



Crawley 2035

Ref No:

Office use only

Crawley Submission draft Local Plan Representation

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

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

This form has two parts:

PART A – Personal details

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

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

PART B – Your representation

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

PART A – Personal details

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

1. Personal details		2. Agent's details	
Title:	Ms		Mr
First name:	Sally		Simon
Surname:	Fish		Fife
Organisation:	Wilky Group		Savills
Address line 1:	Fetcham Park		Wessex House

Address line 2: Lower Road

Priors Walk

Town/city: Leatherhead

Wimborne

Postcode: KT22 9HD

BH21 1PB

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 SD3

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.

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 Chapter 3, Sustainable Development, and in particular Policy SD3 'North Crawley Area Action Plan 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 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). TWG owns about 47 ha (116 acres) of land within the Gatwick Green opportunity; about 80% of the Site – the extent of land owned by Wilky is shown on the plan at **Appendix 1**.

- 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 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.

Policy SD3

- 1.8 TWG broadly supports Policy SD3 and the designation of the North Crawley AAP area as a means to address the socio-economic needs of Crawley alongside any legitimate and robust long terms needs of the Airport. It is considered that this approach has a number of advantages, although it would result in some negative aspects arising from the further delay in resolving the long standing economic and community needs of the Borough. However, TWG has some concerns regarding the interim provision for development within the AAP area, which it considers could be addressed through Minor Modifications.
- 1.9 The issue of when and by what means land should be allocated for strategic employment is a matter that was addressed by the previous Local Plan Inspector, who recommended an early review of the current Plan to address employment need: TWG supports the AAP approach, but given the pressing need to identify land for strategic employment and the Regulation 18 representations from Gatwick Airport Limited (GAL) that continue to press for ongoing safeguarding, it has submitted evidence in support of the allocation of Gatwick Green in separate representations. In particular, TWG is aware that GAL may continue to press for safeguarding under the emerging DCBLP, in which case the question of whether safeguarding is justified at all, or whether currently safeguarded land should be allocated for employment uses, may be relevant to the Examination as an alternative to the SD3 approach. This is another reason why TWG has submitted the evidence it has, despite supporting Policy SD3 and its designation of an AAP area.

2.0 North Crawley Area Action Plan – Policy SD3

The principle of an AAP

- 2.1 Policy SD3 of the DCBLP sets out the Council's approach to the proposed North Crawley Area Action Plan (AAP). The AAP replaces the land formerly safeguarded for a second runway for Gatwick Airport: this covers about 619 ha (previously 523 ha). The policy has been introduced in light of the Council's decision to remove blanket safeguarding and provides for a subsequent AAP to address the long term needs of the Airport alongside the long-standing unmet socio-economic needs of the Borough. It also sets out a number of environmental considerations for the AAP to address, and tight controls over development within the AAP area as an interim arrangement until an AAP is adopted. Policy EC1 cross refers to Policy SD3 insofar as it sets out the strategy for planning for future economic growth, of which the AAP is a key component.
- 2.2 The adopted CBLP contains an Area of Search for Strategic Employment Locations (SELs) south and east of Gatwick, an area that is now proposed for the North Crawley AAP. TWG's separate representations on safeguarding (Chapter 10) note that there is no longer any national aviation policy requiring land to be safeguarded at Gatwick. In this context, CBC must prioritise planning to meet the urgent and critical need for strategic employment land and other uses in order to

address the pressing and immediate economic needs of the area and its residents. Policy SD3 provides the mechanism whereby these needs can be addressed.

- 2.3 TWG broadly supports Policy SD3 and the designation of the North Crawley AAP area as a means to address the socio-economic needs of Crawley alongside any legitimate and robust long terms needs of the Airport. It is considered that this approach has a number of advantages, although it would result in some negative aspects arising from the further delay in resolving the long standing economic and community needs of the Borough. The issue of when and by what means land should be allocated for strategic employment is a matter that was addressed by the previous Plan Inspector, who recommended an early review of the current Plan to address employment need: TWG supports the AAP approach, but also recognises that it has some negative consequences, so on this basis, the evidence in support of the allocation of Gatwick Green is presented as part of separate representations by TWG.
- 2.4 Insofar as the NPPF requires LPAs to plan positively for sustainable economic growth, allocate strategic sites to meet anticipated needs and address the infrastructure needs to accompany strategic sites (NPPF para 81), the option to bring forward strategic land through the DCBLP should be considered. It is on this basis that evidence has been included in TWG's representations to demonstrate that Gatwick Green is suitable, available, achievable, deliverable and viable.

Sustainability Assessment

- 2.5 The SEA contains a sustainability appraisal of the AAP area (Policy 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."*
- 2.6 The findings of the SEA are supported. However, there is one possible negative impact related to the potential for negative impacts against the criteria 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.
- 2.7 CBC proposes the North Crawley AAP as a mechanism to address any justifiable infrastructure needs of the Airport alongside meeting the other pressing planning and socio-economic needs of the Borough. TWG considers that there is a clear and proper planning case to allocate land to

address the socio-economic needs of the Borough, but acknowledges that the proposed AAP offers a workable, though more protracted, mechanism by which these land use demands can be addressed.

- 2.8 Notwithstanding concerns over the employment land requirement in Policy EC1, the approach by the Council to advance an AAP represents a step forward and is supported. However, given the urgent and critical need to redress the long-standing shortfall in economic infrastructure, evidence is presented in a separate representation in support of an allocation at Gatwick Green.

Interim controls over development in the AAP area

- 2.9 Policy SD3 removes the blanket safeguarding and applies interim controls over development in the AAP area that might prejudice the provision of a second runway at Gatwick. These controls are more restrictive than those in Policy GAT2 and would apply until an AAP is adopted. There is no basis or reasoned justification for applying stricter controls over the former safeguarded area than those contained in Policy GAT2 of the adopted CBLP (2015). Adopted Policy GAT2 provided for *“minor development within this area, such as changes of use and small scale building works, such as residential extensions, will normally be acceptable. Where appropriate, planning permission may be granted on a temporary basis”*.
- 2.10 By contrast, Policy SD3 states that *“only minor extensions to existing buildings will be permitted in the previously safeguarded area”*, so omitting any reference to changes of use, small scale building works, temporary uses and the flexibility offered by the previous wording. It is therefore considered that there is a reasonable basis to amend Policy SD3 to reflect the level of controls that were previously applied under adopted Policy GAT2.

Appendices 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 Policy SD3 is supported in principle and is considered to be sound in terms of the tests at paragraph 35 of the NPPF.

3.2 However, it is considered that the Policy is too restrictive in terms of its interim provisions for development control within the AAP area to be applied until such time as an AAP is adopted. These provisions should be amended via Minor Modifications such that they reflect those contained in adopted Policy GAT3:

Therefore replace:

“Until the AAP is adopted, only minor extensions to existing buildings will be permitted in the previously safeguarded area...”

With:

“Until the AAP is adopted, minor development such as changes of use and small scale building works such as residential extensions, will normally be acceptable. Where appropriate, planning permission may be granted on a temporary basis.”

3.3 These changes will ensure the policy maintains the same reasonable level of control over development with flexibility as to the types of development that may be acceptable in the former safeguarded area. This is considered to be a reasonable change that is consistent with the Council’s intentions (DCBLP para 3.22 refers) and that could be addressed via Minor Modifications.

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. Policy SD3 provides the framework for the North Crawley AAP within which the Wilky land is located, so is 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 Policy SD3 insofar as it is an important policy in connection with 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

Signature



Date



