



**LONDON GATWICK**

POWERED BY  

20<sup>TH</sup> NOVEMBER 2023

FAO: Mr David Spencer and Mr Glen Rollings  
Examining Inspectors for Crawley Local Plan  
c/o Charlotte Glancy, Programme Officer  
80 Lavinia Way  
East Preston  
West Sussex  
BN16 1DD

Sent by email to: [bankssolutionsuk@gmail.com](mailto:bankssolutionsuk@gmail.com)

cc. Elizabeth Brigden @ Crawley Borough Council

Dear Mr Spencer and Mr Rollings,

**Crawley Local Plan Examination 2024 - 2024  
Evidence Base Documents**

I write regarding the publication of a new document into the Local Plan examination library, namely Appendix A York Aviation paper safeguarded land for car parking, November 2023, York Aviation (PS/EGSM/GA/18).

GAL first noticed reference being made to the York Aviation note within the examination library on the morning of Friday 3<sup>rd</sup> November, a few hours before the noon deadline for submission of responses to Matters 1, 2, 4 and 5 (except Questions 5.11, 5.12 & 5.13) of the Inspector's Matters, Issues and Questions (MIQs). At the time there was no link to the document in the examination library. GAL therefore did not consider or respond to the York note in our November submission as there was inadequate time to do so and because it was not publicly accessible at the time.

The version of the York Aviation document now available on the Council's website ([Appendix A York Aviation Paper safeguarded land for car parking, November 2023, York Aviation.pdf \(crawley.gov.uk\)](https://www.crawley.gov.uk/Appendix%20A%20York%20Aviation%20Paper%20safeguarded%20land%20for%20car%20parking%20November%202023%20York%20Aviation.pdf)) is dated 2<sup>nd</sup> November 2023, the day before the MIQs deadline noted above which included Matter 5: Gatwick Airport (concerning safeguarding matters). Crawley Borough Council did not notify interested parties of the new evidence until the publication of its Local Plan Examination: Update issued by email on 9<sup>th</sup> November 2023.

Within the email circulation it stated that:

*“At the request of the Inspectors' the council has uploaded a number of new evidence based documents that have been accepted by the Inspectors. All of these new documents can be found under the relevant [evidence base webpage](#). Most of the documents that have been uploaded are not 'new evidence' but provide helpful context. New documents include:*

- *Water neutrality project update, October 2023, Joint Sussex North Local Authorities (PS/DS/TP/00c)*
- *Crawley Local Plan market signals assessment for industrial and warehousing needs, November 2023, Lichfields (PS/EGSM/EG/12)*
- *Appendix A York Aviation paper safeguarded land for car parking, November 2023, York Aviation (PS/EGSM/GA/18)*

*The [Local Plan examination library](#) list has been updated to reflect the other post-submission evidence documents which are existing national or other professional documents already published elsewhere but considered to be helpful to include in the library for completeness.”*

The Initial note to the Council from the Inspectors (ID-001) dated 20 September 2023 requested an update on progress on aspects of the evidence base which the Council indicated on plan submission in July would be the subject of further updates during the course of the examination. As the Examining Inspectors, you noted that it would be helpful to know the dates for this work to be completed and submitted into the examination so the Inspectors could ensure that those with an interest in the updated evidence would be given an opportunity to respond to it, in the interests of procedural fairness.

The Council's Response to the Inspectors' Initial Note did not include any reference to the York Aviation paper as an expected item of additional evidence: [CBC.01 Crawley Borough Council's response to the inspectors' initial note, September 2023.pdf](#).

The Inspector's Examination Guidance (ID-002) referred to (at paragraph 16) the additional evidence noting that: *“upon receipt of the evidence updates, the Inspectors' may issue further supplementary questions to their MIQs and confirm through the PO any additional arrangements / timeframes to enable participants to provide responses to supplementary questions.”*

It appears that the York Aviation paper was not alerted to the Inspectors as forming part of the updates to the existing evidence base in a manner consistent with the Council's communication to the Inspectors regarding other aspects of additional evidence. It is therefore unclear as to the status of the York Aviation paper, how the Council are intending to use this information within the context of the forthcoming examination, and how the Inspectors should treat the statements in the paper.



GAL is concerned that the York Aviation paper forms part of the evidence base, that GAL has not been given the opportunity to respond to material issues in the paper in our response to matters relating to Matter 5: Gatwick Airport. As already noted, the deadline for submission of representations to Matter 5 has closed and GAL consider that this is prejudicial as we have not been afforded proper notification or a reasonable length of time to consider the information and respond to the Local Plan Inspectors.

Secondly, we are concerned that interested parties have not been properly notified that the information has been made available, and that the notification was made after the deadline for representation on Matter 5 and only 2 weeks before the hearing session on Matter 5: Gatwick Airport, which is scheduled on 23<sup>rd</sup> November 2023.

Thirdly, now that the agenda for the Matter 5 hearings have been published it is noted that Item 4 (v) is focused on "Crawley Borough Council's additional paper on safeguarded land for Car Parking – York Aviation, November 2023": [ID-011 Matter 5 Agenda 221123.pdf \(crawley.gov.uk\)](#).

GAL consider that parties with an interest in these matters should be given an opportunity to respond to it in writing, in the interest of procedural fairness and to avoid prejudicing any interested parties.

There has not been sufficient time for GAL to produce a written response to the York Aviation paper. This is in part due to a member of the GAL team unexpectedly being unavailable due to personal circumstances and because interested parties were not notified of the new evidence 9<sup>th</sup> November 2023. For that reason, we will not be able to comment in detail at next week's hearing sessions, specifically Item 4 (v) of the Matter 5 hearing session.

Given the significance of the matters raised in the York Aviation paper, the implications arising for GAL and the circumstances outlined above (in particular the prejudice that has been caused to GAL by the timing of the York Aviation paper's release), we request that GAL be permitted to submit a written response to the paper following next week's hearing sessions; and that a deadline of 15 December 2023 be agreed for that submission.

Yours sincerely,

*Lydia Grainger*

**LYDIA GRAINGER**  
**Planning Manager**  
**Gatwick Airport Ltd**