



# 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](mailto: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](http://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](http://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
Organisation:	Wilky Group		Savills
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Town/city: Leatherhead

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Telephone: 01483 230320

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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:

Other: Pages 111  
and 296-  
297

### 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.

#### 1.0 Introduction

##### Background

- 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 the Sustainability Appraisal / Strategic Environmental Assessment (SEA)<sup>1</sup> that provides one of the key documents that support 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 land south of the M23 spur road is being promoted by TWG as a strategic employment opportunity known as Gatwick Green (the Site). The Site is identified on the plan at **Appendix 1**, which shows the extent of the Gatwick Green opportunity, comprising about 59 ha (146 acres).
- 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.

### **Executive Summary**

- 1.4 TWG has submitted substantive representations on the DCBLP in relation to its land interests east of Gatwick Airport and Balcombe Road to the north of Crawley (59 ha). Its case is primarily concerned with the approach in the DCBLP to safeguarding land for future growth of the airport, the proposal to designate the formerly safeguarded land for the North Crawley AAP and the short and long term approach to identifying land for strategic employment contained in Policies EC1 (Sustainable Economic Growth) and SD3 (North Crawley AAP).
- 1.5 TWG considers that there is no legal or national policy basis to safeguard land for a second runway at Gatwick and consequently the unmet planning and socio-economic needs of the Borough can be accommodated through the identification of land. Runway capacity has been provided for at Heathrow to meet forecast demand, alongside the expansion of other airports based on their existing runway infrastructure. National policy on aviation and airports therefore no longer requires any safeguarding at Gatwick, so TWG fully supports the removal of blanket safeguarding in the DCBLP.
- 1.6 The NPPF requires Local planning Authorities to place significant weight on supporting sustainable economic growth by, inter alia, identifying strategic sites for inward investment to accommodate business needs and wider opportunities. Regional and sub-regional economic policy support focusing growth at Crawley/Gatwick in recognition of the area's current role and future potential. Importantly, the evidence base for the Local Industrial Strategy, which planning policy should reflect, supports the identification of major economic development adjacent to Gatwick, identifying land east of the Airport in this regard.
- 1.7 TWG supports the policy to identify land for strategic employment and other needs via an AAP for

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<sup>1</sup> Sustainability Appraisal / Strategic Environmental Assessment, Draft Report for the Submission Local Plan, Crawley Borough Council, January 2020



north Crawley, but has put forward evidence that the unmet economic needs of the Borough are higher than noted in policy. In recognition of this and having regard to the removal of blanket safeguarding, evidence has been put forward to support the identification of Gatwick Green for strategic employment to meet the long-standing and urgent unmet needs of the area. Gatwick Green is immediately available to address the short term shortfall of employment land.

### **Sustainability Appraisal / Strategic Environmental Assessment**

- 1.8 There is a statutory duty under section 19 of the Planning and Compulsory Purchase Act 2004 to carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation. One of the requirements of the Strategic Environmental Assessment (SEA) Regulations is to include an assessment of any reasonable alternatives, taking into account the objectives and the geographical extent of the plan or programme. The DCBLP SEA contains such as an assessment in relation to the alternative options in relation to safeguarding and Policy SD3 which it replaces.
- 1.9 TWG broadly supports the findings of the SEA – however, a review of the SEA in relation to safeguarding and Policy SD3 has identified some further considerations that need to be recorded. Insofar as the SEA does not assess the Gatwick Green strategic employment opportunity, an assessment has been undertaken that shows that the site has a more positive sustainability profile compared with that for the AAP area as a whole.

## **2.0 Review of the SEA**

### **SEA of the North Crawley AAP (Policy SD3)**

- 2.1 The SEA contains a sustainability appraisal of the North Crawley AAP area (Policies EC1 and SD3) against nine sustainability assessment criteria. This concludes that the AAP area is assessed as offering possible significant positive impacts against 1 criteria, possible positive impacts against 6 criteria and 1 possible negative impact. The assessment concludes as follows:

*“...land identified for the AAP represents the most sustainable location for strategic employment growth in Crawley. It is a large area of land take, and some areas within the broad identified area will be more sustainable than others – this will be assessed further through the work on the AAP. It would enable highly sustainable, high quality new development to complement and deliver linkages with the existing residential and business communities.”*

- 2.2 The findings of the SEA are supported. However, there is one possible negative impact related to the potential for negative impacts against the criterion to “Conserve/ Enhance Biodiversity and Landscape” – whilst there may be some negative effects from development, it is considered that the need to provide mitigation and/or compensation, especially under the net biodiversity gain policy in the NPPF (and soon to be mandated in the Environment Bill) will ensure that effects relating to this criterion would be neutral to positive.



## **SEA of safeguarded land**

- 2.3 The SEA contains an assessment of four policy options for safeguarding namely (1) to retain safeguarding, (2) to remove safeguarding but do not designate an AAP, (3) safeguard part of the area, or (4) designate land north of Crawley's built up area, south and east of Gatwick Airport for an AAP.
- 2.4 For option 1 (safeguard land), the Council's analysis correctly identifies a large number of negatives against the nine assessment criteria, principally from the significant level of socio-economic needs across the Borough that would remain unmet. The Council considered that option 2 (remove safeguarding) would lead to some negatives resulting from the ad hoc approach to allocating land for development in the absence of the comprehensive evidence base to address the scale and spatial distribution of development allocations. The Council considered that option 3 (safeguard part of the area) was untenable in that the needs of the Airport are unknown, so would result in uncertainty over the land available for other land uses.
- 2.5 The Council therefore favoured option 4 as it had a number of positives against the nine assessment criteria: it provided for an interim policy arrangement whereby the blanket safeguarding in the adopted CBLP could be removed and replaced by an AAP designation under Policy SD3 that would allow the potential future growth needs of the Airport to be properly considered alongside other development needs in Crawley.
- 2.6 The SEA has informed the Council's decision to remove blanket safeguarding, but defer a final decision on the need for any safeguarding to an AAP. TWG support this approach, but considers the corollary to be some further delay in addressing the unmet needs of the Borough with some negative consequences. The consequences include the continuation of tight restrictions on development in the AAP area with the consequent perpetuation of planning blight and ongoing uncertainty with regard to meeting the Council's unmet needs. Further, the Inspector for the 2015 CBLP EiP found that the unmet needs of the Borough must be addressed within five years (i.e. by 2020): the departure from this advice is not an ideal outcome in the context of the NPPF requirement to plan positively for growth and meet objectively assessed needs. Nevertheless, TWG accepts the findings of the SEA and ultimately agrees with the soundness of the proposed AAP approach.

## **SEA for Gatwick Green**

- 2.7 The SEA does not contain a suitability assessment (SA) for the Gatwick Green site because the DCBLP is not identifying sites to meet Crawley's unmet employment land needs, instead deferring such to the proposed North Crawley AAP.
- 2.8 Savills has therefore undertaken a high-level sustainability assessment of the Gatwick Green site

using the same methodology as adopted in the Council's SEA. The Gatwick Green SA is contained at **Appendix 2** to this representation. It demonstrates that the site has a sustainability profile that is more positive than that for the whole AAP area: this provides clear evidence that the Gatwick Green site is a highly accessible location and can be developed in a very sustainable manner consistent with national planning and environmental policy.

**Appendices were sent by email dated 2/3/20.**

*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 In conclusion, the findings of the SEA are supported, but subject to the following conclusions with regard to the assessments in relation the proposed North Crawley AAP under Policy SD3, safeguarding for airport expansion and with regard to proposed strategic employment development at Gatwick Green:

1. In relation to the AAP, the SEA identifies a possible adverse effect related to the potential for negative impacts on the aim to conserve / enhance biodiversity and landscapes. Whilst there may be some negative effects from development, it is considered that the



need to provide mitigation and/or compensation under the net biodiversity gain policy in the NPPF will ensure that overall, the effects would be neutral to positive.

2. In relation to safeguarding, the SEA supports the decision to remove blanket safeguarding from the DCBLP, but TWG considers on balance that the AAP designation whilst sound, is a less than optimal policy response given the potential negative consequences associated with any delay in allocating land for strategic employment.
3. A high-level sustainability assessment of the Gatwick Green site has concluded that it has a sustainability profile that is more positive than that for the AAP area as a whole: this provides clear evidence Gatwick Green represents a strategic opportunity that can be developed in a very sustainable manner consistent with national policy.

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 SEA/SA has informed policy choices and the selection of employment sites and will be critical to the Hearings in relation to safeguarding, strategic employment land and the Gatwick Green site being put forward by Wilky Group - on this basis, the Wilky Group considers that it is critical that it is able to participate in the Hearing on the SEA/SA as it is a key document that is of relevance to its interests at Gatwick Green.

*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](http://www.crawley.gov.uk/crawley2035)

Signature



Date

