

**Crawley Local Plan 2024-2040 Examination
Gatwick Airport Ltd’s Response to the Inspector’s Matters, Issues and Questions
3rd November 2023**

Matter 1: Legal Compliance and General Plan-making	
Inspectors’ Question	GAL Response
Issue 2: Duty to Co-operate	
<p>1.11 The evidence before this examination includes initial stages of plan making in Horsham and Mid Sussex that are considering strategic growth proposals ‘At Crawley’ in respect of West of Ifield (Homes England) and Crabbet Park (Wates) respectively. Has the duty to cooperate process explored the potential of such growth to have strategic implications for infrastructure within Crawley Borough - for example on the strategic road network (see representations from National Highways), secondary education and wastewater treatment capacity? Is there a risk that the submitted Plan for Crawley to 2040 could impede future sustainable patterns of growth ‘At Crawley’ or does the submitted Plan sufficiently countenance this (for example the area of search for the Crawley Western Multi-Modal Link)?</p>	<p>GAL has concerns regarding the area of search for the Crawley Western Link, which will be addressed comprehensively in our response to Matter 10.</p>
Issue 5: Sustainability Appraisal (including Strategic Environmental Assessment)	
<p>1.16 Does the Sustainability Appraisal (SA) (Document KD.SA.01) adequately and reasonably assess the likely effects of the policies and proposals of the Plan against the SA objectives (issues) and test the preferred / selected policy approach against any reasonable alternatives?</p>	<p>The SA has adopted a flawed and biased assessment methodology. Without prejudice to GAL’s comments elsewhere on the status of safeguarding in general, there has been no consideration of other spatial approaches to providing employment land or whether the employment need could be better met on alternative sites.</p> <p>GAL do not consider that CBC has provided any evidence to demonstrate that there is a need for a single large scale allocation of the scale proposed at Gatwick Green. Alternative approaches such as development in neighbouring boroughs/districts, intensification of existing sites, or the provision of a greater number of smaller sites with employment sites in a range of uses have not been adequately considered and assessed. The decision to allocate</p>



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Gatwick Green is based solely on the fact that the site was put forward in the call for sites and CBC's flawed understanding of the impact of the allocation on the southern runway.

Strategic Employment Location (Policies EC1 and EC4) – the assessment overestimates (and hence overscores) the sustainability of the site's location as existing and as it can be improved. It also ignores the inappropriateness of the allocation given that the land is safeguarded for the airport expansion.

The conclusion on this issue fails to take into account the other sites promoted for strategic employment use lying outside of the safeguarded area (such as Jersey Farm Site B (3(i)); Land at Black Corner (11) or East of Brighton Road (14)).

The SA options for Policy GAT 2 rejected the deletion of safeguarded land and also the full protection of the safeguarded area. Instead, a third option was chosen wherein a 44ha site put forward through the call for sites was allocated for strategic employment land provision on the basis of the site promoter and CBC's assumption it is not land required for the delivery of an additional runway and because CBC does not consider the proposed surface parking use to be 'an efficient use' of the land (Submission draft local plan paragraph 10.21). This justification has remained unaltered from the 2021 draft plan notwithstanding the submissions by GAL that the base assumptions were flawed. CBC has produced no evidence to support its position.

On page 399 of Appendix H of the Sustainability Appraisal (Doc. KD/SD/01) criterion '8. Provide Sufficient Infrastructure' assesses the Gatwick Green allocation as having a positive impact, even though it is in the safeguarded land. This is based on assumptions made by CBC that "surface parking does not represent an efficient use of land". This incorrect assumption was made by CBC without seeking any advice or properly engaging with GAL on the appropriateness of their assumption. It disregards the work undertaken as part of the Airport Commission Process, it fails to have regard to the need to provide on-airport parking to meet the needs of the airport and it undermines the airport's ability to expand to meet



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future passenger demand. This matter relating to car parking provision and the masterplan options for the airport will be comprehensively addressed in our responses to Matter 10. Conversely every other site featured in Appendix H of the SA that falls within the safeguarded land when assessed against criterion 8 has been assessed as having a ‘Significant Negative Impact’ on the basis that CBC’s preference is for a large scale employment development (an approach that CBC has not justified with evidence) and secondly that the sites would be in the safeguarded land and among other impacts to the airport “there is risk that the delivery of nationally significant infrastructure, in the form of a southern runway, would be prejudiced were this site to come forward”. GAL strongly support the later part of the SA Assessment under criterion 8 but must question why the importance and significant role of the safeguarded land hasn’t been considered against Gatwick Green. This speaks to an irrational and flawed SA Appraisal assessment.

GAL’s contention is that the SA has not adequately and reasonably assessed the likely effects of the policies and proposals of the Plan against the SA objectives (issues) or tested the preferred / selected policy approach against any reasonable alternatives. In particular, GAL is concerned that:

- 1) Crawley Borough Council has followed a flawed and biased methodology when conducting the Sustainability Appraisal. It does not assess whether the employment land requirement, which is considerably smaller than that in the 2021 Regulation draft plan and which lead to the allocation of Gatwick Green, could be accommodated on other promoted employment sites located outside the safeguarded area (refer to Table 1 below) which when combined exceed the identified need.

Reference*	Site	Size
3B	Jersey Farm B	2.18
8	Land west of Buttermere Close	3.14
9	Land south of Radford Road	0.25
10	Land south of Tinslow Farm	0.82
11	Land at Black Corner	5.45
12	Land SE of Heathy Farm	3.31



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	<table border="1"> <tr> <td data-bbox="788 409 970 477">14</td> <td data-bbox="970 409 1362 477">East of Brighton Road</td> <td data-bbox="1362 409 1519 477">29.0 (est)</td> </tr> <tr> <td data-bbox="788 477 970 510">Total</td> <td data-bbox="970 477 1362 510"></td> <td data-bbox="1362 477 1519 510">44.15</td> </tr> <tr> <td colspan="3" data-bbox="788 510 1519 544">*Topic Paper 5 Figure ii on page 31</td> </tr> </table> <p data-bbox="788 584 1519 748">2) CBC's flawed methodology does not properly assess the impacts of removing Gatwick Green from the safeguarded land and the consequential impacts this will have on national aviation policy and Gatwick Airport Ltd.</p> <p data-bbox="788 786 1519 949">3) The flawed SA Assessment has led to other spatial approaches to employment sites, i.e. outside the safeguarded land, or in neighbouring boroughs/districts, being discounted without proper justification or consideration.</p>	14	East of Brighton Road	29.0 (est)	Total		44.15	*Topic Paper 5 Figure ii on page 31		
14	East of Brighton Road	29.0 (est)								
Total		44.15								
*Topic Paper 5 Figure ii on page 31										
<p>1.17 Does SA adequately record why alternative options have been discounted?</p>	<p>The SA does not adequately record – nor evidence – why alternative options have been discounted. Please refer to our comments in respect of 1.16.</p>									
<p>1.19 Ultimately, does the SA report demonstrate that the submitted plan is justified, in that it comprises an appropriate strategy, having assessed any reasonable alternatives?</p>	<p>The SA fails to demonstrate that the plan is justified. The employment land spatial strategy is unsupported by any evidence that its underlying assumptions are correct and fails to adhere to national policy. Furthermore, there is no evidence as to what alternative employment land allocations were considered, either within the borough or elsewhere. The Gatwick Green site is proposed because it happened to be put forward in response to the call for sites and is not located to the south of the airport on the site proposed for a southern runway, which is perceived by CBC as more desirable to safeguard than land to the east – an assumption unsupported by GAL and unjustified by CBC. Safeguarding land is a national policy and it is not for a local plan to make decisions on extant national policies. Due to the impact of the loss of the Gatwick Green land on the deliverability of the southern runway, the SA cannot demonstrate the plan is justified.</p>									



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Matter 2: Spatial Strategy	
Inspectors' Question	GAL Response
Issue 1: Whether the Spatial Strategy is sound.	
<p>2.4 Gatwick Airport and operational activities in support of the airport is clearly a key part of any spatial strategy for the Borough. In general terms, safeguarded land for the airport (under Policy GAT2) applies to the remaining tracts of undeveloped land within the Borough. If the extent of safeguarded land was not necessary or was not found to be sound as part of this examination, would that necessarily result in a different spatial strategy, especially in terms of options to meeting housing needs? Would it be premature to conclude on that now or are there known principles (such as noise levels) which mean safeguarding has limited bearing on a spatial strategy to meet housing needs in the Borough?</p>	<p>Safeguarding land at Gatwick Airport remains national policy since 2003. This national policy is linked to the national Aviation Strategy which considers the need for additional airport capacity.</p> <p>Appendix 2 provides an overview of relevant national and local policy, guidance and documents relating to the need to continue to safeguard land at Gatwick Airport for a new runway. It is clear from this overview that policy to safeguard land at airports to maintain a supply of land for future national requirements and to ensure that inappropriate developments do not hinder sustainable aviation growth, is a longstanding policy commitment which is supported by Government. Indeed, it is a policy that Crawley BC have themselves adopted and recognised in full within the current, and previous versions of their Local Plan which were found to be sound.</p> <p>It is not for a local plan to undermine or pre-determine any future change to established national aviation policy to protect future airport capacity. It is the duty of CBC to continue to apply this national policy as part of its spatial strategy and to reflect the extent of land that is needed to be safeguarded as set out in the 2019 Gatwick Airport Masterplan as per the advice in the 2003 Air Transport White Paper and the 2013 Aviation Policy Framework (see Appendix 2). It is GAL's position that the extent of the safeguarded land is necessary and cannot be found to be unsound given policy advice for how this should be determined which is via the airport's masterplanning process.</p> <p>It is consequently not for this examination to seek to determine whether safeguarding should be continued or whether parts of the safeguarded land are more important than others.</p> <p>We note the comments in the Inspector's notes of the PINS advisory video conference, 02/04/2020 which stated that: <i>"However, the removal of safeguarding cannot be regarded as certain, nor is any timescale known, partly owing to the current position regarding the Airports National Policy Statement. Also, Gatwick Airport objects to the removal of the safeguarding, and</i></p>



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	<p><i>the Gatwick Airport Masterplan states that it is in the national interest to continue with the strategy of safeguarding.”</i></p> <p>The PINS advice in the note of the advisory video conference, 2 April 2020 (Doc. ID-005a) is that Policy SD3 (of the submission draft local plan January 2020) which promotes an AAP for the development of the safeguarded area for economic, housing and other uses, is consequently “<i>unlikely to be effective</i>”. We consider these circumstances continue to apply and that the same conclusions should be drawn.</p>
Issue 2: Whether the Plan is justified and effective in relation to the prospect of development adjacent to Crawley.	
2.7 Is paragraph 12.23 justified at point (ii) in seeking/requiring the completion of a Western Link prior to the (first) completion of dwellings? Is that supported by the available evidence base?	GAL considers that no evidence has been provided to demonstrate that the full extent (or part) of the relief road is needed prior to completion of dwellings. Full details have been provided in GAL’s representation to Systra/CBC dated 22 November 2022 (which were submitted at Appendix 1 of our representations in June 2023).



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Matter 4: Economic Growth	
Inspectors' Questions	GAL Response
Issue 1: Whether the employment land requirement (Policy EC1) will support sustainable economic growth.	
<p>4.1 Is the employment land requirement identified in the Plan soundly based? Is it consistent with national policy at NPPF paragraphs 81-83 in terms of positively and proactively encouraging sustainable economic growth in the Borough? Does the proposed approach to employment land in the Plan provide the appropriate conditions for businesses to invest, expand and adapt?</p>	<p>GAL considers that the current spatial employment strategy which proposes the allocation of 44ha of employment land at Gatwick Green to meet 13.73ha (as a minimum) need is fundamentally flawed. There is no justification as to why a site of this size is required to meet this level of need.</p> <p>There has been no reassessment of the scale of the allocation following the reduction in the scale of the minimum need from 24.1ha (ref. Policy EC4 of the consultation draft January 2021) to 13.73ha. Nor has there been any consideration as to whether it was possible to meet the reduced need through the allocation of alternative sites.</p> <p>Furthermore, an allocation of this scale risks leading to further uncertainty for the Borough as site promoters will operate on a 'first come, first served' basis to the delivery of employment land, effectively leaving site promoters in a race to get away first. This is not plan making and will lead to speculative developments by site promoters in the borough in order to secure their employment consent. GAL does not consider it sufficient to ask the site promoters of Gatwick Green to demonstrate <i>"through appropriate evidence the justification for any further industrial floorspace beyond this amount"</i>. Further plan making is required to fully understand employment demand in the borough (see response to Question 4.2 below) and devise an employment strategy that can appropriately respond to that demand without creating uncertainty for site promoters, residents and existing business occupiers. Furthermore, GAL do not believe the employment land requirement is sound for the reason given in response to Matter 2. We also note that assumptions regarding access to Gatwick Green by sustainable modes are not yet secured and may not be deliverable.</p>
<p>4.2 Including by reference to PPG paragraphs 2a-026-20190220 and 2a-027-20190220 does the analysis and assessment of employment land required over the plan period take sufficient account of local economic strategies, market demand, the current condition and</p>	<p>PPG 2a-027-20190220 suggests LPAs undertake consultation with relevant organisations. It also states that they should <i>"consider and plan for the implications of alternative economic scenarios."</i></p> <p>GAL's concern is that neither of these have happened</p>



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<p>employment land stock (including losses of employment space to other uses) and local market signals?</p>	<p>sufficiently. CBC took the decision to reduce the Gatwick safeguarded land without properly engaging with GAL and on the basis of a high degree of uncertainty over the amount of employment land that is required. GAL first became aware of the proposal when the submission draft plan was issued for consultation in January 2021.</p> <p>Furthermore, whilst some of the evidence base does consider the Functional Economic Market Area (as per PPG paragraph 2a-026-20190220), it is not clear that the proposed site allocations take sufficient account of the ability to meet demand across the FEMA without resorting to the removal of the Gatwick safeguarding.</p> <p>Specifically in terms of the amount of land needed, and as set out in our previous reps, the plan fails to take into account sufficiently the uncertainty regarding its employment forecasts. It favours the Experian forecasts but acknowledges that the OE ones have historically been more accurate. This has very significant implications because the plan consequently concludes it needs to remove a significant amount of the Gatwick Airport safeguarded land in order to achieve the target.</p>
<p>4.5 Does the Economic Growth Assessment (EGA) evidence inform an appropriate strategy for the Local Plan in terms of looking at both baseline jobs growth and past development rates in terms of the figure of 26.2ha representing a positively prepared approach in planning for sustainable economic growth? The 26.2ha is expressed as a minimum requirement yet the submitted plan does not appear to allocate more than the net 13.73ha needed to achieve 26.2ha over the plan period. Is that correct or does the 44ha Gatwick Green site provide a buffer?</p>	<p>No, it does not form an appropriate strategy for the Local Plan.</p> <p>As we have set out in previous representations, the plan uses the higher of the two employment forecasts in the EGA and on the basis of this, inappropriately seeks development in the Gatwick safeguarded land. The Gatwick Green site cannot and should not provide a buffer as it is in the Gatwick safeguarded land.</p> <p>The requirement for 13.73ha is based on the Experian forecasts of 638 additional jobs per year. The Northern West Sussex Economic Growth Assessment – Supplementary Update for Crawley (January 2023) acknowledges that these are 65% higher than the 413 jobs per year estimated by Oxford Economics (OE). The key difference between the forecasts is that Experian assumes that the recovery from the Covid pandemic would be complete by the end of 2022 whilst OE assumes it will not be until 2025 and that from 2026, the Crawley economy will grow by only 61 jobs per year.</p>



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	<p>Furthermore, as set out in paragraph 2.12 of the January 2023 EGA supplementary update, the OE model produces far more accurate estimates of recent growth.</p> <p>There are also good reasons to think it may produce more accurate estimates of future growth.</p> <p>ONS local level employment data for 2022 is not yet out for Crawley, but across the country as a whole, the economy has yet to return to pre-pandemic levels. Given the importance of Gatwick Airport to the local economy, and that its 2022 passenger numbers were only at 70% of pre-pandemic levels, it is likely that Crawley is further behind the rest of the country. It is therefore more likely that the OE forecasts are correct and that employment growth in Crawley will be significantly lower than in the Experian forecasts which are used as the basis of the forecast employment land requirement.</p> <p>If the OE forecasts are correct, then the level of employment in Crawley outside of the airport will barely increase over its 2019 baseline and the growth between 2021 and 2040 is in fact a consequence of the pandemic recovery – most of it is simply recovering the jobs lost during the pandemic.</p> <p>It therefore follows that, far from being the minimum required, the 13.73ha requirement being used to justify allocating Gatwick Green is likely to be a significant over-estimate of what is needed.</p> <p>By extension, the allocation of 44ha is excessive. There it cannot be argued that EGA has informed an appropriate strategy. This is especially true because the land is safeguarded by a national policy protection.</p>
<p>4.6 Does the latest Economic Growth Assessment (EGA) Supplementary Update for Crawley 2023 potentially underplay the likely demand for additional employment land over the plan period by: (i) extrapolating growth from 2011-21 which would include an element of suppression during the Covid-19 pandemic; and (ii) factoring-in past constraints in land supply in the Borough?</p>	<p>No. The EGA actually draws on data from 2009 onwards, so the starting point is also during a recession (the one following the global financial crisis). As set out elsewhere, our concern is that the EGA may overstate demand by using the Experian numbers rather than those of Oxford Economics (which have better alignment on historic growth).</p>



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<p>4.7 Is the interpretation of the economic land forecasts in the EGA, and as explained in Topic Paper No.5, reasonable and reliable?</p>	<p>No – for the reasons set out in our response to Q.4.5</p>
<p>4.9 The NPPF refers to flexibility and often an element of ‘buffer’ is built into employment land requirements. Is the proposed 10% buffer in the EGA justified in light of the circumstances in Crawley including potentially past constraints in supply and any trends in replacement / loss of existing stock?</p>	<p>The EGA contains two 10% buffers – 20% in total – one for vacancy rates and one for “<i>such factors as delays in development sites coming forward, replacement of some ongoing losses of employment space during the Local Plan period, and other relevant factors in the local market</i>” (Paragraph 2.40 of the January 2023 supplement EGSM/EG/05).</p> <p>The evidence of the 2020 Northwestern West Sussex EGA is that the loss of floorspace was significantly lower than 10% over nearly 20 years:</p> <p>Paragraph 6.3 reports the net losses:</p> <p><i>“From 2001 to 2019, the stock of industrial and office floorspace in Crawley decreased by 23,000 sqm and 16,000 sqm respectively (-3.3% and -4.3% respectively).”</i></p> <p>These average out at 3.7% for all floorspace. The EGA then contrasts this with CBC’s Annual Monitoring Report (AMRs) data which it then uses to provide alternative estimates of gains and losses in floorspace. There is no justification for why the CBC data would be more accurate than the VOA data over such a long period of time (although they use different time periods).</p> <p>Even if the CBC data are more accurate, it is not clear that the 10% buffer is justified. The last four AMRs show a gross loss of only 264sqm of industrial floorspace, meaning total losses since 2011 are also under 10%.</p> <p>This suggests that the 10% buffer for “other factors” is significantly higher than is needed.</p>
<p>4.11 Is it necessary for soundness to increase the employment land requirement in Crawley to ensure there is a strong, competitive economy over the plan period? If so, what would be a reasonable, alternative figure and could that be accommodated within the Borough under the current safeguarding</p>	<p>For the reasons set out above (including the response at Q1.16 in respect of availability of employment land outside the safeguarded land) and our previous representations submitted in June 2021, GAL does not consider that any employment land can soundly be allocated in the safeguarded area and so CBC needs to consider alternative options to meet the minimum</p>

<p>regime for Gatwick?</p>	<p>13.73ha need or any higher figure without impinging on the safeguarded land.</p> <p>As also set out, we do not consider that the proposed requirement figure can be soundly accommodated (at Gatwick Green) under the current safeguarding regime.</p>
<p>Issue 2: Whether the approach to the Main Employment Areas, including Manor Royal, is sound.</p>	
<p>4.12 Are the main employment areas identified under Policy EC2 soundly based?</p>	<p>GAL's objections are specific to Gatwick Green.</p>
<p>4.13 Having regard to NPPF paragraphs 82 and 122, does Policy EC2 provide sufficient flexibility to respond to changes in economic circumstances?</p>	<p>As noted at response 4.5 and 4.9, GAL consider that CBC has opted to provide employment land at the upper end of the identified range and that this in itself could lead to uncertainty as developers race to get their sites developed noting that oversupply can have its own economic disbenefits. This could be compounded by any future economic shocks or uncertainty. While GAL appreciate that flexibility is required is it not considered that leaving Gatwick Green in a position where they can grow in an unconstrained way is responsible or represents proper plan making. There is no indication in Policy EC4 what evidence would constitute a justification for Gatwick Green to expand beyond the proposed 13.73ha and GAL does not consider that the decision to expand employment land should be in the hands of one developer.</p>
<p>4.14 Is the identification of Lowfield Heath in Policy EC2 justified, including, amongst other things by reference to its location within safeguarded land for Gatwick Airport? Would it be necessary for soundness to clarify the type of development that may be compatible with Lowfield Heath's location in a safeguarded area?</p>	<p>Lowfield Heath lies wholly within the safeguarded area. The supporting text at para. 9.39 cross-references Policy GAT2 but it is considered necessary for this cross-reference to be included within the policy text itself to make clear that the allocation is qualified. It is suggested that "(subject to Policy GAT2)" be inserted into the policy after Lowfield Heath. GAL consider that there would be more certainty if the two policies were cross-referenced.</p>
<p>4.15 As part of the assessment of the capacity within the Borough for new homes, has appropriate consideration been given to potential intensification of employment areas for mixed use or alternative forms of employment provision which could create some capacity for additional housing? Does</p>	<p>GAL would not object to the principle of the mixed-use intensification of employment areas to create additional housing capacity but subject to safeguards to ensure that noise sensitive uses are not introduced in locations which exceed agreed aircraft noise thresholds. Additionally, the residential accommodation should not impact on the ability of the</p>



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<p>the plan-wide viability evidence indicate whether such an approach would be effective?</p>	<p>employment area to continue to operate and develop in accordance with its primary employment function.</p>
<p>Issue 3: Whether the approach to the Strategic Employment Location at Gatwick Green (Policy EC4) is sound.</p>	
<p>4.18 Having regard to safeguarded land for Gatwick Airport, master-planning for Gatwick Airport, land ownerships and the need to achieve safe and suitable access to the highway network, is the proposed Gatwick Green allocation deliverable and capable of meeting employment needs in the Borough during the plan period?</p>	<p>Gatwick Green proposals are not deliverable with regard to safeguarded land and are inconsistent with access requirements for the 2019 Gatwick Airport Masterplan. We provided more detail on this matter in Annex 3 to our representations to the Regulation 19 Consultation in June 2021 and, for convenience, have appended those representations hereto as Appendix 5.</p> <p>CBC has failed to properly engage with GAL on the optioneering process that took place to develop the 2019 masterplan and determine the infrastructure requirements associated with a southern wide spaced runway at Gatwick Airport. This includes the need for any future southern runway to provide a new terminal, the re-provision of car parking that would be lost to the west of the airport and the provision of new on-site car parking to meet future passenger demand. There is also a failure to understand the need to provide highways infrastructure and this will be explored in detail in our responses to Matter 10.</p>
<p>4.20 Would Gatwick Green hinder sustainable aviation growth as envisaged in the Government's Draft Aviation Strategy to 2050 (2018)?</p>	<p>Gatwick Green would hinder sustainable aviation growth by undermining the ability for it to be delivered at Gatwick. Such growth needs to be undertaken in conjunction with an existing airport and the Gatwick Airport Masterplan 2019 has already demonstrated a credible solution at this location. Furthermore, the removal of Gatwick Green from the safeguarded land would give rise to additional costs and added complexity of delivery for a full wide spaced southern runway at Gatwick Airport, including the need to exercise CPO powers. Should the airport be in a position where it would have to deliver expansion on a smaller site this would lead to less sustainable development as the construction and operational cost of providing multi storey car parks (including lighting the public areas) would be higher than surface parking (as proposed in the masterplan). It would also likely have a greater landscape and visual impact and it would be more difficult to soften these impacts compared to surface parking.</p> <p>CBC has made flawed assumptions regarding the design and operational viability of different car parking</p>



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	<p>solutions for land East of Balcombe Road. This area was designated in the Gatwick Masterplan for long stay surface parking given its distance from the airport terminals. The required capacity cannot be re-provided through multi-storey car parking in a way that is either affordable and attractive for passengers or operationally and commercially viable for GAL should large areas be allocated for Gatwick Green.</p>
<p>4.21 What engagement has there been during the preparation of the Plan with Gatwick Airport on the implications of Gatwick Green and the assessment that long-stay surface parking would not be an efficient use of the land?</p>	<p>There has been no engagement by CBC with GAL on the implications of Gatwick Green and the land use requirements for the area East of Balcombe Road in connection with the construction of the southern runway.</p> <p>We are unaware of any technical design exercise undertaken by or on behalf of CBC to test their core assumption that GAL could accommodate airport parking more efficiently.</p> <p>In GAL's response to the 2021 Reg 19 consultation, an analysis of the impact on car parking was submitted which demonstrated 3 points:</p> <ul style="list-style-type: none">(i) The development of Gatwick Green would mean that the remaining land was too fractured and small to meet the parking requirements of the expanded airport at surface and decked levels;(ii) That the remaining land is not suitable for multi-storey car parks meaning even higher density MSCPs would be required, which are not viable for long-term parking;(iii) Gatwick Green disconnects the primary high-capacity vehicular access from the remaining safeguarded land east of the A23 and creates segregation between the remaining parcels of land for parking.
<p>4.22 Is the extent / shape of the allocation justified and would it result in a coherent development site in terms of securing high quality design, strategic landscaping and integrated connectivity within the wider site but also to adjoining land uses?</p>	<p>The extent of the allocation is not justified, for the reasons set out in response to earlier questions. The size and shape of the development is inconsistent with the Gatwick Masterplan and safeguarding designation. It would severely impact proposed airport development and access to essential airport infrastructure to/from the east. This will be explored in more detail at Matter 10.</p>



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<p>4.23 Is the net developable area of 13.73ha justified within the context of the overall scale of the allocation? Is it effective to express the 13.73ha as a minimum but to subsequently require additional employment proposals beyond 13.73ha to be supported by appropriate evidence?</p>	<p>GAL objects in principle to any allocation of land within the safeguarded area.</p> <p>Furthermore, it is the overall scale of the allocation which is not justified by the evidence base.</p>
<p>4.24 What would be the consequences of reducing the Gatwick Green allocation to more closely align with the net employment land requirement (13.73ha)?</p>	<p>The consequences for Gatwick Masterplan access and parking would remain.</p> <p>Any loss of safeguarded land would undermine the delivery of the additional capacity arising from a new southern runway.</p>
<p>4.25 Is Gatwick Green sustainably located in terms of modal shift for prospective employees and connectivity by means other than private car? Are the policy requirements at criteria (f) and (g) of Policy EC4 feasible?</p>	<p>Proposals for sustainable access are not agreed with GAL and our concerns about assumed traffic generation and deliverability of sustainable access at Gatwick Green, which would impact airport operations, remain from GAL’s response to the Regulation 19 consultation in 2021 (refer to Annex 3 of that submission which is attached hereto as Appendix 5).</p>
<p>4.26 Is the Gatwick Green allocation underpinned by an evidence base, proportionate to plan-making, that the site can come forward (for predominantly warehouse/logistic uses) without causing unacceptable impact on highway safety, or that residual cumulative impacts on the road network would not be severe? Does the transport modelling for the Plan demonstrate that the allocation is deliverable?</p>	<p>Refer to Annex 3 to GAL’s response to the Regulation 19 consultation in 2021 (copy attached hereto) raising questions about the transport modelling which sets out the basis for our concerns as to whether the Crawley Transport Study is testing the full effects of the Draft Local Plan development local to Gatwick Airport, or whether the policy reflects the quantum and limitations in the development uses considered; the junction capacity of the local network and whether any account of Gatwick Airport passenger growth with the existing runway has been accounted for in the assessment and therefore whether the Draft Local Plan highway impacts are fully understood.</p>
<p>4.27 How will the allocation be accessed and ultimately how will goods vehicles connect to the strategic road network? Is the allocation dependent on any significant highway works in order to ultimately connect to the strategic road network? If so, is this viable? Will the proposed criteria on movement and accessibility in Policy EC4 be effective in managing access to the site and implications for the highway network?</p>	<p>GAL considers mitigation for access to be inadequate, as previously presented in Annex 3 to GAL’s response to the Regulation 19 consultation in 2021 (which is attached hereto as Appendix 5) which have not been addressed.</p>
<p>4.28 If the allocation is found sound and the plan adopted in 2024, when would a first</p>	<p>Gatwick Green requires substantial highway improvements before it can be brought on stream.</p>



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<p>development likely be completed on the Gatwick Green site? Is the Employment Land Trajectory within the Plan soundly based and reflective of the evidence for Policy EC4? Could the allocation come forward within the early part of the plan period to promptly respond to demand for employment land? If Gatwick Green fails to come forward in a timely manner what are the contingencies/buffers to ensure demand for new employment premises and land is met? Would the fall back be a review of the Plan? Would that be sound given the NPPF position on flexibility?</p>	<p>These will need to be designed so as not to impair the access to the retained safeguarded land. GAL consider it unlikely employment accommodation will become available in the early part of the plan period.</p>
<p>4.29 Is the extent of safeguarded land around the Gatwick Green site justified having regard to the Airport Masterplan and the need to deliver access improvements to the Gatwick Green site?</p>	<p>The loss of the Gatwick Green site will have significant impacts on the ability for GAL to deliver access and supporting infrastructure essential to the Gatwick Southern runway. The Airports Commission Report 2015 identifies Gatwick’s southern runway as one of the preferred options for future growth and its shortlisting was subject to a detailed tender process where GAL undertook extensive optioneering and consideration of the available master planning options. GAL consider that there is no credible justification given for the de-designation of safeguarded land in the face of extant government policy that supports the retention of the safeguarded land.</p>
<p>4.31 Were any alternative reasonable options to Gatwick Green assessed as part of the SA?</p>	<p>No other Strategic Employment Land (SEL) options were considered except for Gatwick Green. Furthermore, no proper consideration was given to whether the 13.73ha could be delivered without a SEL option (such as through the intensification of existing sites or through the allocation of several smaller sites). The approach of CBC did not change notwithstanding the identified minimum need falling from 24.1ha in the 2021 Regulation 19 consultation to 13.73ha in the 2023 Regulation 19 consultation.</p> <p>The SA also fails to undertake a comparative assessment of the value of land designated for one purpose against the relative merits of it being allocated for SEL.</p>
<p>4.32 Has the duty to cooperate considered any alternative strategy to employment land provision were Gatwick Green not found sound? Has the option of looking beyond the Borough’s boundaries for employment land</p>	<p>GAL has concerns as to whether the duty to cooperate has been satisfied in respect of CBC's approach to employment land need.</p> <p>Whilst CBC engaged with neighbouring authorities in</p>



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<p>been appropriately tested in SA as alternative option 2 for Policy EC1?</p>	<p>January 2020 in respect of its unmet employment land need, its approach at this stage was to designate land within the Gatwick safeguarding land to assess the needs for future growth and operational needs of the airport alongside other development needs arising in Crawley. The effect of this statement was to illustrate to the neighbouring authorities that CBC would be in a position to meet this need (and we note this position was reflected in a number of neighbouring authorities' responses). As a result, it did not amount to proper constructive engagement with neighbouring authorities in respect of unmet employment need and therefore the duty to co-operate in this respect is not met.</p> <p>CBC re-engaged with neighbouring authorities in April 2023 but did not mention any unmet employment land at all. As a result, GAL considers that no alternative strategy to employment land provision has been properly considered and by virtue of CBC failing to constructively engage with neighbouring authorities to test alternative provision of employment land beyond the Borough's boundary, the duty to co-operate has not been met.</p>
<p>Issue 4: Whether the plan would provide a sound basis for supporting a diverse economy in the borough.</p>	
<p>4.33 Is Policy EC5 on employment and skills development justified and viable? Is there potential flexibility in how the objective of the policy could be secured, for example means other than a financial contribution as set out at part ii) of the policy? Is it intended that major developments would have to comply with both criteria (i) and (ii)?</p>	<p>The accompanying guidance to the policy - Crawley employment and skills programme 2019 to 2024.pdf - does not suggest that there is flexibility in how the objective could be secured. This needs to be written into the policy. Some major developments will have pre-existing activities that they should be allowed to continue in lieu of a financial contribution.</p> <p>There is also an error in the formula for commercial development. The Council's aim is to target the share of workers at a major development who live in Crawley so it is the employment self-containment rate that should be used, not the resident self-containment rate. To explain, there are 100,000 jobs in Crawley and 36,500 (36.5%) are filled by Crawley residents. If a new major development creates 1,000 jobs, 365 of them would go to Crawley residents. This should be the definition of "c" in Box 5 of the Planning Obligations Annex, not 65.7% as stated.</p>
<p>4.34 Is Policy EC7 justified and consistent with national policy in identifying Gatwick Airport as a location for hotel and visitor accommodation</p>	<p>Policy EC7 correctly recognises that the airport generates a need for hotel and visitor accommodation and rightly exempts it from the sequential test. This is</p>



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<p>such that proposals at this location would not be subject to a demonstration of need or a sequential approach?</p>	<p>a sustainable solution as the airport is accessible and there is a need for accommodation in close proximity which reduces the length of trips between the airport and the accommodation, making it more likely they will be undertaken by non-car modes.</p> <p>Research undertaken for GAL shows there are 22 hotels on or near the airport (and linked directly by e.g. shuttle bus) and 85% of demand is directly airport-related. This is not sufficient to meet current demand which then spills over into places that are further afield.</p>
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Matter 5: Gatwick Airport	
Inspectors' Questions	GAL Response
Issue 1: Whether the overall approach to Gatwick Airport is justified, effective and positively prepared.	
5.1 Is the airport boundary, as a planning policy designation for the purposes of implementing Policies EC1, EC2 and EC7 and Policies GAT1-4, soundly based?	<p>The Airport boundary as shown on the submitted Policies Map is rolled forward from the existing local plan but ignores the changes to the airport boundary recommended in paragraph 2.3.6 of the 2019 Gatwick Airport Masterplan (see Plan 4 in the 2019 Masterplan) (Examination Library Reference EGSM/GA/06).</p> <p>The airport boundary in the Masterplan is defined by the land which is owned by GAL. It also includes some additional parcels of land which are not owned by GAL, or which are GAL-owned but subject to long-term lease agreements, which are used for airport-related purposes. The Masterplan recommends that the revised airport boundary represented in Plan 4 is adopted by other organisations wanting to illustrate the perimeter of the airport.</p> <p>It is this boundary which is used in the May 2022 Section 106 agreement between GAL, CBC and West Sussex County Council to support the growth of the airport whilst minimising, so far as possible, its short and longer-term environmental impacts; and maintaining and enhancing the ways in which the parties to the Agreement share information and work together and with other stakeholders to bring significant benefits to the Airport and the communities it serves and affects.</p> <p>It is considered that the airport boundary in the local plan and Policies Map should mirror that shown on Plan 4 in the 2019 Gatwick Airport Masterplan to align with the objectives of the May 2022 Section 106 agreement and the policy objectives of Policy GAT1.</p> <p>The purpose of the masterplan is to bring stakeholders up to date with GAL's thinking on how it sees Gatwick developing alongside its Capital Investment Programme and to explain how the airport can meet the growing demand for air travel by aligning with Government policy of making best use of existing runways and providing Britain with enhanced global connectivity delivering more flights to more destinations. Airport operators are recommended to</p>



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	<p>maintain a masterplan document detailing development proposals. Whilst an airport masterplan does not have development plan status, the level of detail contained within it is essential to inform the content of Local Plans coming forward. The Local Plan has not been prepared on the basis of fully recognising the 2019 Gatwick Airport Masterplan (see Appendix 2).</p> <p>CBC's concern that the inclusion of the omitted areas could be used for other airport related purposes is not accepted. Policy GAT1 affords CBC the ability to control development within the airport boundary so that only development that contributes to the safe, secure and efficient operation of the airport will be permitted alongside the other conditions stipulated in Policy GAT1 (ii. to v.)</p>
<p>5.2 Is Policy GAT1 sound in terms of dealing with growth of the Airport in the context of a single runway and its approach to securing sustainable growth of aviation including avoiding / minimising adverse impacts and securing appropriate mitigation?</p>	<p>Policy GAT1 is sound in dealing with growth of the airport based on a single runway operation subject to the amendments GAL has proposed. In the event the NRP DCO is approved, GAL considers that the Local Plan will need to be reviewed and a new standalone policy should be introduced that sets out the review mechanism that will be adopted.</p>
<p>5.3 Is the final paragraph of GAT1 a sound approach given the current situation of this plan examination occurring in parallel with a Development Consent Order (DCO) application for a major project envisaged in the 2019 Gatwick Airport Master Plan?</p>	<p>The final paragraph relates to the existing airport situation and as such remains relevant at the current time and until such time that the NRP DCO is determined, subject to the amendment GAL has proposed. See also our response to 5.2.</p>
<p>5.4 Can Policy GAT1 be found sound in advance of the outcome of the DCO process and the implications, if the project receives consent, dealt with as part of any subsequent plan review?</p>	<p>Policy GAT1 is sound in dealing with the existing airport situation subject to the amendments GAL has proposed. In the event the DCO is approved, the Local Plan will need to be reviewed and a new standalone policy to this effect should be introduced. See response to 5.2.</p>
<p>5.5 Without prejudice to the Borough Council's position on the DCO project, has there been sufficient foresight during the preparation of this Plan in respect of the DCO project, for example transport modelling and in the SA, that appropriately considers any in-combination impacts? Is there any reason to delay adoption of the Local Plan pending the outcome of the DCO process?</p>	<p>There is no reason to delay adoption of the Local Plan pending the outcome of the DCO process provided the Local Plan includes a standalone policy that sets out how the Council will properly plan for a response to the DCO decision. See our response to 5.2.</p>
<p>5.6 What are the infrastructure considerations should Gatwick Airport continue to expand</p>	<p>We append to this submission (as Appendix 1) Chapter 4 of the Northern Runway Project (NRP) DCO</p>



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<p>using its current single runway model?</p>	<p>Environmental Statement which sets out the baseline position for the growth of the airport without the NRP.</p> <p>Section 4.3 (Existing Site and Operation) sets out how passenger and cargo throughput at Gatwick Airport is predicted to change in the future if it continues to operate as a single runway airport. It is forecast that by 2047, the existing Gatwick runway usage will have increased to:</p> <p>Total passengers: 67.2 million Commercial ATMs: 326,000 Non-commercial ATMs: 2,000 Total Cargo: 290,000 tonnes</p> <p>The additional passenger numbers and cargo tonnage will be accommodated through a range of infrastructure upgrades which are presently planned or under implementation within the existing airport boundary and off-airport highway works (local widening on the junction entry/exit lanes for both the North Terminal and South Terminal roundabouts, together with signalisation of the roundabouts and provision of enhanced signage) which are expected to be undertaken in collaboration with National Highways and which are expected to be complete by 2029. Improvements to the Railway station are underway and are expected to complete this year (see Section 4.4 of Chapter 4 of the NRP ES). These infrastructure upgrades will proceed in the absence of the NRP.</p>
<p>5.7 Is the approach in criterion ii) of Policy GAT1 an effective mechanism to assess proposals within the airport boundary? Does it allow for a balancing exercise that would take into account any positive benefits?</p>	<p>As drafted, Policy GAT 1 does not allow for a balancing exercise and so is not an effective mechanism for assessing proposals within the airport boundary. GAL has proposed amendments which are considered necessary to make the policy effective.</p>
<p>5.8 What does compensation in part ii) of Policy GAT1 refer to in the context of planning and land use considerations?</p>	<p>It is not appropriate to refer to 'compensation' in the policy as it confuses mitigation with financial compensation available through other mechanisms.</p>
<p>5.9 Would it be necessary for plan soundness to amend part iii) of Policy GAT1 to replace 'like for like' compensation with 'fair' compensation in relation to biodiversity?</p>	<p>GAL consider that this policy should not seek to impose different criteria to any Defra guidance or equivalent national policy or guidance that is published at the time of the determination of any application. CBC should not be tabling their own interpretation of 'fair' or 'like for like' mitigation as it may not be relevant or applicable in future.</p>
<p>5.10 How has the transport assessment work</p>	<p>Insufficient information has been provided to show</p>



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<p>for the Local Plan, including the sensitivity testing (documents at ES/ST/01w) dealt with Gatwick Airport in the context of Policy GAT1, particularly in terms of potential cumulative impacts? Has the additional sensitivity testing work involved the input of West Sussex County Council and National Highways? Is there any consensus or common ground that the plan as submitted remains sound in terms of transport impacts and infrastructure or are potential main modifications required?</p>	<p>how growth of Gatwick with a single runway has been adequately assessed. There is no reference to Gatwick’s growth in either the Crawley Transport Model Local Model Forecasting Report or the list of development assumptions. The effect of excluding Gatwick growth (or failing to represent it correctly) would be to underestimate the cumulative impacts of the local plan growth (for example Gatwick Green) with the additional airport trips, which should be assumed under permitted (and published) growth. Therefore, some of the assessments on which their statements about mitigating schemes are based may be incorrect.</p>
<p>5.14 What is the role of the Gatwick Airport Supplementary Planning Document (SPD) and what will an update to the SPD do in terms of supporting the implementation of the submitted Local Plan policies?</p>	<p>The Gatwick Airport SPD (2008) is a very dated document produced in support of an older version of the Local Plan which only assumes a 40mppa throughput. It has little weight given the that the airport currently operates above 40mppa (Gatwick Airport’s peak year in 2019 reached 48 mppa); that there have been changes in national and local planning policies that have happened since its adoption; and the growth proposals set out in the 2019 Gatwick Airport Masterplan and updated Section 106 obligations that apply in relation to the airport and its operation. Any update to the SPD will need to set out additional detail on the way in which the Council will implement Polices GAT1-4 in dealing with planning applications and other planning matters at the airport. It should also give guidance on the Council’s approach to the 2019 Gatwick Airport Masterplan. It is noted that the 2008 SPD states that it might need to be reviewed if the 40mppa capacity is exceeded.</p>
<p>5.15 Gatwick Airport have raised various comments regarding the need to amend supporting text to Policy DD5 (Aerodrome Safeguarding) for factual / technical accuracy reasons. Is there agreement that the modifications presented in document CBLP07 would address the concerns and these are not necessarily main modifications needed for plan soundness?</p>	<p>GAL agree that the modifications presented in document CBLP07 would address their concerns and that these are not main modifications.</p>
<p>Issue 2: Whether the approach to safeguarded land at Policy GAT2 is soundly based.</p>	
<p>5.16 What did the initial testing of options for Gatwick safeguarding at Regulation 18 reveal in terms of the approach to be taken in the local plan? How have matters evolved through the successive rounds of Regulation 19?</p>	<p>GAL have not been involved in any discussions with CBC in respect of safeguarded land in connection with Reg. 18 or any of the Reg. 19 consultations.</p> <p>GAL responded to the Reg 18 Consultation in 2019 setting out, with reference to the 2019 Gatwick Airport</p>



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Masterplan, the intention to bring forward a DCO application to enable the routine use of the existing northern runway during the early years of the new Local Plan. It is also identified the potential for an additional wide-spaced runway and associated infrastructure to the south of the current airport boundary to come forward during the lifetime of the Plan period.

GAL responded to the Reg 19 Consultation in 2020 reiterating the intention to bring forward a DCO application and the potential for an additional wide-spaced runway and associated infrastructure to the south of the current airport boundary to come forward during the lifetime of the Plan period.

GAL set out its position that it is imperative that the Local Plan continues to safeguard the land around the airport for such potential future airport expansion. Furthermore, this requirement to safeguard land is clearly laid down in existing national policy. The designation of the North Crawley Area Action Plan on land which is currently safeguarded for potential future airport expansion was considered to make the plan unsound.

This position appeared to be accepted by PINS at the advisory conference in April 2020 (see Note of the Advisory Conference dated April 2020) (Doc. ID-005a).

GAL has subsequently objected to the Gatwick Green allocation in 2021 and 2023 consultations on the basis that the allocation would:

- Prejudice safeguarded land;
- The scale of the allocation is not justified;
- It will prejudice the delivery of a full wide spaced second runway;
- There has been no assessment whether the employment land requirement could be met elsewhere;
- The allocation cannot be accessed without severe detriment to the highway network.

GAL also submitted technical appendices in support of their case at this time.



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	<p>CBC have subsequently not chosen to either amend their policy approach or to engage with GAL on this issue despite the position on safeguarded land not having changed.</p> <p>In accordance with paragraph 5.4.12 of the 2019 Gatwick Airport Masterplan, the boundary for the additional runway on the Policies Map should be modified to reflect the boundary shown on Plan 21 of that document.</p>
<p>5.17 Is there the robust evidence, as required by NPPF paragraph 106, to support the extent of safeguarded land under Policy GAT2?</p>	<p>Safeguarding land at Gatwick Airport for a new runway remains national policy (see the response to Matter 2.4 above and the overview on national policy on safeguarding land at airports as set out in Appendix 2). National policy continues to support safeguarding to maintain a supply of land for future national requirements and to ensure that inappropriate developments do not hinder sustainable aviation growth.</p> <p>The extent of land that is needed to be safeguarded is set out in the 2019 Gatwick Airport Masterplan. The advice in the 2003 Air Transport White Paper and the 2013 Aviation Policy Framework (see Appendix 2) is that it is for airport masterplans to address safeguarding and the long-term land requirements for future airport development and whether this requires a change to airport boundaries.</p> <p>Paragraph 5.4.12 of the 2019 Gatwick Airport Masterplan explains that the area of land currently safeguarded for the additional runway was based on a much earlier scheme developed by the previous airport owners, BAA. This currently safeguarded area (the 2005 boundary – hatched orange) is illustrated in Plan 21 in the 2019 Gatwick Masterplan. In developing proposals for the Airports Commission, GAL sought to contain the development within this land boundary wherever possible. However, to meet operational requirements, GAL found it necessary to make some adjustments to this boundary (the 2014 adjusted boundary – outlined in blue) including to allow for highways improvements, safeguarding land for the River Mole diversion and to reflect aerodrome safeguarding requirements (Obstacle Limitation Surface). The adjusted safeguarded land boundary for</p>



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	<p>the additional runway is also shown – outlined in blue – in Plan 21. GAL recommend that the area safeguarded for the additional runway by the Local Planning Authorities, is modified to conform to this latest 2014 boundary that was consulted on in 2018 as part of the preparations of the 2019 Gatwick Airport Masterplan.</p> <p>The Airports Commission Final Report (July 2015) included its recommendations for expanding UK aviation capacity and its assessment of the shortlisted options. A new full-length runway to the south of and running parallel to the existing runway at Gatwick Airport was one of the three shortlisted options. It is clear from the Airports Commissions Final Report that the new runway at Gatwick is a credible option for providing additional airport capacity in the UK. Paragraph 12.36 of the report stated that <i>“when all objectives are taken into account, it is clear that the differentiating factors between the Gatwick Airport Second Runway and Heathrow Airport Northwest Runway schemes [the recommended option] are small, though the latter might be said to perform slightly better, owing to its greater flexibility and resilience”</i>. In a letter from Sir Howard Davies (Chair of the Airports Commission) to Gatwick Airport Chairman Sir Roy McNulty in July 2015, it was stated that the Airports Commission found the Gatwick scheme to be plausible, financeable and deliverable.</p> <p>CBC has been selective in its approach to including development land within the safeguarded land at Gatwick without the provision of any technical analysis or evidence to support its stance and with disregard to what is said in the 2019 Gatwick Airport Masterplan regarding changes to the safeguarded land boundary.</p>
<p>5.18 The Gatwick Airport Masterplan 2019 states that the airport is no longer actively pursuing a scenario for plans for an additional southern runway, but a future possibility remains to build and operate one. Is a precautionary approach to safeguarding justified given the current lack of certainty on a potential future second wide-spaced runway?</p>	<p>The 2019 Gatwick Airport Masterplan sets out GAL’s intention to bring forward a DCO application to enable the routine use of the existing northern runway during the early years of the new Local Plan. It is also identifies the potential for an additional wide-spaced runway and associated infrastructure to the south of the current airport boundary to come forward during the lifetime of the Plan period.</p> <p>The phrase <i>“...is no longer actively pursuing...”</i> should not be interpreted as meaning that the southern</p>



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	<p>runway proposals have been abandoned or that safeguarding should be seen only as a precautionary approach. That is not the case.</p> <p>GAL's position is that it is imperative that the Local Plan continues to safeguard the land around the airport for such potential future airport expansion for the reasons set out in our response to Matter 2.4.</p> <p>The policy to safeguard land at Gatwick Airport is clearly established in national policy and has remained unchanged since 2003 and which has been previously accepted by CBC as set out in its currently adopted Local Plan and previous versions of their Local Plans – which have been found to be sound. This position appeared to be accepted by PINS at the advisory conference in April 2020 (see Note of the Advisory Conference dated April 2020) (Doc. ID-005a).</p> <p>For the reasons set out in the response to Matter 2.4, it is not for the Local Plan examination process to question the justification for the safeguarding approach, be it precautionary or otherwise or the extent of land to be safeguarded.</p> <p>The 2019 Gatwick Airport Masterplan states that Gatwick believes it is in the national interest to continue safeguarding land for future airport expansion from incompatible development as a 'future-proofing' step. Such an approach is in line with Government policy, in particular the requirements of paragraphs 106(c) and 106(e) of the 2023 NPPF, and is consistent with the approach other airports and local authorities have taken with respect to including policies in their Local Plans to safeguarding land for future airport expansion (for example, the City of Edinburgh Council with respect to Edinburgh Airport).</p> <p>If the Local Plan does not continue to properly safeguard such land, it would be inconsistent with national policy and be unsound.</p>
<p>5.19 Is the 2019 Gatwick Airport Masterplan the core of the robust evidence that supports maintaining the safeguarded land designation, in the terms sought by NPPF paragraph 106?</p>	<p>Please see the response to Matters 2.4, 5.17 and 5.18 above.</p> <p>Safeguarding land at Gatwick Airport remains national policy since 2003. This national policy is linked to the national Aviation Strategy which considers the need for additional airport capacity.</p> <p>Appendix 2 provides an overview of relevant national and local policy, guidance and documents relating to</p>



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	<p>the need to continue to safeguard land at Gatwick Airport for a new runway. It is clear from this overview that policy to safeguard land at airports to maintain a supply of land for future national requirements and to ensure that inappropriate developments do not hinder sustainable aviation growth, is a longstanding policy commitment which is supported by Government. Indeed, it is a policy that Crawley BC have themselves adopted and recognised in full within the current, and previous versions of their Local Plan which were found to be sound.</p> <p>It is not for a local plan to undermine or pre-determine any future change to established national aviation policy to protect future airport capacity. It is the duty of CBC to continue to apply this national policy as part of its spatial strategy and to reflect the extent of land that is needed to be safeguarded as set out in the 2019 Gatwick Airport Masterplan as per the advice in the 2003 Air Transport White Paper and the 2013 Aviation Policy Framework (see Appendix 2). It is GAL's position that the extent of the safeguarded land is necessary and cannot be found to be unsound given policy advice for how this should be determined which is via the airport's masterplanning process.</p>
<p>5.20 Do the Airports National Policy Statement (ANPS) and the 2020 Supreme Court decision in respect of Heathrow provide a level of evidence to indicate that safeguarding is no longer required for Gatwick?</p>	<p>No, neither the ANPS nor the Supreme Court decision indicate that safeguarding is no longer required for Gatwick. Safeguarding land at Gatwick Airport for a new runway remains national policy.</p> <p>Until there is any change to the national policy to safeguard land at Gatwick Airport, it is necessary, and in the national interest, to continue to safeguard land at the airport for a new runway plus the associated essential infrastructure. The principle of safeguarding land is accepted by CBC: see draft Policy GAT2.</p>
<p>5.21 Would plan review be the appropriate mechanism to consider the necessity for continued safeguarding? What would be the likely trigger in relation to Gatwick and safeguarded land to prompt a plan review? Is the outcome of the National Infrastructure Commission work on airport capacity the source that would potentially provide the necessary certainty?</p>	<p>Safeguarding land at Gatwick Airport for a new runway remains national policy (see response above to Matter 2.4 and Appendix 2). It is not until there is a clear change in national aviation policy for there to be any justification for a review of land safeguarded at Gatwick Airport within local policy documents. It is not possible to anticipate how any such change in national policy would be communicated.</p> <p>The identification of the safeguarded land in the 2019 Gatwick Airport Masterplan was based on detailed</p>



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	<p>work undertaken for the Airports Commission Process (during 2013 – 2015), with the Masterplan itself being subject to public consultation in late 2018. The work during the Airports Commission process resulted in adjustments and some boundary changes to the area previously safeguarded for a proposed additional runway to the south of the airport (with such original safeguarded area having been recognised in Policy GAT2 of the current adopted CBC Local Plan 2015 and based on the original requirement to safeguard land contained in the 2003 Air Transport White Paper).</p> <p>The detailed design work during the Airports Commission process (see response to Matter 5.17 above) shows that this revised safeguarded area is the minimum amount of land required to develop and operate any future additional runway scheme and was recognised by the Airport Commission as being “a credible option for expansion, capable of delivering valuable enhancements to the UK’s aviation capacity and connectivity”. The comparison between the respective original safeguarded area (2005) and the adjusted safeguarded area (2014) was set out in our representation dated 3rd February 2020.</p> <p>As set out in paragraph 5.4.12 of the 2019 Gatwick Masterplan, the revised land boundary for the additional runway as shown outlined in blue in Plan 21 of that document, should be shown on the Policies Map and within the new Local Plan.</p>
<p>5.22 Does the submitted plan’s approach of removing areas from safeguarded land and establishing areas of search for the Crawley Western Link within the safeguarded area render the principle of safeguarding ineffective? Does the Plan retain a practicable area of safeguarded land that would enable an additional wide-spaced runway to the south of Gatwick?</p>	<p>The approach of removing land from the safeguarded area would render the principle of safeguarding land at Gatwick Airport ineffective and the Local Plan would not be sound. The area of safeguarded land should reflect what is shown on Plan 21 (outlined in blue) of the 2019 Gatwick Airport Masterplan in order to enable an additional wide-spaced runway to the south of Gatwick (please see response to Matter 5.17 above). The retained safeguarded area would not be capable of providing an additional wide-spaced runway south of Gatwick together with all the necessary supporting infrastructure.</p>
<p>5.23 Is the approach to safeguarded land east of Balcombe Road justified? If the principle of not safeguarding land shown for surface car parking in Gatwick Master Plan is acceptable</p>	<p>The principle of not safeguarding land east of Balcombe Road is not acceptable and would have a prejudicial impact on the ability to deliver the southern runway and associated essential infrastructure. Using</p>



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<p>for the Gatwick Green proposal in Policy EC4 is a more consistent approach required for plan soundness with regards to any residual safeguarded land east of Balcombe Road?</p>	<p>safeguarded land makes the plan unsound.</p> <p>GAL undertook a detailed masterplanning exercise to develop the Additional Runway Airport Layout (shown as Plan 20 in the 2019 Gatwick Airport Masterplan). This included replacement car parking – that would be lost from the north and west of the airport to accommodate other infrastructure – to the east of the airport including land east of Balcombe Road in addition to new car parking resulting from growth in the annual passenger numbers.</p> <p>The provision of on-airport car parking is the preferred approach by CBC who propose policies that seek to resist off-airport car parking. CBC’s flawed assumption that the car parking to the east of the Gatwick Airport Masterplan is less desirable fails to understand the dynamics of the airport as a single functioning campus that is interdependent on the supporting infrastructure. Given the distance between the existing and proposed terminals the car parking to the east would be proposed as long stay which would normally yield a lower amount per vehicle per day charge than close to terminal car parking. As such, this was proposed to be surface car parking as the running costs are much lower, it does not require significant ground works or maintenance and would have a significantly lower carbon footprint.</p> <p>CBC’s assertion that GAL could build multi-storey car parking in its place fails to understand the viability of the airport, the way in which it uses a dynamic approach to providing car parking and responding to peaks in demand and pricing, nor does it recognise that the purpose of the masterplan for the ongoing development of the airport. This issue has been explored in the work at Annex 2 to GAL’s response to the Regulation 19 consultation in 2021 (which is attached hereto as Appendix 5).</p>
<p>5.24 Is Gatwick Green justified in the context that the Gatwick Airport Master Plan 2019 envisages surface car parking in this location? If Gatwick Green is found sound, and having regard to the Airport Surface Access Strategy, the 2022 Section 106 agreement, and the DCO proposals, would there be any significant adverse impacts for accessibility to Gatwick Airport?</p>	<p>No, Gatwick Green is not justified (nor sound), for the reasons given in responses to previous questions above.</p> <p>The loss of long stay surface car parking in the Gatwick Green location, some of which is replacement parking from the existing Long Stay North car park which would be lost to other airport related purposes with the southern runway proposals, would have a</p>



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	<p>significant adverse effect on the airport’s surface access strategy for the southern wide spaced runway option in terms of capacity, viability and would compromise the deliverability of an extension to the M23 spur into the airport site and new terminal (see Annex 2 of GAL’s June 2021 submission to the 2021 Regulation 19 draft).</p>
<p>5.25 There are a number of sites being promoted for employment uses within safeguarded land or proposed to be removed from safeguarded land (helpfully provided on page 31 of Topic Paper No.5 – extract of Fig ii from the Crawley ELAA, 31 March 2023). Has the site selection process for employment land been robust and consistent and is it transparently set out in the supporting evidence to the Plan, including the SA?</p>	<p>GAL do not consider the site selection process for employment land to have been robust. There is no supporting evidence other than the fact that the Gatwick Green site was put forward through the call for sites. There has been no comparative assessment of its merits in relation to other sites which were put forward, or sites elsewhere.</p> <p>The SA does not consider any other sites for meeting the employment land needs (please refer also to our response to Q.1.16).</p> <p>On page 399 of Appendix H of the Sustainability Appraisal (Doc. KD/SD/01) criterion ‘8. Provide Sufficient Infrastructure’ assesses the Gatwick Green allocation as having a positive impact, even though it is in the safeguarded land. This is based on assumptions made by CBC that <i>“surface parking does not represent an efficient use of land”</i>. This incorrect assumption was made by CBC without seeking any advice or properly engaging with GAL on the appropriateness of their assumption. It disregards the work undertaken as part of the Airport Commission Process, it fails to have regard to the need to provide on-airport parking to meet the needs of the airport and it undermines the airport’s ability to expand to meet future passenger demand. This matter relating to car parking provision and the masterplan options for the airport will be comprehensively addressed in our responses to Matter 10. Conversely every other site featured in Appendix H of the SA that falls within the safeguarded land when assessed against criterion 8 has been assessed as having a ‘Significant Negative Impact’ on the basis that CBC’s preference is for a large scale employment development (an approach that CBC has not justified with evidence) and secondly that the sites would be in the safeguarded land and among other impacts to the airport <i>“there is risk that the delivery of nationally significant infrastructure, in the form of a southern runway, would be prejudiced were this site to come forward”</i>. GAL strongly support the later part of the SA Assessment under criterion 8</p>



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	<p>but must question why the importance and significant role of the safeguarded land hasn't been considered against Gatwick Green. This speaks to an irrational and flawed SA Appraisal assessment.</p>
<p>5.26 Is it justified that Gatwick Green is the only site capable of meeting the Borough's employment land needs without prejudicing the future delivery of a southern runway?</p>	<p>GAL do not consider it is justified that Gatwick Green is the only site to meet the borough's employment needs. There are other sites which could meet the employment land needs without prejudicing the future delivery of a southern runway but these have not been tested or have been discounted because they do not meet Crawley's preferred criteria of a 'large site' – an approach which they have not justified in evidence.</p>
<p>5.27 Is the Plan effective at paragraph 10.19 in what is meant by 'small-scale' development that could be permissible within the safeguarded area in accordance with Policy GAT2? Should temporary uses/permissions be included?</p>	<p>GAL considers that the definition of small-scale development should be included in the policy rather than in the supporting text. GAL also consider that time limited permissions with a specified end date could also be acceptable provided they do not establish new residential and other uses in areas which would be subject to an inappropriate noise environment, or which could prejudice the future delivery of a second runway.</p>
<p>5.28 Is it justified and effective that the area shown for safeguarded land overlaps with areas of land designated under Policy EC3 for Manor Royal (for example land north of Fleming Way)? Have alternative options for the boundaries of safeguarded land under Policy GAT2 been assessed?</p>	<p>Policy GAT2 has been developed to address areas of overlap between safeguarding and employment land to define what level of development is permissible in these areas. It restricts development in the safeguarded area which may be incompatible with the future development of a second runway. This is considered to be a justified and effective way of dealing with the matter and is informed by evidence produced by GAL. As airport operator GAL consider that it is our role and responsibility to prepare evidence to support and produce the Gatwick Airport masterplan and the safeguarded land boundary.</p>
<p>5.29 The safeguarding area in the submitted plan extends further south into Manor Royal compared to the 2015 Local Plan. Is this justified and would it remove the flexibility at the fringes of Manor Royal intended in the 2015 Local Plan?</p>	<p>We attach at Appendix 3 hereto a plan which shows the extent of the 2015 and 2023 safeguarded areas overlaid to simplify comparison. The extent of change in the vicinity of Manor Royal is considered to be modest when measured by the number of additional properties affected.</p> <p>The safeguarding area in the draft local plan should reflect the extent of safeguarding outlined in blue shown on Plan 21 in the 2019 Gatwick Airport Masterplan as this is based on a more detailed design exercise which, in the vicinity of Manor Royal, reflects changes to the boundary due to geometric design of necessary highway improvements, the land needed to</p>



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	<p>safeguard diversion of the River Mole and aerodrome safeguarding requirements.</p> <p>Policy GAT2 sets the level of flexibility for the consideration of new applications within the adjusted safeguarded land boundary but local policy does not require the removal of existing properties.</p>
<p>5.30 Is paragraph 10.18 of the Plan effective in specifying that it would be a review of national aviation policy that would be the trigger for reassessing the currently safeguarded area?</p>	<p>Yes.</p>