport parking potential

- 2.3 Plan 22 in the Gatwick Airport Master Plan 2019 (**Appendix 2**) shows the Wilky land east of Balcombe Road as surface car parking associated with the second (or in light of GAL's recently

¹ Gatwick Airport Master Plan 2019, GAL, July 2019

announced proposals, in effect third) runway. It is assumed that GAL selected this land as it considered it to be suitable and in a sustainable location, (i.e. meeting the sustainability requirements of Policy GAT2). However, the identification of this future possible car parking area reveals an inherent inconsistency within policy. Under current circumstances, this area of car parking would be contrary to Policy GAT2 by being outside the airport boundary and by definition (though no acknowledged measure) having an unsustainable location. If the airport boundary is re-located, the proposed parking in this area would become on-airport and in a sustainable location. By the arbitrary re-location of the airport boundary, an area of car parking shown as a long term proposal in the Airport Master Plan becomes policy-compliant, but is currently contrary to policy. This demonstrates the contradiction within Policy GAT2 and the lack of justification for its continued application – if land is suitable in principle for a particular use, then this should not be obstructed or prevented by an unnecessarily restrictive policy.

- 2.4 A more flexible approach to airport car parking, analogous to that in the Luton or Uttlesford Local Plans, would allow proposals to be put forward, where a need is demonstrated and alternative on-airport locations are not available. This might include land currently considered by GAL as suitable for airport car parking. In relation to the land east of Balcombe Road, there is potential for decked car parking within the Airport's runway Public Safety Zone (PSZ), so freeing up land for employment development and thus adopting a more sustainable and positive approach to economic development in the sub-region. This is wholly consistent with the land's identification within the Area of Search for a Strategic Employment Location. It is also in line with the findings of the Inspector at the 2015 Examination into the adopted CBLP who concluded that the surface parking identified on land east of Balcombe Road in the Airport Master Plan may represent a sub-optimal use of the land and that decking the parking could free up land for employment uses.

Sustainability

- 2.5 The SEA² contains an assessment of two policy options for airport car parking, (1) to restrict parking to on-airport locations, and (2) to allow car parking in other areas. The analysis states that allowing parking in other locations would encourage access to the airport by car; would be less sustainable than on-airport parking; would detract from biodiversity and landscape values, and would place pressure on land that could have more beneficial uses. It is considered that none of these adverse impacts need necessarily apply because:
1. The location of car parking on or off airport has no relationship to the proportion of people traveling to the airport by car. Passengers at long-stay car parks travel to/from the terminals by shuttle bus and this applies whether a site is on or off-airport. Only car parks located immediately adjacent to the terminals would avoid this form of transfer. The impacts of private car travel are proportionate to the distance travelled and the sooner in their journey the occupants transfer to more sustainable modes, the less the impact.

² Sustainability Appraisal / Strategic Environmental Assessment Draft Report For the Submission Local Plan, Crawley BC, January 2020

2. No evidence is provided on why an off-airport location would be less sustainable than an on-airport location. If it relates to avoiding transfer by bus, then such transfers are likely to be necessary for most of GAL's proposed new on-airport car parks. The adoption of zero carbon buses or other transfer modes with negligible carbon impacts alters the balance of sustainability between on and off-airport locations. A case may easily be made to intercept private cars earlier in their journey to the airport to transfer occupants into zero carbon vehicles. This would reduce net carbon emissions resulting from surface transport. It may also release land for more productive and environmentally beneficial uses on or adjacent to the airport.
 3. Biodiversity and landscape values can be protected and enhanced by the application of other policies in the DCBLP, to which all proposals for off-airport parking proposals would be subject.
 4. Other beneficial uses are likely to be employment or housing – CBC is in a position to allocate sites for these purposes so avoiding their loss to airport car parking.
- 2.6 Notwithstanding the findings of the SEA analysis, the two policy options have a nearly identical sustainability profile. In this context, it is noted that in relation to promoting sustainable journeys, the SEA has been updated from the 2019 edition in that on-airport parking now attracts a single negative, whereas in the 2019 version, it attracted a double negative. This appears to be an unjustified adjustment to the sustainability assessment to illustrate that on-airport car parking is marginally more sustainable than off-airport locations. However, this is not the case as an objective assessment would lead to the opposite conclusion for the reasons stated in this representation.
- 2.7 Taking account of the above re-evaluation, it is considered that the SEA analysis would not show any sustainability benefits to on-airport locations compared to suitably located off-airport sites. Indeed, it is possible that off-airport sites could offer clear sustainability benefits by intercepting cars destined for the Airport earlier for transfer to low/zero carbon modes of passenger transfer, so reducing carbon and pollutant emissions along approach routes to the Airport and at the Airport itself.

The need for flexibility

- 2.8 Policy GAT2 restricts airport car parking to on-airport locations in the context of proposals for achieving a sustainable approach to surface access to the airport. This approach pre-supposes that only locations on-airport represent suitable or sustainable locations for airport car parking. It also implicitly assumes that transfer from car-parks to the terminals will be undertaken with petrol/diesel powered buses. The use of electric or hydrogen propulsion will significantly alter the balance of carbon impacts so supporting more distant airport parking facilities.
- 2.9 Aside from the ongoing debate over “sustainable” parking locations, there are many sites near or highly accessible to the Airport's operational boundary which present the same profile in relation to sustainability as existing on-airport facilities. The key locational criterion should be having ease of access to the airport such that transfer services could access either terminal efficiently and with

very minimal environmental impact.

- 2.10 The DCBLP Sustainability Appraisal and Strategic Environmental Assessment (SEA)³ notes at paragraph F15 that *“sites within the airport boundary are close to the terminals and can help reduce the number and length of trips”*. These outcomes could equally be secured by a site close to the airport boundary with good quality access to the airport via the principal highway network, utilising transfer vehicles with low or zero carbon emissions: in short, such sites are not exclusive to on-airport locations. This illustrates the overly restrictive nature of the policy which may serve to exacerbate rather than mitigate the surface transport impacts of travel to and from the Airport.
- 2.11 Policy GAT2 therefore fails to recognise that suitable and sustainable off-airport sites for car parking could make a valuable contribution to the overall supply of long stay parking at Gatwick Airport. A review of Local Plans affecting other major UK airports reveals that there are a number where there are no policies relating to the location of airport car parking. Those that do have policies typically adopt some flexibility in permitting off-airport car parking where a number of criteria can be met. Applying such criteria enables Local Planning Authorities to resist sites that are in unsustainable locations or would cause other adverse transport, planning or environmental effects. Examples of such policies include those in the adopted Luton Local Plan and the Submission Uttlesford Local Plan.
- 2.12 Both policies contain a presumption in favour of on-airport locations, but also allow for off-airport locations where it can be demonstrated that there is a need that cannot be met on-airport and that the proposals comply with other environmental and transport requirements. Policy GAT2 is far more restrictive by only permitting sites that are on-airport and justified by need in the context of the sustainable approach to surface access transport at Gatwick Airport. Policy GAT2 is therefore inconsistent with planning policy and practice elsewhere, which offers a more balanced and appropriate approach. This recognises that circumstances could arise whereby an off-airport car park could be justified and would serve an important role in providing for the transport needs of passengers in a sustainable way.
- 2.13 Based on these examples, a revised Policy GAT2 is proposed, that reflects an objective assessment of the sustainability profile of the alternative policy options. The revised policy is more flexible than the examples cited in the Luton and Uttlesford Local Plans so as to reflect the analysis of sustainability outlined in this representation. The revised policy is contained at **Appendix 3**.

Appendices were submitted by email on 2/3/20

³ Ibid

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.**

3.0 Conclusions

- 3.1 It is considered that Policy GAT2 does not pass the tests of soundness contained in the NPPF at paragraph 35. This is because the policy:
- I. is **not positively prepared**, as it fails to provide flexibility to allow for some off-airport car parking that may be required to meet legitimate needs and in a suitable location and consistent with the current on / off-airport parking profile;
 - II. is **not justified**, as a re-assessment under the SEA shows that it is not the most appropriate strategy in sustainability terms when compared with the alternative of providing flexibility to allow for off-airport car parking;
 - III. is **not the most effective strategy** in that it could become an unjustified constraint on the provision of sustainable off-airport car parking where on-airport options are not available, as broadly provided for in other Local plans; and
 - IV. is **not consistent with national policy** as it would prevent the development of sustainable car parking in off-airport locations, including potentially on land east of Balcombe Road in line with the Gatwick Airport Master Plan 2019.
- 3.2 A review of the sustainability assessment in the Council's SEA reveals that off-airport car parking has the potential to offer an equally, if not more, sustainable solution. From these findings, an alternative wording of Policy GAT2 is proposed at **Appendix 3**.

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:**


This representation is important to the Wilky Group's overall representations in the relation to airport safeguarding, employment land requirements and its evidence in support of the identification of the Gatwick Green site for strategic employment purposes. The policy affects the Wilky owned land insofar as the Airport's Master Plan shows surface car parking across

the Wilky land as part of the land the Airport has proposed to be safeguarded from development that would prejudice the development of a second runway at Gatwick and because Wilky considers that off airport sites represent sustainable locations for airport related car parking. On this basis, the Wilky Group considers that it is critical that it is able to participate in the Hearing on Policy GAT2 insofar as it is an important policy related to the future development of the Airport and 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



Date

