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Yr Ref:

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Chartered Town Planning  
& Development Consultants

**BY E-MAIL AND BY POST**

Pauline Butcher  
260 Collingwood Road  
Sutton  
Surrey SM1 2NX

17A Reading Road  
Pangbourne  
Berkshire RG8 7LR  
T 0118 984 3333  
F 0118 984 3332  
E Timnorth.associates@btinternet.com

Dear Ms Butcher

This company acts on behalf of a number of long term off-airport car parking companies who operate from lawful premises within Mid Sussex District Council's administrative area, as well as in other District Councils' administrative areas located in the vicinity of London Gatwick Airport.

An examination of the Mid Sussex District Council website where it relates to the on-going Examination in Public into the Mid Sussex District Plan reveals that on 14<sup>th</sup> February 2017 a letter was sent to the LPA by Ms Rita Burns, the Planning Manager at Gatwick Airport Ltd concerning emerging Policy DP19 "*Transport*". In this late correspondence from Gatwick Airport Ltd, an attempt is made to include within the same policy an issue surrounding long term off-airport car parking development.

The author of the GAL letter confirms the fact that emerging Policy DP19 remains silent on policies and supporting text relating to long term off-airport car parking, a matter which is agreed by the writer, but then goes on to suggest that this is a weakness in the policy, before requesting similar provisions be incorporated into the same policy, as is the case with Policy GAT3 of the Crawley Borough Local Plan 2015-2030.

Emerging Policy DP19 is concerned with ensuring that development is accompanied by necessary infrastructure, including the provision of efficient and sustainable transport networks, being primarily directed to supporting the objectives of the West Sussex Transport Plan 2011-2026. It is not a policy which purports to control, neither does it address those primary considerations relating to either airport related car parking per se, or more specifically long term off-airport related car parking, in whatever guise the latter parking takes place, i.e. whether in the form of a traditional "*park and ride*" model, or directed at those operators providing "*meet and greet*" services.

Indeed, I note from the Inspector's comments and questions that considerations surrounding either airport related car parking, or long term off-airport car parking development, are not to be considered as part of the issues surrounding emerging Policy DP19, at the hearing scheduled to commence on 28<sup>th</sup> February 2017 where it concerns those site allocations and non-housing policies contained in the same Plan.



In the writer's opinion, it would be wholly inappropriate when considering emerging Policy DP19 for issues surrounding either airport related car parking or more specifically, long term off-airport car parking, to be discussed at the hearing due to start on 28<sup>th</sup> February 2017, if only for reasons of fairness. If the same policy had been directed to long term off-airport car parking issues at the outset, representations would have been made by a number of long term off-airport car parking companies to that policy, an opportunity which is no longer available to my clients. In effect, to introduce at this stage considerations surrounding either airport related car parking or more particularly, long term off-airport car parking into emerging Policy DP19, would be to deprive those whose businesses are associated with the same activity the opportunity to consider the same and have an informed debate before the Inspector.

Policy DP19 has not been the subject of a Sustainability Appraisal/Strategic Environmental Assessment exercise where that policy is directed to specific considerations concerning airport-related car parking. This would have required a number of strategic options to be assessed relating to the same form of development, which in turn would have required prior consultation to enable those with an interest in the same topic to make the appropriate representations.

The letter from GAL dated 14<sup>th</sup> February 2017 refers to promoting sustainable travel, but unfortunately fails to consider the fact that there have been five temporary planning permissions granted by Crawley Borough Council outside the Airport's boundaries since publication of the NPPF. In addition to these decisions, which in the majority of cases were granted planning permission by the LPA, reference should be made to an appeal decision dated 20<sup>th</sup> January 2012 concerning land at Acacia Grove, Copthorne Road, Copthorne, Crawley RH10 3PD, situated in Mid Sussex District Council's administrative area. Paragraph 6 of this appeal decision has been reproduced below:-

*"The off-airport parking for Gatwick Airport operates on a meet and greet basis, whereby customers are met at the airport and the company's staff transfer their vehicles to and from the appeal site. Whilst I accept the desirability of achieving increased use of public transport to access the airport and recognise that additional on-airport parking is being provided I consider that there will be a continuing need, particularly in the short and medium-term, for off-airport parking. The appeal site lies some 7.2km from the South Terminal and in my experience this is a relatively short distance for an off-airport car park (whether operated as meet and greet or by use of shuttle transport). Consequently, having regard also to the relatively modest scale of the operation at the appeal site and recognising that this could be controlled by restricting the parking to the particular area shown on the appellant's plan, I do not consider there would be a conflict with policy T9. Nor, because of the relatively short trips involved, is there a compelling objection on sustainability grounds."*

It is a matter of fact that the airport owner at London Gatwick Airport receives a significant amount of its income from on-airport car parking provision, which during the year ending 31<sup>st</sup> March 2015 amounted to £72.4m. This income has to be seen in the context of the conclusions drawn by the Civil Aviation Authority in its document entitled "Review of Market Conditions for Surface Access at UK Airports – Final Report" published in December 2016 when considering competition in the downstream provision of car parking.



*“4.1.64 Car Parking at and around airports is a complex area, with a number of objectives including environmental, commercial, town planning, encouraging greater use of public transport, as well as ensuring a safe, secure and convenient service for consumers. There is a range of legal and government policy requirements that airport operators and surface access operators need to comply.*

***4.1.65 Improvements in public transport modes can be a source of competition and airport operators often play an important role in facilitating investment in public transport. However, the promotion of public transport modes should not be used as an excuse to creating barriers to entry to airport parking markets, since airport car-parking is likely to continue to play an important role in airport surface access in the foreseeable future.”*** (my emphasis)

The letter dated 14<sup>th</sup> February 2017 from Gatwick Airport Ltd refers to the Airport Surface Access Strategy and to an annual levy which the airport owner states is an important means by which actions to promote sustainable travel options are funded and progressed.

The Inspector’s attention is drawn to the fact that there was no consultation exercise carried out by the airport owner as part of the Airport Surface Access Strategy in which long term off-airport car parking operators were invited to consider its contents prior to publication in 2012. Moreover, during the year ending 31<sup>st</sup> March 2015 at which time total car parking turnover at the airport had increased by 10.4% compared to the previous year, only 1.4% of the total parking income of £72.4m was devoted to what is termed the public transport levy, putting into perspective the significance attached to the levy by the airport operator.

Unfortunately, the letter of 14<sup>th</sup> February 2017 from GAL remains silent on the fact that clients of this practice have expressed a willingness as part of a temporary long term off-airport car parking application, to pay a contribution towards the public transport levy. This suggestion has been considered by Crawley Borough Council to fall outside the provisions of paragraph 122 of the CIL Regulations, despite the fact that similar agreements have been reached by off-airport car parking operators elsewhere in the country to pay a contribution towards public transport improvements.

In conclusion, it is the opinion of my clients that the airport owner has adopted an approach which seeks to rely on sustainable transport considerations as a means to justify adopting a monopolistic or dominant role over the provision of airport related car parking. If this were found acceptable, customer choice would be inhibited, without any attempt to address the least sustainable mode of travelling to the airport, namely taxi/minibus and “kiss and fly” car movements. These considerations are required to be seen in the context whereby passenger forecasts by the airport owner have consistently under-estimated future on-airport car parking supply, resulting in an insufficiency which the same operator then attempts to address in an incremental manner favouring valet parking in a block parking format. Importantly, it results in inadequate attention being paid to the contribution made by long term off-airport car parking companies to both current and future airport related car parking supply.

In the writer’s view, the letter of 14<sup>th</sup> February 2017 from GAL is an attempt through the back door to introduce a fundamental change to a policy, without giving those affected by its



provisions the opportunity of being heard before the Inspector. Unfortunately, this behaviour is not surprising to those providing off-airport car parking services.

I should be obliged if this letter could be taken into consideration by the Inspector when considering emerging Policy DP19 of the Mid Sussex District Plan.

Yours sincerely

**T.F. North**

(unsigned on the e-mail version)

Cc:   Holiday Extras Ltd                    )  
      APH Ltd                                 ) by e-mail  
      Maple Manor Parking                ) only  
      Stevensdrake, Solicitors         )