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**Representations prepared on behalf of Holiday Extras Ltd as it relates to
Gatwick Airport DCO Application**

Deadline 4 - Wednesday 15 May 2024

PINS Reference No. TR020005

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1.00 INTRODUCTION

1.01 Holiday Extras Ltd note that **Document REP3-106** comprises the Applicant's response to Deadline 2 submissions, which insofar as it relates to the representations raised on behalf of my clients to the Car Parking Strategy [**REP1-051**] and related matters, are to be provided as part of a full separate response at Deadline 4. It is therefore my clients' intention to await the full response from the Applicant at Deadline 4 prior to commenting further on the Car Parking Strategy.

1.02 These representations are therefore based on the submissions raised by the Applicant in **Document REP3-104**, being the Applicant's response to the Examining Authority's written questions on traffic and transport. In this regard, they should be read in conjunction with the tables set out in the same document, where the Examining Authority's questions are of particular interest to Holiday Extras Ltd's business.

2.00 ExQ1 TT.1.2

2.01 The Applicant's response to this question raised by the Examining Authority reveals that the Sustainable Transport Fund will continue to operate in the future and is secured under the Draft DCO Section 106 Agreement at paragraph 4 of Schedule 3 [**Document REP2-004**]. It is understood that GAL will be responsible for the administration of convening and holding meetings of the Transport Forum Steering Group in accordance with the TFSG's Terms of Reference in Appendix 3 of the same document [**Document REP2-004**] as amended from time to time in accordance with the process set out therein.

2.02 No membership has been offered to companies operating lawful long term off-airport car parking services in the vicinity of London Gatwick Airport, and nor has any invitation been sent to any other company where the principal line of business is the provision of airport related passenger car parking. This is in contrast to Government policy on Airport Transport Forums which suggests that ATFs are made up of representatives, including passenger representatives and local businesses.

2.03 In contrast, my clients have been offered a position in the Airport Transport Forum following representations raised into the Luton Rising DCO application. Furthermore, it is noted that the Stansted Air Transport Forum is defined as "*a partnership of those interested in how journeys are made to and from London Stansted Airport by passengers, workers and other visitors*", before adding "*The Forum is a private public partnership which brings*

together those who supply transport and infrastructure with those who use it, to ensure surface access is provided in a sustainable way.”

- 2.04 The Applicant describes the Transport Mitigation Fund (TMF) as a contingent fund secured under the Draft Section 106 Agreement at paragraph 10 of Schedule 3 [Document REP2-004]. In the same way as the STF, those representatives on the Transport Mitigation Fund Decision Group (TMFDG) are to be established by GAL, which again includes no representatives from any private organisation responsible for or having an interest in how journeys are made to and from London Gatwick Airport by passengers.
- 2.05 Indeed, no indication is given as to whether certain projects are eligible for joint funding under both the STF and TMF.

3.00 ExQ1 TT.1.3

- 3.01 The Examining Authority asks how does London Gatwick Airport compare with other south east airports in terms of both on-site and authorised off-site car parking provision, requesting the Applicant to provide a table showing a comparison, looked at in terms of the ratio for each mppa. Although my clients acknowledged that UK airports do not routinely provide information on authorised off-airport car parking, it is nevertheless the case that firstly, most UK airports provide information on both staff and passenger car parking provision, and secondly, when considering applications seeking the expansion of UK airports, whether or not as part of DCO applications, attention is focused on both on-airport and lawful off-airport passenger car parking provision.
- 3.02 Table 1 of **Document REP3-104** examines car parking figures for London Gatwick, London Luton and London Stansted Airports, comparing passenger car parking spaces where they relate to those on-airport, taking no account of existing lawful long term off-airport provision. In my client’s view this is a serious omission when considering the future quantity of on-airport car parking provision with respect to the Northern Runway Proposals insofar as it completely ignores the contribution made by a sector of lawful passenger car parking spaces. The information is clearly available from those companies who are eligible and meet the requirements of the Gatwick Approved Operators Scheme.

- 3.03 In the case of London Luton Airport, reference should be made to the decision of the Departments for Levelling-Up, Housing and Communities and Transport dated 13th October 2023 relating to an application seeking to vary five conditions on a previous planning permission dated 13th October 2017, one of which involved an increase in the limit on commercial passenger throughput from 18mppa to 19mppa. In the Report of the Inspectors dated 23rd May 2023 to the Secretaries of State, it is worth recording the contents of paragraph 15.135 on passenger throughput:-

“15.135 It is appreciated that in addition to the car parking provided by the Applicant, there are nearly 10,000 spaces operated by third parties. In all the total number of spaces available to those who choose to drive has increased since 2019 from 15,321 to 18,745. Of all passengers who drive to the airport, 37% typically park with off-site operators. Other data suggest that as parking charges increase, the number of passengers seeking to park at the airport has fallen from 28% in 2014 to 6% in 2019. On the other hand, during this period, there has been a significant increase in “drop-offs” which account for 45% of passengers in 2019 (including taxis).”

- 3.04 Of greater significance in the context of the current DCO application is the comment raised by Luton Rising (the Applicant) arising from the Specific Issue Hearing 7 held in the afternoon. The written record states:

“With regard to how off-site car parking is dealt with in the Transport Assessment it was assumed there would be a growth in off-site car parking trips associated with the airport development, and this approach was basically using the same trips distribution for those off-site car parks as existed today, and in growing that in line with the growth in trips as a result of the airport phases. I think it was acknowledged by the Applicant that there would be a market for that off-site parking and they would expect car parking operators to make planning applications to increase the amount of off-site car parking and to meet that demand. If that demand did not materialise there would obviously be controls set out in the Green Controlled Growth that would effectively prevent the airport from growing unsustainably, and would require that any additional car drivers over and above that level to be taken up by sustainable modes, so I think it is an acknowledgement that airport off-site car parks do play an important role in managing parking supply, but that mode share is assumed to stay the same and that the market would take up the opportunity to deliver that additional parking as part of the airport expansion.”

- 3.05 This statement was made following an earlier recorded comment made by the Applicant at the Examination into the Luton Rising DCO application, viz: *“Holiday Extras are clearly a really important partner at the airport”*.

3.06 The Applicant in the current Northern Runway Proposals DCO application states in answer to ExQ TT.1.3 that “Data for London Heathrow is not directly available as published information in connection with development proposals is provided for passenger and staff spaces combined”. The June 2019 Heathrow Airport Expansion Surface Access Proposals do however, disaggregate the various parking provision at the same airport in Table 3.28 of the same document found at page 209, which for ease of reference is set out below:

Table 3.28: Total airport parking (2016)¹⁰⁵

Parking Type		Location / Type	2016 Provision
Existing and Planned Colleague and Passenger Car Parking	Public Passenger Parking	Heathrow controlled, on-site	23,500
		Off-site – Purple Parking Southall	5,500 ¹⁰⁶
		Off-site – Purple Parking Bath Road	2,000
		Off-site – other	2,000
		Total public parking	33,000
	Colleague Parking ¹⁰⁷	Heathrow controlled, on-site	15,500
		Tenanted on-site	9,300
		Total colleague parking	24,800
	Planned	Heathrow controlled, on-site	3,000
	Total		
Other / Operational Car Parking	Hotels	Tenanted	1,700
	Hatton Cross / Other	Tenanted	600
	Authorised Vehicle Area (for private hire)	Tenanted	800
	Taxi Feeder Park	Operational	450
	Car Hire	Operational	2,700
Grand Total			67,050

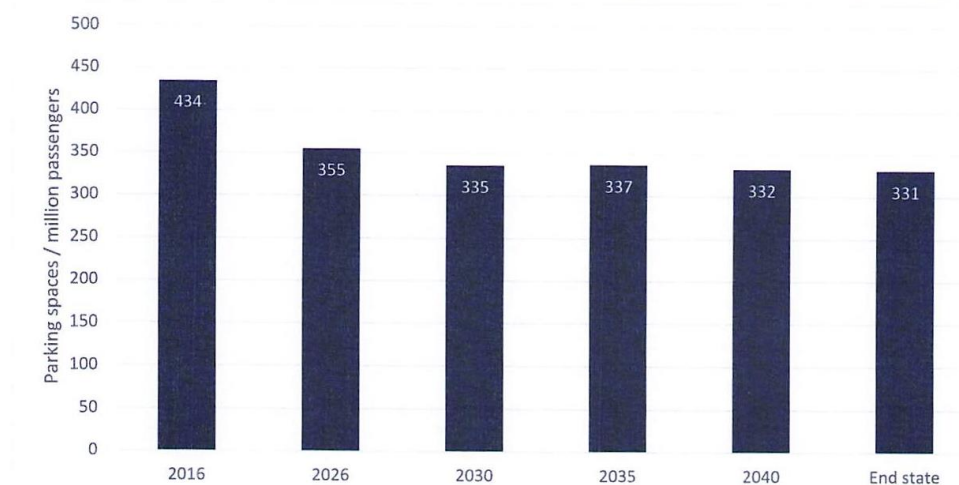
3.07 Table 3.28 identifies three types of parking. The first category relates to car parks directly controlled by London Heathrow Airport, with the planning permission obtained for Terminal 5 capping Heathrow Controlled Parking within the airport at 42,000 spaces, of which up to 17,500 are to be used for what is termed colleague or staff car parking. The second type of car parking is off-site parking provided by third parties outside the boundaries of London Heathrow Airport. These are privately owned and Heathrow has no direct influence over them, with local planning authorities exerting controls through the planning process as and when future applications are submitted. The third type of car parking is tenanted parking, particularly by staff and other users associated with airport operations, being leased to third parties on typically long leases over which London Heathrow Airport does not have direct control.

3.07 The June 2019 London Heathrow Surface Access Proposals consider car parking at Heathrow in the future, through what is referred to as Graphic 3.59 found on page 2018 of the same publication. Graphic 3.59 along with the provisions of paragraphs 3.4.38 and 3.4.39 taken from the same Surface Access Proposals document, are reproduced below:

“3.4.38 Graphic 3.59 shows how passenger parking numbers are anticipated to change over time. In 2016 there were 23,500 Heathrow controlled public car parking spaces at the airport, with a further 3,000 planned within the T5 cap. Based on current demand forecasts, we estimate that by 2030 we will need to increase provision to around 38,600 spaces, and to around 44,800 spaces in j2040. However, these are provisional estimates and are subject to change as we refine both our passenger forecasting and the masterplan.”

3.4.39 This projected increase in passenger car parking allows us to encourage passengers to switch to park and fly from kiss and fly and less efficient taxi and private hire vehicle use, reducing vehicle movements and reproviding some of the off-site passenger parking which is being lost. However, we also need to include an appropriate amount of parking restraint to ensure we do not make parking more attractive than public transport use. This is shown by the decrease in car parking spaces per passenger over time.”

Graphic 3.59: Indicative change in passenger car parking per million annual passengers



3.08 It is accepted that car parking capacity measured in terms of million passengers per annum is the subject of a wide variety of factors including car mode share, passenger mix, airline destination mix, location, pricing and other factors, and can only be treated as a guideline. The indicative change in passenger car parking spaces at London Heathrow Airport through to 2040, whilst only based on on-airport provision, affords a degree of comparison with London Gatwick Airport, if only by highlighting the need to have

regard to the cap on both passenger and staff car parking imposed at the time of the T5 decision.

3.09 With no independent governance body of the kind referred to in the London Luton Rising DCO application, known as the Environmental Scrutiny Group, where the airport operator and individual airlines based at the airport do not have a role, and given the absence of any contribution from private companies whose primary business involves supplying transport and infrastructure for passengers using the airport; it is important that a mechanism is introduced to ensure that growth at London Gatwick Airport in terms of on-airport passenger car parking provision can be independently assessed and controlled.

3.10 This is especially relevant in circumstances where despite the requirement in Policy GAT3 of the adopted Crawley Borough Local Plan 2015-2030 for airport related car parking proposals within the airport boundary to show a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport, before being acceptable; the Applicant can simply ignore the requirements of the same policy by relying on “*permitted development rights*” in Schedule 2 Part 8 Class F of the Town & Country Planning (General Permitted Development Order) (England) Order 2015 (As Amended).

3.11 To this end, the Examining Authority is specifically requested to give consideration to the removal of permitted development rights where it concerns on-airport related car parking and/or imposing a cap on the number of on-airport passenger car parking spaces in the event it is recommended that planning permission should be granted for the DCO application relating to the Northern Runway Proposals.

4.00 ExQ1 TT.1.4

4.01 The Applicant states that they currently achieve a higher public transport mode share than London Heathrow Airport, with the surface access commitments going further than the public transport mode shares which were “*expected*” for Heathrow in the Airport’s National Policy Statement at paragraph 3.5.1.

4.02 This statement however does not take into account those further improvements which London Heathrow Airport state will be made to buses serving all areas surrounding the

airport, where at present areas to the north and east are significantly better served by existing bus routes than areas to the south and west.

- 4.03 In the case of the Northern Runway Proposals the Applicant cannot forecast those improvements to existing bus serves, or the introduction of new services that the June 2019 London Heathrow Surface Access Proposals anticipate will arise from the Heathrow Airport Northern Runway proposals, working alongside Transport for London, other bus operators and local authorities who identify public transport initiatives that can be delivered, including bus priority measures. Furthermore, the comments raised by the Applicant do not take into account building on the improvements which will arise through the introduction of the Elizabeth Line; a new station on the HS2 line at Old Oak Common or to any upgrades to the Piccadilly Line. Importantly, the Applicant's comments do not consider the delivery of either a Western Rail link to Heathrow, or a Southern Rail link to the same airport, and what benefits in terms of sustainable modes will arise from these two projects. What Graphic 3.59 referred to above does reveal is that it is anticipated that passenger car parking per million passengers will be lower at an international hub airport, compared to what is currently expected at a point-to-point airport.

5.00 ExQ1 TT.1.6

- 5.01 The Examining Authority state "*Paragraph 6.2.10 addresses passenger mode share. How are remote off-airport parking passengers considered in the mode share (authorised off-airport parking, park (on-street or public car park) and bus/taxi or walk)? Is there any data on these passengers?*"
- 5.02 The Applicant's response is set out below:-

"Remote off airport parking passengers are considered in the mode share based on the available information contained within the CAA data. This records up to three sequential mode stages in relation to the journey to the airport with the last mode recorded being generally used as the main mode of access.

Within the Private Car mode category, this identifies private parking provided off airport which is considered as authorised off airport parking. There is no distinction in the classification to identify those that may park off site in public car parks or on street and use buses, taxis or walk into the airport. In the 2016 CAA data, where car is listed as mode 1 and followed by a public transport mode or other, this amounts to 4.4% of overall travel which is 3% Car to Rail/Tube, 1% Car to Bus/ Coach and less than 0.5% Car to Taxi. In all instances it was assumed that these combinations related to drop off at facilities such as stations or bus stops remote from the Airport and that the final leg represented the majority of

the journey. In the transport modelling, the final leg is normally used as the main mode of transport on arrival at the Airport, so trips recorded like this would be considered as rail/tube, bus/coach or taxi accordingly. This is the conventional approach in working with the CAA data used at other airports in the UK. No other data was identified that covered off airport use of public or on street parking, nor to distinguish the length of variable mode journeys to identify whether the final mode was the dominant mode used."

- 5.03 Although CAA data does not identify those passengers that may park off site in public car parks or on street, it relies on the final leg normally used as the main mode of transport on arrival at the airport. Historically, the Applicant for consistency reasons, has sought to calculate the absolute number of passengers who use a particular mode of transport, before multiplying the total passenger number by the percentage of non-transfer passengers. The resultant figure, being the number of non-transfer passengers, is then multiplied by the percentage for a given mode of transport to give the absolute number of passengers using that mode of transport to access the airport.
- 5.04 It is however possible to use a more granular level of data from CAA which can distinguish passengers' surface access mode between those who leave their car either at a long term on-airport or long term off-airport site, and those passengers who depend on the "kiss-and-fly" mode, both falling within the generic modal split category of private transport, based on the last leg of the journey, but with considerable differences when assessing their overall sustainability credentials.
- 5.05 The reasoning for adopting a more granular assessment lies in the fact that those relying on the "kiss-and-fly" mode are not contributing to either the demand for or supply of long term on or off airport car parking provision. In this way, it focuses on those distinct modes which directly affect future long term on and off-airport related passenger car parking demand and supply. Table 1 overleaf sets out the modal share of passengers travelling to and from London Gatwick Airport in 2016, relying on bespoke data provided by CAA.
- 5.06 It is noted that paragraph 7 of Schedule 3 of the latest Draft Section 106 Agreement [Document REP2-004] commits the Applicant on or before the commencement of the dual runway approach, and annually thereafter until the end of the monitoring period, to the payment of an off-airport parking support contribution to Crawley Borough Council for the purposes of off-airport traffic management and/or parking control and

enforcement, with the intention of limiting unauthorised parking, deterring rat running and maintaining traffic flow.

TABLE 1
Modal Share of Air Passengers Travelling to and from London Gatwick Airport 2016

	2016
Kiss & Fly	15.3%
Private Car Parking*	23.2%
Car Rental	1.8%
Taxi/Minicab	15.6%
Bus/coach	6.0%
Rail	38.0%
Other/m/cycle	0.1%
TOTAL	100%

Source: Bespoke data to 1 decimal point provided by CAA requested by Holiday Extras Ltd along with information contained in the Briefing Note from GAL on 13th October 2017.

* Private car parking includes the following modal split categories provided by CAA

- i) private car – airport long term car park bus; ii) private car – business car park; iii) private car – hotel car park bus; iv) private car mid stay car park bus; v) private car – private long term car park bus; vi) private car – short term car park – meet/greet; vii) private car – type of car park unknown; viii) private car – valet service – off -airport; and ix) private car – valet service – on airport.

5.07 To the extent these provisions are not expected to come into operation until 2032, would indicate that a similar assessment could take place during the intervening period, particularly with respect to airport related on-street car parking, A detailed examination of those technological platforms in which airport passengers rely for parking spaces being situated on private driveways of residential properties and other locations would provide an indication of the level of reliance placed on this form of off-airport related car parking, which could then be factored in to any proposed future on-airport car parking requirement. My clients have indicated in this company’s Deadline 1 submission, that based a single example, 251 addresses were available to those wishing to utilise this form of parking provision over the time period specified.

6.00 ExQ1 TT.1.9

6.01 The Examining Authority refer to paragraph 6.7.11 of **Document APP-258** in which reference is made to 46.700 car parking spaces on-airport, including staff parking

(around 6,100 spaces), and a further 21,200 authorised spaces off-airport. The question is then posed whether the off-airport car parking includes on-street, and if not, whether any surveys/analysis have been undertaken to ascertain off-site parking including on-street and other non-specified authorised parking spaces, (e.g. private parking areas such as drives and forecourts managed via web applications). A further question is then asked of the Applicant as to whether any analysis could be submitted to the Examining Authority to understand the scale and extent of this parking provision.

- 6.02 The Applicant states that dedicated authorised off-airport car parking facilities are those operated by third parties expressly for the purpose of providing airport related parking, with users of these sites transferred by bus to the terminals by the car park operator. This is not totally correct as there are a number of lawful long term off-airport car parking sites used by companies to park customers vehicles as part of a meet-and-greet form of airport related car parking. In this sense, the cars are parked on a particular site whilst the client is away on holiday only to be driven to the airport by a member of the car parking company where the car is handed back to the customer.
- 6.03 It is important to mention that there are sites lying outside the “Operational Land” boundary of London Gatwick Airport, but nevertheless falling within the boundaries of London Gatwick Airport on the Proposals Map attached to the Crawley Borough Local Plan 2015-2030, where for the purposes of adopted Local Plan Policy GAT3, airport related car parking is in principle acceptable, defined as being on-airport. Operational Land in this respect means in accordance with Section 263(1) of the Town & Country Planning Act 1990 (As Amended), land which is used for the purposes of carrying on their undertaking and land in which an interest is held for that purpose. The Operational Land boundary of London Gatwick Airport is not contiguous with the boundary of London Gatwick Airport on the Proposals Map accompanying the adopted Crawley Borough Local Plan 2015-2030.
- 6.04 Equally relevant is the need to properly identify the status of airport related car parking present at hotel sites, irrespective of whether the particular site is situated within the Operational Land boundary of London Gatwick Airport; beyond the Operational Land boundary, but within the boundary of London Gatwick Airport on the Proposals Map accompanying the adopted Crawley Borough Local Plan 2015-2030, or outside both designated areas.

Location	Gatwick Parking Survey 2019			Vacant Authorised Capacity		Council Area
	Authorised	Unauthorised	Total Vehicles	Authorised Capacity	Capacity	
Tinslow Farm	192	0	192	298	106	Crawley Borough Council
Hilton South Terminal	45	0	45	106	61	Crawley Borough Council
Courtyard by Marriott, South Terminal	0	0	0	0	0	Crawley Borough Council
Europa Gatwick Balcombe Road	378	0	378	395	17	Crawley Borough Council
Lowfield Heath Service Station (London Road)	297	0	297	385	88	Crawley Borough Council
Crown Plaza Langley Drive, Tushmore Roundabout	109	0	109	122	13	Crawley Borough Council
Travelodge (Fm Mecure/Renaissance) Hotel, Povey Cross Roundabout	534	0	534	623	89	Crawley Borough Council
Ibis Hotel	7	0	7	70	63	Crawley Borough Council
Airport Inn Britannia (Fmly Gatwick Best Western Moat House)	99	0	99	135	36	Crawley Borough Council
Premier Travel Inn, Gatwick Manor (London Road)	0	0	0	178	178	Crawley Borough Council
Field adj. to Premier Travel Inn, Gatwick Manor (London Road)	0	300	300	0	0	Crawley Borough Council
Softel MSCP North Terminal	545	0	545	565	20	Crawley Borough Council
Purple Parking, Lowfield Road (Formerly Airparks, Q and BCP)	2871	0	2871	3280	409	Crawley Borough Council
City Place by Nestle (fmr BT) building	0	396	396	0	0	Crawley Borough Council
City Place SE Corner	0	94	94	0	0	Crawley Borough Council
Gatwick House, Peeks Brook Lane	0	212	212	0	0	Crawley Borough Council
Brook Lane House, Peeks Brook lane	0	330	330	0	0	Crawley Borough Council
Fernlands, Fernhill Road	0	0	0	0	0	Crawley Borough Council
Gas Holder Site	0	351	351	0	0	Crawley Borough Council
Land North of Gas Holder Site	0	375	375	0	0	Crawley Borough Council
Black Corner Small Holdings, Balcombe Road	0	200	200	0	0	Crawley Borough Council
Southways, London Road	0	537	537	0	0	Crawley Borough Council
Old Brighton Road Warehouse (Site A2)	0	68	68	0	0	Crawley Borough Council
Arora Hotel, Southgate Avenue	125	0	125	230	105	Crawley Borough Council
Maple Manor Hotel, Charlwood Road	0	78	78	0	0	Crawley Borough Council
Oakwood Football Club	0	0	0	0	0	Crawley Borough Council
Hawthorn Farm	0	190	190	0	0	Crawley Borough Council
Sandman Signature (Fmr Ramada Plaza)	83	0	83	117	34	Crawley Borough Council
The Berries, Balcombe Road	0	0	0	0	0	Crawley Borough Council
Telford Place	0	0	0	0	0	Crawley Borough Council
NCP Kingsgate Car Park	0	0	0	0	0	Crawley Borough Council
TOTAL FOR AREA	5285	3131	8416	8504	1219	
Long Stay Car Parks	26529	0	26529	35,927	9,398	Gatwick On Airport
Short Stay Car Parks	2191	0	2191	4863	2672	Gatwick On Airport
TOTAL FOR AREA	28720	0	28720	40,790	12,070	
Cambridge Hotel	492	180	672	492	0	Reigate & Banstead
Lonesome Lane	0	0	0	116	116	Reigate & Banstead
The Grove	170	0	170	279	109	Reigate & Banstead
Menzies Chequers (was Thistle) Hotel	0	0	0	0	0	Reigate & Banstead
Gatwick House	22	0	22	30	8	Reigate & Banstead
Best Western/Gatwick Skylane Hotel	283	0	283	338	55	Reigate & Banstead
Land to the rear of Wray Farm House, Horse Hill, Horley	0	0	0	0	0	Reigate & Banstead
TOTAL FOR AREA	967	180	1147	1255	288	
Crawley Down Garage (Snow Hill)	1107	0	1107	1500	393	Mid Sussex
Wakehams Green	3113	0	3113	3250	137	Mid Sussex
Copthorne Hotel	311	12	323	759	448	Mid Sussex
Holiday Inn (Formerly Gatwick Worth)	361	54	415	650	289	Mid Sussex
Keepers Knight	265	38	303	309	44	Mid Sussex
Bridges Breakers Yard, Pease Pottage	0	601	601	0	0	Mid Sussex
Acacia Grove	129	4	133	129	0	Mid Sussex
TOTAL FOR AREA	5286	709	5995	6597	1311	
Holiday Inn	456	0	456	636	180	Mole Valley
Gatwick Filling Station, Tudor Rose	303	0	303	400	97	Mole Valley
Russ Hill Hotel	389	0	389	400	11	Mole Valley
Ricketts Wood	200	0	200	200	0	Mole Valley
Wagons Farm	130	0	130	131	1	Mole Valley
Stan Hill Hotel	0	322	322	0	0	Mole Valley
Dumbledene Stan Hill	0	0	0	0	0	Mole Valley
Gatwick Business Park, Reigate Road, Hookwood	0	148	148	0	0	Mole Valley
Kenel Lane, Hookwood	0	0	0	0	0	Mole Valley
Trumbles Guesthouse	40	5	45	40	0	Mole Valley
Langley, Partridge Lane	0	0	0	0	0	Mole Valley
TOTAL FOR AREA	1518	475	1993	1807	289	
Searles Yard	0	0	0	0	0	Horsham
Kilmarnock Farm	0	67	67	0	0	Horsham
Ifield Court Hotel	184	0	184	200	16	Horsham
Curtis Farm	48	68	116	250	202	Horsham
Little Park Enterprises	509	130	639	586	77	Horsham
Waterhall Country House Hotel	2	0	2	14	12	Horsham
Bonwicks Lodge Farm	0	0	0	0	0	Horsham
Little Foxes Gussthouse	34	0	34	50	16	Horsham
Outaway, Bonnetts Lane	721	0	721	950	229	Horsham
Rear of Cophatch Farm, Newdigate	0	32	32	0	0	Horsham
Rear of Blacksmith Shop, Hammer Farm	0	0	0	0	0	Horsham
Rear of Brooklyn Farm, Bonnetts Lane	0	0	0	0	0	Horsham
Highcroft, Bonnetts Lane	0	0	0	0	0	Horsham
North West of Old Pound Cottage (Old Pound Nursery)	0	716	716	0	0	Horsham
Barn at Maple Farm, Marches Road	0	0	0	0	0	Horsham
Field off Bonnetts Lane (opp Manor Lodge B&B)	0	0	0	0	0	Horsham
Crawley Horsham MOT Centre (adj. Stumbleholm)	0	113	113	0	0	Horsham
Prestwood Farm	13	0	13	18	5	Horsham
Furlong Farm, Rusper Road	20	80	100	20	0	Horsham
Plumbers Plain Garage	0	0	0	0	0	Horsham
TOTAL FOR AREA	1631	1208	2737	2088	557	
Cophall Farm	1544	0	1544	1653	109	Tandridge District Council
Laylands (incl extension)	208	0	208	208	0	Tandridge District Council
Westlands Farm	932	0	932	1486	554	Tandridge District Council
The Tarning Wheel	580	190	770	580	0	Tandridge District Council
Old Mushroom Farm, Church Lane	0	753	753	0	0	Tandridge District Council
The Oak Tree, Effingham Road	21	0	21	21	0	Tandridge District Council
Effingham Park Hotel	489	0	489	600	111	Tandridge District Council
Kiln Heath Farm, Antlands Lane	20	0	20	20	0	Tandridge District Council
Spiritwood Broadbridge Lane Smallfield	0	0	0	0	0	Tandridge District Council
TOTAL FOR AREA	3794	943	4737	4568	774	
TOTAL FOR ALL SITES	47101	6644	53745	63609	16508	

Gatwick Parking Notes:
Cars parked are total number of long stay vehicles counted at 9am on Friday 13th September
Short Stay figures exclude Kiss and Fly, and only relates to pre-booked cars. Would otherwise overstate real peak occupancy on this day as it assumes all prebooked cars are present for entire 24 hour period

Location	Authorised	Unauthorised	Total Vehicles	Authorised Capacity	Vacant Authorised Capacity	Council Area
Tinslow Farm	270	0	270	298	28	Crawley Borough Council
Hilton South Terminal	10	0	10	106	96	Crawley Borough Council
Europa Gatwick Balcombe Road	268	0	268	395	127	Crawley Borough Council
Lowfield Heath Service Station (London Road)	231	0	231	385	154	Crawley Borough Council
Crown Plaza Langley Drive, Tushmore Roundabout	25	0	25	122	97	Crawley Borough Council
Travelodge (Fm Mecure/Renaissance) Hotel, Povey Cross Roundabout	490	0	490	623	133	Crawley Borough Council
Ibis Hotel	0	0	0	70	70	Crawley Borough Council
Airport Inn Britannia (Fmly Gatwick Best Western Moat House)	0	0	0	135	135	Crawley Borough Council
Premier Travel Inn, Gatwick Manor (London Road)	0	0	0	178	178	Crawley Borough Council
Softel MSCP North Terminal	360	0	360	565	205	Crawley Borough Council
Purple Parking, Lowfield Road (Formerly Airparks, Q and BCP)	2676	0	2676	3265	589	Crawley Borough Council
City Place by Nestle (fmr BT) building	0	245	245	0	0	Crawley Borough Council
City Place SE Corner	0	96	96	0	0	Crawley Borough Council
Gatwick House, Peeks Brook Lane	0	121	121	0	0	Crawley Borough Council
Brook Lane House, Peeks Brook lane	0	330	330	0	0	Crawley Borough Council
Radisson Red, Lowfield Heath	0	0	0	0	0	Crawley Borough Council
Black Corner Small Holdings, Balcombe Road	200	0	200	250	50	Crawley Borough Council
Arora Hotel, Southgate Avenue	0	0	0	230	230	Crawley Borough Council
Maple Manor Hotel, Charlwood Road	0	0	0	12	12	Crawley Borough Council
Hawthorn Farm	0	117	117	0	0	Crawley Borough Council
Sandman Signature (Fmr Ramada Plaza)	62	0	62	117	55	Crawley Borough Council
Schlumberger House, Buckingham Gate	0	488	488	0	0	Crawley Borough Council
TOTAL FOR AREA	4592	1397	5989	6751	2159	
Long Stay Car Parks	25932	0	25932	34,440	8,508	Gatwick On Airport
Short Stay Car Parks	3120	0	3120	4556	1436	Gatwick On Airport
TOTAL FOR AREA	29052	0	29052	38,996	9,944	
Cambridge Hotel	450	0	450	492	42	Reigate & Banstead
The Grove	242	0	242	279	37	Reigate & Banstead
Menzies Chequers (was Thistle) Hotel	36	0	36	95	59	Reigate & Banstead
Gatwick House	2	0	2	30	28	Reigate & Banstead
Hazelwick, Oldfield Road	0	0	0	0	0	Reigate & Banstead
Best Western/Gatwick Skylane Hotel	0	0	0	338	338	Reigate & Banstead
TOTAL FOR AREA	730	0	730	1234	504	
Crawley Down Garage (Snow Hill)	0	0	0	1500	1500	Mid Sussex
Wakehams Green	2900	0	2900	3250	350	Mid Sussex
Copthorne Hotel	0	0	0	759	759	Mid Sussex
Holiday Inn (Formerly Gatwick Worth)	167	14	181	650	469	Mid Sussex
Keepers Knight	164	472	636	309	327	Mid Sussex
Bridges Breakers Yard, Pease Pottage	0	583	583	0	0	Mid Sussex
Site Adjacent Acacia Grove	0	64	64	0	0	Mid Sussex
Acacia Grove	129	378	507	129	378	Mid Sussex
TOTAL FOR AREA	3390	1511	4901	6587	3237	
Holiday Inn	335	0	335	636	301	Mole Valley
Gatwick Filling Station, Tudor Rose	304	0	304	400	96	Mole Valley
Russ Hill Hotel	0	0	0	400	400	Mole Valley
Ricketts Wood	198	0	198	200	2	Mole Valley
Wagoners Farm	98	0	98	131	33	Mole Valley
Stan Hill Hotel	0	168	168	0	0	Mole Valley
Gatwick Business Park, Reigate Road, Hookwood	0	109	109	0	0	Mole Valley
Trumbles Guesthouse	33	0	33	40	7	Mole Valley
Hookwood Lodge, Reigate Road	0	0	0	0	0	Mole Valley
TOTAL FOR AREA	988	277	1265	1807	839	
Ifield Court Hotel	200	97	297	200	0	Horsham
Curtis Farm	0	0	0	250	250	Horsham
Little Park Enterprises	502	183	685	586	84	Horsham
Waterhall Country House Hotel	3	0	3	14	11	Horsham
Little Foxes Guesthouse	28	0	28	50	22	Horsham
Outaway, Bonnetts Lane	483	0	483	950	467	Horsham
North West of Old Pound Cottage (Old Pound Nursery)	0	0	0	0	0	Horsham
Field off Bonnetts Lane (opp Manor Lodge B&B)	0	0	0	0	0	Horsham
Crawley Horsham MOT Centre (adj. Stumbleholm)	85	42	127	150	65	Horsham
Prestwood Farm	0	0	0	18	18	Horsham
Furlong Farm, Rusper Road	0	0	0	0	0	Horsham
TOTAL FOR AREA	1301	322	1623	2218	917	
Cophall Farm	1627	0	1627	1653	26	Tandridge District Council
Leylands (incl extension)	262	0	262	262	0	Tandridge District Council
Westlands Farm	0	0	0	1486	1486	Tandridge District Council
The Tarning Wheel	521	0	521	580	59	Tandridge District Council
The Oak Tree, Effingham Road	20	0	20	21	1	Tandridge District Council
Effingham Park Hotel	0	0	0	600	600	Tandridge District Council
Kiln Heath Farm, Antlands Lane	20	0	20	20	0	Tandridge District Council
TOTAL FOR AREA	2450	0	2450	4622	2172	
TOTAL FOR ALL SITES	42453	3507	45960	62,225	19,772	

Gatwick Parking Notes:

Cars parked are total number of long stay vehicles counted at 9am on Friday 9 September

Short Stay figures exclude Kiss and Fly, and only relates to pre-booked cars. Would otherwise overstate real peak occupancy on this day as it assumes all prebooked cars are present for entire 24 hour period

6.05 In agreeing with the Court below, it was held by Lord Justice Schiemann in the Court of Appeal judgement involving *Harrods Ltd v Secretary of State for the Environment Transport & The Regions and Another (2003) JPL 108*, with which the other Lord Justices concurred, that in the context of Harrods Department store, it was not appropriate to concentrate upon what is incidental to the particular shop, given both the way it is run and its needs. The correct approach was to consider what shops in general have by way of

reasonably incidental activities. That approach was correct because it was stated one must first consider whether, on its face, the introduction of a new use would amount to a material change of use, ignoring the provisions of the Use Classes Order. It could then be decided whether that change was material.

- 6.06 Applying the principles arising from the “*Harrods*” judgment, it is not appropriate to concentrate on what may be incidental to hotels and guest houses lying within the vicinity of London Gatwick Airport given the way in which they are run and their needs. The correct approach is to consider what hotels in general have by way of reasonably incidental activities. It is not generally the case that hotels incorporate as part of their activities, additional car parking to service what the local planning authority have referred to as “*stay and fly*” packages; that is not a general or normal incidental or ancillary use associated with a hotel and guest house. In this respect the local planning authority appear to have adopted the same approach as those acting on behalf of Harrods Ltd by concentrating on what is incidental to a hotel or guest house lying in close proximity to London Gatwick Airport when assessing airport related car parking.
- 6.07 This reason adopted by Crawley Borough Council has historically meant that no action has been taken against unlawful airport related car parking at hotels and guest houses, which of itself is not a cogent reason to override what is clearly a material change of use of the land requiring planning permission. The Council have not sought to rely on any evidence or any appeal decisions which may give credence to this view, which is contrary to other appeal decisions located in the locality of the same airport relating to the same issue.
- 6.08 The presence of additional cars parked in the grounds of a hotel or guest house as part of a “*stay and fly*” package involves additional traffic movements beyond those which would generally be attributable to the primary use of land as a hotel or guest house. “*Stay and fly*” packages often involve a customer’s car being moved by a long term off-airport car parking operator to an alternative site whilst the passenger is away on holiday or a business trip, only to be brought back to the hotel or guest house awaiting the customer’s return. Customers’ cars are not always retained in the same position in the hotel car park over the duration of their trip, since not only are spaces required in anticipation of a customer’s return, but the car park would not be able to properly function and meet the general needs of the hotel or guest house in such circumstances.

With respect to hotels situated on Operational Land, passengers have the option of parking in the multi storey car parks or off-airport, particularly where there are no designated car parking spaces associated with the particular hotel i.e. The Yotel.

- 6.09 In the case of those hotels situated on land outside the Operational Area boundary of London Gatwick Airport, but either inside or outside the designated boundary of Gatwick Airport as shown on the Proposals Map forming part of the adopted Crawley Borough Local Plan 2015-2030, requires cars to be continually moved from the hotel/guest house. This is due to the fact that in the overwhelming majority of cases, the hotel has only a finite amount of land available for car parking purposes, and an absence of adjoining land which may be used for overspill car parking purposes.
- 6.10 In short, car parking space standards at a hotel/guest house are not devised on the basis of ensuring that sufficient car parking spaces are provided to meet a separate unauthorised use operated in conjunction with a long term off-airport car parking company, who often have no affinity to the particular hotel, save for providing a service which has pecuniary benefits for both the long-term car parking operator and the hotel/guest house proprietor.
- 6.11 My client seriously questions the figure of 21,200 authorised off-airport car parking spaces relied upon by the Applicant in Table 2 of the Car Parking Strategy found at **Document REP1-051**. The derivation of the authorised off-airport passenger parking figure of 21,200 associated with the Project contains inaccuracies, with no account taken of the seasonal nature of certain CLEUD applications/planning permissions. Moreover, it is not considered appropriate in Table 2 of **[Document REP-051]** that the estimated peak parking accumulation should be based on a figure of 87.5%, when off-airport car parking sites reveal equivalent figure often in excess of 90%.
- 6.12 The Annual Gatwick Car Parking Surveys are prepared by Crawley Borough Council, based on car parking space figures produced from their own Council and adjoining local planning authorities surrounding London Gatwick Airport, together with GAL. I have enclosed overleaf the Gatwick Car Parking Surveys for 2019 and 2023. The figures prepared in these annual car parking surveys are relied upon by the Applicant where they form the basis of the 21,200 authorised off-airport passenger car parking spaces.

- 6.13 The annual Gatwick Car Parking Surveys include four hotels situated either on Operational Land, or within the boundary of London Gatwick Airport as shown on the Proposals Map associated with the adopted Crawley Borough Local Plan 2015-2030, comprising the Hilton South Terminal; The Travelodge Hotel at Povey Cross roundabout; the Airport Inn Britannia, and the Arora Hotel formerly known as the Sofitel on Southgate Avenue. These four hotels together with the Sofitel Multi Storey Car Park situated at the North Terminal and the Purple Parking site at Lowfield Road; also situated on Operational Land have a combined authorised capacity of 4,939 or 4,924 spaces when measured against the two respective annual Gatwick Car Parking Surveys of 2019 and 2023.
- 6.14 The figures of 4,939 and 4,924 comprise on-airport car parking, and should not be treated as consistent with authorised spaces off-airport.¹ As such, the 4,939 and 4,924 space figures should be added to the 40,790 or 38,996 spaces being attributable to long stay and short stay on-airport car parks from the same two Gatwick Car Parking Surveys, resulting in a total of 45,729 or 43,920 spaces, with a corresponding deduction of 4,939 or 4,924 spaces from the 21,200 authorised spaces off- airport figure.
- 6.15 In addition to the 4,939 or 4,924 car parking spaces referred to in the previous paragraph, a number of important conclusions emerge from the 2019 and 2023 Gatwick Car Parking Surveys.
- A total of 23 sites which were present in 2019 Gatwick Car Parking Survey, were no longer operational in the 2023 Gatwick Car Parking Survey, as a consequence of the impact of the Covid 19 pandemic, accounting for a reduction of 2,899 unlawful off-airport car parking spaces by 2023.
 - None of the hotels referred to in both the 2019 and 2023 Gatwick Airport Car Parking Surveys located outside the Operational Land of London Gatwick airport enjoy the benefit of planning permission for a lawful mixed or composite use of hotel and airport related car parking purposes.

¹ The figure for authorized spaces off-airport of 21,200 is consistent with the difference between the total figure for authorized capacity in the two Gatwick Car Parking Surveys 2019 and 2023, (63,609 and 62,225) minus the figures for long and short stay car parks referred to as Gatwick on-airport car parking in the same surveys (40,790 and 38,996) being 22,819 and 23,229.

- Twelve sites contributing to authorised off-airport car parking in the 2023 Gatwick Car Parking Survey benefit from Certificates of Existing Lawful Use or Development for long term off-airport car parking purposes, as opposed to having been granted planning permission. These twelve sites contribute to approximately 4,300 authorised off-airport passenger car parking spaces with only two sites being restricted in terms of the number of vehicles which may be accommodated on the respective sites. The two restricted CLEUD sites comprise what is known as the Stumblehome Mead site, also referred to as Spinroute Ltd CCM Depot or Crawley Horsham MOT Centre (adjacent Stumblehome), along with Waggoners Farm, Russ Hill, Charlwood. They represent a significant contribution to airport related passenger car parking
- Three sites in Crawley BC's administrative area referred to in both the 2019 and 2023 Gatwick Car Parking Surveys remain the subject of outstanding applications at the time of preparing these representations. Firstly, Application No. CR/2016/0019/FUL submitted to the Council in January 2016 sought planning permission for a further temporary three-year period for the use of land at Brook Lane House at Peeks Brook Lane for long term off-airport car parking purposes, having been initially granted permission on appeal on 24th May 2015 for the same use. Secondly, Application No. CR/2017/0830/191 which was lodged with the Authority in September 2017 sought a Lawful Development Certificate for the use of land at Gatwick House, Peeks Brook Lane for long term off-airport car parking purposes. Thirdly, Application No. CR/2019/0097/191 submitted to the Council in March 2019 sought a Lawful Development Certificate for the use of land adjoining Premier Travel Inn, Gatwick Manor, London Road for long term off-airport car parking purposes.
- The site known as Kiln Heath Farm, Antlands Lane in Tandridge DC's administrative area enjoys the benefit of a mixed or composite use for long term off-airport car parking, as well as the storage of cars, with no control over the authorised capacity of spaces attributable to long term off-airport car parking.

6.16 Table 2 shows revised capacity figures for a number of sites which contribute towards authorised off-airport passenger car parking provision taken from the latest Gatwick

Airport Car Parking Survey 2023. This is inserted overleaf, having been devised in order to reflect a more refined analysis of the authorised off-airport capacity of the same sites. Where there is agreement with the authorised capacity figure in the same two Gatwick Airport Car Parking Surveys, they do not form part of Table 2.

6.17 The following conclusions emerge from Table 2 to these representations

- The authorised capacity of the ten sites in Table 2 according to the latest Gatwick Airport Car Parking Survey 2023 amount to 3,827 spaces. This figure is considered to be misleading, with a more accurate calculation reflected in the revised capacity figure of 1,909 vehicles which may be lawfully parked throughout the calendar year on the same ten sites. In addition to the revised capacity figure of 1,909 vehicles, long term off-airport car parking can take place lawfully on a seasonal basis on the following sites:

i) An additional 350 cars may be parked at the Copthorne Hotel between 1st June and 31st October in any one calendar year;

ii) An additional 153 cars may be parked on Areas D,E,F, & G at Keeper Knights between 1st July and 30th September, with a further 98 cars parked on Areas H & I between 1st April and 31st October in any one calendar year;

iii) 181 cars can be parked at Waggoners Farm between 1st April and 31st October in any one calendar year.

iv) These figures reveal that in the summer months between 1st June and 30th September a revised capacity figure of 2691 cars can be parked on the above mentioned sites (1,909 + 782)

6.18 The figures of 4,939 or 4,924 spaces referred to in paragraph 6.14 are required to be added to the difference between the authorised capacity and revised capacity figures in Table 2, being 1,920 spaces (3,827 - 1,909 = 1,920), resulting in an overall total of 6,859 or 6,844 spaces. The 6,859 and 6,844 in turn are required to be deducted from the figures of 22,819 and 23,229, to produce a more robust assessment of authorised passenger car parking spaces off-airport. The conclusion to be derived from this exercise is that, in reality, the

TABLE 2
Sites Lawfully Used for Long Term Off-Airport Car Parking Purposes in the 2019 and 2023 Gatwick Airport Car Parking Surveys.

* Authorised capacity refers to vehicle numbers which can be parked on the particular site at any one time, having been taken from the Gatwick Airport Car Parking Surveys 2019 and 2023.
 + Revised capacity is considered to be a more accurate representation of vehicle numbers as a consequence of what is said in the “Relevant Comments Relating to the Individual Location” column. It takes into account seasonal permissions, and restrictions on long term off-airport car parking use.
 x Involvement by Tim North & Associates Ltd

Location	Authorised Capacity*	Revised Capacity+	LPA Administrative Area	Relevant Comments Relating to the Individual Location
Cambridge Hotel Bonehurst Lane, Horley	492	164	Reigate & Banstead BC	The Cambridge Hotel enjoys a CLEUD for the use of land as hotel and airport related car parking granted by Reigate & Banstead BC on 16 th October 2003 under Reference No. 03/00883/CLE. The authorised figure of 396 cars in the Gatwick Airport Car Parking Surveys 2019 and 2023 relate to the lawful area used for hotel car parking, and not the area which enjoys the benefit of a CLEUD for the hotel and airport related car parking. More recently under Reference No. 23/00847/CLE, Reigate & Banstead BC granted a further CLEUD for an area to the south of the Cambridge Hotel for long term off-airport car parking purposes, but this was not present at the time of the 2023 Gatwick Airport Car Parking Survey. The figure of 164 is obtained from a Google Earth count of the cars occupying the area for the mixed use of hotel and airport related car parking which was granted the CLEUD on 16 th October 2003.
Copthorne Hotel*	759	282 total throughout the year, plus a further 350 used between 1 st June and 31 st October	Mid Sussex DC	On 10 th June 1994 planning permission was granted by Mid Sussex DC under Reference No. WP/157/93 for a change of use of the existing car parks adjoining the hotel for airport related car parking uses, as well as for hotel parking use. This permission was subject to two conditions restricting the airport related car parking use to 40 cars at any one time in specified parts of the hotel car parks, with the same airport related car parking use due to expire on 10 th June 1996. The two conditions relating to the airport car parking use imposed on Application No. WP/157/93 were the subject of an appeal allowed by The Planning Inspectorate

		<p>each year. i.e. maximum 632 cars between 1st June and 31st October</p>		<p>on 20th December 1994, permitting the use of the existing car parks adjoining the hotel for airport related car parking, as well as hotel car parking.</p> <p>A field adjoining the hotel car parks was used for further long term off-airport car parking purposes in 2002, 2004 and 2005, resulting in an enforcement notice requiring the cessation of the use of the field for the same purposes. The enforcement notice was not the subject of an appeal.</p> <p>Application No. 07/01966/COU was submitted to the LPA in July 2007 seeking a temporary use of the same field which was the subject of the earlier enforcement notice, but this time between 1st July and 31st October of each year for ancillary parking of hotel residents' vehicles. This application was refused planning permission, with the decision subsequently upheld at appeal but dismissed solely on the grounds that the applicants had not demonstrated that the additional traffic generated as a result of the additional car parking could be accommodated on the highway network.</p> <p>A subsequent Application No. 09/00165/FUL was granted full planning permission on 9th April 2009 allowing the field adjoining the hotel car parks to be used for overspill car parking between 1st July and 31st October of each year in association with the hotel.</p> <p>A further application Ref. No. 12/01301/COND permitted an extension of the overspill car parking from 1st June to 31st October each year in association with the hotel, and in a similar way to Application No.09/00165/FUL, it did not prohibit airport related car parking.</p> <p>The hotel car parks accommodate a total of 350 car parking spaces, with the field granted planning permission on 9th April 2009 providing overspill car parking for 282 cars.</p>
<p>Holiday Inn (formerly Gatwick Worth) ^x</p>	<p>650</p>	<p>335</p>	<p>Mid Sussex DC</p>	<p>On 5th June 1999 under Reference No. WP/59/98 planning permission was granted for a change of use from overflow car park to long term parking for hotel guests. The application details showed a larger car park with a smaller scale plan showing overflow car park. Two conditions were attached to this permission.</p> <p>The first restricted the use of part of the car park for long term parking only for bone fide clients of the hotel and was limited to that part of the car park shown on approved Drawing No. 9678/15. The second condition referred to the remainder of</p>

				<p>the hotel car park which was only to be used by guests and bona fide visitors to the hotel, and for no other purposes, including long term off-airport parking.</p> <p>The two conditions were not complied with and were the subject of an enforcement notice issued on 6th September 2000. An appeal against the enforcement notice was allowed on 10th March 2001, with the enforcement notice as corrected being quashed.</p> <p>Condition No. 2 was discharged and in its place a new condition inserted, stating <i>“the remainder of the hotel car park shall only be used for the long term parking of cars by bona fide clients of the hotel, and for other forms of car parking by guests currently staying at the hotel and bona fide visitors to the hotel.”</i></p> <p>What this meant was that long term parking of cars by bona fide clients of the hotel, car parking by guests currently staying at the hotel, and bona fide visitors to the hotel could use both car parks. The Inspector did not prevent the use of the car parks for long term off-airport car parking purposes, so long as they were bona fide clients, guests or visitors to the hotel.</p> <p>On 10th October 2006 Application No. WP/06/02168/COU was submitted to Mid Sussex DC seeking an extension to the hotel car park. This application sought to divide areas used for car parking at the hotel into those required for long term car parking and those required for short term parking. The application was refused permission in November 2006 and the resultant appeal was dismissed on 3rd September 2007 on countryside and strategic gap grounds, and there being insufficient evidence to demonstrate a need for the additional car parking.</p> <p>A further application was submitted under Reference No. 08/01225/FUL seeking expansion of hotel to provide additional 33 bedrooms, new hotel entrance, external landscaping and revised car park layout, which was granted full planning permission on 26th June 2008. The 2008 application sought an area to be used for long term car parking, accommodating approx. 335 cars in a block park format, separated by a landscaped and security barrier. A further 18 long term car parking spaces were proposed along the rear access road. A separate short term car park accommodating approx. 120 cars with a further 9 staff car parking spaces were proposed closer to the main hotel.</p> <p>Application No. 11/01731/EOT sought an extension of time for the implementation of the development approved under Application No. 08/01225/FUL, itself granted</p>
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Keeper Knights	309	153 on Areas D,E,F,G, from July to September of each year and in addition 98 spaces on Areas H & I for the period April to October of each year	Mid Sussex DC	<p>full planning permission on 2nd August 2011. This application has been partly implemented.</p> <p>More recently, under Application No. DM/17/3447 planning permission was granted on 22nd November 2017 for an extension of the Gatwick Worth Hotel to provide 40 new bedrooms, enhanced conference space, extensions to the restaurant, beauty treatment rooms and office space. Subsequently two Section 73 Applications have been approved relating to the design of the building, and a further permission granted under Ref. No. DM/20/3243 for an extension of the existing car park to provide an additional 80 car parking spaces, the need for which having arisen through the grant of planning permission for the extra bedrooms. No condition was attached to Application No. DM/20/3243 seeking to control their use.</p> <p>The current arrangements allow for 335 long stay parking spaces and 120 short stay car parking spaces which together with the 80 car parking spaces granted planning permission under Application No. DM/20/3243 results in an authorised capacity of 535 spaces, of which 335 are capable of being used for long term off-airport car parking spaces.</p>
				<p>A CLEUD was granted in July 2013 under Ref. No. 13/01570/LDC allowing a long term off-airport car parking use on areas notated as D, E, F, G, H, I, J and K shown on the submitted drawings for 28 days in a calendar year under Schedule 2 Part 4 Class B of the Town & Country Planning General Permitted Development Order 1995 (As Amended).</p> <p>A subsequent application Reference No. 14/01772/COU sought a change of use to allow for long term off-airport car parking on the areas notated D, E, F, G, H and I for three calendar months in a year, with car parking excluded from Areas J and K, together with the removal of permitted development rights for temporary changes of use on the same land. This application was granted permission on 11 July 2014 with the three calendar months being July, August and September, with no cars allowed to be parked at any other time within the application site and removal of permitted development rights.</p> <p>A further Application Reference No. DM/17/5203 sought permission to vary Condition Nos 2 & 3 of Application No. 14/01772/COU. This application sought to amend the approved operating times for car park Areas H & I (Condition 2) and to amend the reference in Condition No. 3 so that it related to the latest General Permitted Development Order. This application sought to vary Areas H & I to allow</p>

	Russ Hill Hotel, Russ Hill, Charlwood, Surrey	400	153	Mole Valley DC	<p>for an additional two months parking being June and October, with the supporting statement to the application stating:</p> <p><i>“The demand for car parking is very high and the site operator for Keeper Knights (Ace Parking) is struggling to meet demand. The operator also experiences difficulties with the three month operating limit on the use of Keeper Knights parking areas – as the holiday season extends beyond these three months. By allowing Areas H & I to remain open for additional months either side of the already approved dates, the whole summer holiday season can be accommodated.”</i></p> <p>Planning permission was granted in respect of Application No. DM/17/5203 on 8th February 2018 subject to the removal of permitted development rights and preventing cars being parked anywhere else on the site outside the stated months. Subsequently Application No. DM/19/0221 was granted planning permission on 13 March 2019 seeking a variation of Condition no. 2 on Reference No. DM/17/5203 allowing Areas H & I to be used in April and May of each calendar year. The decision notice removed permitted development rights and prevented cars being parked on the site outside the stated months.</p> <p>Application Nos DM/20/0256 sought permission to vary Condition Nos 2 & 4 on Application No. DM/19/0221 to allow areas H & I to be used throughout the calendar year, along with lighting for H & I. This application was refused planning permission on 16th March 2020. A further application Reference No. DM/20/2954 sought to vary Condition No. 2 on Application No. DM/19/0221 to allow areas H & I to be used throughout the calendar year and this was also refused on 5th October 2020.</p> <p>This permission allows for 153 on Areas D,E,F,G, from July to September of each year and in addition 98 spaces on Areas H & I for the period April to October of each year.</p> <p>Application No. MO/2000/1139 dated 20th November 2000 sought the modification of the parking layout and creation of additional parking areas to increase the total number of spaces from 264 to 333, at the same time relocating the existing long term car parking component to the car park on the southern part of the site.</p> <p>Conditions attached to MO/2000/1139 required that no more than 153 out of the 333 car parking spaces at the hotel were to be used by persons absent from the hotel for more than 12 hours in order to travel from Gatwick Airport, and that such vehicles should only be parked in defined areas in the southern part of the car park.</p>
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				<p>Application No. MO/2001/1654/CC sought the variation and removal of conditions attached to Application No. MO/2000/1139. This later application was refused permission by the Council on 8th March 2002 and dismissed on appeal by The Planning Inspectorate on 3rd April 2003.</p> <p>Therefore, the lawful spaces at the hotel devoted to long term off-airport car parking purposes is restricted to 153.</p>
Waggoners Farm, Russ Hill, Charlwood, Surrey	131	181 But only between 01.04. and 31.10 in any calendar year	Mole Valley DC	<p>This site enjoys the benefit of a CLEUD Reference No. MO/2010/1512 for seasonal off-airport parking of cars between 1st April and 31st October, granted on 19th January 2011. A subsequent application seeking a CLEUD in respect of the use of the same area of land all year round was refused on 7th April 2017 under Reference No. MO/2016/1507/ECL., on the basis there was insufficient evidence to support the continuous use throughout the calendar year for long term off airport car parking purposes.</p> <p>The figure of 181 has been calculated by examining the area the subject of the CLEUD from information provided on Google Earth.</p>
Ifield Court Hotel, Charlwood Road, Ifield	200	130	Horsham DC	<p>Application No. RS/46/85 granted permission on 7th July 1986 allowed a maximum number of car parking spaces at the Ifield Court Hotel of 214, of which 130 were to be devoted to long term off-airport car parking, with the remaining 84 used for operational purposes in conjunction with the hotel. This level of car parking was restricted by condition.</p> <p>A subsequent application Reference No. DC/15/2622 which sought to retain an access, hardstanding, security office and security fencing to provide 420 off airport car parking spaces along with the installation of lighting, was refused by the LPA under delegated powers on 24th March 2016.</p> <p>At the time Application No. DC/15/2622 was submitted to Horsham District Council the Ifield Court Hotel had ceased to operate.</p> <p>The lawful long term off-airport car parking use is restricted to 130 spaces by a condition imposed on Application N. RS/46/85.</p>
Curtis Farm, Green Lane, Rusper	250	250 max in Buildings 4, 6 & 7 between	Horsham DC	<p>Application No. RS/56/02 sought a temporary use between 1st April to 30th September in the same calendar year for the parking of cars/vans in two cattle barns (notated as Buildings 6 and 7), and a former sheep building (Building 4) at Curtis</p>

		<p>01.04 and 14.11 in any calendar year, and 150 in Buildings 1 & 2 between 14.11 to 01.04</p>		<p>Farm. This application was refused permission but allowed on appeal on 17th June 2003.</p> <p>Application No. DC/11/0460 sought retrospective permission for the winter storage of vehicles in Buildings 1 & 2 for approximately 150 vehicles between 14th November of one year and 1st April of the next. Buildings 1 & 2 were used for fodder storage between June and November, and as such the same two buildings remained empty between June and November.</p> <p>Application No. DC/11/0461 sought an extension of the time period in which Buildings 4,6 and 7 could be used for parking of private motor vehicles from 1st April to 14th November in each calendar year (i.e. a further 6 weeks from 30th September to 14th November in each calendar year from that approved on appeal on 17th June 2003).</p> <p>It follows that Buildings 1 & 2 can be used between 14th November up until 1st April in the following year, with Buildings 4, 6 and 7 being used from 1st April until 14th November. The Inspector in the 17th June 2003 appeal decision considered that around 200 to 250 cars could be stored in Buildings 4, 6 and 7, with the applicant stating as part of the details accompanying Application No. DC/11/0460 that 150 cars could be stored in Buildings 1 & 2.</p>
<p>Little Park Farm, Charlwood Road, Ifield</p>	<p>586</p>	<p>530</p>	<p>Horsham DC</p>	<p>Little Park Farm was granted a CLEUD under Ref. No. DC/17/0538 on 17th May 2017 for off-airport overflow car parking, and from an examination of Google Earth the area the subject of this CLEUD could accommodate 530 vehicles</p>
<p>Little Foxes Guest House, Charlwood Road, Ifield</p>	<p>50</p>	<p>65</p>	<p>Horsham DC</p>	<p>Application No. RS/42/86 sought the provision of 46 car parking spaces for the existing guest house, which was refused on 15th October 1986, only to be the subject of appeal which was subsequently dismissed by The Planning Inspectorate.</p> <p>A subsequent application Reference No. RS/22/87 sought planning permission for additional car parking spaces and likewise was refused by the LPA on 8th July 1987, before being dismissed on appeal.</p> <p>Unauthorised long term off-airport car parking took place on a large area of the site adjacent to the guest house, which was the subject of two enforcement notices which were subsequently the subject of appeals and similarly dismissed.</p> <p>Application No. RS/77/96 was granted planning permission on 8th January 1997, allowing the number of permitted car parking spaces to increase to 15, albeit it was</p>

				<p>subject to two conditions which restricted the use to persons using the guest house or residents of Little Foxes, along with a separate condition in which the car parking was to lie to the front of the guest house.</p> <p>Application No. DC/11/0597 was lodged seeking the retention of an overflow car park on the land to the rear of the guest house amounting to an additional 50 parking spaces over and above the 15 lawful spaces granted permission on 8th January 1997. This application was recommended for refusal but overturned at the Council's Development Management Committee North meeting held on 7th June 2011, at which time it was granted permission. Condition No. 1 attached to Application No. DC/11/0597 stated <i>"The overflow car park hereby permitted shall be used solely by persons using the guest house accommodation of Little Foxes, and at no time be used for independent off-airport car parking associated with any other business or commercial operation."</i></p> <p>It follows that whilst the car parking cannot be used by a long term off-airport car parking company, the use of the same land by persons using the guest house accommodation at Little Foxes is lawful, which in itself is a form of long term off-airport car parking. Accordingly, 65 car parking spaces are set aside for long term off-airport car parking purposes, albeit of a restricted nature.</p>
<p>GRAND TOTAL Available 12 months of the year</p>	<p>3,827</p>			<p>1,909 vehicles may be lawfully parked throughout the calendar year on the above-mentioned sites. In addition to the 1,909 vehicles, long term off-airport car parking can take place lawfully on a seasonal basis on the following sites:</p> <ul style="list-style-type: none"> i) An additional 350 cars may be parked at the Copthorne Hotel between 1st June and 31st October in any one calendar year; ii) an additional 153 cars may be parked on Areas D,E,F. & G at Keeper Knights between 1st July and 30th September, with a further 98 cars parked on Areas H & I between 1st April and 31st October in any one calendar year; iii) 181 cars can be parked at Waggoners Farm between 1st April and 31st October in any one calendar year. iv) During the summer months between 1st June and 30th September a total of 2691 cars can be parked on the above mentioned sites (1,909 + 782)

number of authorised passenger spaces off-airport is around 15,960 to 16,385 spaces and that is these figures which should be applied in Table 2 of **Document REP1-051**. This is irrespective of the fact that the same figures take no account of the point raised earlier concerning an absence of planning permission being granted for a mixed or composite use of hotels and off-airport car parking, particularly in those instances where the hotel sites lie outside the Operational Land area of London Gatwick Airport.

7.00 ExQ1 TT.1.10

- 7.01 The Applicant in response to the questions raised by the Examining Authority under TT.1.10 states that *“There is no control/limit on parking spaces imposed on the Applicant under any planning permission or agreement”*. This candid response has to be viewed in the context of current adopted Local Plan Policy GAT3.
- 7.02 The Local Planning Authority considers Policy GAT3 of the adopted Crawley Borough Local Plan 2015-2030 to be the mechanism which restricts provision of additional or replacement airport parking to sites within the airport boundary, but as my clients have already indicated in these representations, the same policy is declared redundant in circumstances where the Airport can take advantage of permitted development rights and effectively bypass the requirement to justify a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport.
- 7.03 It is for this reason along with any independent governance arrangements surrounding on-airport car parking provision that the Examining Authority is requested to consider using a cap to control on-airport staff and passenger car parking in a similar way to that considered appropriate at the time of the T5 inquiry involving London Heathrow Airport. The fact that on-airport car parking capacity is reported each year to Crawley Borough Council in accordance with the 2022 Section 106 Agreement, offers no comfort, particularly when there is an absence of any enforcement measures governing on-airport car parking provision whether for staff or passengers, with the ability of the airport to mix different forms of on-airport car parking at any time to suit its own business arrangements.
- 7.04 The answers given to the questions in TT.1.10 makes no reference to the extant Local Plan policy, but defers to pricing as the sole mechanism to be used efficiently to ensure a balance is struck between surface access strategy and goals for sustainable travel.

Pricing plays its own role as an important revenue stream for the airport, providing the necessary finance to support sustainable access commitments through the Sustainable Transport Fund. What is clearly important is that pricing can result in unforeseen circumstances in that if it is generally seen by the passenger as being over-expensive, it is more likely to lead to increases in unauthorized car parking off-site, along with added impetus focused on using technological platforms such as JustPark, which is of no benefit to either the Applicant or bona fide long term off-airport car parking operators.

7.05 The Applicant states that it does not seek to control occupancy of off-airport capacity and neither does the DCO application seek to do so. The airport is nevertheless highly influential in persuading local planning authorities to impose restrictive policies into their Local Plans thereby effectively preventing the introduction of long term off-airport car parking sites ostensibly on sustainability grounds. My clients believe this is only part of the reasoning, with the airport operator occupying a strong position in both the upstream (access to the airport) and downstream (services to get to the airport) levels of the surface access sector. This at best means that airport operators have incentives to favour their own services, with the ability to prevent access to rival facilities. In this regard, for the Applicant to state that requests for additional capacity by long term off-airport car parking operations would require planning permission, in the full knowledge that this is unlikely to be forthcoming, is a futile comment to make.

8.00 ExQ1 TT.1.16

8.01 The Applicant has referred in its answer to the Examining Authority's Question TT.1.16 to a list of improvements to bus and coach services, which in themselves are provided at paragraph 11.3.16 of the Transport Assessment [**Document AS-079**]. The mechanism for delivering these bus and coach services is set out in Commitments 5-7 provided at **Document REP3-028**. In **Document REP3-028** these bus and coach enhancements are set out at Table 1 and Table 2, at paragraphs 5.2.2 and 5.2.4, and whilst the indicative frequency with the Project is shown, both tables include the words "*Daytime: Between the hours of 0700-1900*", which is not reflected in paragraph 11.3.16 of the Transport Assessment [**Document AS-079**]. As **Document REP3-028** is the most recent, it would appear that the improved frequencies of bus and coach services are only expected to take place between the hours of 0700 and 1900, which is of no benefit to passengers requiring to access London Gatwick Airport for an early morning flight, or who return after 1900hrs.

9.00 ExQ1 TT.1.28

9.01 It would appear from the Applicant's response to Question TT.1.28 concerning ultra-low or zero emission vehicle mode share targets that its strategy providing charging infrastructure for electric vehicles used to access the airport to facilitate ultra-low and zero emission vehicles is not intended to be published before 2030, despite charging facilities for passengers being already available on airport.

9.02 With these factors in mind, there is no reason why there should not be amendments to the 2022 Airport Surface Access Strategy to reflect support for what is referred to as "*wider surface access commitments to promote sustainable travel*" in compliance with Commitment 12A of **Document REP3-028**.

10.00 ExQ1 TT.1.31

10.01 It is the experience of those acting on behalf of Holiday Extras Ltd that considerations regarding luggage storage areas on trains for airport passengers cannot be realistically divorced from considerations relating to passenger volumes and in particular forecast passenger standing space, particularly where trains do not all terminate at Gatwick Airport railway station, and where the primary function of the Brighton Main Line is to service commuters.

10.02 The absence of any surveys undertaken by the Applicant in preparing its DCO application is considered to be a serious omission, particularly when it is acknowledged that no surveys of how luggage is accommodated on trains have been made available to GAL. Furthermore, the DCO application involves Gatwick Airport railway station having to accommodate 32mppa more than the station currently is designed to handle, at a time when Commitment 1 set out in **Document REP3-028** seeks a minimum of 55% of air passenger journeys to and from the airport to be made by public transport, with a further aspirational target of 60%, albeit that this is not a commitment.

10.03 In the light of these facts, the Applicant's evidence where it relates to future passengers relying on public transport by rail has to be questioned.

11.00 ExQ1 TT.1.32

11.01 Holiday Extras Ltd do not seek to challenge the answers given by the Applicant to the two points raised by the Examining Authority in ExQ1 TT.1.32, but it is nevertheless a

fact as pointed out in my clients' response to Question TT.1.6 referred to earlier in these representations, that CAA do provide bespoke data of a more granular nature which allows for identifying those passengers relying on "kiss-and-fly" as well as those using "meet-and-greet" facilities. In this way, the various sub-categories consisting of private car parking having been indicated in the footnote to Table 1 included on page 11.

- 11.02 Where passengers rely on technological platforms such as JustPark to park their vehicles on the private driveways of individual residential properties or in other locations lying on close proximity to London Gatwick Airport, there is a tendency for them to use taxi/Uber to access the airport or return to their car, which can distort the various mode shares set out in Tables 12.6.1 of **Document AS-076**.

12.00 ExQ1 TT.1.34

- 12.01 The Applicant provides information purporting to show the relationship between parking capacity and pricing to illustrate how the latter is effective in managing modal choice at airports. It is relevant to refer to the underlying intention behind Policy GAT3 of the adopted Crawley Borough Local Plan 2015-2030 when considering the relationship between parking capacity and modal choice. This policy requires any new proposals for additional or replacement parking within the airport boundary to be justified by a demonstrable need in the context of achieving a sustainable approach to surface transport access to the airport. The same policy is considered by my clients to be incapable of fulfilling its stated intentions for the reasons outlined earlier in paragraph 3.10 of these representations, although it remains Crawley Borough Council's view that Policy GAT3 performs a legitimate planning purpose, justifying its incorporation into the current adopted and emerging Local Plan.
- 12.02 To this consideration should be added the provisions of Obligation 5.6.1 of the latest Gatwick Airport 2022 Section 106 legal agreement entered between GAL, West Sussex County Council and Crawley Borough Council, which is of relevance when considering the relationship between parking capacity and modal choice. Obligation 5.6.1 states:

"5.6.1 Provide sufficient but no more on-Airport public car parking spaces than necessary to achieve a combined on and off airport supply that is proportionate to 48% of non-transfer passengers choosing to use public transport for their journeys to and from the airport by end of 2024."

12.03 The Applicant refers to an increase in car parking capacity of 8,000 spaces in the decade to 2010, at which time there was a 28% increase in parking charges, with air passenger demand increasing by approximately 41% which would have needed an additional 14,000 spaces if mode shares had remained the same. These figures however do not take into account the levels of authorised and unauthorised off-airport car parking which was taking place during the same time period, and which reached peak levels in 2013/14 and 2017/18 and which cannot be divorced from modal share targets. Similarly, the relationship between behavioural change and the price of car parking, and drop-off and pick-up, is itself affected by choice of which there are many components, extending beyond on and off airport car parking and “*kiss and fly*” mode.

13.00 ExQ1 TT.1.38

13.01 The Applicant in answer to ExQ1 TT.1.38 provides at Table 3 of **Document REP3-104** a comparison between the 2047 future baseline and 2047 figures with the Project, to derive future car parking requirements. In devising Table 3, the Applicant assumes a constant figure for current authorised off-airport passenger car parking provision into the future, as indicated by Row B², based on the premise that no future planning permissions will be granted for long term off-airport car parking purposes.

13.02 It does not take into consideration the fact that 26% of the total amount of authorised off-airport passenger car parking sites in accordance with the most recently published Gatwick Car Parking Survey 2023 are derived from Certificates of Existing Lawful Use or Development. Whilst it is accepted that there is no forecasting mechanism which can be employed to provide with any degree of accuracy the quantum of future off-airport passenger car parking spaces on sites which are the subject of CLEUD applications, it remains the case that some sites have previously figured in earlier Gatwick Car Parking Surveys.

13.03 All the CLEUD application sites in the 2023 Gatwick Car Parking Survey are situated outside Crawley Borough Council’s administrative area, with the consequence that they are not found in the most sustainable locations. This is a factor which cannot be divorced from the operation of a restrictive policy adopted by Crawley Borough Council

² This is a matter confirmed by the Applicant’s response to the Examining Authority’s ExQ1 TT.1.41 and Table 4 set out in **Document REP3-104**

which in preventing the establishment of long term off-airport car parking sites within its boundaries, perpetuates a form of development whose consequences inevitably leads to increased traffic on rural roads; increased journeys made to and from the airport; increases in CO₂ emissions and reductions in air quality, where such factors could be ameliorated if the sites were allowed in locations closer to London Gatwick Airport.

- 13.04 It is further contended that the peak off-airport passenger parking accumulation figure in Table 3 of **Document REP3-104** is higher than the 87.5% of off-airport provision quoted by the Applicant, being closer to 90% or 91%; whilst no account has been taken of those sites which enjoy the benefit of a lawful off-airport car parking use for a limited period in any one calendar year. Similarly, no regard been paid to those unauthorised off-airport car parking sites, who regardless of their status, provide a service to passengers using the same airport, and which if the subject of enforcement proceedings, produces a ripple effect having an impact on both lawful on and off-airport car parking provision.
- 13.05 A further important issue concerns car parking associated with on-airport hotels found within the Operational Land boundary of London Gatwick Airport, where there is an absence of any designated car parking provision, and the extent to which on-airport parking spaces are used by their customers. A separate consideration relates to car parking provision associated with hotels/guest houses situated outside the Operational Land boundary of London Gatwick Airport, either within or outside the boundary of London Gatwick Airport on the Proposals Map accompanying the adopted Crawley Borough Local Plan 2015-2030, and the extent to which they are being used for purposes incidental to the respective hotel/guest house, or whether they constitute a mixed or composite use involving a hotel and long term off-airport car parking. Those hotels found within the boundary of London Gatwick Airport on the Proposals Map accompanying the adopted Crawley Borough Local Plan 2015-2030 are considered to be on-airport from a policy perspective.
- 13.06 It is a combination of these factors which clearly have an impact on the selected methodology provided in Table 3 of **Document REP3-104**.