



Crawley Local Plan

<p>Ref No:</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 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:		Mr
First name:	C/O Agent	Daniel
Surname:	C/O Agent	Harley
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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:	See representations submitted
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5. Do you consider the Local Plan to be: (Please tick)

- | | | |
|---|---|--|
| 5.1. Legally compliant? | Yes <input type="checkbox"/> | No <input checked="" 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.

See representations submitted

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.

See representations submitted

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:

See representations submitted

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

Mr. Daniel Harley of Planning Potential

Date

30/06/2021

Draft Crawley Borough Local Plan 2021 – 2037 (January 2021) – Representations Regulation 19



1. Introduction

- 1.1. These representations are submitted on behalf of Aldi Stores Ltd to the Regulation 19 consultation on the Draft Crawley Borough Local Plan (DCBLP).
- 1.2. Aldi have an existing store on the Acorn Retail Park, however, are looking for further representation within Crawley. At the present time a site has not been identified. The emerging Policy has been reviewed within the context of Aldi seeking additional representation and whether there is a planning policy framework to support the delivery of additional convenience goods retail floorspace.
- 1.3. The Regulation 19 consultation relates to the 'Tests of Soundness' as set out in the Nation Planning Policy Framework 2019 (NPPF), paragraph 35.

Plans are 'sound' if they are:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

- 1.4. These representations consider the objective need and community benefits of foodstore development in light of the jobs that will be created both during construction and operation and the economic benefits that developments of this type deliver, and recognises the consistency with national policy of the commercial nature of retail development in the recent changes to the Use Classes Order. A foodstore development delivers significant economic growth and productivity and is therefore in accordance with paragraph 80 of the NPPF this should be afforded significant weight in plan making. Therefore, based on the relevant tests established in the NPPF we consider that facilitation of foodstore development in emerging policy is paramount to the soundness of the DCBLP.

2. Job Creation

- 2.1. To ensure the soundness of the DCBLP compliance with national policy it must be positively prepared and provide a strategy to meet the area's objectively assessed needs.
- 2.2. As set out in the Economic Growth - Key Issues sections (para. 9.6) of the submission DCBLP *"It is also important that the Local Plan looks forward, planning pro-actively to meet Crawley's significant job growth, business land and floorspace needs as the economy recovers, whilst supporting delivery of the upskilling, connectivity and infrastructure needed to support economic growth"*. Retail jobs make a significant contribution to the economy of Crawley and therefore such uses should be enabled through policy.
- 2.3. An Aldi foodstore typically creates around 50 new jobs as well as other investment within the surrounding area as a result of the multiplier effect that occurs during the construction phase and ultimately through the provision of additional jobs in the local area. The soundness of the DCBLP should be considered in terms of consistency with local ambitions and national policy, as well as the objectively assessed needs of the borough. Retail job opportunities should be recognised as contributing towards meeting the job growth target and allowed for within policy in order for the plan to be considered sound.

3. Class E – Commercial Development

- 3.1. To ensure the soundness of the DCBLP compliance with national policy must be demonstrated.

- 3.2. The Government has made a number of revisions to the Use Classes Order, including the introduction of Class E (Commercial, Business and Service) this includes amongst others the following uses:
- The display or retail sale of goods to visiting members of the public;
 - An office to carry out any operational or administrative function;
 - The research and development of products or processes; and
 - Any industrial processes (being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smooth, soot, ash, dust or grit).
- 3.3. The Explanatory Guidance published in connection with the amended Use Classes Order notes at paragraph 7.3 that:
- “Bringing these uses together and allowing movement between them will give business greater freedom to adapt to changing circumstances and respond more quickly to the needs of their communities.”*
- 3.4. It is therefore clear that the introduction of the revisions to the Use Classes Order and other changes being brought forward by the Government are designed to enable flexibility and encourage development that responds quickly to the needs of their communities. This is also set out in the spatial context for Crawley in the DCBLP, which seeks to ensure sustainable economic growth and supports greater *“flexibility to help Crawley’s economy adapt to future change”* (para. 2.15). Development which responds to the needs of local communities and contributes to a sustainable, diverse and thriving economy is supported and consistent with policy at both a national and local level and should be considered in assessing the soundness of the DCBLP. The DCBLP fails to incorporate the revised use classes and therefore policies and allocations are not consistent with national policy and cannot be considered sound.

4. Positively and Proactively Encouraging Sustainable Economic Growth

- 4.1. The NPPF is clear that:
- “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.”* (Paragraph 80)
- 4.2. This was written before the recent Covid pandemic which has further highlighted the valuable contribution that the retail sector makes both in terms of providing employment opportunities and ensuring that communities have easy access to healthy and affordable food. With the increasing drive towards a more sustainable future providing crucial facilities such as food shopping in accessible locations is increasingly important. Crawley Borough Council declared a Climate Emergency on 17 July 2019, and recommendations from the Climate Change Scrutiny Panel Final Report published in February 2021 indicate that there needs to be a change in the type of vehicles used for travel and the promotion of active and sustainable transport options. The success of active transport depends on the distance to be travelled; therefore, the provision of accessible food shopping facilities is key to meeting this objective.
- 4.3. The NPPF states that planning policies should:
- “set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.”* (Paragraph 81a)
- Planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practice (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”* (Paragraph 81d)
- 4.4. The DCBLP acknowledges this, as set out in the Economic Growth - Key Issues sections (para. 9.6), *“The NPPF is clear that planning policies should help create the conditions in which businesses can invest, expand and adapt, setting out a clear economic vision and strategy that positively and proactively encourages sustainable economic growth. Recognising the immediate economic situation facing the borough as a result of the Covid-19 pandemic, it is vital to plan positively to support economic recovery.”*
- 4.5. It is clear that there have been a number of macro and micro changes since the Retail, Commercial Leisure & Town Centre Neighbourhood Needs Assessment was prepared and published in January 2020. The development aspirations within the borough

and wider area need to be considered within the context of changes that have occurred. When considering the existing supply and land allocated for employment generating floorspace and town centre uses the current approach is not justified and effective in light of the recent changes to the Use Classes Order, therefore the DCBLP cannot be considered sound.

5. Retail Considerations in the Crawley Local Plan

- 5.1. In light of the changes that have occurred and the need to proactively encourage sustainable economic growth, the potential economic contribution in terms of investment and job creation offered by the retail sector should be considered more positively in the DCBLP.
- 5.2. Policy EC2 'Economic Growth in Main Employment Areas' covers the development of allocated employment sites within the borough. This states that *'Employment generating development will be supported in the Main Employment Areas where it makes for an efficient use of land or buildings and contributes positively to sustainable economic growth in the Main Employment Area, and to the overall economic function of Crawley.'*
- 5.3. This policy acknowledges the need for use of land that contributes positively to sustainable economic growth and the policy text directs employment generating uses to the Main Employment Areas. We again highlight the recent introduction of Class E which has merged Class A uses with B1, amongst others, and is recognition of the importance of the retail sector to the UK's economic success. Therefore, this policy is not justified and effective in the light of recent economic changes or consistent with national policy as it is not clear how Class E is addressed. As such the DCBLP cannot be considered sound.
- 5.4. Given the economic considerations in the current climate and the economic contribution of retail development, it is considered that proposed retail uses align with the overall objective of this policy and should therefore be considered positively in this policy.
- 5.5. Policy TC3 'Town Centre Key Opportunity Sites' covers the development of allocated underutilised town centre sites. This states that *'Town Centre Key Opportunity Sites are identified for development that enhances town centre vitality and viability and helps to meet the economic and housing needs of the borough'* and that *'development will be supported where it is for: main town centre uses, or mixed-use development for residential and main town centre uses and/or town centre neighbourhood facilities.'*
- 5.6. These policies cannot be considered justified in light of recent economic changes or compliant with national policy in light of revisions to the use classes order, therefore the DCBLP cannot be considered sound.

6. Summary

- 6.1. As set out in this document the background position has changed significantly since the Retail, Commercial Leisure & Town Centre Neighbourhood Needs Assessment was published. Recent changes to the Use Classes Order have clearly signalled a change, offices and retail development are now both considered to be commercial uses, recognition of the contribution that retail makes to the local economy and the fact that the jobs created by retailers are equal to those created by more traditional employment generating uses.
- 6.2. Considering these changes, a test of the soundness of the DCBLP should consider whether proposed policies are positively prepared in terms of consistency with national policy and the objectively assessed needs of the borough and are still effective and justified. As such, policies which fail to acknowledge the necessity of commercial development to meet the local need in light of economic changes or policies which fail to recognise revisions to the use classes order cannot be considered positively prepared, justified, or consistent with national policy. Considering this, the DCBLP cannot be considered sound.
- 6.3. This DCBLP provides an opportunity which will enable higher levels of employment in the borough, creating jobs and investment whilst providing many other economic benefits associated with introducing a popular national retailer to an area. As such we highlight the need to ensure the soundness of the DCBLP to provide the necessary facilities in allocations and policies for foodstore development, that will be required to support economic growth and secure investment and jobs in the borough across the plan period.

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