

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 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 type="checkbox"/> | No <input checked="" 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 written representation and additional information

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.*

As set out in attached written representation para 13 to 15

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:

Due to the significant policy issues involved.

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

A handwritten signature in blue ink that reads "Michael Rees". The signature is written in a cursive style and is contained within a white rectangular box.

Date

20/6/2023

POLICY GAT2: SAFEGUARDED LAND

1. Our clients object to the policy in its current form as it includes land to the east of Balcombe Road that can play no practical role in the provision of a second runway nor the infrastructure that has been identified if a second runway was to be provided in the future.

National Planning Policy Requirements

2. The National Planning Policy Framework (NPPF) (2021) establishes the Government's planning policies for England and how they are to be applied. It provides a framework within which locally prepared plans can be produced (paragraph 1). This forms the basis for our representations.
3. Paragraph 15 of the NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area, a framework for addressing economic, social and environmental priorities, and a platform for local people to shape their surroundings.
4. Plans should: be prepared with the objective of contributing to sustainable development; be positively prepared, but deliverable; shaped by effective engagement; contain policies that are clearly written and unambiguous; be accessible through the use of digital tools; and serve a clear purpose (paragraph 16).
5. Development plans must include strategic policies to address an area's priorities for development and the use of land (paragraph 17). Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for inter alia housing; employment; retail; leisure; other commercial development; infrastructure; community facilities; and the conservation and enhancement of the natural, built and historic environment and measures to address climate change (paragraph 20).
6. The preparation and review of policies should be underpinned by relevant and up-to-date evidence, that should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (paragraph 31).
7. Local plans will be examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound (paragraph 35). Plans are sound if they are:
 - a) Positively prepared – provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities;
 - b) Justified – provide an appropriate strategy, taking into account other reasonable alternatives, based on proportionate evidence;
 - c) Effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters; and
 - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with policies within the NPPF.
8. As it is currently written the identification of safeguarded land to the East of Balcombe Road cannot be considered to comply with the tests of soundness as it is not deliverable nor based on robust evidence in respect of the requirements of NPPF.

Gatwick Green

9. In removing the proposed allocation at Gatwick Green from the safeguarded area identified the Council have based their proposals on master plan 20 (figure 1 below). This shows the land to the east of Balcombe Road as car parking. The logic in removing Gatwick Green is set out at para 10.21 of the plan:

“the Local Plan safeguarded boundary has not included all the land east of the Balcombe Road which is shown in the Master Plan as being utilised for a large area of surface car parking. Given the constrained land supply within the borough and its significant employment and housing needs, the council does not consider surface parking to represent an efficient use of land. The Airport is already accommodating parking more efficiently through decked and robotic parking, and its Surface Access Strategy seeks to reduce access to the airport by car. This area excluded from safeguarding is essential to meet Crawley’s employment floorspace needs and is allocated in Policy EC1 as a Strategic Employment Location. ”

10. It seems nonsensical therefore to include incremental parcels of land (including our clients site) as safeguarded land for a purpose that it cannot possibly fulfil which requires a comprehensive approach. Furthermore, the Council is clear that it has moved away from large scale car parking which the master plan envisages for our clients site. Rather it is more logical to allocate the wider area as part of Gatwick Green to meet the employment land shortfall as we have set out in our representations in respect of Policy EC1 and EC4. In this regard we are supportive of the principle of the approach taken by the Council but believe it needs to relate to the “left over” parcels of land to the East of Balcombe Road which will be sterilised in the short term to contribute towards local needs yet with no role to play in any expansion if it were to ever be considered appropriate.

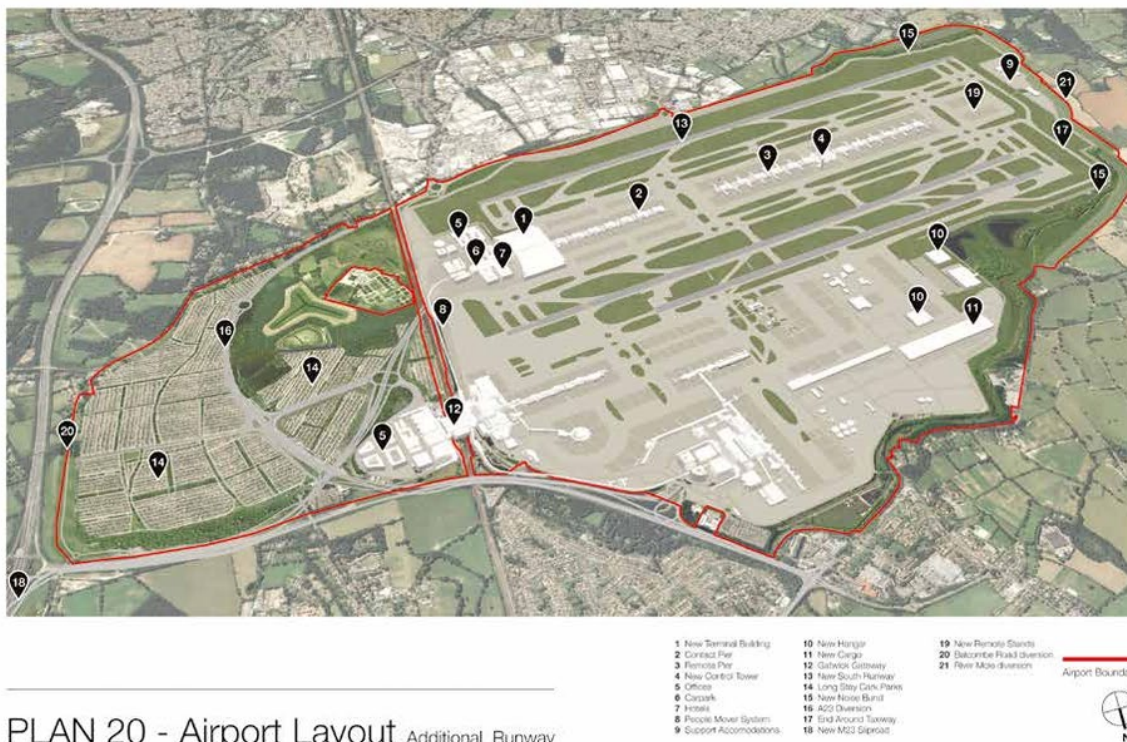


Figure 1. Plan 20 – Airport Layout

Current Airport Proposals

11. It is informative to consider the latest proposals for the use of the standby runway at Gatwick Airport. The proposals for accessing the airport are shown at figure 2, in the first instance, they conflict with (and supersede) Master Plan 20 and secondly they show no access or provision to access the safeguarded land. This seems at odds with the wording in the plan as it currently stands which does not reflect the intended approach of the airport (ie the two plans are physically incompatible).
12. Indeed, based on these proposals and the removal of the current extent of Gatwick Green, alongside the reluctance to identify large areas of surface car parking, it is evident that the residual areas of safeguarded land to the east of Balcombe Road would serve no useful purpose.



Figure 2. Proposed access arrangements for use of second runway.

CHANGES REQUIRED IN ORDER TO ENSURE THAT THE PLAN IS COMPLIANT WITH NPPF

13. It is clear residual parcels of land to the east of Balcombe Road that remain in the safeguarded area serve no practical purpose:
 - a. Given that the current extent of Gatwick Green is to be removed, the residual areas (including our clients site) could not be used to contribute towards Master Plan 20. This is now out of date and superseded by the current proposals for the standby runway; and

- b. The current proposals for the increased use of the standby runway would not allow for access to the east of Balcombe Road and are physically incompatible with the car parking uses identified in Master Plan 20. Indeed, it is not possible to access our clients landholding via the airport land which make the master plan 20 proposals unimplementable absent the land controlled by the Wilky Group. This removes any likelihood of our clients land serving any useful purpose as being safeguarded.
14. There is therefore no useful purpose in retaining the incremental parcels of land to the east of Balcombe Road for safeguarding purposes. They cannot contribute towards substantive infrastructure and given the desire to move away from surface car parking (as indicated by the Council in the Plan) we believe that they would be better and more efficiently used in contributing towards employment needs. Indeed this is wholly contrary to the requirements of the NPPF, the approach is *inter alia* not positively prepared, justified, effective or consistent with national policy.
15. Accordingly, our requested change is that the safeguarding map plan should be redrawn to exclude our clients site as shown below. In addition further consideration ought to be given as to whether to further exclude all of the strips of land to the east of Balcombe Road.

