



Crawley

Local Plan

Ref No:

Office use only

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:	<input type="text"/>	<input type="text" value="Miss"/>
First name:	<input type="text"/>	<input type="text" value="Louise"/>
Surname:	<input type="text"/>	<input type="text" value="Hambleton"/>
Organisation:	<input type="text" value="Aberdeen Standard Investments"/>	<input type="text" value="Quod"/>
Address line 1:	<input type="text"/>	<input type="text" value="8-14 Meard St"/>

Address line 2:	<input type="text"/>	<input type="text"/>
Town/city:	<input type="text"/>	London
Postcode:	<input type="text"/>	W1F0EQ
Telephone:	<input type="text"/>	02035971000
Email:	<input type="text"/>	Louise.hambleton@quod.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:	<input type="text"/>	Policy:	EC2, TC1, TC2, H3, CL7, DD1, DD2	Other:	<input type="text"/>
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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.

Please refer to attached representations

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 refer to attached representations

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:**

N/A

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

L.Hambleton

Date

01/07/2021

NOTE

DRAFT CRAWLEY BOROUGH LOCAL PLAN 2021 – 2037: SUBMISSION PUBLICATION CONSULTATION REPRESENTATIONS - JUNE 2021

1 Introduction and Background

- 1.1 These representations are made by Quod on behalf of our client Aberdeen Standard Investments (“ASI”) who are the freeholders of the County Mall Shopping Centre (“the Mall”). The Mall is a key destination within Crawley Town Centre and makes a significant contribution to Crawley’s role as a sub-regional centre for retail and leisure purposes. Like many town centres across the country, there is a need for the role of Crawley town centre to adapt in response to structural changes in the retail sector. A key focus of Government is to enable town centres to diversify their offer to help ensure their vitality and viability over the longer-term. Against this context, ASI are currently considering the future role of the Mall.
- 1.2 It is therefore important that Local Plan policies embrace the flexibility that is necessary to ensure that town centre environments can respond to changing market requirements and ensure the long term vitality and viability of Crawley Town Centre. The challenges facing town centres as a result of changes in the retail sector have also been exacerbated by the economic impacts arising from the Covid-19 pandemic. The NPPF is clear that adaptation and flexibility is required within town centres if these challenges are to be overcome, and Crawley is no exception.
- 1.3 Our client’s representations to the Draft Local Plan are made within this context as set out below.

2 Representations

Key Matters

Section 9 – Economic Growth & Social Mobility

- 2.1 Section 9 of the draft Local Plan discusses economic growth and is concerned with satisfying Crawley’s employment land and floorspace needs over the next 15 years.
- 2.2 Draft Policy EC2 is concerned specifically with ‘Economic Growth in Main Employment Areas’ and seeks to “*protect and improve the existing economic areas, maximising the potential to utilise existing employment sites.*”. The draft policy notes that as a key economic driver in the sub-region, Crawley’s Main Employment Areas make a significant contribution to the economy of the town and the wider area and are designated as a focus for sustainable economic growth.
- 2.3 The Main Employment Areas are listed, including sites that have been specifically identified for the delivery of employment floorspace. However, it is also confirmed within the text that draft Policy EC2 also applies to the designated Main Employment Area of Crawley Town Centre in its entirety.
- 2.4 Within the Main Employment Areas, Policy EC2 sets a strong presumption for, and against the loss of, employment generating development. The policy specifically states:

“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. Development that would involve

a net loss of employment land or floorspace in any Main Employment Area will only be permitted where it is demonstrated that:

- i. the site is no longer suitable, nor viable, nor appropriate for employment purposes, or that a limited loss of employment floorspace will support the wider economic use of the site; and*
- ii. the loss of any land or floorspace will result in wider social, environmental or economic benefit to the town which clearly outweighs the loss; and*
- iii. there would be no adverse impact on the economic function of the Main Employment Area, nor the wider economic function of Crawley.”*

- 2.5 In respect of the above, it is unclear as to the precise definition of ‘*Employment generating development*’. In particular, whether the definition refers to more ‘traditional’ office or industrial employment uses, or if it also includes other uses that generate employment within town centres, for example, retail or leisure related floorspace.
- 2.6 If the former is correct, then we would request that this be specifically clarified within the policy wording. However, if the latter is the case, concerns are raised in respect of the application of the tests set out in criterion (i)-(iii) within draft Policy EC2 in relation to Crawley Town Centre.
- 2.7 The National Planning Policy Framework (NPPF) sets out detailed guidance for the development of town centres at Chapter 7. Paragraph 85 states that planning policies and decisions should support the role that town centres play at the heart of local communities, taking a positive approach to their growth, management and adaptation. The key test that must be met to achieve this is to promote the “*long-term vitality and viability of town centres.*” Paragraph 85(a) confirms that planning policies should support the vitality and viability of town centres by “*allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.*”
- 2.8 This approach is also reflected elsewhere in the draft Local Plan. For example, within the first paragraph of Policy TC1 which states that “*Development that enhances the vitality and viability of Crawley Town Centre as a competitive sub-regional town centre will be supported.*”
- 2.9 It is considered that the requirements set out within criterion (i)-(iii) of draft Policy EC2 are in conflict with this guidance within the NPPF, as well as other town centre related policies within the draft Local Plan.
- 2.10 Whilst town centres provide employment generating uses, this is by no means their sole function, and the NPPF recognises that planning for a variety of Main Town Centre uses, including residential uses, is integral to achieving the long-term vitality and viability of town centres. As currently drafted, draft Policy EC2 would unnecessarily restrict the provision of the variety of uses required to assist ensure the long-term vitality and viability of Crawley Town Centre, as well restricting the flexibility required for the town centre to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries.
- 2.11 We therefore request clarity on the above and strongly suggest that the inclusion of this policy is reconsidered in relation to Crawley Town Centre.

Section 11 – Crawley Town Centre

- 2.12 Section 11 considers Crawley Town Centre specifically and draft Policy TC1 sets out strategic requirements for the Primary Shopping Area. As previously noted, the draft Policy states that development that enhances the vitality and viability of Crawley Town Centre as a competitive sub-regional town centre will be supported, and that within Primary Shopping Frontages at ground floor level, development within Use Class

E (Commercial, Business and Service Use) will normally be permitted. ASI are supportive of this progressive approach which is in line with national guidance for town centre development.

- 2.13 The draft policy goes on to state that: *“the effective and efficient use of upper floors within the Primary Shopping Area for main town centre uses, town centre neighbourhood facilities, or residential use, is supported, subject to meeting the requirements of Policy EC2 where a net loss of employment floorspace is proposed”* and that *“the amalgamation or sub-division of units at ground and upper floor levels will be supported, subject to the requirements of Policy EC2 where loss of employment floorspace is proposed.”*
- 2.14 The relationship of Policy TC1 with the proposed requirements of draft Policy EC2 is of concern and its inclusion is not supported. As identified above, the employment floorspace tests proposed within Policy EC2 are in direct conflict with the requirements of the NPPF which promotes flexibility to provide a range of Main Town Centre Uses, including residential uses, in order to ensure the vitality and viability of town centres.
- 2.15 Similarly, whilst draft Policy TC2 (Town Centre Neighbourhood Facilities) is supported in respect of the approach to development of town centre neighbourhood facilities to meet the needs of its growing residential population, the link with Policy EC2 is of concern:
- “Where the provision of town centre neighbourhood facilities would result in a net loss of employment floorspace, the requirements of Policy EC2 must be met.”*
- 2.16 Draft Policy H3c (Town Centre Sites) and Policy H3e (Conversions from Commercial/Non-Residential Uses) also make reference to meeting the requirements of draft Policy EC2 in respect of new housing development in Crawley Town Centre, as well as the conversion of existing buildings from non-residential uses.
- 2.17 As per the comments previously noted, we consider that these inclusions would be detrimental to the future vitality and viability of Crawley Town Centre, which is in conflict with the NPPF, as well as other policies within the draft Plan. We therefore request that the relationship between policy EC2 and the other policies within the draft Plan identified above be reconsidered.

Other matters

Section 4 – Character, Landscape & Development Form

- 2.18 Section 4 is concerned with character, landscape & development form within the borough and draft Policy CL7 deals specifically with important and valued views.
- 2.19 The policy notes that ‘Important Views’ identified on the Local Plan Map should be *“protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views”*.
- 2.20 The views includes ‘Linear Contained Views’ where it is noted that *“all new buildings, structures, signs and advertisements, parked vehicles and hard surfaced areas must be well-screened by trees and other soft landscaping”*. In addition, the policy states that development proposals at the end of the view corridor must demonstrate that the view would be *“protected and/or enhanced”*.
- 2.21 The Local Plan Map identifies a Linear Contained View running across the Mall from the south west to the north east. Whilst it is recognised that the protection of important views is a key principle, it is considered that the policy wording is too restrictive as currently drafted. Given the nature of the Mall, which is an existing large shopping centre building, it may not always be practical, or indeed possible, to screen new structures or signs etc. with trees and landscaping. As such, we would request that the policy wording is

amended to include reference to screening by trees and other soft landscaping being incorporated '*where possible having regard to site specific circumstances*'.

Section 5 – Design & Development Requirements

- 2.22 Chapter 4 deals with design and draft Policy DD1 sets out the 'normal requirements for all development'. The draft policy contains a set of criteria that all development proposals must adhere to including using land efficiently and not unduly restricting the development potential of adjoining land, nor prejudicing the proper planning and phasing of development over a wider area. ASI are supportive of these principles which recognise the need for flexibility within the planning system in accordance with national planning policy.
- 2.23 Notwithstanding this, there are concerns regarding other criteria listed within draft Policy DD1, specifically criterion (c) and (g). The former requires all proposals for development in Crawley to "*Retain and reuse existing buildings occupying a site or demonstrate why this is not feasible, viable or desirable*". Whilst the general aspiration to re-use buildings is supported, the wording of Policy DD1 creates an inappropriate presumption of retention. This presumption could lead to the retention of unsuitable buildings which would be detrimental in terms of delivering high quality development and placemaking. We would therefore request the policy be amended to remove the presumption of retention/re-use.
- 2.24 Criteria (g) is concerned with trees and states that all proposals for development will be required to "*retain existing individual or groups of trees and green infrastructure and biodiversity assets that contribute positively to the area*". The policy wording is inconsistent with Policy DD4 which recognises the potential for tree loss and furthermore the absence of any caveat regarding net gain or enhancement sets unrealistic requirements that may result in compromised planning outcomes. The policy should therefore be amended to better reflect the intent of Policy DD4.
- 2.25 Draft Policy DD2 relates to Inclusive Design and requires development proposals to achieve "*the highest standards of accessible and inclusive design possible*". The principle of delivering high quality inclusive design is supported, however, the reference to the '*highest*' standards is not sufficiently precise. We would therefore request that this is amended to '*high standards*'.

3 Summary

- 3.1 On the whole, our client is supportive of the Council's approach to the draft Local Plan. However, it is important that the emerging Plan does not constrain the ability for Crawley Town Centre to overcome the challenges that all town centres are facing and to ensure that policies contain sufficient flexibility to allow for a healthy, vibrant and competitive town centre.
- 3.2 We trust that you will fully consider our client's comments and ensure that any emerging policy does not prevent the successful future of the Town Centre from being realised.