

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

**By Email Only: [strategic.planning@ Crawley.go.uk](mailto:strategic.planning@ Crawley.go.uk)**

**Date:** 13th June 2023

**Our ref:** 25626935v1

**Your ref:**

Dear Sir/Madam,

## **Representations by BYM Capital to the Draft Crawley Borough Local Plan 2024 - 2040: Regulation 19 Consultation May 2023**

BYM Capital ('BYM') welcomes the opportunity to engage with Crawley Borough Council ('CBC') on their draft local plan. This letter sets out our representations to the Regulation 19 stage version 'Draft Crawley Local Plan 2024 - 2040' dated May 2023.

BYM are specialists in residential and commercial investment and development. We are the owners of Astral Towers, the Atrium Building and adjacent land located off Betts Way, Langley Green, RH10 9XY (site location plan enclosed at Appendix 1). A planning application was submitted in October 2022 (ref: CR/2022/0653/FUL) for the comprehensive redevelopment of the existing Astral Towers building, adjacent surface car park and Atrium building to provide a series of new industrial, storage and distribution units falling within Use Class B2/B8. The planning application is under consideration by CBC officers.

The following representations are arranged in order of appearance in the draft Regulation 19 Local Plan, using the relevant section title or policy reference as appropriate. The representations have been prepared having regard to the various background evidence base documents, consideration of national policy, namely the National Planning Policy Framework (2021), and cognisant of the 'soundness' tests for examining Plans.

### **Draft Employment Policies (EC1, EC2 and EC3)**

We are generally supportive of the approach and purpose of the employment policies within the draft local plan, in particular EC1, EC2 and EC3 which encourage sustainable economic growth by supporting the retention and intensification of the existing main employment areas for employment uses. However, our specific objections to each policy are provided below.

## Draft Policy EC1

We support CBC's approach to positively planning for objectively assessed needs for additional employment floorspace/land. We note that CBC reports an office/R&D pipeline surplus, in excess of the objectively assessed requirement. This suggests a need to rebalance employment uses away from office/R&D towards industrial and logistic uses, of which there is an identified need and a shortfall in land.

We support Policy EC1 subsections i, ii and iii; however, in subsection iv we **object** to the inclusion of wording "*outside of safeguarding*" as it is not justified nor consistent with national policy (see below our objection to draft policy GAT2). The sustainable intensification and extension of existing main employment areas (most notably Manor Royal) will be adversely impacted by the continued safeguarding of land. This wording should be deleted from Policy EC1 subsection iv.

Notwithstanding the 'Gatwick Green' site being designated as a Strategic Employment site, given its size, development is likely to be brought forward in a phased manner over a long period of time. In the interim, CBC should be actively supporting intensification and extension of existing employment sites within Manor Royal, including on land that has been previously safeguarded. The acceptability of this approach has already been demonstrated through CBC's resolution to grant planning permission in respect of application ref. CR/2022/0187/FUL at Land to the North of Fleming Way (Eastman House and Former Flight Training Centre), Manor Royal, Crawley.

## Draft Policy EC2

We support this policy in principle; however, we **object** to the absence of any recognition that net loss of employment land or floorspace could be acceptable in a case where an alternative typology of employment use is provided. As drafted, the policy is not positively prepared nor justified. To rectify this, we request a further limb (iv) is added to the net loss criteria stating:

'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:

...

iv) *an alternative employment use would be more appropriate to meet objectively assessed needs, or, to ensure the viability of the site.'*

## Draft Policy EC3

We support this policy in principle; however, we **object** to paragraph 5 which specifically requires explicit 'accordance' with the Manor Royal SPD. This guidance could be considered out of date having been published in 2013 (c. 10 years old), and in any event should only be afforded weight in decision making as a material consideration. Newly adopted policy should not require explicit accordance with guidance, let alone guidance from 2013 which could be considered out of date. This approach is not justified and the reference should be deleted accordingly.

### **Draft Policy GAT2: Safeguarded Land**

We **object** to this policy on the basis it is not justified and not consistent with national policy. The draft local plan policy map identifies land that should be “*safeguarded from development which would be incompatible with the expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy)*”, restricting it to small scale development only. For the reasons set out below, we request that policy GAT2 is deleted in its entirety.

The *Airports National Policy Statement: new runway capacity and infrastructure at airports in the South of England (June 2018)* confirmed that the Government is in agreement with the Airport Commission’s work that the preferred scheme is Heathrow’s Northwest Runway (announced in October 2016), not an additional runway at Gatwick. On that basis, there is no national support for an additional runway at Gatwick – this has been the position for some time with no evidence to suggest that position will change during the plan period.

Gatwick’s own Masterplan (2019) confirms that Gatwick are “*not actively pursuing plans for an additional runway to the south*”. This position was reinforced by the CBC Regulation 18 local plan which proposed deletion of Policy GAT2 (safeguarding) due to lack of evidence for the need.

The latest relevant national strategic framework ‘Flightpath to the Future’ (2022, DfT), does not refer to any additional runway safeguarding needs at Gatwick.

It is clear that for the CBC local plan to be considered sound, it needs to be consistent with national government policy, and it needs to be justified via an appropriate strategy taking into account relevant evidence. The continued safeguarding of land to the south of Gatwick Airport is not consistent with national policy and is not justified.

Furthermore, the NPPF states that plans should positively seek opportunities to meet the development needs of their area (paragraph 11a). Local Plans should “*provide a clear strategy for bringing sufficient land forward... to address objectively assessed needs over the plan period*” (paragraph 23).

The draft Local Plan confirms that there is a shortfall of 13.73ha of new industrial land over the plan period. Whilst the draft local plan notes that the Gatwick Green site can meet this outstanding requirement, any development on site is likely to be delivered over a long period of time and delivered in a phased manner. The Borough’s “key mixed business location” is located to the south of Gatwick at Manor Royal. The proposed runway safeguarding policy restricts the future sustainable extension of Manor Royal. By restricting development within safeguarded land, the local plan is not actively seeking to meet the Borough’s objectively assessed employment needs. For the plan to be positively prepared and to meet the minimum objectively assessed needs, the safeguarding policy should be deleted.

For the reasons set out above, draft Policy GAT2 should be deleted in its entirety.

### **Draft Policy ST4: Safeguarding of a Search Corridor for a Crawley Western Link Road**

We **object** to draft Policy ST4 in respect of a search corridor that includes our ownership at the Astral Towers and Atrium site. The area of search covers a wide area, however two of the options (ES1 and ES2) identified in

the Refined Area of Search report (Systra, 23/03/2022) directly impact our ownership and would result in the loss of existing employment land/floorspace and prejudice our proposals subject to planning application ref. CR/2022/0653/FUL – this would further compound the existing shortfall of employment land/floorspace identified in the local plan evidence base and is therefore not considered justified nor positively prepared. The proposed search corridor should not result in the loss of existing employment sites within Manor Royal and should not restrict the sustainable expansion of Manor Royal (as encouraged by the employment policies in the draft plan). We request that the search corridor on the Local Plan Map is amended to exclude our ownership and the Manor Royal employment area – the Council’s “key mixed business location”. We strongly object to the proposed search corridor and the inclusion of the Astral Towers site if option ES1 and ES2 are taken forward.

We have no objection to the search corridor being identified on the Local Plan Map further north, outside of our ownership, for instance on the basis of options ES3 or ES3a, on land which is currently identified for safeguarding.

To ensure that this policy is consistent with the wider employment strategy set out in the local plan, the boundary for the search corridor on the proposals map should be amended to remove our ownership and remove the Manor Royal employment area.

### **Concluding Remarks**

We recognise the significant amount of work that has been undertaken by CBC officers to reach this Regulation 19 stage of the Local Plan. Overall, BYM Capital are generally supportive of the employment policies. However as set out in the representations, there are a number of specific objections to these employment policies, as well as in-principle objections to draft Policy GAT2 (runway safeguarding), and Policy ST4 (safeguarding of a search corridor for a western link road).

We reserve the right to participate in future Examination in Public hearing sessions in respect of the policies referenced in this representation.

We trust that our comments are clear, however, should you have any queries or wish to discuss further then please do not hesitate to contact me.

Yours faithfully,

**Dean Jordan**

Head of Planning, BYM Capital

Encs.

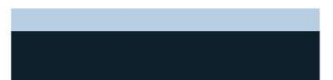


**BYM**  
CAPITAL

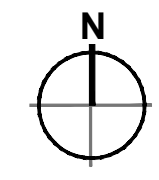
BYM CAPITAL LIMITED  
23 Hill Street London W1J 5LW  
T 0203 167 6620  
E [info@bymcapital.com](mailto:info@bymcapital.com)

[bymcapital.com](http://bymcapital.com)

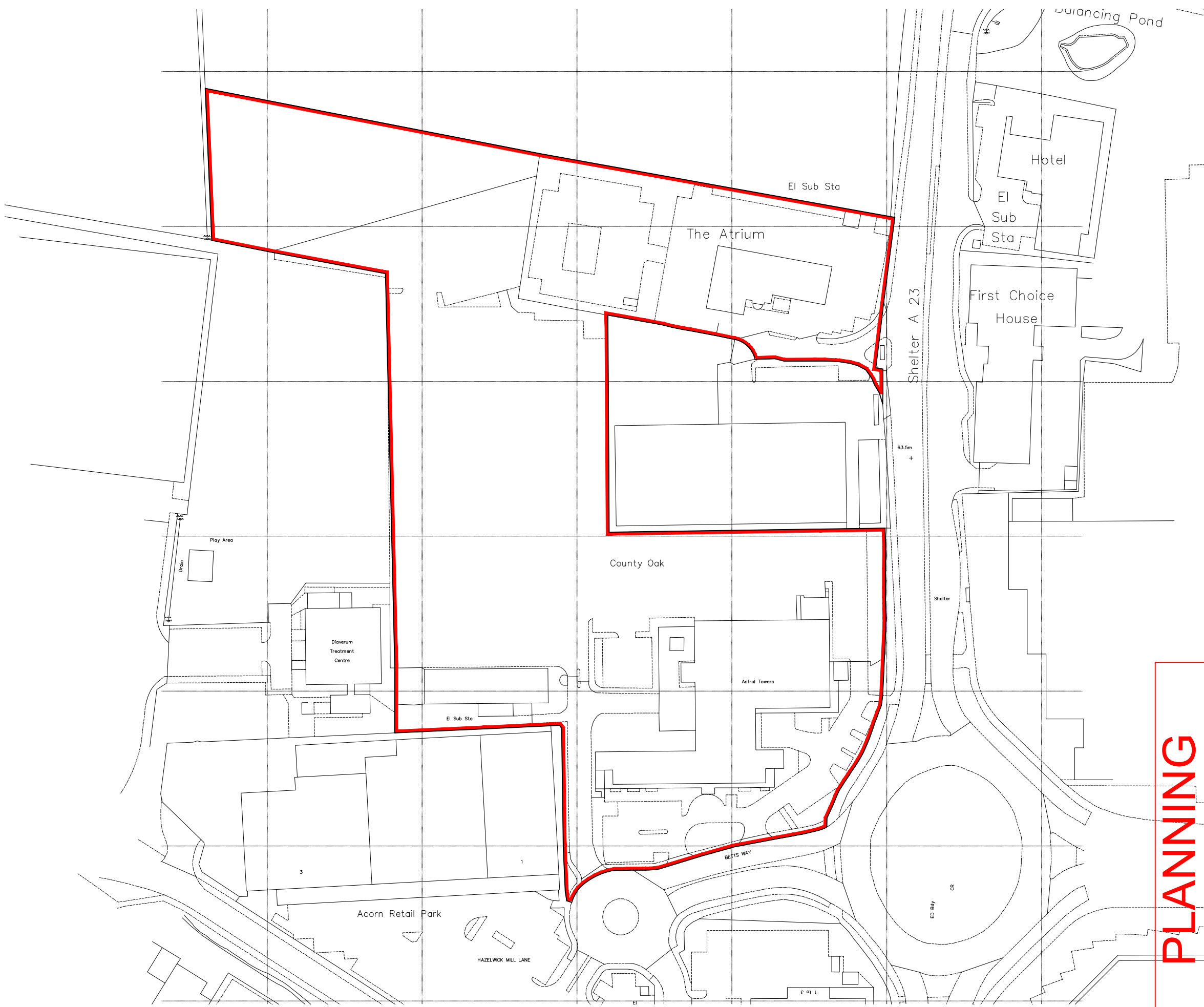
## Appendix 1 – Site Location Plan



- Dimensions are in millimeters, unless stated otherwise.  
 - It is the recipients responsibility to print this document to the correct scale.  
 - All relevant drawings and specifications should be read in conjunction with this drawing.



**Planning Application Boundary**  
 7.41 Acres (3.00 Ha)



**PLANNING**  
 THIS DRAWING IS TO BE USED FOR THE STATED PURPOSE  
 ONLY AND SHOULD NOT BE USED FOR ANY OTHER

rev	amendments	by	ckd	date
-----	------------	----	-----	------

**Astral Towers and The Atrium building,  
 Betts Way, Crawley**  
 Site Location Plan

Information Container LOD:	Verified
----------------------------	----------



RIBA PoW Stage:	3 - Spatial Coordination
Document Suitability:	S2
Drawn / Checked:	RS / CA
Date:	02/08/2022
Scale:	1:1250 A3
UMC Project Number:	21583
Document Reference:	Drawing no: Revision:
21583 - UMC - XXXX - ZZ - DR - A	0501 P01

