



# Crawley Local Plan

<p><b>Ref No:</b></p>   <p><i>Office use only</i></p>
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## Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council.

Representations can be made via this form and emailed to [strategic.planning@ Crawley.gov.uk](mailto: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](http://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:	Mr	
First name:	Tim	
Surname:	Jurdon	
Organisation:	The Arora Group	
Address line 1:	World Business Centre 3	

Address line 2:	Newall Road, Heathrow Airport	
Town/city:	Hounslow	
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Telephone:	020 8757 7674	
Email:	tim.jurdon@aroraproperty.co.uk	

## 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 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 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 document

*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 document

*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:**

To explain in detail the long-term difficulties created for the business occupier and the owner of Schlumberger House and also Tinsley House which are proposed to no longer be designated as "within the airport boundary" and to instead be designated as a "safeguarded area". To explain in detail the difficulties created for business occupiers and owners of sites and premises within the City Place Estate that are unable to redevelop their properties or modernize them as they need to due to the indefinite nature of the safeguarding policies. To discuss the proposed amendment to the wording of Policy GAT2: Safeguarded Land. To answer any questions about the Arora Group and its operations at Gatwick Airport and surrounding locations affected by proposed safeguarding policy.

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

**Signature**

*T. Jurdon*

**Date**

29 June 2021

## Introduction

The Arora Group is a successful UK-focused private group of companies involved principally in hotel operations, property asset management and construction. It owns and manages a diverse portfolio of assets (circa. £1.5 billion in value) across the nation's key business locations, which include 11 directly operated hotels, partnering with some of the world's most recognised brands to deliver consistently high service levels and sustainable growth.

The group has a particular focus towards UK airports and, amongst its wider portfolio, owns hotels and properties in and around London Heathrow, London Gatwick and London Stansted airports.

With regards to London Gatwick Airport, the Arora Group acquired a portfolio of circa. 30 properties in the area in 2008 which included an office known as 'Schlumberger House' from the Airports Property Partnership for £315m, and since that time it has acquired further properties in and around the airport.

The group is pro-aviation and supports appropriate expansion of UK aviation as evidenced by promotion of its own alternative Heathrow West Limited Development Consent Order proposals for expanding airport capacity at Heathrow.

This submission considers the soundness of policies within the Regulation 19 draft plan relating to Group properties within the Gatwick area that are particularly adversely affected by airport safeguarding and we therefore wish to participate in the Examination in Public.

The primary objection is the continuation of safeguarding around the airport, promoted by the airport operator, continues to prevent commercial development and investment in existing businesses indefinitely. There is no objection made to technical aerodrome safeguarding as addressed by Policy DD5: Aerodrome Safeguarding.

Attached at Appendix 1 is a schedule and location plan of the Group's 13 key property holdings at the airport and within the proposed safeguarding zone. Our other properties within the town of Crawley are not shown and are unaffected by safeguarding.

## Safeguarding

The 1979 legal agreement between West Sussex County Council and the then airport operator prevented construction of a second runway for a period of 40 years expiring in 2019. Safeguarding was first formally identified for a wide spaced second runway in the Gatwick 2006 Interim Masterplan and then in the statutory development plan via the 2007 Local Development Framework Core Strategy and the 2015 Crawley Local Plan. These safeguarding measures stemmed principally from the 2003 Air Transport White Paper, followed by the Government's 2013 Aviation Policy Framework. There has been much scrutiny, assessment and promotion of possible options for future runways in the South East since the 2003 Air Transport White Paper promoted a third runway at Heathrow with a second runway at Gatwick should Heathrow not proceed. Despite all of this there appears no clearer certainty as to whether a new runway will be located at Heathrow. Arguably, there is now a greater likelihood that no major new runway will be provided due to the

heightened significance given to wider environmental issues and even to whether demand for flying ought to be met.

Given that no new major runway has been built in South East England since the Second World War and that there appears no willingness on the part of Government to proactively press ahead with additional runways, it is likely to be many years before the construction of a wide spaced second runway at Gatwick could take place - if ever. With the airport operator currently pursuing its proposal for use of the standby runway to increase airport capacity via a DCO application (following the initial scoping exercise) it will be many years before Gatwick considers an additional wide spaced runway which it "*is no longer actively pursuing*". (paragraph 5.4.1 Gatwick Airport Masterplan 2019). Given the above, it is not considered feasible to maintain rigid safeguarding indefinitely, so continuing the widespread uncertainty and sterilization of current employment sites.

### Schlumberger House

Schlumberger House is an office building of around 11,700m<sup>2</sup> (GIA) over 4 floors with an extensive surface level car park that was originally permitted in 1977 under planning application ref: CR/250/77 and initially let, under a 5-year user condition to the airport operator and thereafter to Schlumberger a geophysical services company in 1994 who remain the sole tenant. It has an unrestricted Class B1 use. The current 5-year lease is due to expire in May 2022 and a temporary extension is being considered, but the building requires redevelopment for the future as it does not provide the quality of modern office accommodation now required. Redevelopment could potentially be either for Schlumberger to continue their occupation or, at a future date, an alternative office user, or for a new development such as a surface level or multi-deck airport car park, logistics facility, hotel, other use or a mixed use if there is limited demand for office use.

Schlumberger house is shown as site no. 5 on the schedule and plan at Appendix 1 and is currently located within the boundary of the airport as shown on the adopted Local Plan Proposals Map (as well as the Regulation 18 Proposals Map). The Regulation 19 Local Plan Proposals Map removes the property from this designation so that it would be "off-airport" and also included within the safeguarding zone. This fundamental amendment is considered unsound for the following reasons:

- It specifically prevents the site being redeveloped for airport uses such as surface level airport car parking (Policy GAT3: Gatwick Airport Related Parking) while an airport hotel (Policy EC7: Hotel and Visitor Accommodation) requires a sequential test for land outside the town centre or Gatwick Airport notwithstanding that road access is obtained via the south terminal airport road system and that its proximity to the South Terminal makes it a highly sustainable location within the airport for a range of airport related developments.
- The only justification for the change appears to be the non-airport ownership of the site but this should be immaterial to such planning policy as ownerships can change.
- The need to safeguard the site for the potential Western Link Road is noted but the site could separately be included within the second runway safeguarded area to retain that control. Airport parking permitted on a temporary basis would be an appropriate use for the site in principle and would be a more sustainable use should it not be possible to find alternative occupiers if Schlumberger vacate the building.
- Should the building be vacated, the empty rates bill would rapidly lead to its demolition as such costs would be unsustainable. Its temporary use for airport car parking would then be contrary to policy as it would be "off-airport" despite being closer to the terminal (and

therefore more sustainable) than much of the existing airport parking located at South Terminal.

- The value of the site, should it ever need to be acquired by the airport operator to construct a new second runway would undoubtedly be lower as a derelict site compared to one in continuing use. Such an outcome would no doubt be of financial advantage to the airport operator and to the long-term disbenefit of the owner and local economy.
- It is noted that Crawley Borough Council in their Local Plan Topic Paper 2: Gatwick Airport (January 2021) raise the issue of GAL's inconsistency in:

*...identifying a surplus of office space within the airport boundary, and its Master Plan approach which identifies new office space as being required. The new office space is shown in the Master Plan as being located on land close to the terminals that is currently occupied by airport parking, this seemingly necessitating the relocation of this car parking to sites further away from the terminals (as discussed in para 3.1.2 above). Such relocation of car parking could potentially be seen as reducing the effectiveness of Gatwick's approach to sustainably manage surface access to the airport and make the most efficient use of its limited land, and the council has urged GAL to maximise the use of its existing on-airport office portfolio for airport-related uses before new office provision is made.*

[paragraph 3.7.3]

A similar situation applies in respect of Tinsley House Immigration Removal Centre which is shown as site no. 10 on the schedule and plan at Appendix 1 and is currently located within the boundary of the airport as shown on the adopted Local Plan Proposals Map (as well as the Regulation 18 Proposals Map). The Regulation 19 Local Plan Proposals Map removes the property from this designation so that it would be "off-airport" and also included within the safeguarding zone. The property, which can only be accessed via the airport's private road network is leased until 2033 to the Secretary of State for Communities and Local Government, is in good condition and is considered likely to remain in operation until at least 2033 though there are break clauses in the lease that could be exercised. Should redevelopment / change of use / alterations to the building be required if it is vacated, its range of potential uses will be drastically limited by changing its local plan designation from on-airport to off-airport safeguarded land.

#### **Suggested Modification:**

It is recommended that the draft Proposals Map is amended by retaining the Schlumberger House and Tinsley House sites within the airport boundary and removing their proposed safeguarding designation.

#### City Place

City Place is a high-quality industrial estate set around the Grade II\* listed circular Beehive Building (the World's first integrated airport terminal) opened in 1936 and now converted to serviced offices. Its original subway link to an adjacent airport railway station is no longer evident and neither is the station. The Arora Group currently owns 4 sites and the estate roads having disposed of the City Place 3 office building which was the last to be constructed prior to the imposition of safeguarding.

The 4 sites are numbered 6, 7, 8 and 9 on the attached schedule and plan at Appendix 1. Sites 6 and 9 comprise existing buildings and car parking and sites 7 and 8 are currently vacant having been

previously used for off-airport parking. The buildings on sites 6 and 9 are many decades old and inefficient. A 4-storey office building on site 6 (attached to the warehouse building) has been vacant for the past 15 years as it is not economic to re-use yet planning permission for its redevelopment is contrary to safeguarding policy. Similarly, site no. 9 had a large shed type storage building demolished around 10 years ago as it was outdated and uneconomic yet could not be replaced due to safeguarding policy.

Planning permission was granted following an enforcement appeal in 2012 for a 3-year temporary permission for off-airport car parking on sites 7 and 8 (refs: APP/Q3820/C/12/2171971 and APP/Q3820/C/12/2171972). It is considered unsustainable to leave such sites without productive uses or unable to be updated for the needs of tenants or to provide e.g. new Class B8 logistics sheds to meet outstanding local needs.

The Inspector who considered the 2007 Crawley Core Strategy Development Plan Document advised in his report of 20 August 2007 at paragraph 110. That:

*110. In my view the clear implication of a policy protecting land from 'incompatible development' is that planning permission will be refused for most forms of development, other than minor changes of use and small-scale building works. Otherwise there is a clear risk that substantial development could be built on land which (perhaps only a few years later) has to be compulsorily purchased in order to implement national policy. I cannot see that this would be in the public interest. I fully recognise that such safeguarding causes negative and unfortunate consequences for some local landowners during an indeterminable period.....Although this uncertain situation may be highly undesirable, it seems to me strongly preferable in the public interest to the alternative scenarios favoured by some. Under those, developers would (all other planning considerations aside) be constrained in what they built only by their (i) degree of confidence that the runway will never be required, (ii) belief/hope that the layout of any eventual additional airport development could work around obstacles built in the meantime, or (iii) reliance on recovering the costs of abortive short-term development through the compulsory purchase procedure.*

However, it is doubted that the Inspector believed that the second runway issue would remain unresolved 14 years later or that the airport operator would be "no longer actively pursuing" the project. It is likely to be very many years yet before Heathrow Airport Limited decides whether or not to proceed with a third runway assuming it has also managed to progress an application through the planning process and received approval from the Secretary of State of whichever government is in power at the time.

Unfortunately, the high-quality City Place Estate remains half built and can only continue to decline without the ability to redevelop its outdated buildings and re-use its brownfield sites.

#### **Suggested Modification:**

It is recommended that proposed Policy GAT2: Safeguarded Land be reworded to enable greater flexibility for existing occupiers to modernise their businesses premises and to facilitate appropriate changes of use of existing buildings. The underlined text in proposed Policy GAT2: Safeguarded Land below is recommended to be inserted:

***Policy GAT2: Safeguarded Land***

***Safeguarding for a second runway***



*The Local Plan Map identifies land that is safeguarded from development which would be incompatible with expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy) together with a commensurate increase in facilities that contribute to the safe and efficient operation of the expanded airport.*

*Small scale development within this area, such as residential extensions and the redevelopment of existing employment / commercial sites, will normally be acceptable. The airport operator will be consulted on all planning applications within the safeguarded area.*

*Planning applications for noise sensitive development will be considered on the basis of Air Noise Map – Additional Runway – Summer Day – 2040 as shown at Plan 31 of the Gatwick Airport Master Plan and in the Local Plan Noise Annex*

## Appendix 1

### Arora Group Gatwick Sites

<b>Map Ref No.</b>	<b>Address</b>	<b>Details</b>
<b>1</b>	Land on the west side of Travelodge Hotel, London Gatwick, Povey Cross Road, Horley	Car parking
<b>2</b>	Premier Inn Hotel, Longbridge Way, London Gatwick Airport, RH6 0NX	Hotel
<b>3</b>	Sofitel London Gatwick Hotel, Northway, Gatwick RH6 0PH	Hotel
<b>4</b>	Gatwick Hilton International Hotel, London, Gatwick Airport RH6 0LL	Hotel
<b>5</b>	Schlumberger House, Buckingham Gate, Gatwick Airport RH6 0QU	B1 offices – non-airport related
<b>6</b>	Iain Stewart Centre, Beehive Road, Gatwick RH6 0PB	Warehouse, parking and vacant office building
<b>7</b>	Car Park south of Iain Stewart Centre, Beehive Road, Gatwick RH6 0PB	Vacant car parking
<b>8</b>	Car Park West of Iain Stewart Centre, Beehive Road, Gatwick RH6 0PB	Airport car parking
<b>9</b>	Spectrum House, Beehive Ring Road, London Gatwick Airport, Gatwick RH6 0LG	B1 offices, warehousing and parking
<b>10</b>	Tinsley House, Perimeter Road South, London Gatwick Airport, Gatwick RH6 0PQ	Immigration removals centre
<b>11</b>	Hawthorn Farm and adjoining land and buildings, London Road, Lowfield Heath, Crawley RH10 9SN	Vehicle repair garage
<b>12</b>	Southways and land and buildings on the west side of Brighton Road, Lowfield Heath RH10 9TR	Existing temporary yard for telecoms infrastructure provider. Extant permission for 2 no. Class B1 single storey office buildings and 110 parking spaces. Adjacent open land to the south
<b>13</b>	Field at Charlwood Road and Bonnetts Lane, Gatwick	Open field

