

Crawley Borough Council 2024-2040 Local Plan Examination MIQs Matter 5 - Issue 2: 5.17, 5.18, 5.22, 5.25, 5.26, 5.29

Report date: November 2023

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Matter 5: Gatwick Airport

Issue 2: Whether the approach to safeguarded land at Policy GAT2 is soundly based

- 5.17. **Is there the robust evidence, as required by NPPF paragraph 106, to support the extent of safeguarded land under Policy GAT2?**
1. We recognise that the Inspectors Guidance Notes discuss the relationship between the Local Plan and the current DCO process on Northern Runway. The timeline for the DCO ensures that both examinations will be open together and therefore our comments on safeguarding may need to be reviewed as the DCO progresses.
 2. Topic Paper 5: Gatwick Airport (DS/TP/02) states that the principle and the extent of safeguarding has been tested in previous Regulation 18 versions of the Local Plan Review, including through an AAP.
 3. However, CBC has failed to produce a robust evidence base that justifies the safeguarding policy, in its extended form under the Local Plan review, or the proposed removal of some safeguarded land by EC4. The 2019 Masterplan for Gatwick Airport and in particular Plan 20 demonstrates the extent of safeguarded land, and the increased land take as now required by GAL under the new Proposals Map.
 4. However, ST4 and EC4 demonstrate an inconsistent approach to the principle and extent of safeguarding which is “piecemeal”. The removal of the land for Gatwick Green and CWMMTL, is considered by CBC to justify alternate land uses in the safeguarded area. However, in applying a flexible approach to safeguarding for its preferred approach under EC4 and ST4, but operating safeguarding as an absolute constraint for alternative locations for employment development (as per the assessment of sites in the ELT and SA) the plan has not been positively prepared, properly justified, is not effective and is not consistent with national policy. Accordingly, the approach to safeguarded land at GAT 2 (and EC4 and ST4) is unsound.
 5. In addition, given that GAL confirm that under the Development Consent Order process for a Northern Runway, they are not promoting an additional southern runway, continuing to safeguard additional land to the North of Manor Royal is significantly constraining land supply, and continues to delay a decision for a 3rd planning framework for the town (after the 2008 core strategy and 2015 Local Plan) and continues the long-standing, unwarranted, sterilisation of suitable and sustainable land. The CBC evidence is therefore neither robust nor justified.

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- 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?**
1. We do not consider it to be justified to continue to safeguard land when GAL themselves are not actively pursuing an additional southern runway. This is also reinforced as unnecessary following their recent submission to PINS on the Northern Runway through the DCO process.
 2. Our previous Regulation 18 and Regulation 19 representations (submitted as appendix to Matter 1) for Windsor development have supported the alternative approached proposed by CBC including the Area Action Plan under Regulation 18.
 3. As stated by the previous Local Plan Inspector as part of his report, the previous Local Plan 2015 did not address the wider aviation issue, yet an additional 8 years later we are still left with ambiguity over a possible development of a 3rd runway at Gatwick, without robust evidence that it is needed. Since the 2015 Local Plan it is also confirmed that Heathrow has been chosen through the Davies Commission and is the applicant supported by central government.
 4. The approach of the Local Plan Review is therefore too precautionary, and should not delay again any discussion on safeguarding, especially when there are severe land supply issues for the Borough as a direct result of the ambiguity over safeguarding.

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- 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?**
1. The submitted Local Plan's approach of removing areas from safeguarded land under Policy ST4 for the Area of Search for the Crawley Western Multi Modal Transport Link within the safeguarded area does render the principle of safeguarding ineffective and is selectively applied. This is also in regard to Gatwick Green under policies EC1 and EC4.
 2. Despite our repeated representations to challenge safeguarding, and under Regulation 18, to support the CBC proposed Area Action Plan safeguarding has remained. The extent and principle of such a large area of search is also considered to undermine safeguarding, and we have responded to this in our Matter 4 statements. ST4 and EC4 therefore undermine and are inconsistent with GAT2 and render safeguarding as ineffective.
 3. As with our Matter 4 statements, our masterplan indicates that if the preferred ES3 and ES3a routes for the Crawley WMMTL as discussed by SYSTRA (ES/ST/02 a-m) were used, then a smaller area of land take for the multi-modal network can be identified. This would also allow us to provide 27,421 sqm of floorspace in 17.2 hectares as shown on plan 0390-RDJW-ZZ-XX-DR-A-0058-53-P3. See Appendix 2 attached to Matter 1.
 4. The land take of ST4 does not appear to align with Plan 20 of the GAL 2019 Masterplan and therefore insufficient land is available for a Southern wide spaced runway should a CWMMTL be supported in the area of search preferred by SYSTRA. The land to the south of the preferred routes would not retain a practicable area of safeguarded land that would enable an additional wide-spaced runway to the south of Gatwick.

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- 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?**
1. We do not believe that the site selection process in the SA (KD/SA01) has looked robustly at a safeguarding “policy off” position and we would request the Inspectors consider our responses under 1.16 in regard to the SA and 4.10 in regard to alternative sites for Economic Growth.
 2. The wider Jersey Farm site is cited as 17.2 hectares of promoted land but is considered in the Employment Land Trajectory (EGSM/EG/01) and the Employment Land Availability Assessment (EGSM/EG/02) as being not suitable, but achievable yet uncertain as deliverable.
 3. We do not consider that the assessment of EC4 for Gatwick Green, cited as suitable, available and deliverable is consistent with safeguarding under GAT2 nor the 2019 Masterplan for GAL.
 4. The SA does consider the site at Jersey Farm as a whole and in part. However, the approach to safeguarding under EC1 and EC4 for Gatwick Green is not consistent. For Gatwick Green, the GAL masterplan, nor the safeguarding are considered to be an absolute constraint in principle or to the extent as proposed by GAL. This is not robust, consistent or transparent.

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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?

1. The scale of Gatwick Green under EC1 and EC4 show a minimum of 13.73 hectares provision of employment land. The ELT suggest that 44 hectares could be provided.
2. The only option that we have seen for any potential southern runway delivery is that of the 2019 Masterplan by GAL. To date there are no alternative locations possible.
3. However, GAL have confirmed that they are not actively pursuing a southern runway and are progressing a Northern Runway through the DCO process, currently with PINS.
4. Ardmore have actively demonstrated on their masterplan 0390-RDJWL-ZZ-XX-DR-A-0058-S3-P3 attached as Appendix 1 to Matter 1 that they can provide a total of 17.2 ha of employment land on land within their control that could meet the land supply deficit. This can also act as a sustainable extension to Manor Royal as a Main Employment Area.
5. Our masterplan shows that we can provide a mix of B8 and supporting uses, and with a mix of unit sizes. The scale of development that could be provided as an employment extension, below the illustrative preferred route of the CWMMTL is 12 hectares with 5.491ha above the centre line of our proposed CWMMTL compliant road.
6. Therefore it is not justified that Gatwick Green is the only site capable of meeting the Borough's employment land needs, and the ambiguity over the second runway and the consistency of application of safeguarding in the plan, will already prejudice the Southern Runway.

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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?

1. Under document CBLP/M/01 the Crawley Local Plan Map January 2023 the extent of safeguarding area has been extended since the 2015 Adopted Proposals Map CBLP/M/02.
2. Under the 2015 Local Plan the previous Inspector looked for infill opportunities and extensions to Manor royal as part of the economic growth land supply position. Our clients provided one of these developments as an extension to Manor Royal, known within the employment land trajectory as site A at Jersey Farm. Whilst the planning application is extant the ELT assessments also consider that site B is outside safeguarding area.
3. The indicative proposals map CBLP/M/01 for this local plan review now considers a larger and wider safeguarding area, that would impact on existing employment land and further limit any such flexibility at the fringes of Manor Royal, as promoted and encouraged by the previous local plan inspector.
4. The economic growth supporting evidence base continues to seek proposals for the intensification of employment land supply through redevelopment and the evidence base itself acknowledges the limitations to providing additional employment space within the borough as a result of any retained safeguarding requirements.
5. With little robust evidence to demonstrate why safeguarding for a southern runway is required, nor robust evidence for consistency, given the ambiguity for ST4 and EC4, then the further extension beyond the 2015 safeguarding boundary is also not considered to be justified.
6. We have through our previous representations, see Appendix 2 attached at Matter 1 for Regulation 19 submission, requested that the Built Up Area Boundary also be altered to include site A and consider any opportunities at site B for Jersey Farm, given this is outside the current safeguarding boundary. This has not been addressed in the submission plan.
7. The further expansion of the safeguarding boundary under the Local Plan Review would adversely constrain further, any additional development opportunities in or close to the Main Employment Area of Manor Royal. The lack of flexibility as a result, would adversely impact any employment provision on the fringes of Manor Royal and is not justified.