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Dear Mr Bore,

MSDC Airport Parking & Hotels update to Local Plan Examination – Matter 4: *Meeting Business and Industrial Needs*

Thank you for the opportunity to make additional comments on the Mid Sussex Local Plan Examination, under the extended deadline of 13th February for Matters 1-6. We are writing primarily in regard to Matter 4: Meeting Business & Industrial Needs.

We are writing on behalf of our clients Airport Parking and Hotels & Crawley Down Garage Pension Scheme who have a number of employment sites in and around Crawley Down and Snow Hill.

Our clients have been engaged with the local plan process since the call for sites stage with representations made at Regulation 19.

Our representation relates mainly to our client's ability to invest, improve and enhance 3 sites, Snow Hill c5 hectares, Crawley Down Nurseries c3.5 hectares and Woodpeckers/Courtlands c15 hectares. With a total of 23.5 hectares considered as part of the Local Plan, and with other landholdings in the locality, including Wakehams Green, our clients are established employers across the district, and have a strong working relationship with the Council in evolving their sites to encourage sustainable development and use local supply chains, as well as being a local employer.

Throughout the Local Plan process our clients support the MSDC Local Plan evidence base but have sought clarity over the employment policies proposed, especially DPE2, in regard to ensuring maximum flexibility in an evolving employment market, where less traditional forms of buildings and uses are proposed, resulting in more clarity for long term investment discussions.

In relation to the reopened Examination hearings, and your Matters Issues and Questions (MIQs) now raised, we wish to raise some key issues that we believe now need to be addressed given the evolving changes to the NPPF, and local market demands from employers and employees.

In regard to the Inspector's own guidance notes, and the council updated website, we note that there is clarity regarding attendance and involvement in regard to specific omission sites such as ours.

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“A number of landowners and developers seek to promote sites that have not been allocated in the submitted plan. It is the purpose of the examination to consider the soundness of the submitted plan, not to consider sites that have not been allocated (“omission sites”), so time will not be allocated to omission sites in the hearings.”

However, the statement also reconfirms that *“the overall soundness of the spatial strategy will be scrutinised.”* And we believe our comments relate to DPA10 and DPE2 which do go to the heart of the matter in relation to employment provision and spatial strategy rather than just our sites being omitted.

In the MIQs, you ask Under Matter 4 *“whether business and industrial needs are adequately catered for by the plan”*. Our client is concerned that there is insufficient regard and flexibility in DPE2 to ensure that *“ a) the plan makes sufficient provision for business and industrial needs “* and also that the policy as currently drafted does not give adequate *“f) Flexibility towards changes of use”* which we understand you wish to be dealt with primarily in writing.

As mentioned in your Note regarding Minor Modifications to Development Management policies dated 19th January 2025, you clarify that your *“comments concern those development management policies of the plan which are considered to need modification to make them sound – mostly for reasons of clarity, effectiveness or to bring the policy into line with national policy.”* This includes DPE2 which we feel currently is currently ambiguous on many opportunities that now face commercial clients in regards to spatial land use and a need to adhere to more dated approach to employment definitions and uses. We believe that this policy must be modified to provide clarity for sites no longer suitable for traditional employment uses, or those that can be bought into more appropriate mixed uses, without loss of employment. This may however result in change or more compact buildings, or more innovation led opportunities.

We agree with your specific comments on required changes: *“Policy DPE2 seeks to protect all existing employment sites. However, the NPPF does not include a specific policy towards the protection of industrial and business land or buildings. It gives substantial weight to the value of using suitable brownfield land within settlements and it promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. It also states that planning policies need to reflect changes in the demand for land. Where development does not come forward, planning authorities should reallocate the land for a more deliverable use that can help to address identified needs. (NPPF Section 11: Making effective use of land).”*

We also agree that *“This policy would potentially prevent good windfall sites coming forward for housing. The policy goes on to refer to traditional employment use classes (E(g), B2 and B8) and nonemployment generating uses. This is no longer appropriate given the wide range of employment-generating uses within Use Class E. Changes within a use class do not amount to development so it is not effective to make a distinction E(g) and other business uses in the same use class.”*

We would seek an opportunity to make further comment on any MSDC modifications to this policy.

We note that you also comment *“In terms of protection, Policy DPE2 should be more focused on the sites that are important to keep in use classes E, B2 and B8 and these should be specifically identified. Protection should not be indiscriminately applied over all such sites. The policy should not seek to single out E(g) uses and should address Use Class E as a whole.”*

Site specific comments to Crawley Down Nurseries- Spatial Strategy Matter 5:

In regard to our client's site at Crawley Down Nurseries, whilst we note that the District Plan does not seek additional employment land, as part of its spatial strategy (matter 5), it does suggest additional wider development at Crawley Down, as a Category 2 settlement. The Plan states that such development will need to be balanced with economic growth to align with the 20-minute neighbourhood principle.

Given the close proximity of our client's site to significant recent and proposed extensions to the area, we believe that this site should have been considered as a potential additional extension to Crawley Down maximising Policy DPA10 at Hurst Farm, as a deliverable and suitable site, given the proposed level of change set out in the vicinity for Crawley Down, and the opportunity to provide further small scale local facilities. Whilst an omission site, the wider allocations that form the spatial strategy could therefore have been further enhanced.

Thank you for the opportunity for further comments on the MSDC District Plan, and we will be monitoring the Examinations Hearings and any further main modifications proposed.

Yours sincerely

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