

SURREY COUNTY COUNCIL – WRITTEN REPRESENTATION

Interested Party Reference number: 20044943

12 March 2024

GATWICK AIRPORT NORTHERN RUNWAY PROJECT DCO

PINS Reference: - TR020005

Introduction

- 1.1. This written representation (“Representation”) is made by Surrey County Council as landowner (“**SCCaL**”) and summarises its continuing concerns about the impact of the Gatwick Airport Northern Runway Project (“**the Project**”) on sites within its ownership. This Representation is to be considered in conjunction with, and follows, the Relevant Representations made by SCCaL in October 2023 to PINS.
- 1.2. Although a number of land interests held by SCCaL are impacted by the Project, this Representation will focus principally on Bayhorne Farm and Gatwick Dairy Farm where the SCCaL’s interest in these sites is significantly impacted, and the draft Development Consent Order (“**dDCO**”) does not contain provisions adequately mitigating the potential negative impact of the Project on these sites.
- 1.3. The purpose of this Representation is to set out the impacts and to request that the dDCO is amended to secure mitigation and to address SCCaL’s concerns with the current drafting of the DCO.
- 1.4. Surrey County Council (“**SCC**”) is separately setting out its non-landowner concerns in its Local Impact Report (“**LIR**”).
- 1.5. SCC is making representations on various matters which include highway issues in its LIR. Any reference to highway matters in this Representation is not intended to replace or substitute how such matters are dealt with in the LIR and statements herein relate only to matters concerning development at Bayhorne Farm.

Bayhorne Farm

- 1.1. Bayhorne Farm comprises circa 31 hectares of land allocated as a Strategic Employment Area, named Horley Strategic Business Park, under Policy HOR9 of Reigate and Banstead Development Management Plan (“the DMP”).
- 1.2. SCCaL is the majority landowner with a freehold interest in circa 19 hectares of the Bayhorne Farm land. The rest of the Bayhorne Farm site consists of a land parcel adjoining Balcombe Road which is in private ownership, and a further land parcel to the west and abutting the railway line in the ownership of Reigate and Banstead Borough Council.
- 1.3. The main access in and out of Bayhorne Farm for any development on the site must be from Airport Way. Without these access arrangements the site cannot come forward for employment-related development.

- 1.4. SCCaL had been in discussion with the adjoining landowners to explore options and agree terms to bring the site forward for development through collaboration. These other landowners would be entirely reliant on access through the SCCaL's land to unlock development of their land.
- 1.5. The dDCO identifies land within SCCaL's ownership that will be required both on a temporary and, in some cases, permanent basis to accommodate the Project. In the dDCO Work Order 35 confirms the extent of the proposed works required on SCCaL's landholding. The works are extensive and will cause significant disruption to the local area.
- 1.6. Furthermore, on completion, the works will permanently alter the highway arrangements to South Terminal Roundabout ("STR") and to SCCaL's land. Application Document Reference 4.8.1 shows the Surface Access Highways Plans which show the permanent arrangements proposed on SCCaL's land and include:
 - 1.6.1. Significant realignment of the existing highway layout in this location;
 - 1.6.2. An access road from Balcombe into the land to be permanently acquired;
 - 1.6.3. An attenuation pond, which we understand is for highway drainage purposes.
- 1.7. Application Document Reference 5.3 (version 1.0) outlines the indicative construction sequencing. This confirms that for a period up to 2032 SCCaL's land will be required for use as a construction compound to enable the works identified under Order Number 35.
- 1.8. In the absence of the Project, SCCaL would bring forward Bayhorne Farm for an employment-led development scheme comprising a strategic business park with a mix of unit types to suit a range of businesses, supported by a complementary range of commercial, retail and leisure facilities with a dedicated access off the STR. Policy HOR9 identifies this site as a major contributor to employment in Horley and uses associated with Gatwick Airport.
- 1.9. The site is well-connected by road and close to rail and air links. It is within the control of parties that want to bring it forward for development.
- 1.10. There is a need for good quality employment space in the local area which can be accommodated on the site. Due to the proposed scale of the development, and the location of the site, there is current occupier demand, both from Gatwick Airport related and other businesses, as the site would have the capacity to meet requirements for a variety of market demands in the absence of the Project.
- 1.11. The range of employment premises proposed at this site will create a centre for business and innovation in the local area with specialised modern facilities and the creation of flexible space which will support new businesses. Existing businesses will be provided for whilst also attracting bigger employers which will provide a large number of jobs and benefit the local economy. The continued sustainable and economic prosperity in Reigate and Banstead will therefore continue to be promoted and supported.

- 1.12. SCCaL has undertaken a traffic impact assessment based on a mixed employment use scheme on the site to determine the impact on the surrounding highway network in the absence of the Project and also access/egress arrangements to enable the site to come forward.
- 1.13. Policy HOR9 sets out requirements for access, movement and accessibility in order to secure planning permission. The principal requirement is that a new dedicated access should be taken from the site onto Airport Way via a fourth leg from STR.
- 1.14. SCCaL's traffic impact assessment shows that, in the absence of the Project, there is capacity on the highway network to support the development at Bayhorne Farm on a policy compliant basis for requirements associated with movement and accessibility. Therefore, in the absence of the Project, Bayhorne Farm would be brought forward to deliver employment uses and contribute to the creation of jobs for the local economy.
- 1.15. However, should the DCO be granted as currently drafted this will not be possible. The Project will significantly impact on the future development of Bayhorne Farm in that it will:-
- 1.15.1. Prevent the site coming forward as envisaged
 - 1.15.2. Reduce the overall amount and quality of employment space that can be delivered on the site after the Project has been implemented
 - 1.15.3. Prevent an access being taken from STR as required under Policy HOR9
 - 1.15.4. Impair the market and occupier interest in the site
 - 1.15.5. Prevent the growth of local employment and the creation of high quality employment space needed in the local economy
 - 1.15.6. create significant capacity issues on the surrounding highway network which undermines the viability of the site at a future point in time.
- 1.16 At the ISH2, Michael Bedford KC acting on behalf of the Joint Surrey Councils (including SCC) raised concerns that the proposed construction compound would impact on, and frustrate, the ability to bring forward the business park in accordance with Policy HOR9. He stated that the two uses were incompatible in achieving the aims of the local plan allocation. This is a view supported by SCCaL and mitigation measures need to be considered by GAL, and reflected in the dDCO, as to the period for which the compound is required and the measures to be taken to enable a suitable access from the STR to serve the business park to mitigate against the increased traffic generation caused by the Project.

Gatwick Dairy Farm

- 1.17 The dDCO would allow the permanent acquisition of c. 2.25 acres of agricultural land to facilitate Work Nos. 37 (Works associated with the Longbridge Roundabout junction) and 40 (Works associated with land to the north east of Longbridge Roundabout).

1.18. If the DCO is granted this will result in the loss of agricultural land, which has been identified as potentially suitable to deliver Biodiversity Net Gain (“BNG”) for the Project.

1.19. Works Order 40 includes a requirement for 2ha planting. It is assumed that this is to provide the replacement open space on SCCaL’s land at Dairy Farm (to replace the 2.25 ha being acquired) but it remains unclear as to when the works will be delivered. It is not clear how this will benefit local communities, particularly since, by article 40(1) of the dDCO, the replacement open space land will not be provided until sometime after the open space land has vested in GAL and timing of delivery needs to be confirmed.

Draft Development Consent Order

1.20 In SCCaL’s Relevant Representations, made in October 2023, a range of concerns about the drafting of the dDCO were set out which still remain to be addressed by GAL.

1.21. . In order to mitigate the risk that GAL’s use of its powers under the DCO could adversely impact SSCaL’s land interest the dDCO should be varied to confirm over which parcels of land, and when, the powers and the rights as drafted under Article 28, Article 35, Article 37 and Article 39 will be implemented, and a further explanatory memorandum provided. The time limit of 10 years for exercising compulsory purchase powers under Article 31 is excessive and this period should be shortened to 5 years.