

# Local Plan Representation

## FPLP525361644

### PART A Personal details

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Has a planning agent been appointed?	No

### PART B Your representation

Which document would you like to make a representation on?	Crawley submission Local Plan
Which part of the Local Plan does this representation relate to?	Policy
Please give details.	Please refer to uploaded representation document.
Legally compliant?	No
Sound?	No
Compliant with the duty to co-operate?	No
Please give details explaining your response.	Please refer to uploaded representation document.
Please set out what modification(s) you consider necessary to resolve the issues you have identified above.	Please refer to uploaded representation document.
If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings?	No, I do not wish to participate in the examination hearings
Do you wish to upload any supporting documentation or files?	USS Crawley Regulation 19 Draft Local Plan 2023 Representation FINAL.pdf
Form submitted by:	Mr. Alex Welby on 20/06/2023

20 June 2023

Strategic Planning  
Crawley Borough Council  
Town Hall  
The Boulevard  
Crawley  
RH10 1UZ

Dear Sir / Madam,

## **Crawley Submission Draft Local Plan Regulation 19 (2023) Consultation Representations on behalf of Universities Superannuation Scheme Ltd**

On behalf of our Client, Universities Superannuation Scheme Ltd (USS), we are writing to respond to the Submission Draft Local Plan 2024 – 2040 consultation which is open for comments until 20 June 2023.

### **Background**

The asset comprises Denvale Trade Park, Haslett Avenue, Crawley ('the Site'). USS, therefore, has an active interest in the formulation of planning policy at Crawley Borough Council (CBC) and welcomes the opportunity to respond to the Draft Local Plan consultation.

The Submission Draft Local Plan sets out planning policies to guide development in the Borough from 2024 to 2040. The document, once adopted, will replace the current Crawley Borough Local Plan 2015 - 2030, which was adopted on 16 December 2015. CBC is inviting comments regarding the soundness and legal compliance of the publication document.

It is noted that CBC held their first Draft Local Plan Regulation 19 consultation in 2020. On behalf of USS, Deloitte submitted representations on 5 March 2020. This representation sought to introduce flexibility for the loss of employment floorspace in Main Employment Areas and to support the delivery of mixed-use development in these locations.

CBC held a second Draft Local Plan Regulation 19 consultation in 2021. This consultation was held to invite stakeholder comments on planning policy amendments in light of an updated evidence base. At the time of this consultation, it was not considered necessary to re-submit representations on behalf of USS as it was not considered that the updated evidence base had material implications for the content of the submitted representation.

Following an update to a significant proportion of the Local Plan evidence base in 2023 (including an updated Housing Trajectory Report, Strategic Housing Land Availability Assessment, Windfall Statement, Economic Growth Assessment and Employment Land Availability Assessment) we consider it necessary to submit updated representations.

In the context of the updated evidence base, this representation continues to request the introduction of a greater degree of flexibility within Main Employment Areas (Draft Policy EC2) in order for the Draft Crawley Borough Local Plan 2024 – 2040 (published in May 2023) to be considered sound.

## The Site

The Site is located adjacent to the eastern boundary of Crawley Town Centre, approximately 400 metres northeast of Crawley Train Station. The Site currently consists of 18 trade/commercial units originally granted planning permission under use classes B1c (now E(g)(iii) (industrial process)), B2, and B8. The tenants include Screwfix, Halfords Autocentre, Bathstore, Energie Fitness Crawley and Formula One Autocentres. The Site is accessed off a roundabout on the A2220/Haslett Avenue. To the east, west and south of the Site, there are industrial uses and to the north, beyond the A2220/Haslett Avenue, is a residential area.

The Site is located in a highly accessible area which is in walking distance to Crawley Train Station and in immediate proximity to multiple bus stops, including Town Centre East, Town Centre South, Rowan Close and Haslett Avenue East. Including the national train network, this location grants access to several bus routes, including, 3, 4, 5, 20 Fastway, 100 Fastway, 62, 84, 272, 281, 291, 400 Route 400, 603. The locally accessible public transport network provides the Site with excellent accessibility to both local and national areas.



Figure 1: The Site (outlined by the blue boundary line) (Source: Promap).

## Planning History

Planning permission was granted on 9 June 2000 for the erection of 18 units, associated car parking and landscaping for either Use Class B1c (now E(g)(iii) (industrial process)), B2 and B8 uses with ancillary showroom or a Sui Generis (Motor/vehicle showroom) use in units 1, 2, 7, 8, 9 and 10. Since the original permission, there have been several applications relating to change of use, and the Site now operates under a range of uses, including Use Class A1 (now E (retail)), B1c, B2, B8 and D2 (now Sui Generis).

## Adopted Planning Policy

The Crawley Borough Local Plan 2015 – 2030 was adopted in December 2015. Policy EC2 ‘Economic Growth in Main Employment Areas’ designates the Site within the ‘Three Bridges Corridor’ Main Employment Area. The Site is also designated as part of a Priority Area for District Energy Networks as identified in Policy ENV7 ‘District Energy Networks’. The western part of the Site is also within a ‘Long Distance View Splay’ as designated by Policy CH8 ‘Important Views’.

## Submission Draft Local Plan

The Submission Draft Local Plan 2024 – 2040 proposes to continue designating the Site as a Main Employment Area under Draft Policy EC2 ‘Economic Growth in Main Employment Areas’. The Draft Policy seeks to protect and improve the existing economic areas, maximising the potential to utilise existing employment sites before other sites are considered.

The Submission Draft Local Plan also proposes to continue designating the Site within a Priority Area for District Energy Networks under Draft Policy SDC2 ‘District Energy Networks’. The Draft Policy identifies that all development proposals within a priority area that would involve the creation of a new dwelling or over 1,000 sqm of internal floor space must incorporate an energy strategy.

Additionally, the Draft Local Plan Map shows that the western part of the Site is proposed to continue to be within the Tilgate Park Long Distance View Splay as designated under Draft Policy CL7 ‘Important and Valued Views’.

## USS Response

The following sections consider the soundness of the Submission Draft Local Plan when assessed against the effective and consistent national policy tests of the National Planning Policy Framework (NPPF).

### Emerging Local Plan Policy

USS generally supports CBC’s commitment to the proposed continued designation of the Site as a Main Employment Area under Draft Policy EC2 ‘Economic Growth in Main Employment Areas’. However, the Draft Policy identifies that any development which involves a net loss of employment land or floor space will only be permitted where it can be demonstrated that:

- “i. the site is no longer suitable, nor viable, nor appropriate for employment purposes, or that a small 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”.*

For the Submission Draft Local Plan to be effective, USS recommends that more flexibility is applied to Draft Policy EC2 ‘Economic Growth in Main Employment Areas’ to allow the potential for mixed-use

development on such sites to come forward including changing typologies such as co-location of employment uses with other land uses and industrial intensification.

The draft policy, as it is worded, focuses on the loss of employment land and employment floor space in Main Employment Areas rather than the amount and type of employment itself. Draft Policy EC2 should also recognise that the amount of employment land or floorspace does not necessarily equate to the level of employment on a site. For example, an alternative use could have a smaller footprint yet employ more people than a B2 / B8 use. The Policy should therefore assess the proposed level of employment to be provided from new development when evaluating the circumstances whereby a loss of employment land and employment floor space is considered permissible in accordance with Draft Policy EC2.

Employment areas are susceptible to change in line with economic and market circumstances and consequently require flexibility to adapt to these changes. This is acknowledged in the NPPF, paragraph 122 states that planning policies and decisions need to reflect changes in the demand for land. Paragraph 11a states that plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change. Paragraph 82d states that planning policies should *“be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”*.

In line with the NPPF, the Policy as drafted does not address the growth in co-location of industry and other land uses (including residential), which is representative of the changing typologies that will grow across the plan period. In order to ensure Draft Policy EC2 ‘Economic Growth in Main Employment Areas’ is consistent with the aforementioned paragraphs of the NPPF, it is essential that it is sufficiently flexible to accommodate a mix of uses which support employment alongside residential in innovative development typologies, e.g. the stacking of industrial and residential uses.

A mixture of uses in employment locations can help support the vitality and character of the wider area and its economic performance. The potential introduction of well-planned residential uses on such sites can support existing uses by increasing the local customer base and the available workforce near the Main Employment Areas. It would also serve to boost CBC’s housing delivery.

Furthermore, this would reflect CBC’s Compact Residential Development Study (May 2023) which highlights the benefits of residential uses in proximity to employment uses is recognised. When considering the proximity of employment and residential uses, paragraph 1.24 states that *“compact development can significantly reduce this daily loss of time, allowing more for family, friends, leisure and overall quality of life”*.

This benefits to be derived from intensification and compact development are further developed within the Compact Residential Development Study (May 2023). Paragraph 1.27 states: *“Intensification and new compact development form offers the opportunity for so many of the existing urban areas in the UK to be physically improved and enhanced, even for the reinvention of existing area wide built environments. The nation’s less attractive, isolated low-density places could lend themselves to such change and transformation can be economically attractive.”*

This above text extract demonstrates how emerging policy should be worded in a flexible manner which encourages development that achieves intensification and new compact development form, this should encourage a flexible form of development which matches the market needs of Crawley. Notably, paragraph 5.11 states that intensification will particularly apply to areas within the Town Centre and other

locations which are already well served by high frequency, reliable public transport, notably, the Site benefits from these qualities. As a result, USS considers it appropriate to word the emerging policies in a manner which allows for a greater degree of flexibility for development within its designated Main Employment Area including the introduction of residential. A proposed rewording of Draft Policy EC2 is provided at Appendix 1.

## Identified Housing Need

Policy H1 'Housing Provision' of the Submission Draft Crawley Borough Local Plan 2024 – 2040, makes provision for the development of a minimum of 5,030 net dwellings in the Borough from 2024 to 2040. Once this supply is deducted from the identified housing need of 12,080 dwellings over the period 2024 to 2040, there will be a remaining unmet housing need of approximately 7,050 dwellings arising from Crawley over the Plan period (42%).

The draft Local Plan proposes for the remaining unmet housing need to be met through neighbouring authorities within the Housing Market Area, with the intention being to secure this provision through the Duty to Cooperate. As identified within Table 3.2 of the Duty to Cooperate Statement, May 2023, within the Local Plan evidence base, this housing provision from neighbouring authorities has not been agreed upon via a Statement of Common Ground, and discussions are ongoing. Based on a review of information contained within the evidence base, it is unclear how CBC expects the unmet housing need of 7,050 dwellings to be delivered and split out between the neighbouring authorities.

Within the draft Local Plan, it is acknowledged that this unmet need will primarily be provided by Horsham and Mid Sussex, along with a small part of Reigate and Banstead. The adopted Local Plan for Horsham (adopted 2018) and Mid Sussex (adopted 2015) provide an anticipated provision of an additional 3,000 dwellings above their individual housing needs to meet Crawley's unmet housing need. This number of 'additional' housing provision is likely to be further diminished when the relevant adopted Local Plan undergoes a review as the Standard Method increases their own housing requirements to above their current adopted Plan commitments. In any case, the current provision of 3,000 dwellings is significantly below the identified unmet housing need of 7,050 dwellings.

Furthermore, in relation to the provision of housing provision within Reigate and Banstead, within the Local Plan evidence base, a signed Statement of Common Ground between CBC and Reigate and Banstead Borough Council (RBBC) states that RBBC is not in a position to meet any of CBC's unmet housing need.

At this stage of Local Plan preparation, it is reasonably considered that CBC cannot rely on the Duty to Cooperate to deliver 7,050 dwellings. In order for the Local Plan to be considered sound, it should also seek to introduce a greater degree of flexibility for Main Employment Areas within the Borough's boundaries to provide for mixed use.

This would ensure Draft Policy EC2 is consistent with national policy by allowing Main Employment Areas to contribute to CBC meeting its housing target and reflect the changing landscape of industrial provision. Appendix 1 sets out a proposed rewording of Draft Policy EC2, which is intended to provide greater flexibility and ensure the 'soundness' of the Local Plan.

## Important and Valued Views

Draft Policy CL7 'Important and Valued Views' identifies that for long distance views:

*“The points from which the view can be enjoyed must remain unobstructed by development in the foreground. Where the view is to an identified feature, development is required to protect and/or enhance this feature.”*

USS generally supports CBC’s commitment to protecting and/or enhancing Important and Valued Views. However, it is essential that Draft Policy CL7 does not overly restrict development. The policy should assess each development on its merits following detailed townscape analysis and assessment of the design to understand how the view will be impacted and what level of development is considered to be appropriate. A proposed rewording of Draft Policy EC2 is provided at Appendix 2.

## **Conclusion**

In summary, USS strongly recommends that CBC amend Policy EC2 to provide additional flexibility to ensure that the emerging document does not hinder the ability of Main Employment Areas to provide appropriate mixed / alternative development.

USS is pleased to have the opportunity to respond to this Draft Submission Local Plan consultation and requests to be informed on the progress of the document. In the interim, if you have any queries, please contact Alex Welby (awelby@deloitte.co.uk / 020 7303 5201)

Yours faithfully

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP

## Appendix

### Appendix 1: Draft Policy EC2 'Economic Growth in Main Employment Areas'

Wording within the Submission Draft Local Plan 2024 – 2040:

*“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 small 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”.*

USS suggested rewording of Draft Policy EC2:

*“Development that would involve a net loss of employment land or floorspace, including the introduction of alternative uses, such as residential, in any Main Employment Area will only be permitted where it is demonstrated that should seek to demonstrate a consideration of the following elements when justifying the proposals:*

- i. the site is no longer suitable, nor viable, nor appropriate for employment purposes, or that a small 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”.*



## Appendix 2: Draft Policy CL7 'Important and Valued Views'

Wording within the Submission Draft Local Plan 2024 – 2040:

*“The points from which the view can be enjoyed must remain unobstructed by development in the foreground. Where the view is to an identified feature, development is required to protect and/or enhance this feature.”*

USS suggested rewording of Draft Policy EC2:

*“The points from which the view can be enjoyed must remain unobstructed by development in the foreground. ~~Where the view is to an identified feature, development is required to protect and/or enhance this feature~~ Where a proposed development is located within a Long Distance View, this should be considered on its merits following detailed townscape analysis and assessment of the design to understand how the view will be impacted and what level of development is considered to be appropriate.”*