

Crawley 2037

Draft Crawley Borough Local Plan 2021 – 2037

June 2021

Regulation 19 Consultation

Representation on behalf of the Wilky Group



GatwickGreen

WHERE THE FUTURE WORKS

Policy EC5

Employment and Skills Development

June 2021



Crawley

Local Plan

Ref No:

Office use only

Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council by 5pm on 17 February 2021.

Representations can be made via this form and emailed to strategic.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 [here](#).

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	01202 856912
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:

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 response and appendices

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 response and appendices

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 Planning Inspectorate's procedure guide for Local Plan Examinations (Feb 2021) states at para 3.10 that a representor has a right to appear at Hearings where a change to the Plan has been sought.

Policy EC5 is an important policy that sets out the requirements for major developments to make a contribution towards Crawley's Employment and Skills Programme. In the context of the proposed allocation of Gatwick Green, TWG is seeking an important change to the supporting text to the policy to provide for some flexibility in the form of contributions. It is therefore considered that the representation raises important and significant planning matters relating to the need for some flexibility in the provision for skills and employment facilities in the Borough, which justify the attendance of TWG at the Hearings.

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/localplanreview

Signature



Date

29/06/2021

**Draft Crawley Borough Local Plan 2021 - 2037
January 2021**

Regulation 19 Consultation

Representation on behalf of the Wilky Group

Policy EC5: Employment and Skills Development

June 2021



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. This representation relates to Policy EC5 Employment and Skills Development in the draft Crawley Borough Local Plan, 2021 (DCBLP).
- 1.2 TWG owns about 48 ha (119 acres) of land east of Gatwick Airport as shown the plan at **Appendix 1**. The land has been promoted by TWG as a strategic employment opportunity known as Gatwick Green (the Site). The Site is proposed for allocation as a Strategic Employment Location (SEL) of 47 ha (116 acres) in the DCBLP under Strategic Policy EC4 as a comprehensive industrial-led development of predominantly storage and distribution uses under use class B8. The extent of the SEL allocation is identified on the plan at **Appendix 1**.

Scope of representation

- 1.3 This representation sets out the evidence in support of Policy EC5 reference to:
- The National Planning Policy Framework (NPPF, 2019).
 - The planning Practice Guidance (PPG).

2.0 Policy EC5

Intention of the policy

- 2.1 The purpose of Policy EC5 is to bring forward initiatives to improve the skills of the local workforce and training opportunities to raise educational attainment levels within the Borough. These are considered to be important to reduce the disparity between the educational levels and earning potential of the local workforce and those who commute into Crawley. These characteristics are reflected in Crawley's position near the bottom of the social mobility rankings as 304th out of 324 local authorities (DCBLP, para 9.61). The Council estimates that £49 million GVA per annum is lost from Crawley due to skills shortages in the local workforce. The Council has committed to reduce the skills gap to help Crawley to continue to attract inward investment (DCBLP, para 9.62).
- 2.2 Policy EC5 has two parts. Part i requires all major developments at the application stage to prepare an Employment and Skills Plan to demonstrate how the construction and

occupier (where known) phases of the development will support the initiatives identified in the Crawley Employment and Skills Programme. Part ii requires major developments to make a proportionate financial contribution towards employment and skills initiatives in Crawley.

- 2.3 The Policy cross-refers to the Planning Obligations Annex, which contains the basis for development contributions to ensure development within Crawley is served by, and helps provide, infrastructure of a suitable scale, quality and location so as to avoid harmful impacts. The Annex sets out the basis for planning obligations under various policies in the form of works or derived from contribution amounts based on formulas or generic approaches. This includes a formula for an employment and skills development financial contribution, which applies to all major residential and commercial developments so as to help improve social mobility, inclusion and address the existing skills gap.
- 2.4 TWG supports Policy EC5 in principle, but considers that in line with national planning policy and guidance, the Plan should acknowledge the scope for greater flexibility in its application with regard to major developments such as Gatwick Green.

National planning policy and guidance

- 2.5 Policy EC5 is considered to be in accordance with the policy and guidance contained in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The need to plan for and protect infrastructure features throughout the NPPF. In relation to strategic infrastructure related to strategic land use policies such as Strategic Polies EC1 and EC4, it requires strategic polices to make sufficient provision for, *inter alia*, infrastructure to serve strategic development: such infrastructure incudes transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, the provision of minerals and energy (including heat), and community facilities (such as health, education and cultural infrastructure) (para 20). The NPPF requires joint working between strategic policy-making authorities and other bodies to determine where additional infrastructure is necessary (para 26).
- 2.6 Local Plans should set out the contributions expected from development, including for infrastructure such as that needed for education, health, transport, flood and water management, green and digital infrastructure. Such policies should not undermine the deliverability of the Plan (para 34). Paragraphs 54 – 57 deal with planning obligations to bring about the delivery of infrastructure related to new development. The policy guidance states that planning authorities should use conditions on a planning permission where possible, or otherwise where a condition is not appropriate, use planning obligations. Where planning obligations must be secured, they must only be sought

where they meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, i.e. they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

- 2.7 NPPF paragraph 57 goes on to confirm the importance of up-to-date policies that identify contributions expected from development – planning applications in accordance with such policies will be treated as being viable in line with the viability assessment of the Local Plan. The weight to be given to scheme-specific viability assessments at the application stage will depend on how up-to-date the Plan and related viability assessment are, and any changes in the circumstances of the site since the Plan was adopted.
- 2.8 The importance of providing infrastructure features throughout the NPPF in relation to achieving sustainable development (para 8a); building a strong and competitive economy (para 81); promoting healthy and safe communities (para 91c); promoting sustainable transport (Section 9); supporting high quality communications (Section 10), and meeting the challenges of climate change (Section 14).
- 2.9 The NPPF policy is supplemented by more detailed guidance in Planning Practice Guidance (PPG) on planning obligations¹. PPG sets out guidance on the scope, nature and use of planning obligations under CIL or developer contributions. On planning policy, PPG states that policies should be set out in plans and examined in public, and informed by evidence of infrastructure and viability assessments.

The need to retain flexibility in application

- 2.10 PPG states that the evidence of need for infrastructure can be standardised or formulaic, and plan-makers should consider how needs and viability may differ between site typologies and may choose to set differential requirements. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land. It states that developers may be asked to provide contributions for infrastructure in several ways (Paragraph: 003 Reference ID: 23b-003-20190901), implying that there should be flexibility in how that is achieved.
- 2.11 PPG goes on to state that “...if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that specific development”. Whilst this guidance implies a binary approach to

¹ <https://www.gov.uk/guidance/planning-obligations>

the funding and delivery of infrastructure, in reality the picture will be somewhat less clear. In the case of major developments such as Gatwick Green, some infrastructure 'projects' may be best provided by the Council utilising funding secured via development contributions, or could be better provided on-site via works, which in the case of Gatwick Green could include an on-site education/training facility for apprenticeships or ongoing skills development. This therefore implies that the DCBLP should include some text that reflects the need for a flexible approach to the application of Policy EC5 in relation to major developments such as Gatwick Green.

- 2.12 This flexibility could be included in the supporting text to Policy EC5 so as to inform its application in relation to major developments such as Gatwick Green. Aligned with the need for some flexibility, TWG has made representations to the Planning Obligations Annex seeking flexibility in how planning obligations are secured and delivered, and a change to reflect the approach to the application of Policy EC5 outlined in this representation in relation to major developments such as Gatwick Green.
- 2.13 TWG supports the objectives behind Policy EC5, but considers that there is a need for more flexibility in the case where a development provides on-site employment and skills training capacity, that ought to be assessed as providing for skills training, in lieu of a contribution under Policy EC5 and the Annex (DCBLP page 266, item (ii)). For major developments, such as Gatwick Green, providing on-site skills and apprenticeship training facilities in the area of new generation logistics and advanced manufacturing would provide significant social and economic value to Crawley, so in principle should be recognised as a works in lieu of a contribution.

3.0 Proposed changes to Policy EC5

- 3.1 It is considered that Policy EC5 provides an appropriate basis for securing reasonable and proportionate planning obligations in relation to employment and skill development from new development. It is therefore consistent with national policy and guidance on infrastructure and planning obligations, and so represents sound guidance in the context of the tests at paragraph 35 of the NPPF.
- 3.2 However, in order to acknowledge that the contribution towards employment and skills training in Crawley could be in the form of on-site skills training and education facilities, the following text should be added to paragraph 9.75 of the Plan:

“It is recognised however, that for some major developments it may be more appropriate for provision to meet part ii.) of the policy to be in the form of on-site education and skills training facilities to be funded by the development and its occupiers.”

Appendix 1

Site Plan





GatwickGreen

WHERE THE FUTURE WORKS



Gatwick Green - Site Plan

Key

-  Proposed Strategic Employment Location under policies EC1 and EC4
-  Land owned by the Wilky Group

Scale 1:10000

