



Horsham  
District  
Council



# **GATWICK AIRPORT NORTHERN RUNWAY PROJECT**

Planning Inspectorate's Reference: TR020005

## **Legal Partnership Authorities Compulsory Acquisition Hearing 1 Post Hearing Submission**

**DEADLINE 4: 15 MAY 2024**

Crawley Borough Council (GATW-AFP107)

Horsham District Council (20044739)

Mid Sussex District Council (20044737)

West Sussex County Council (20044715)

Reigate and Banstead Borough Council (20044474)

Surrey County Council (20044665)

East Sussex County Council (20044514)

Tandridge District Council (GATW-S57419)

## Compulsory Acquisition Hearing 1 (“CAH1”) | Thursday 02 May 2024

### Post Hearing Submissions including written summary of the Legal Partnership Authorities’ Oral Case

**Note:** The Legal Partnership Authorities are comprised of the following host and neighbouring Authorities who are jointly represented by Michael Bedford KC and Sharpe Pritchard LLP for the purposes of the Examination:

- Crawley Borough Council
- Horsham District Council
- Mid Sussex District Council
- West Sussex County Council
- Reigate and Banstead Borough Council
- Surrey County Council
- East Sussex County Council; and
- Tandridge District Council.

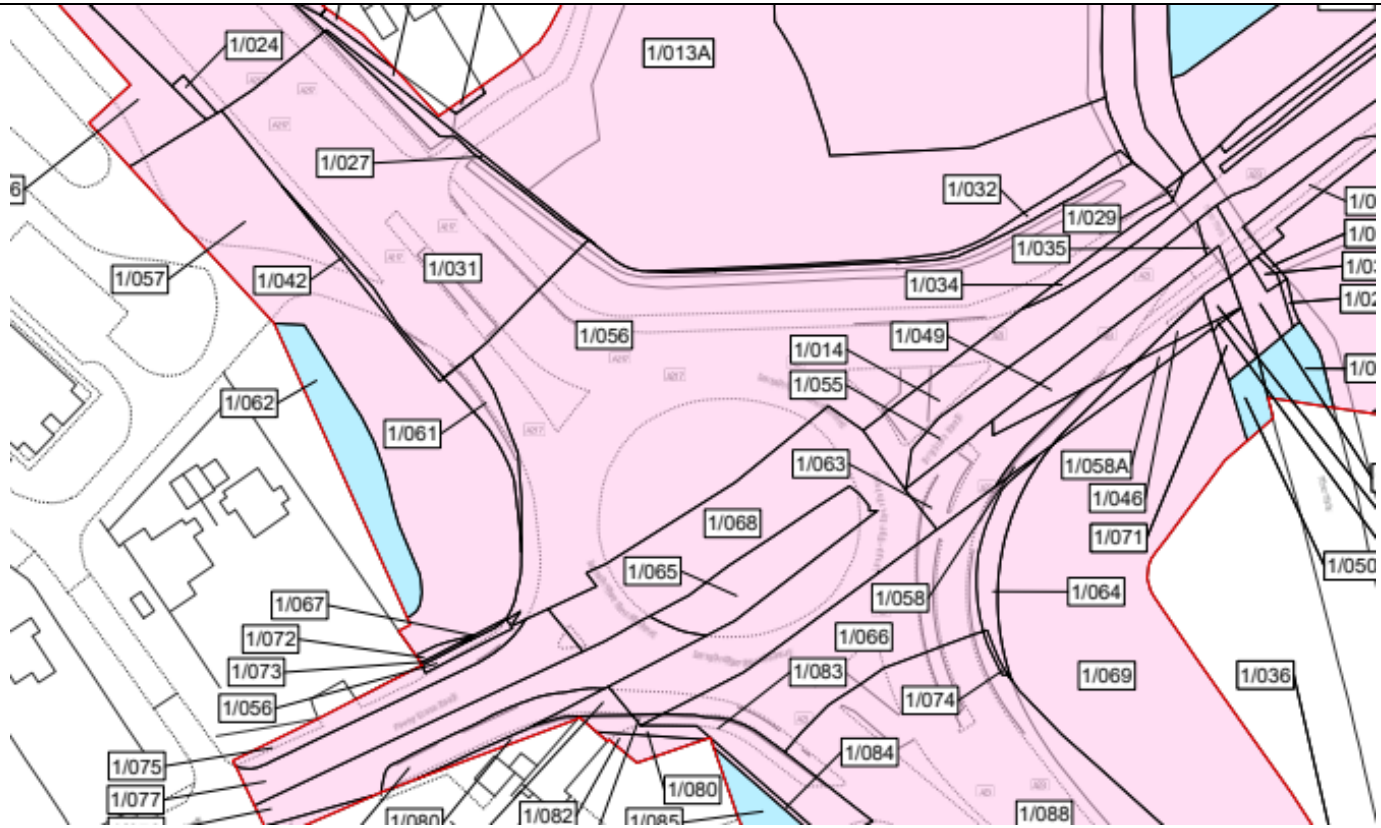
In these submissions, the Legal Partnership Authorities may be referred to as the “*Legal Partnership Authorities*”, the “*Authorities*”, the “*Joint Local Authorities*” (“*JLAs*”) or the “*Councils*”. Please note that Mole Valley District Council are also part of the Legal Partnership Authorities for some parts of the Examination (namely, those aspects relating to legal agreements entered into between the Applicant and any of the Legal Partnership Authorities).

#### **Purpose of this Submission**

The purpose of these post-hearing submissions is to provide a written summary of the Legal Partnership Authorities positions on the Agenda Items discussed at the hearing. This includes both a summary of the Legal Partnership Authorities oral representations and, in some cases, further comments on the oral representations made by the Applicant at the hearing. Whilst the structure of these submissions follows the order of the Agenda Items, they do not include all of the Legal Partnership Authorities’ concerns in relation to each Agenda Item as not all of these positions were rehearsed orally at the hearing due to the need to keep oral representations succinct. The Legal Partnership Authorities would also be happy to provide answers in writing to any specific further questions which the Examining Authority (“ExA”) may have.

**Attendance:** CAH1 was attended by Michael Bedford KC for the Legal Partnership Authorities, instructed by Alastair Lewis, Partner and Parliamentary Agent, of Sharpe Pritchard LLP. The hearing was attended by various other representatives from the Legal Partnership Authorities who did not make oral representations.

No.	ExA's question / Agenda Item	Post-Hearing Submissions
<p><b>3.1</b></p>	<p>The ExA will ask the Applicant to briefly present and justify its case for Compulsory Acquisition (CA) and Temporary Possession (TP), including addressing the following matters:</p> <ul style="list-style-type: none"> <li>• Identification of the powers sought and their purposes.</li> <li>• Relevant draft Development Consent Order (dDCO) provisions.</li> <li>• How the relevant statutory and policy tests under the Planning Act 2008 (PA2008) (including s122, s123, s127, s132 and s138) and Department for Communities and Local Government guidance related to CA would be met.</li> <li>• The Applicant's strategy/ criteria for determining whether to seek powers for CA of land, CA of rights or TP of land.</li> <li>• Consideration of alternatives to CA/ TP.</li> <li>• Human rights considerations.</li> </ul>	<p><b><u>Comments on the Applicant's Case for Compulsory Acquisition and Temporary Possession</u></b></p> <ul style="list-style-type: none"> <li>• As a general point, the Legal Partnership Authorities note that the "compelling case in the public interest" test, which the applicant needs to meet, engages with the wider merits arguments in relation to the NRP as a whole as being discussed at the Examination. That is to say that if the ExA is not persuaded of the wider merits of the NRP as a matter of the overall planning balance, it is unlikely to be satisfied that the Applicant has demonstrated that there is a compelling case in the public interest to take private land and to interfere with private rights in order to deliver such a project.</li> <li>• The Legal Partnership Authorities are not yet persuaded of this wider case and so – when considering the case for compulsory acquisition ("CA") where some of the local authorities have land interests which are affected – their general position on the merits carries across as a relevant factor in the question of whether CA powers are justified.</li> </ul> <p><b><u>Highway Land</u></b></p> <ul style="list-style-type: none"> <li>• The second point is a generic point as opposed to site-specific; however, to make the point, reference is made (see below) to an example of a particular plot. The point relates to the proposed CA of Highway Land.</li> <li>• Surrey County Council and West Sussex County Council, as local highway authority for the roads in their areas, have vested in them by operation of law under the Highways Act 1980, sufficient legal interest in land which is subject to highway rights, to enable them to discharge their highways functions.</li> </ul>
<p><b>3.2</b></p>	<p>The ExA will invite submissions from Affected Persons (AP) who wish to raise general matters in relation to the Applicant's case for CA and TP. However, site-specific submissions will be reserved to agenda items 4 and 5.</p>	<ul style="list-style-type: none"> <li>• Some of the areas of land which are the subject of CA in the order are parcels of land over which those respective Highway Authorities have legal interests and highway responsibilities.</li> <li>• In some instances, it appears that GAL's proposals are to carry out works of alteration or improvement to existing highways and, at the end of the exercise, the highway will not be stopped up and it will remain subject to highway rights. An example is the A23 Brighton Road feeding northwards into the Longbridge roundabout. By way of example, among other areas of adjacent highway land, Plot 1/014 is part of the carriageway of the A23 Brighton Road. It is shown on Inset Sheet 1 of the land plans <a href="#">[AS-015]</a> and there is a snip of that sheet below: Plot 1/014 is just to the right of the centre of the roundabout.</li> </ul>



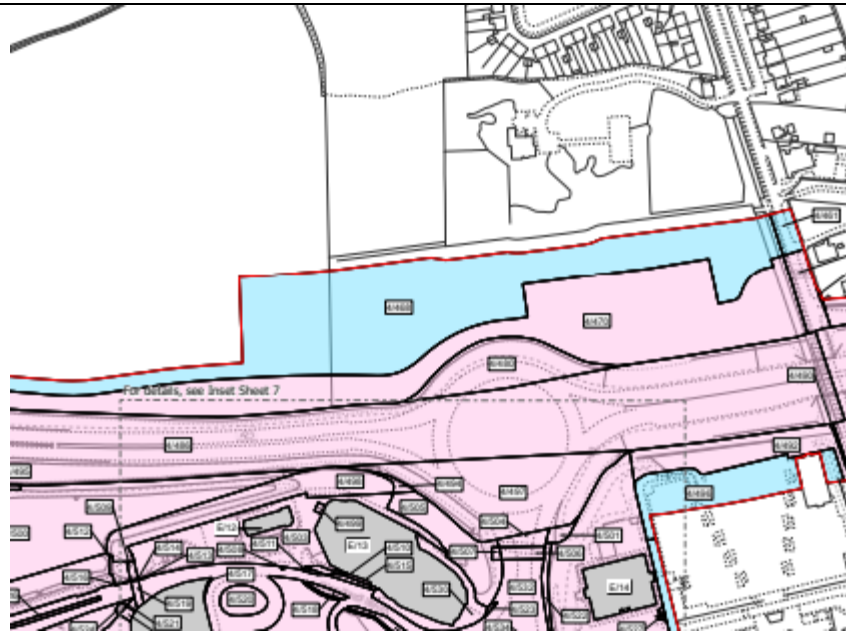
- In Part 1 of the Book of Reference [[AS-010](#)] (see page 26), the Plot 1/014 is shown as being subject to permanent acquisition. The subsoil of the plot is shown as being owned by Surrey County Council and Reigate and Banstead Borough Council, and Surrey County Council, as local highway authority, is shown as the occupier.
- On sheet 2 of the Works Plans [[REP3-011](#)], Plot 1/014 is within the Works Area Limit for Work No. 37, which is described in Schedule 1 to the DCO [[REP3-006](#)] as works associated with the Longbridge Roundabout junction improvements. It includes (paragraph (b)) the widening and realignment of the A23 Brighton Road. At the completion of the works, the land will remain as part of the highway. It is not intended to be stopped up so as to remove highway rights, and it is not intended, so far as the Councils are aware, for the Applicant to retain permanent control of the highway surface.



		<ul style="list-style-type: none"> <li>• As things stand, the Legal Partnership Authorities are not clear from what is in the Applicant's material, why there is a need for CA of that plot, or of any similar local highway plots which are shown as being subject to CA in similar circumstances.</li> <li>• The Legal Partnership Authorities have noted from the Applicant's Statement of Reasons [<a href="#">AS-008</a>] under the heading "Proportionate" the applicant states: <ul style="list-style-type: none"> <li><i>"Steps have been taken to ensure that the land and interests proposed to be acquired are proportionate. Noting that GAL owns the freehold of most of the land required, GAL has sought to take powers of rights over land rather than the compulsory acquisition of the freehold in certain instances (as shown shaded blue on the Land Plans (Doc Ref. 4.2)) and has not sought powers over certain plots where it would not be proportionate to do so (as shown shaded grey on the Land Plans (Doc Ref. 4.2)).</i></li> <li><i>For example, for certain plots GAL has sufficient certainty that the land is not required permanently and has therefore only sought powers to compulsorily acquire permanent rights and temporary possession powers. This is mainly the case for land which is required for planting and GAL needs to obtain rights to maintain the planting but does not need to hold the freehold to do so."</i></li> </ul> </li> <li>• When considering this evaluation of proportionality in relation to Highway Land, the Legal Partnership Authorities do not understand why it could be considered proportionate for the Applicant to be exercising powers of CA and permanent acquisition, as opposed to reaching an accommodation with the highway authorities (via highways agreements such as Section 278 Agreements) to enable the relevant highway improvements to be carried out without the need for CA.</li> <li>• The Legal Partnership Authorities consider that this issue is eminently capable of resolution, so at this stage, it is not a fundamental point that is a major concern. However, the Authorities do take the position that since CA should be the last resort, and since they have not seen an adequate explanation for the Applicant's approach, at the moment, they are not persuaded that that part of the tests are met in relation to the taking of Highway Plots.</li> <li>• The Legal Partnership Authorities have noted that paragraph 18(3) of Schedule 9 to the draft DCO (protective provisions for National Highways), says that the undertaker may not exercise CA powers, acquire new rights or seek to impose or extinguish any restrictive covenants over any of the strategic network except with the consent of National Highways. The Legal Partnership Authorities consider that if the powers of CA are to remain over any local highway land which is not intended to be stopped up under the DCO, then similar provisions should be put in place for the local highway authorities. Otherwise, the powers over such highway land should either be removed in their entirety or limited to powers of temporary possession ("<b>TP</b>").</li> </ul>
--	--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

4.1	The ExA will ask the Applicant to provide a brief update on the progress of negotiations with APs and the timetable for their conclusion.	<b>N/A</b>
4.2	The ExA may ask questions of the Applicant about negotiations and matters arising from written and oral submissions.	
5.1	The ExA will ask APs to briefly set out any outstanding concerns in relation to CA/ TP for the land in which they have an interest that have not been addressed by the Applicant.	<p><b><u>Outstanding Concerns in relation to CA and TP</u></b></p> <ul style="list-style-type: none"> <li>• In addition to the points raised above in relation to highway land, the Legal Partnership Authorities raised outstanding concerns regarding CA/TP in relation to two areas and which have not yet been addressed by the Applicant.</li> </ul> <p>1) <b><u>Riverside Gardens Park and Church Meadow</u></b></p> <ul style="list-style-type: none"> <li>• Table 20.1 of the Surrey Local Impact Report <a href="#">[REP1-097]</a>, sets out the land parcels which are of relevance. The relevant plots are also described in Part 1 of Schedule 10 to the DCO and shown on the Special Category Land Plans <a href="#">[REP3-010]</a> and described in the Part 2 of the Book of Reference <a href="#">[REP1-011]</a>.</li> <li>• Riverside Gardens Park and Church Meadow are in the vicinity of the Longbridge roundabout and the Brighton Road (A23). The Applicant proposes to acquire some of the land which is currently designated Open Space Land, and there are also powers to acquire rights over some of it. The open space land to be acquired is proposed to be replaced by replacement open space land, some of which (Plot 1/13) is in the vicinity of Church Meadow and the rest (plots 1/200, 1/220, 1/289, 1/290A and 1/292) is beyond the southern end of Riverside Gardens Park. The replacement land is described in Part 2 of Schedule 10 to the DCO. The Authorities note from the Applicant’s remarks that the Applicant is in the process of preparing a note on open space provisions and how the arrangements for replacement open space are intended to work. In particular, the Applicant indicated at the hearing that some of the open space land to be acquired</li> </ul>

		<p>is to be redesignated so that it will fall within section 131(5) of the Planning Act 2008 rather than under section 131(4). The Authorities understand that this will mean that some of the land to be taken will not be replaced, because the area to be taken falls below the relevant size threshold. In turn, the Applicant says that Schedule 10 to the DCO will be changed at D4.</p> <ul style="list-style-type: none"><li>• The Legal Partnership Authorities will wait to see what changes are made, and what the note says. The current position is that the Authorities accept as a point of principle that the Applicant can acquire open space prior to the delivery of replacement land. However, the Applicant and the Legal Partnership Authorities are still in dialogue and negotiation regarding how the gap in time between the acquisition of the open space land and its replacement is to be managed so that it does not unduly deprive the public of the benefit of the enjoyment of the open space.</li><li>• There is a further issue as regards responsibility for the upkeep of the replacement open space land, which is subject to discussion as well.</li><li>• The Legal Partnership Authorities hope to make progress in discussions with the Applicant and will comment further once the Applicant's note on this issue has been provided.</li></ul> <p><b>2) <u>Bayhorne Farm</u></b></p> <ul style="list-style-type: none"><li>• So far as submissions were made on this subject on behalf of Surrey County Council ("<b>SCC</b>"), they were made on behalf of the Council as landowner of part of the site, as well as local authority. Reigate and Banstead Borough Council ("<b>RBBC</b>") are also interested in this site as local planning authority and (through a council owned company, Greensand Holding Ltd) landowner of part of the site.</li><li>• Bayhorne Farm is located on land to the immediate north of the southern terminal roundabout as shown in the land plans in <a href="#">[AS-015]</a> sheet four of seven (see extract below).</li></ul>
--	--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



- The Authorities' concerns relate to the Horley Business Park: an allocation in the adopted Reigate and Banstead Development Management plan. At **Appendix A** to this post-hearing submission is the relevant section of the plan (in Policy HOR9). The business park is in three plots, each owned by different bodies including SCC, RBBC (through the Council owned company Greensand Holding Ltd) and Sackville UK Property Select IV (GP) No.1 Limited (a subsidiary of Columbia Threadneedle Investments).
- A plan showing the separate ownerships is included in the Bayhorne Farm Masterplan (**Appendix C**) on page 7.
- Whilst the Horley Business Park is an allocated site in RBBC's DMP policy HOR9, it has had a number of challenges in terms of planning constraints, and the policy allocation provides a vehicle for meeting those challenges. In particular there are potential issues with highways access. At the time of the DMP examination, concerns were raised both by National Highways about deliverability of the site and by Gatwick Airport, about deliverability and how the constraints could be overcome. However, the inspector, having carefully considered all of that, concluded that there was a way

		<p>forward and that the allocation was justified. Furthermore, the Inspector made various modifications to the policy as a consequence. Relevant extracts from the report are at <b>Appendix B</b>.</p> <ul style="list-style-type: none"> <li>• Partly due to the pandemic and partly due to other factors, SCC and RBBC and their development partner have not yet come forward with a planning application, but they are working on a masterplan in order to deliver the allocation which is provided at <b>Appendix C</b>.</li> <li>• It follows that from a planning perspective, as opposed to a landowner perspective, it is quite clearly part of the settled development plan strategy for the Reigate and Banstead area to see this allocation come forward. Indeed, the Local Plan inspector specifically recognised that part of the site’s function is not merely meeting employment needs for Reigate and Banstead, but also to serve a part in meeting needs for Crawley immediately to the south. As such, the allocation serves an important function in planning terms, and it is right and proper that it should come forward and that it should not be frustrated or impeded by a subsequent development.</li> <li>• From the landowner perspective, there may be a commercial element to these discussions but it is clear that if GAL – as a private land owner – were to acquire the land to the immediate north of the roundabout without constraint via CA, they would be in a position where they could inhibit the Horley Business park from coming forward because the plots in question (4/470 and 4/480 in respect of CA and 4/468 in respect of TP and acquisition of rights) are a necessary part of the only means of accessing the Business Park site. SCC and RBBC consider there to be an absolute need to ensure that this DCO would not frustrate the delivery of the allocation, by ensuring that there is no question of ransom. The Authorities note that similar concerns were raised by other landowners as regards strips of land subject to CA which also have the potential to create ransom strips. It is also not clear why permanent CA (rather than temporary possession) is required if the land is only to be used for a construction site.</li> <li>• SCC are concerned that the reason for retaining the freehold of the site may be that it is proposed that part of it be used for the relocation of a balancing or attenuation pond (together with access), associated with National Highways infrastructure. SCC have discussed this with the Applicant, and have requested that the Applicant consider alternative locations for the pond either elsewhere in the Applicant’s existing ownership or in the northern part of the Bayhorne Farm site, where there is more limited potential for development due to it being in a Zone 2 Flood area. As it stands, SCC is not convinced that these options have been investigated in full or explored with National Highways and therefore is not convinced there is a compelling case for the freehold to be acquired.</li> </ul>
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<ul style="list-style-type: none"> <li>• In addition, SCC and RBBC understand that the Applicant’s intention is to take part of the land to the north of the roundabout as a construction compound from 2027 through to 2032. This would cast a shadow from now until 2032, meaning the impact of the acquisition of the land and rights would last longer than the 5 years during which the land would be used. At the moment, there are no proposals from the Applicant that would enable the construction of the business park and the construction of NRP to take place in tandem.</li> <li>• There are no proposals to safeguard delivering and access to the business park in the event that the DCO application is approved, and the works are then constructed. As such, the concerns that SCC and RBBC have – albeit that there has been some dialogue with the applicant about this – are that no arrangements have been put forward which achieve at least the following two things:             <ul style="list-style-type: none"> <li>○ First, in the short term, that the construction period and the use of the construction compound does not inhibit the delivery of the business park were it come forward in the period up to 2032; and</li> <li>○ Secondly, that the NRP works do not preclude the provision of a permanent access into the site.</li> </ul> </li> <li>• It is likely, but not yet confirmed, that were the Business Park to come forward, appropriate access to it would be from a new fourth arm from the revised Gatwick Spur Southern Terminal roundabout.</li> <li>• For the reasons set out above, SCC and RBBC consider it to be imperative that the DCO does not frustrate or inhibit the delivery of the strategic employment allocation recognised in the development Plan, and therefore, arrangements need to be made to ensure that any such frustration or inhibition will not occur, either through the inclusion of physical works or through land ownership control, or both. The Councils expect that the Applicant will engage with them to ensure an arrangement can be made by agreement, otherwise they will come forward with suggestions for changes to the DCO or control documents at a later stage. As a starting point, the Applicant should reconsider the need for CA of a site that is only required for construction purposes, if that is the case.</li> </ul>
<p><b>5.2</b></p>	<p>The ExA may ask questions of APs about matters arising from written and oral submissions</p>	<ul style="list-style-type: none"> <li>• Whilst the Highway Authorities are not statutory undertakers in a formal sense, they do have highways assets which are referred to in the Scheme and which are affected by the scheme. They note that Schedule 9 to the DCO contains protective provisions for National Highways.</li> </ul>



		<ul style="list-style-type: none"> <li>The Authorities are in dialogue with the Applicant and it is hoped that there will be a side agreement between the parties which will deal with all the relevant matters relating to highways, including provisions which will obviate the need for any CA of highway land (see above).</li> <li>The Legal Partnership Authorities note that, if this agreement does not transpire, the default position that the highway authorities are likely to adopt would be to suggest that there are protective provisions in the DCO in their favour. Such provisions would not be unprecedented in DCOs for local highway authorities, and this may be something which the Authorities wish to raise at a later juncture, depending on the outcome of negotiations.</li> </ul>
<b>6.1</b>	The ExA will ask the Applicant for an overview of negotiations with Statutory Undertakers.	<b>N/A</b>
<b>6.2</b>	The ExA will ask the Applicant to provide an update on the progress with the drafting/ agreement on Protective Provisions.	<b>N/A</b>
<b>6.3</b>	The ExA will ask the Applicant to confirm whether any additional Protective Provisions need to be included within Schedule 9 of the dDCO.	<p>Since the hearing the LLFAs have had opportunity to review the Applicant's response to their request for Protective Provisions in relation to Ordinary Watercourse consents. In the absence of a satisfactory resolution, the LLFAs may come forward with draft protective provisions at a later stage of the examination.</p> <p>Further comment in respect of this issue is included in the Joint Surrey Authorities' responses to the Applicant's comments on the Joint Surrey LIR.</p>
<b>6.4</b>	In the event that agreement is not reached with all Statutory Undertakers, whether the relevant tests for the exercise of powers pursuant to sections 127 and 138 PA2008 would be met.	<b>N/A</b>
<b>6.5</b>	Any Statutory Undertaker wishing to speak in relation to an objection or issue raised that is relevant to the effects of the Proposed Development on its undertaking, apparatus or land will be invited to put oral submissions to the ExA.	<b>N/A</b>

<b>7.1</b>	The Applicant to confirm whether all Crown land has been identified in Part 4 of the Book of Reference (BoR) and on the Crown land plans given that all plots which the Crown has an interest in should be identified.	<b>N/A</b>
<b>7.2</b>	The Applicant to provide a brief update on the progress of obtaining Crown consent.	<b>N/A</b>
<b>8.1</b>	The ExA will ask the Applicant to confirm whether all Category 3 persons have been identified in the BoR.	<b>N/A</b>
<b>8.2</b>	The ExA will ask the Applicant to explain the compensations available to these persons and whether it is sufficient.	<b>N/A</b>
<b>9.1</b>	The ExA will ask the Applicant to briefly summarise, and advise of any updates to, the Funding Statement.	<b>N/A</b>
<b>9.2</b>	The ExA will ask the Applicant to outline how the funding is to be secured and the resource implications of both acquiring the land and implementing the project for which the land is required.	<b>N/A</b>
<b>9.3</b>	The ExA will ask the Applicant to confirm whether adequate funding is likely to be available to enable CA to proceed within the statutory period following the DCO being made.	<b>N/A</b>

10	<b>Action points arising from the hearing</b>	The Authorities took an action to provide masterplan information in relation to Horley Business Park. Please see <b>Appendix C.</b>
11	<b>AOB</b>	

## **Appendix A**

### **Extract from Reigate and Banstead Development Management Plan (Adopted September 2019)**

## **Strategic Employment Provision**

### **Context**

- 3.3.152 There is increasing pressure on existing employment land provision in the borough from alternative uses. Recent changes to permitted development rights introduced by central government are resulting in a loss of employment sites to residential uses, at a time when the economy is growing, but still fragile from the recent economic downturn. The NPPF highlights the importance of planning to support existing business sectors and identifying and planning for new or emerging sectors that are likely to locate in the area. In addition it is increasingly clear that some nearby authorities may not be able to fully meet their own employment needs. Gaps in the range, type and quality of business premises currently available in the borough and across the wider Gatwick Diamond area to serve business needs have been identified through both the Coast to Capital Strategic Economic Plan (2014) and evidence commissioned by the Council.
- 3.3.153 The principle of larger 'strategic' employment developments has been identified in previous studies about the wider Gatwick Diamond area within which the borough sits, including in the Gatwick Diamond Initiative LDF Group Study (2008) and the Gatwick Diamond Futures Plan (2008).
- 3.3.154 The potential for strategic employment developments has also been recognised by the Coast to Capital Local Enterprise Partnership, with the 'heart of the Diamond' being identified as a strategic growth location that should be a focal point for future inward investment and growth.

### **Core Strategy**

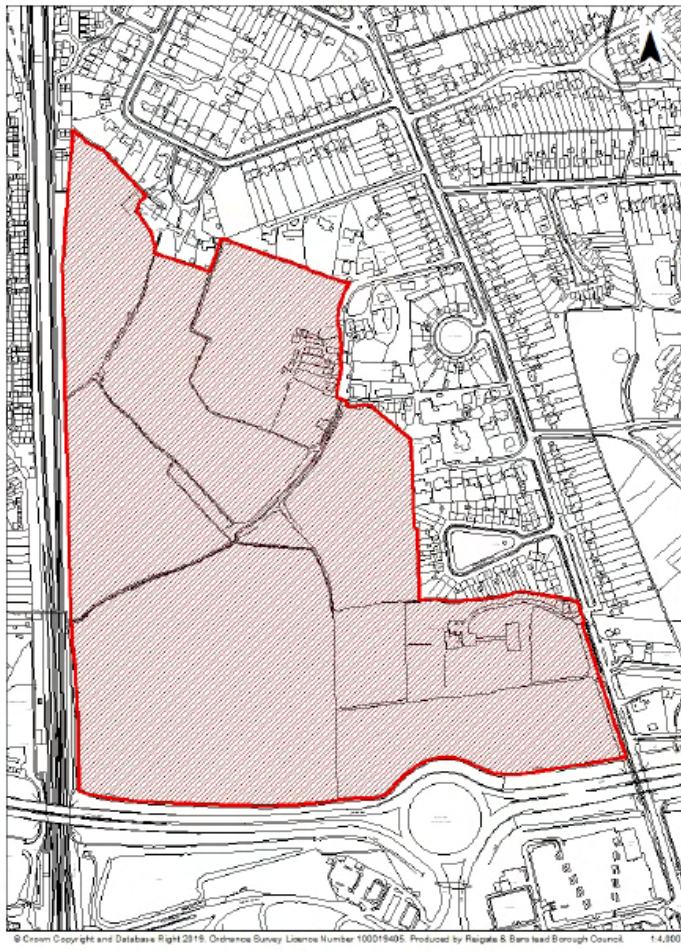
- 3.3.155 The Core Strategy envisages that the majority of employment provision in the borough will be made through the reuse and intensification of existing employment land, however national policy changes discussed above, in particular the office to residential permitted development rights, mean that this is likely to be challenging.
- 3.3.156 Whilst the Core Strategy does not explicitly plan for greenfield employment provision, it recognises that unanticipated strategic proposals may come forward. Core Strategy Policy CS5 includes a criterion to ensure that "new employment development outside [existing employment areas] reflects wider policy priorities and is located in accordance with sustainability principles".
- 3.3.157 Following additional studies of employment land and need it is clear that there is great potential for increased provision for "strategic employment" floorspace i.e. floorspace that is suitable for larger businesses or collections of businesses, or which is aligned to the needs of growth or strategically important business sectors.

### **Horley Strategic Business Park**

- 3.3.158 Land west of Balcombe Road, Horley adjacent to the M23 spur road to Gatwick Airport, which previously was designated as part of the Rural Surrounds of Horley in the 2005 Borough Local Plan, provides a singular opportunity to address this need. However, this requires sensitive consideration of environmental and other factors such as traffic to ensure that the development of this site achieves its full sub-regional potential whilst respecting other longstanding planning policy objectives and to meet the planning constraints as identified in the policy. No alternative sites have been identified within the borough that have the potential to deliver strategic employment floorspace in a highly desirable and accessible location within the short to medium term.
- 3.3.159 The planning of a successful office-led strategic business park of this scale will require careful attention to key components as set out in the following policy.

## Policy HOR9 - Horley Strategic Business Park

HOR9: Horley Strategic Business Park, Horley



### Site area:

31ha

### Existing/previous use:

Fields

### Source:

HELAA Ref: HC11, HC12, HC28, and HC33

### Development timeframes:

See below

### Allocation:

The site is allocated for:

- A strategic business park of predominantly offices
- A complementary range of commercial, retail and leisure facilities to serve and facilitate the main business use of the site
- At least 5 ha of new high quality public open space, including parkland and outdoor sports facilities

### Requirements:

Development will be subject to the following requirements and considerations:

#### Movement and Accessibility:

- Demonstrate through a Transport Assessment that there will be no severe residual impact on the local and strategic road network, taking into account the operation of Gatwick Airport as nationally significant infrastructure, the impact of committed developments in the borough and surrounding areas including West Sussex and any necessary mitigation
- A new dedicated, direct access onto the strategic road network (M23 spur)
- A cap on number of vehicles accessing the site per hour from the strategic road network M23 J9A spur (and how to monitor and enforce this if it is breached) if needed. To be determined at the planning application stage
- A secondary access to the site from Balcombe Road for use by emergency services, public transport and other sustainable transport modes. The secondary access will also be available for use by a limited number of registered vehicles of local employees using the site. The number and proportion of registered vehicles permitted to access the site via Balcombe Road shall be assessed and agreed at the planning application stage and will be restricted/enforced through a planning obligation or planning condition(s). Use of this secondary access shall be subject to appropriate local road network mitigation and/or improvements together with robust mechanisms (such as ANPR and/or barriers) to prevent traffic from Balcombe Road accessing the strategic road network through the site (or vice versa)



## Policy HOR9 - Horley Strategic Business Park (continued)

- Measures and improvements to manage the impact of additional traffic on surrounding local roads
- Provision of appropriate levels of on-site parking and a comprehensive Travel Plan
- Improvements to public transport facilities, including existing bus infrastructure/passenger facilities, a financial contribution to increase capacity at Gatwick Airport station if determined to be required as part of a planning application, and measures to maximise the accessibility of routes/services to future occupiers in and around the site
- Upgrading and extension of pedestrian/cycle routes from the Business Park to Horley town centre and Gatwick Airport station
- Public Right of Way footpath (362a) to be retained or re-routed across the site to maintain a pedestrian link from Balcombe Road to the footbridge across the railway
- Air quality modelling should be submitted alongside a Transport Assessment, to include consideration of cumulative impacts

### **Drainage:**

- A site-specific flood risk assessment must be undertaken which takes account of the Strategic Flood Risk Assessment (SFRA) Level 2 (2017)
- Layout to ensure no buildings other than carparks and supporting infrastructure on land within Flood Zone 2, and incorporate a buffer zone and improvements to the ditch network within the site
- Inclusion of flood mitigation and attenuation measures as appropriate. These measures should ensure no increase in the risk of flooding to the site and nearby properties and should seek opportunities to reduce both the cause and impact of existing flooding. Opportunities to reduce cause and impact of flooding should be explored
- Measures to manage and reduce surface water run-off including a comprehensive system of SuDS
- Early discussions with Thames Water are needed to consider on- and off-site drainage requirements and the likely load/flow from the proposed development, to ensure that sufficient wastewater capacity is available when required, and consider the potential need for trade effluent license (depending on uses proposed)

### **Design:**

- Design and layout to achieve an appropriate transition to, and relationship with, neighbouring residential and countryside areas, including through appropriate height, massing and siting of buildings and suitable consideration of shared boundaries to include measures to reinforce existing tree and hedgerow screening
- Inclusion of an appropriate landscape buffer, and public open space, to reinforce the distinctive identity of Horley and its separation from Gatwick Airport (and Crawley) and the wider countryside setting to the east of the site
- Buildings to be of an exemplar standard of design to reflect the strategic business park concept including sufficient flexibility and adaptability in building parameters and to provide adaptability to cater for a range of micro- businesses, expanding and established businesses and major occupiers and to be complemented by high quality public realm

## Policy HOR9 - Horley Strategic Business Park (continued)

- Protection and enhancement of existing trees and hedgerows where possible and enhancement of green/blue infrastructure on site, and reflecting the River Mole Biodiversity Opportunity Area
- Height and design of buildings, lighting and other design aspects to be consistent with the operational standards of Gatwick Airport and to respect aerodrome safeguarding requirements
- As the southern part of the site is within the 57dB LEQ airport noise contour, design of buildings within this area must ensure an appropriate interior environment for users
- Provide measures to minimise the impact of lighting upon neighbouring residential and adjoining countryside areas which are intrinsically dark to avoid light pollution to the night sky
- Mitigate noise intrusion from activities on the site to adjacent residential and open areas
- Development proposals must have regard to conserving the setting of the Listed Buildings at Fishers Farm and the locally listed buildings at Bayhorne Farm and Bayhorne. The retention of important hedgerows will be encouraged as will retention of a buffer to the green corridor along Balcombe Road to retain the historic landscape character

### **Uses:**

The predominant use of the site should be for B1a purposes with limited B1b, B1c, B8, and non-B Class uses including appropriate airport-related Sui Generis uses.

Complementary uses could include on-site catering, limited retail provision, hotel and conference facilities, gym, crèche and medical services and similar provision but not at a scale likely to significantly divert trade from the wider area or to detract from the prime focus of the site as a Strategic Business Park.

An impact assessment must be produced in line with national policy.

### **Delivery:**

Planning conditions and obligations to control delivery of the development, the use of the site and appropriate off-site considerations will be required, including for infrastructure, open space and social commitments. These will include:

- Requirement for ongoing economic impacts testing
- Use of local labour, local supply chain procurement and similar skills/capacity support (in conjunction with local education and training providers)
- Measures to encourage use of transport to provide non-car alternatives to facilitate accessibility not reliant on the use of private cars
- Provision and delivery of the public open space area

The development of the site will be in accordance with an agreed master plan, produced by the site promoter in consultation with the Council, and requiring comprehensive development in line with the above requirements. The master plan will be submitted at the outline planning application stage to assist the consideration of subsequent planning application (s) and must include phasing, programming of infrastructure and details on quantum of development and appropriate uses.

To assist with the proper planning and on-going functioning of the site Supplementary Planning Guidance will be provided.

## **Explanation:**

### **Availability**

3.3.160 There is a reasonable prospect of the site being made available for development. The Council has entered into a joint venture to help bring forward development in this location and the use of CPO powers for site assembly has, in principle, been confirmed by the Council.

### **Key Considerations**

- In the northern part of the site some areas are at risk of flooding (Flood Zone 2).
- In the southern part of the site the land is affected by 57dB LAeq airport noise contour.
- There is a well-established need to reflect consistency with the policies of adjacent local authorities to preserve the distinctiveness, setting and individual character of Horley, Gatwick Airport and Crawley.
- Any proposals would need to have regard to conserving the setting of the nearby Listed Buildings as well as retention of historic hedgerows and a buffer to the green corridor along Balcombe Road to retain the undesignated historic landscape character.
- There are a number of access solutions to the strategic road network that could range from a new access to the existing roundabout through to a grade-separated junction, depending on the level of development traffic, other committed development in the local area and surrounding network traffic flows. The means of access will need to comply with the Secretary of State's for Transport's policy as set out in Department for Transport Circular 02/2013 (or any successor) and the Licence from the Secretary of State for Transport appointing Highways England as a strategic roads company. Any access arrangement should be viable and deliverable.

### **Site Context**

3.3.161 This site is located to the western side of Balcombe Road, a short distance from Horley town centre and Gatwick airport to the south. The main site comprises predominantly open fields which are used for a combination of grazing and equestrian activities. An existing small office set within large grounds also forms part of the site.

3.3.162 The site is in a highly accessible location, with good access to the M23 spur linking the site to the strategic road network and scope for direct pedestrian access to the Gatwick Airport Terminal and associated railway station providing direct links to London and other town and cities in South East England.

### **Evidence Base**

3.3.163 The development of a Strategic Employment site in this location would support the local economy by providing:

- a highly visible centre for business and innovation in the local area
- specialised modern property and facilities for businesses; and
- the creation of flexible space to support new businesses to start and grow-on within the same facility.

3.3.164 *Advice on Scope for a Strategic Employment Site within Reigate and Banstead (2014)* was prepared by Nathaniel Litchfield and Partners to inform the Regulation 18 version of the DMP. This explored the potential scope of, and market demand for, strategic employment provision in the south of Reigate and Banstead. It concluded that:

- It will be a key challenge for the Gatwick Diamond sub-region to be able to accommodate business expansion and relocation moving forward.
- Demand for a strategic business site is likely to be driven by occupiers seeking a highly accessible location.
- A mixed employment area is considered to have greatest potential to meet current identified

needs; as would an office/business park; however, the latter has higher risks in terms of market demand/occupation.

- Reigate and Banstead borough is well placed to capture strategic employment needs.
- Land within the south of Reigate and Banstead borough provides a relatively unconstrained opportunity to accommodate a strategic employment site. The south of Horley is an optimal location from the perspective of connectivity.
- 20-30ha of land is likely to be required to provide sufficient “critical mass” for an office/business park, 40-50ha would be required for a mixed employment area.

3.3.165 This advice paper informed the *Strategic Employment Site Opportunity Study* which also forms part of the DMP evidence base. This study identifies this site as being potentially suitable for strategic employment provision.

3.3.166 Fit with critical success factors:

- The potential development site is assessed as having a strong fit with all of the critical success factors for a strategic employment site, in particular providing a highly accessible location with potential for direct access onto the strategic road network.
- It is also large enough to meet the minimum size likely to be required (20ha), is well related to the existing town centre of Horley and has prominence on the M23 spur and in relation to Gatwick airport, with scope for direct access to the strategic road network.

3.3.167 A subsequent *Strategic Employment Site: Economic Assessment (Task 1 and 2) (2017)* has been prepared by Chilmark Consulting to further report on the suitability of the allocation of this site as a Strategic Business Park. This evidence tested current market indications and good practice and advised on the likely demand for and economic impact of indicative floorspace allocations. Detailed master planning and further market testing will advise on the final quantum and mix consistent with the underlying Strategic Business Park concept. Indicative quanta are as follows:

- Up to 200,000sqm of B1 floorspace, predominantly focusing on B1(a), B1(b) and B1(c) including floorspace for new incubator/start-up units/Small Medium Enterprise.
- Up to 10,500 sqm of community facilities, including A1 (predominantly convenience shops); A3 (Food and Drink); D1 (Children’s Nursery) and/or D2 (Gymnasium).

3.3.168 The borough currently hosts a number of national and international employers, although the majority of businesses in the borough are small or micro business. In line with the study recommendations the site should provide office space for incubator/start-ups, expanding/stable businesses and major/anchor occupiers, as well as provision of shared specialist facilities and shared meeting and conference space. This would support existing business whilst also attracting bigger employers which provide a large number of jobs and support the local economy.

3.3.169 To make the business park a coherent business community, the design and management must ensure as much interaction as possible between the people working within the business park. This may be achieved by providing for:

- on-site catering
- limited retail provision (predominantly convenience)
- gym
- crèche
- medical services and local pharmacy

### **Delivery**

3.3.170 The timing of delivery (possibly to continue beyond this plan period) and the need to ensure that there is a high level of overall quality in terms of the design and performance of the site as whole requires a clear set of design principles and codes be created. This will allow effective control of the overall development over time and ensure future phases (which may be at the end or beyond the current plan period) can be controlled and permitted swiftly. This will also ensure

that the impact on the surrounding area is properly managed and minimised, with infrastructure improvements and mitigation provided when needed to support the development, including cross-boundary infrastructure whilst allowing flexibility for future market changes. This will be delivered through a supplementary planning document to facilitate the masterplanning and subsequent stages in the achievement of the objectives and development of the site and to ensure wider public engagement in the detailed planning of this important site.

- 3.3.171 The economic impacts identified in the *Strategic Employment Site: Economic Assessment (Task 2) Study (2017)* are based on a notional scheme and include some assumptions made about floorspace mix, etc. Further work on scheme design will need to identify detailed floorspace mix, taking into account economic impact and economic circumstances. This means that the final scheme may vary from the indicative maximum floorspace levels stated above. Therefore, there will be a need to ensure ongoing economic effects modelling and impact testing as the proposed scheme is implemented and constructed. Ongoing economic impacts testing will therefore need to be incorporated into any future S106 planning obligation for the potential Strategic Employment site's development.
- 3.3.172 Given the large scale and strategic nature of this site, ongoing dialogue with strategic partners, including cross boundary cooperation, will be important to achieve the good planning, delivery and success of the Business Park in economic, transport, social and environmental terms.

## APPENDIX B

### Extracts from the Report on the Examination of the Reigate and Banstead Development Management Plan dated 09 July 2019 by Helen Hockenhull an Inspector appointed by the Secretary of State.

#### Paragraphs 104 – 106

- 1. Whilst the overall requirement is achieved within the DMP, the borough wide distribution of employment floorspace as envisaged in the CS is not met. This is due to a shortfall particularly in Redhill, Merstham and Reigate (Areas 2a and 2b). This results from a number of town centre sites having already been developed and the lack of identified opportunities in this part of the borough.*
- 2. The above shortfall is however made up in the Low Weald (Area 3), where the allocation of the Horley Business Park in Policy HOR9, provides approximately 200,000 square metres of employment floorspace. This results in a significant oversupply in the borough. The principle of a larger strategic site in the Gatwick Diamond area is supported by the South East Regional Economic Strategy 2006-2016, the Gatwick Diamond Local Strategic Statement 2012 and the Local Enterprise Partnership's Strategic Economic Plan 2014. The Council's more recent evidence confirms the lack of a highquality Business Park. Whilst this site will contribute to the employment needs of Reigate and Banstead, that is not the site's prime function. It will provide jobs for the Gatwick Diamond economic sub region and also assist in providing around 75% of the office floorspace shortfall in the adjoining borough of Crawley.*
- 3. Whilst this oversupply in the southern part of the borough does not accord with the geographical distribution envisaged in the CS, in light of the sites wider regional economic role, I consider this oversupply to be justified.*

#### Paragraphs 109 – 118

- 1. The Horley Strategic Business Park site comprises an area of approximately 31 hectares forming predominantly open fields located to the south of Horley and east of Gatwick Airport. The site is located within the Rural Surrounds of Horley. It is highly accessible to the north of the M23 and with Gatwick and Horley rail stations in close proximity.*
- 2. A Strategic Business Park would clearly bring benefits to the borough and the wider sub region in terms of inward investment and job creation with an estimated 11,680 FTE business park jobs and 4,475 construction jobs. Additionally, it would bring growth in spending in Horley and the likely reduction in commuting outside the borough. The development would also however result in a number of impacts, most importantly on the strategic road network.*
- 3. The Council's Strategic Highway Assessment Report (SHAR) prepared by Surrey County Council, the local highway authority, concluded that the impacts of the proposal have the potential to be severe unless suitable mitigation measures are identified. The methodology has been the subject of criticism by Highways England and Gatwick Airport Ltd. The model used takes an average peak hour approach rather than assessing the most severe hourly flows. Bearing in mind the traffic patterns to Gatwick Airport, with peaks at certain times of the year, an analysis on the latter basis, would have resulted in a more robust assessment. The methodology also fails to consider the potential future passenger growth at Gatwick Airport, though it did consider future employment growth. As it has not been adequately demonstrated*



*that the strategic road network would not experience severe residual impacts, particularly junction 9a of the M23, the allocation is unsound.*

- 4. The above adverse impacts could be overcome using a cap on the number of vehicles permitted to access the site. The level of the cap would be agreed at planning application stage and imposed through a section 106 agreement. It could operate through a gated system with automatic number plate recognition. Should the cap be reached before the business park was built out or on completion, a greater modal shift would be necessary to reduce the number of vehicles accessing the site. I am advised that a cap of this nature has been used successfully in other developments. The cap would manage the impacts on the strategic road network ensuring that any residual impacts of development are not severe. I consider that a cap, as described in MM42, would be justified and effective to allow the site to come forward.*
  
- 5. The development requires the provision of a new direct access onto the strategic road network (M23 spur). At this stage it is not necessary to determine whether this should be achieved by an at grade access or whether a grade separated junction is required and both options appear technically feasible. MM42 adds to the explanatory text in the interests of clarity and effectiveness to outline that further assessment of potential access solutions would be required.*
  
- 6. In terms of Movement and Accessibility, a number of other modifications are necessary to make the policy effective. These include clarity on the use and operation of the secondary access from Balcombe Road, provision for a financial contribution to increase the capacity of Gatwick Airport Station if needed, the retention or re-routing of the public footpath across the site and air quality modelling alongside a Transport Assessment.*
  
- 7. The Policy fails to require a flood risk assessment to be undertaken and is unclear that no built development, with the exception of car parks and specific supporting infrastructure, should take place on land within Flood Zone 2. Furthermore, on and off-site drainage requirements and wastewater capacity are not addressed. MM42 includes these requirements to make the policy effective. The modification also adds the requirement for development to conserve the setting of nearby heritage assets again for effectiveness.*
  
- 8. In order to add flexibility and clarify the potential uses on the site, MM42 provides for B8 uses as well as airport related sui generis uses and complementary uses such as hotels and conferencing. The modification also makes it clear that an impact assessment must be produced in line with national policy. This is required for effectiveness.*
  
- 9. Several technical reports and assessments have been submitted by the site promoter in support of the development. These indicate that the development is deliverable and viable.*
  
- 10. The Gatwick Open Setting forms a green wedge that separates Horley from Crawley and has regard to the open setting of Gatwick Airport. It runs across part of the southern section of the allocation and encompasses the site access from the M23. It has been suggested that the site boundary should be amended to exclude this area. However, this would result in the site access being outside the allocation. Whilst I acknowledge the concern that the more restrictive landscape policies for the Gatwick Open Setting may have an impact on the development, this is a matter to be resolved through the masterplanning of the site. I consider that the inclusion of this area in the allocation is justified, so that the requirements of Policy HOR9 can be applied to this route.*

**Appendix C**  
**Bayhorne Farm Masterplan Report**





**HNW  
Architects**

# **Bayhorne Farm, Horley**

Masterplan Report





## INTRODUCTION

Introduction	4
Existing Site Aerial Illustration	5

## THE SITE

Ownership Boundaries 1:5000	7
Site Context Photos	8
Site Photos	9
Planning Policy Constraints 1:5000	10
Historic Hedgerow Pattern 1860s 1:5000	11
Existing Green Assets 1:5000	12
Flood Risk 1:5000	13
Air Quality Management Area 1:5000	14
Heritage Assets 1:5000	15
Access and Movement 1:5000	16
Adjacent Land Uses 1:5000	17
Emerging Constraints Plan	18

## DESIGN PRINCIPLES

Emerging Design Principles	20
Landscape and Green Assets Principles	21
Flood Risk and Drainage Strategy	22
Environment and Sustainability Strategy	23
Sustainable Travel	24

## MASTERPLAN PROPOSALS

Concept Plan - Infill Development	26
Concept Plan - Retain Landscape Assets	27
Concept Plan - Maintain Separation	28
Concept Plan - Establish Access	29
Concept Plan - Simple and Legible Access	30
Masterplan Diagram	31

# INTRODUCTION



# Introduction

This discussion document sets out the planning context and rationale for development of the site known as Bayhorne Farm, Horely.

The site is located on the south-eastern edge of Horley; a town in the borough of Reigate and Banstead, Surrey and is allocated in the Council's Development Plan as a Strategic Employment Site.

The overall site comprises of Bayhorne Farm and surrounding open fields, owned by both Surrey County Council, Columbia Threadneedle and Greensand Holdings Limited (Reigate and Banstead Borough Council). It is bounded to the south by both the M23 and Airport Way, which separates the Site from Gatwick Airport and by the Southern Railway line along the western boundary.

The following pages illustrate the emerging design principles for a mixed use class E, B2 and B8 comprehensive masterplan vision.









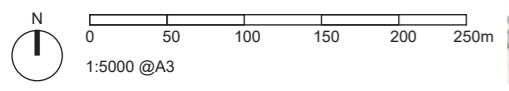
# THE SITE





**KEY**

- Site boundary
- RBBC ownership area
- Surrey County Council (SCC)





# Site Context Photos



1. Balcombe Road below M23 Spur Bridge



2. Balcombe Road



3. Bayhorne Lane



4. Limes Avenue



5. Airport Way Roundabout



6. Airport Way looking towards site





1. View of northern field from Railway Bridge



2. View of southern field from Railway Bridge



3. Existing access to southern field from Balcombe Road



4. View of Meadowcroft House from southern field

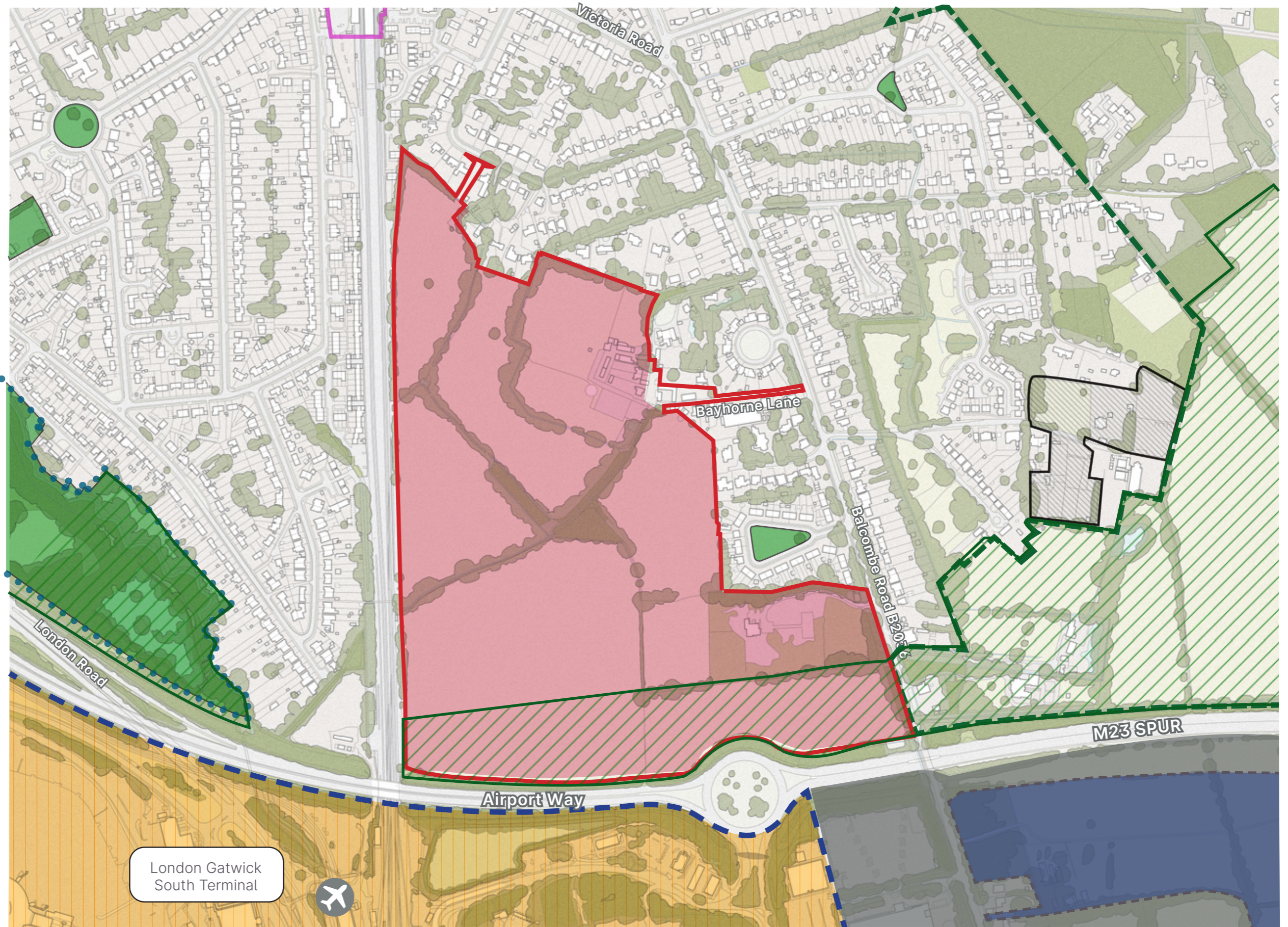


5. Potential site access from Limes Avenue














6. View of western edge from railway





**KEY**

-  Site boundary
-  Gatwick Open Setting
-  Gatwick Airport boundary
-  Gatwick Airport safeguarded land
-  Gatwick Green Strategic Employment location
-  Horley Town centre boundary
-  Strategic Employment Site
-  Urban Open Spaces
-  Riverside Green Chain
-  Rural Surrounds of Horley
-  Sustainable Urban Extension Allocations

London Gatwick  
South Terminal

Selected Planning Policy Plan  
1:5000 @A3





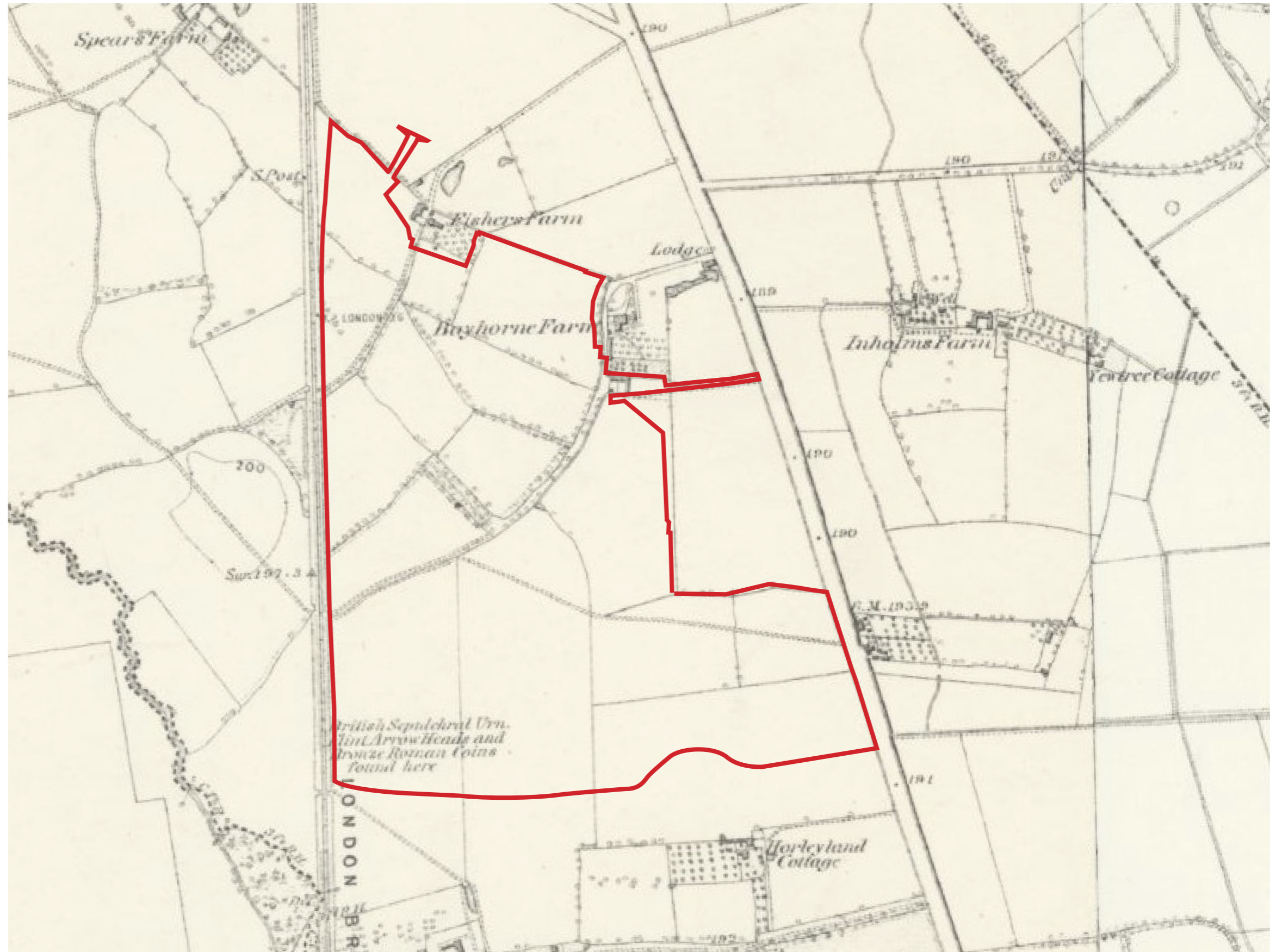
Public Right of Way along treebelt edge



Field access at centre of site



Treebelt along southern field edge



Historic site plan showing field boundaries





**Meadowcroft House**

Meadowcroft House is an Edwardian building set in approximately 1.2 hectares of grounds with a surface car park for around 40 cars.

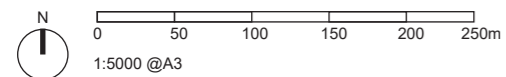
It currently provides around 370sqm of flexible co-working office space for rent. Regrettably, the site was cleared of most of its trees in late November 2020, and a Tree Protection Order (ref: TPO number RE1503/2021) was served on the remaining trees along the boundary of the site in May 2021.



Existing Treebelt, Hedgerows and TPO Areas

**KEY**

- Site boundary
- TPO trees and areas
- Existing green assets

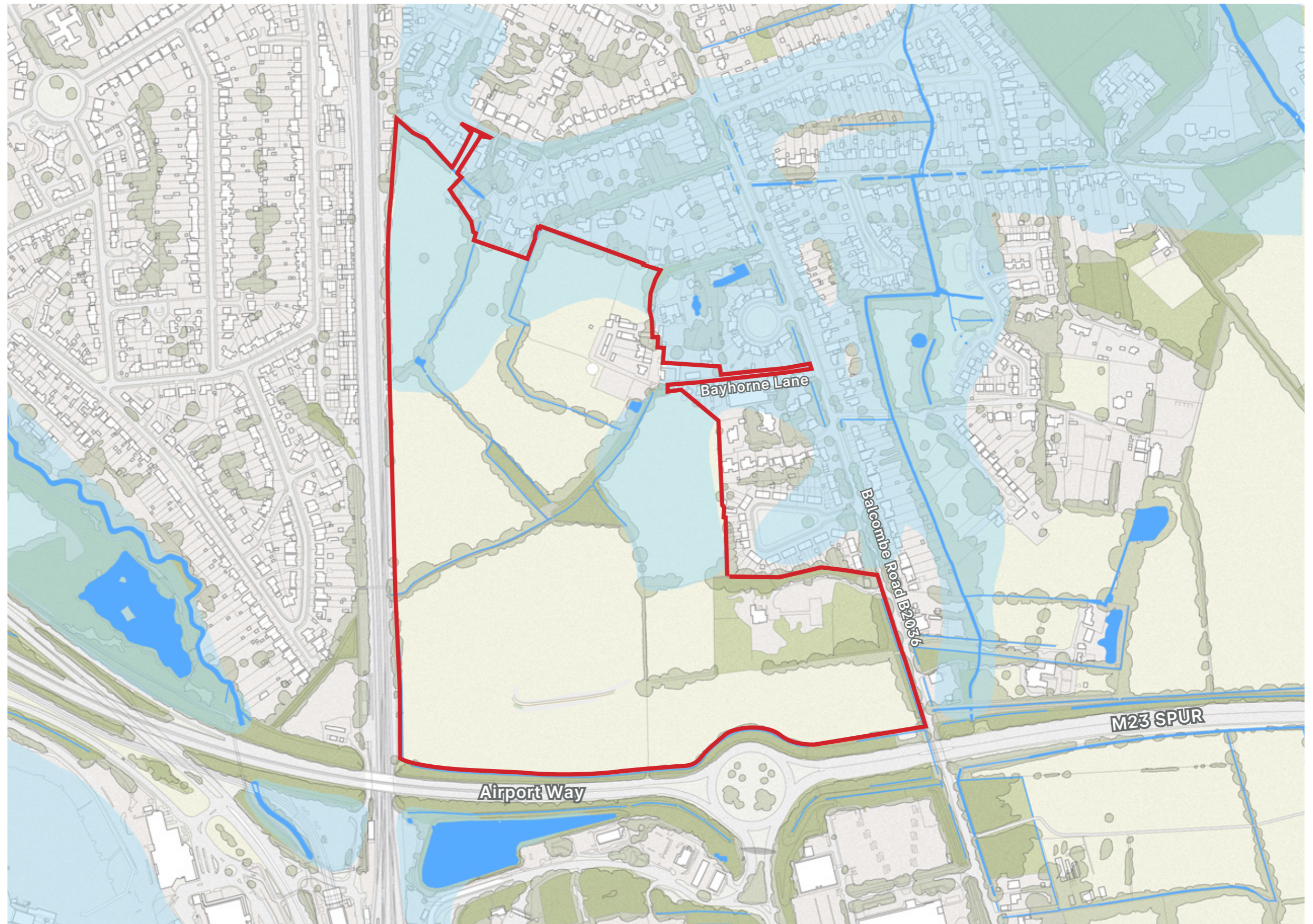




## Mitigation Principles from LSH Planning Note

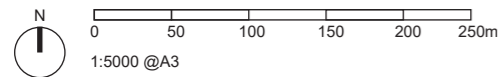
No buildings except for supporting infrastructure such as car parking may be proposed within Flood Zone 2 in the site's masterplan.

The north of the site should be used to provide strategic flooding mitigation within the new public parkland, potentially through creation of wetland habitats to slow down the flow of surface water out of the site.



### KEY

- Site boundary
- Flood Zone 2

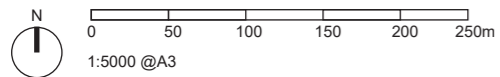
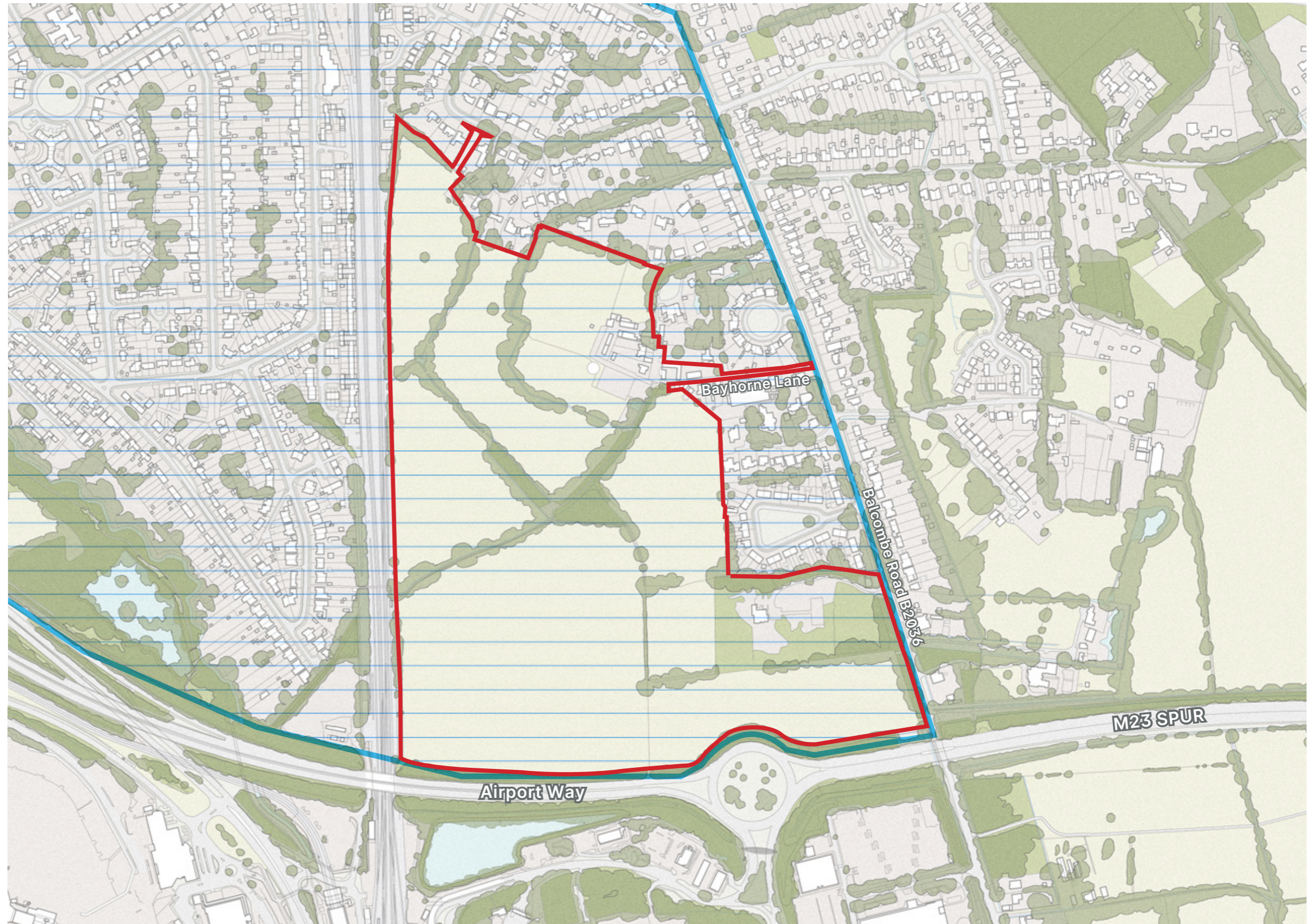


Extent of Flood Risk from Rivers or the Sea Plan



## Mitigation Principles from LSH Planning Strategy Report

Due to the site's location within an AQMA, sensitive uses such as residential and education uses are unlikely to be considered acceptable.







## Fishers and Fishers Farm House

House, now divided. C17, restored and extended to left end in C20. Timber framed on rendered plinth with whitewashed brick infill; plain tiled roof with large moulded ridge stack to centre. I shape plan with gable front cross wings to ends. 2 storeys and attic in gabled wing, 1 storey and attic under 2 lucarne windows to centre. Leaded casement windows throughout, those on first floor over covered bases and under gabled hoods to ends. C20 Tudor style door in gabled porch to left of centre. Interior: framing exposed including 2 service doorways.

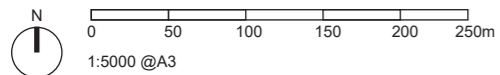
## The Barn and Fishers Cottage

Barn, now divided and converted into houses. C17 with C20 alterations. Included for group value with Fishers and Fishers Farm House only.



### KEY

- Site boundary
- Listed buildings
- Locally Listed buildings



## Little Manor

Off Apperlie Drive are the locally listed buildings of Little Manor, Little Manor Lawn and Hatch End.



## Granary Building

Bayhome Farm's granary building which is located directly to the east of the site is locally listed. Bayhome Farm itself, with its two farmhouses, farmyard and cart shed, is situated within the north east part of the site and is not listed as a heritage asset.






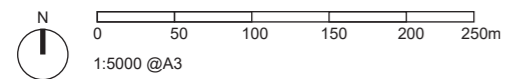






## KEY

- Site Boundary
- ➔ Site Access Points
- Motorway
- Primary Routes
- - - Access Routes
- - - Public Right of Way
-  Bus Stops
- Historic Tree Belts and Hedgerows
- TPO Tree Belts
- Area of Flood Risk from River
- V V V Change in Level
- Residential Built-up Area
- ▨ Gatwick Open Area
- ▨ Gatwick Airport Land





# DESIGN PRINCIPLES

1. Protecting and enhancing landscape assets - hedgerows and mature trees along the site boundary and within the site retained as far as possible.
2. Maintaining an open space buffer between Horley and Gatwick and creating a generous landscape buffer zone adjacent residential edge to maintain separation and provide screening.
3. Maximising use of SuDS and other flood mitigation measures such as green roofs, permeable paving and landscape features designed to absorb and filter rainwater.
4. Protect the site's biodiversity by creating green corridors through the site.
5. Improve site connectivity including pedestrian and cycle links with a simple and legible transport arrangement
6. Maximising employment space with an appropriate mix of units making best use of parcels of land
7. Flexible masterplan layout providing a range of small, medium and large spaces to accommodate a range of local businesses.
8. Respecting the character of adjacent buildings and neighbourhoods with appropriate landscape buffers
9. Create a legible urban design framework for an interesting and varied commercial park, which has a strong character and is easy to navigate in order to maximise the park's attractiveness to businesses and employees.





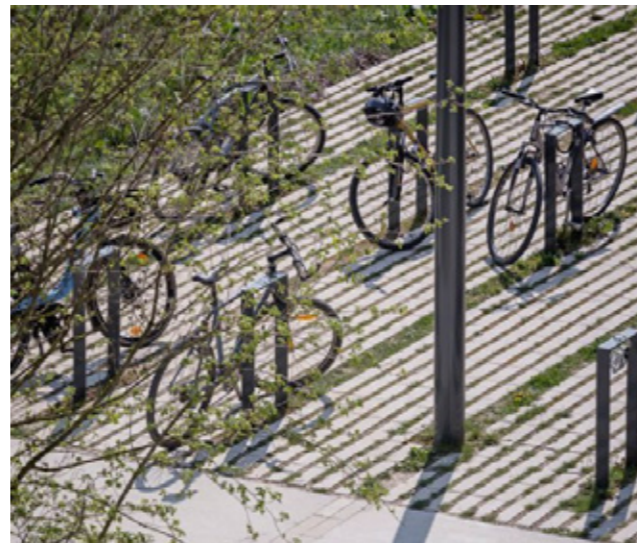
- Hedgerows and mature trees along the site boundary and within the site should be retained as far as possible. Generous screening planting including suitable deciduous tree species should be provided as a buffer to existing housing areas around the site. Full Arboriculture and Ecological Surveys will be required at the planning application stage to include impact assessment on existing trees.
- Retain and enhance connectivity of the site with surrounding ecological features by maintaining green corridors through the site
- Open spaces must be multi-functional, providing for recreational amenity, natural habitats for wildlife, surface and fluvial water management, and an attractive distinctive setting for the business park development.
- Promote health and wellbeing of employees with an extensive network of nature trails radiating out from the existing central area of woodland.
- Development must avoid an overall decline of biodiversity. Instead, wildlife habitats must be protected and enhanced, whilst also providing opportunities for new habitats for flora and fauna.





# Flood Risk and Drainage Strategy

- The use of multifunctional SuDS and other flood mitigation and attenuation measures will need to be provided on appropriate areas of the site, especially where they can provide multifunctionality and can integrate into the green infrastructure network.
- Maximising use of SuDS and other flood mitigation measures such as green roofs designed to absorb and filter rainwater.
- The flow of surface water should follow natural topography and existing channels with attenuation features within or adjacent to development phasing plots.
- Using permeable surfaces and planting within the surface car park areas and areas of “hard” landscaping to absorb surface water, and street trees with tree pits in all streets and public spaces.
- Use of swales within street verges and open space, and rills within hard paved areas to channel water towards the swales.

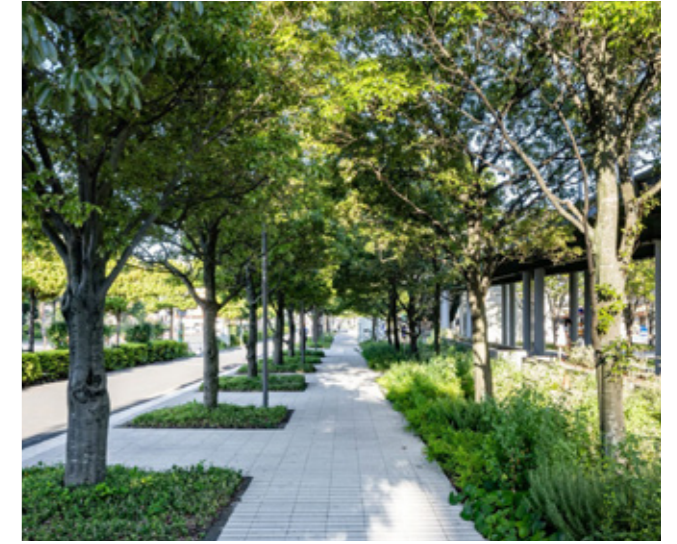




# Environment and Sustainability Strategy

The following principles are set out for building design and sustainable construction:

- Building design should contribute to the health and wellbeing of the end users. Architectural detailing should be used to create beautiful buildings that contribute positively to the area.
- Green roofs to optimise building energy conservation are encouraged, provided they are made unattractive to flocking birds to avoid potential to create bird strike at Gatwick Airport.
- Streets should be lined with trees.
- Workspaces should be designed to be healthy and stimulating to help optimise productivity and wellbeing.
- Larger buildings should be articulated or “broken up” so that they appears as groups of smaller buildings to retain a “human” relatable scale.
- Developments should follow the Borough Council’s “cooling hierarchy” guidance to reduce buildings overheating.
- Sustainable construction techniques using recyclable materials where possible should be used.

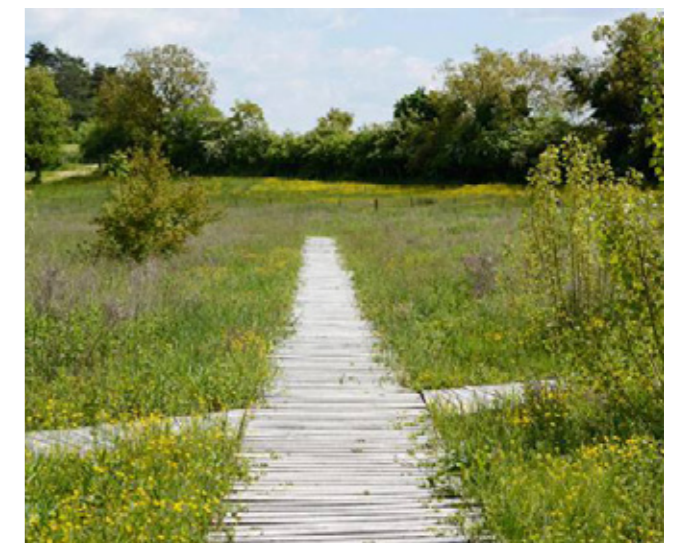
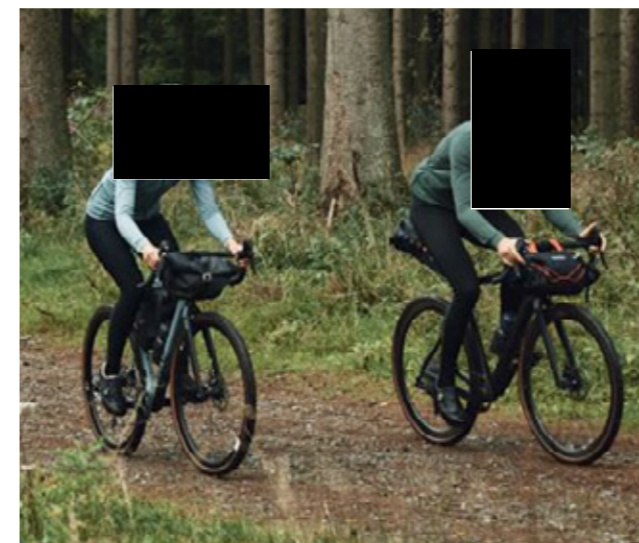
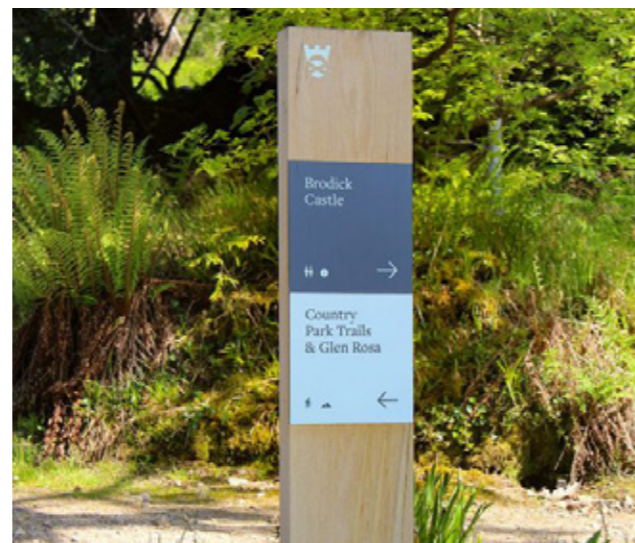




# Sustainable Travel

The following principles are set out for highways access and parking:

- Maximising travel by sustainable modes, cycling, walking, and public transport will be key to the business park's success, allowing it to operate within the local and strategic road network limitations, minimising the developments carbon footprint and impact on air quality.
- The masterplan and planning application must include proposals for improved pedestrian and cycle access to the site from Gatwick Airport reflecting its higher service levels, connectivity and accessibility to the wider region by sustainable transport modes.
- The masterplan must include proposals for improvements to walking and cycling routes from Horley town centre, train and bus interchange and nearby residential areas to the site.
- Clear wayfinding signage will be needed between Gatwick, the site and Horley town centre, and Limes Avenue and Bayhorne Lane into the new public open space.
- A public transport corridor should run through the site linking Balcombe Road to a central square in the business park. All development parcels should be within 400m walk of a bus stop, with most being within 250m, with bus stops located at key locations and walking network nodes.
- A "green" walking and cycling leisure circuit could be provided linking the new public open space in the north of the site, the open green space to the east of the business park, and the southern "Gatwick Open Setting" land. This could potentially be used for "Parkrun" or similar local community events.

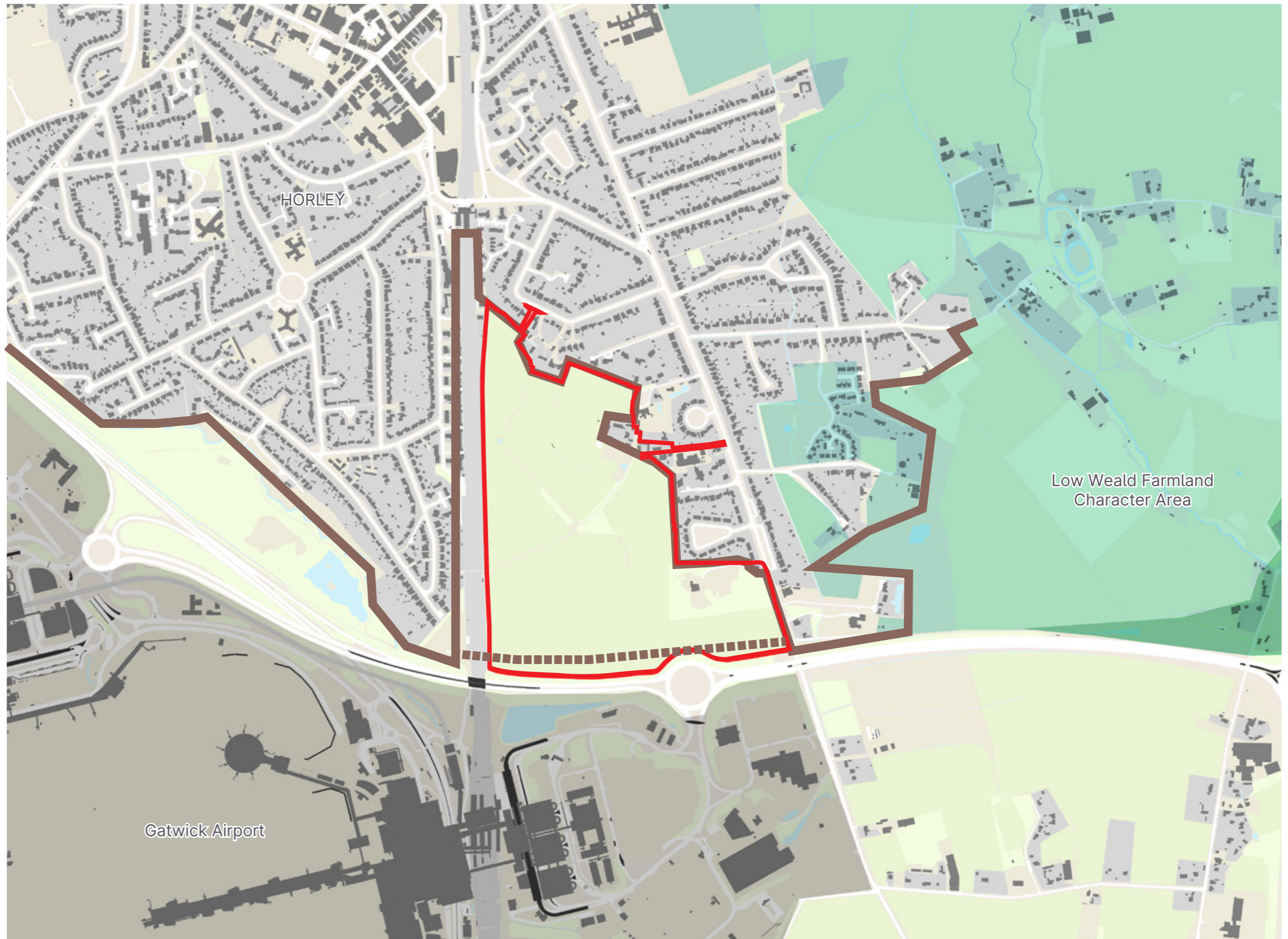




# MASTERPLAN PROPOSALS

# Concept Plan - Infill Development

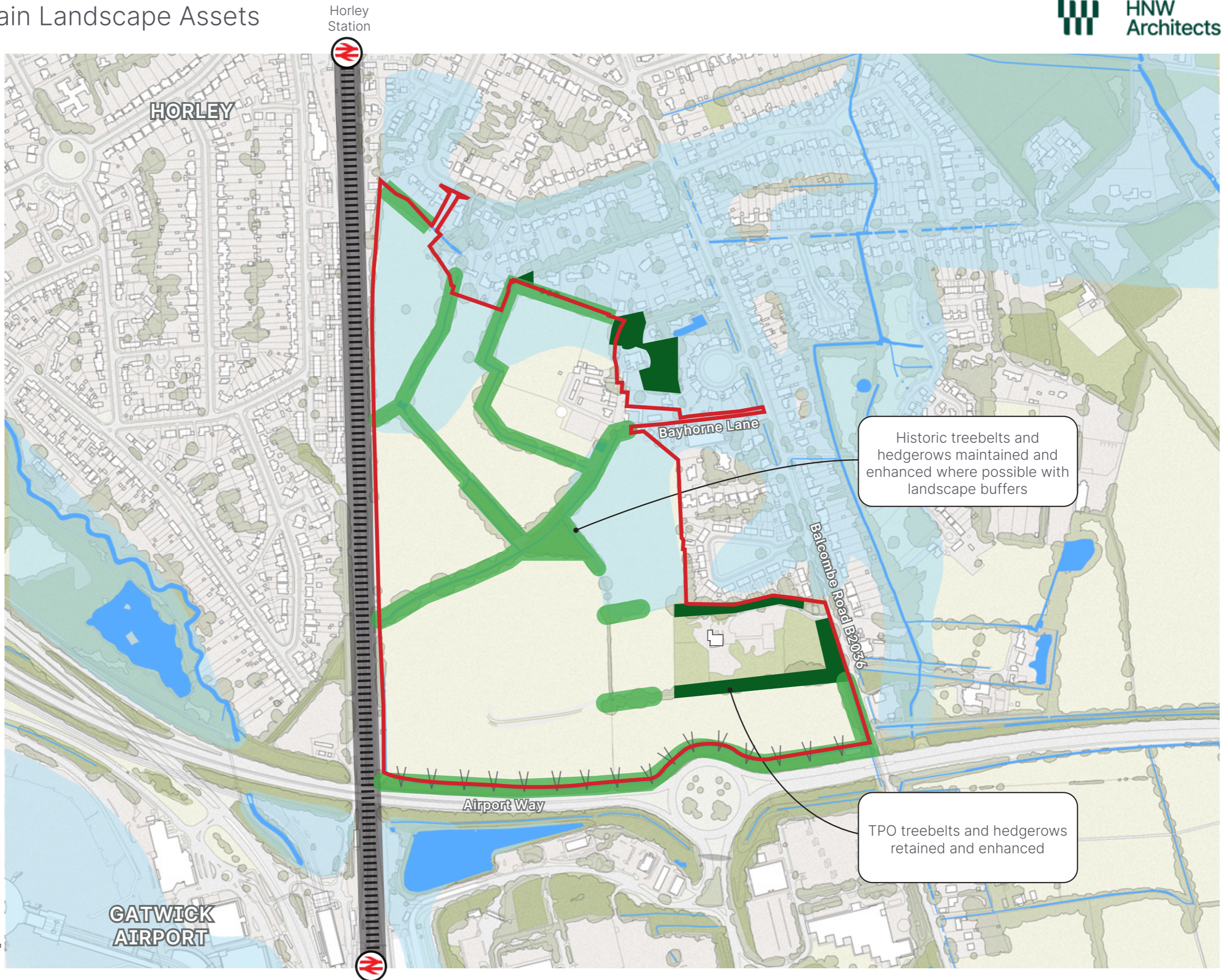
- The site forms a triangle of development sandwiched between the residential areas of Horley to the north and Gatwick Airport to the south
- Over 5 Ha of the site has been allocated in planning policy as open space.





# Concept Plan - Retain Landscape Assets

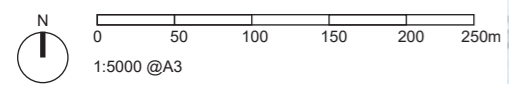
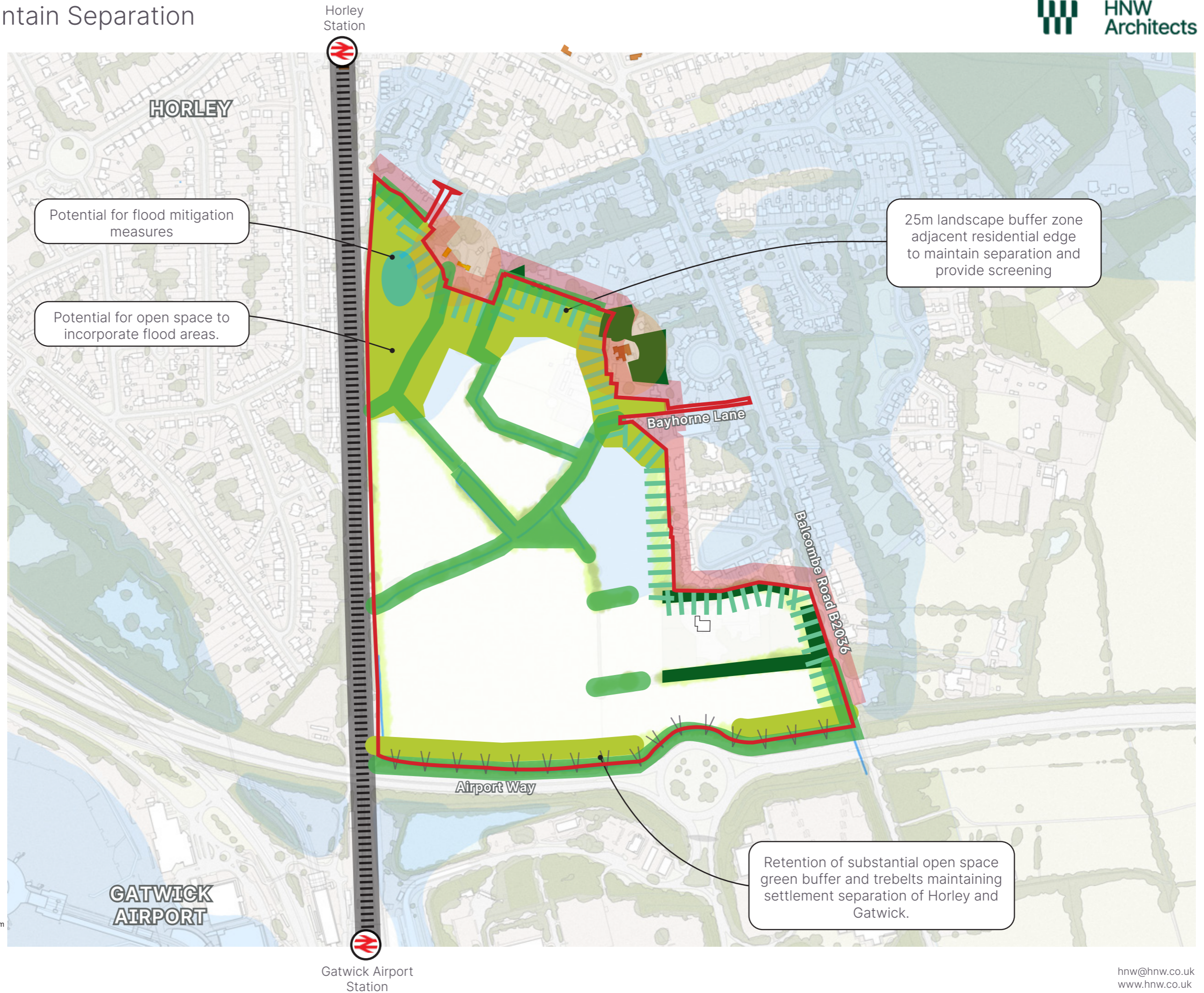
- Existing trees and hedgerows on Bayhorne Park will be preserved where possible, and enhanced with new planting, creating a framework for the site.
- Public right of way paths cross the site and will be maintained and enhanced.
- The setting of listed and local heritage interest buildings will be protected through landscape buffer planting.
- There are substantial flood risk areas predominantly located to the north of the site





# Concept Plan - Maintain Separation

- Maintain open space area on site as policy guidance to provide separation from Gatwick Airport and Horley built-up area





# Concept Plan - Establish Access

- Create a new primary access from Airport Roundabout on the southern edge of the site.
- Potential for secondary/emergency access points along Balcombe Road.
- Bayhorne Lane reconfigured as a pedestrian/emergency access
- Potential for new pedestrian link from Limes Avenue from the North to improve accessibility and connectivity
- Existing Public Right of Way retained with potential to upgrade bridge over railway to provide cycle access





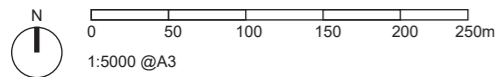
# Concept Plan - Simple and Legible Access

- Within the site a simple primary loop arrangement is proposed that connects all the parcels of land. The primary road would be tree-lined with soft landscaped verges.
- Secondary access roads would spring from the loop providing access into deeper land parcels.
- Roads would be sized and arranged appropriately to suit large vehicles.
- An extensive network of pedestrian and cycle routes opens up previously private land and links into surrounding neighbourhoods and the airport to the south.
- A circular trim trail around the perimeter encourages exercise and healthy living within the site.



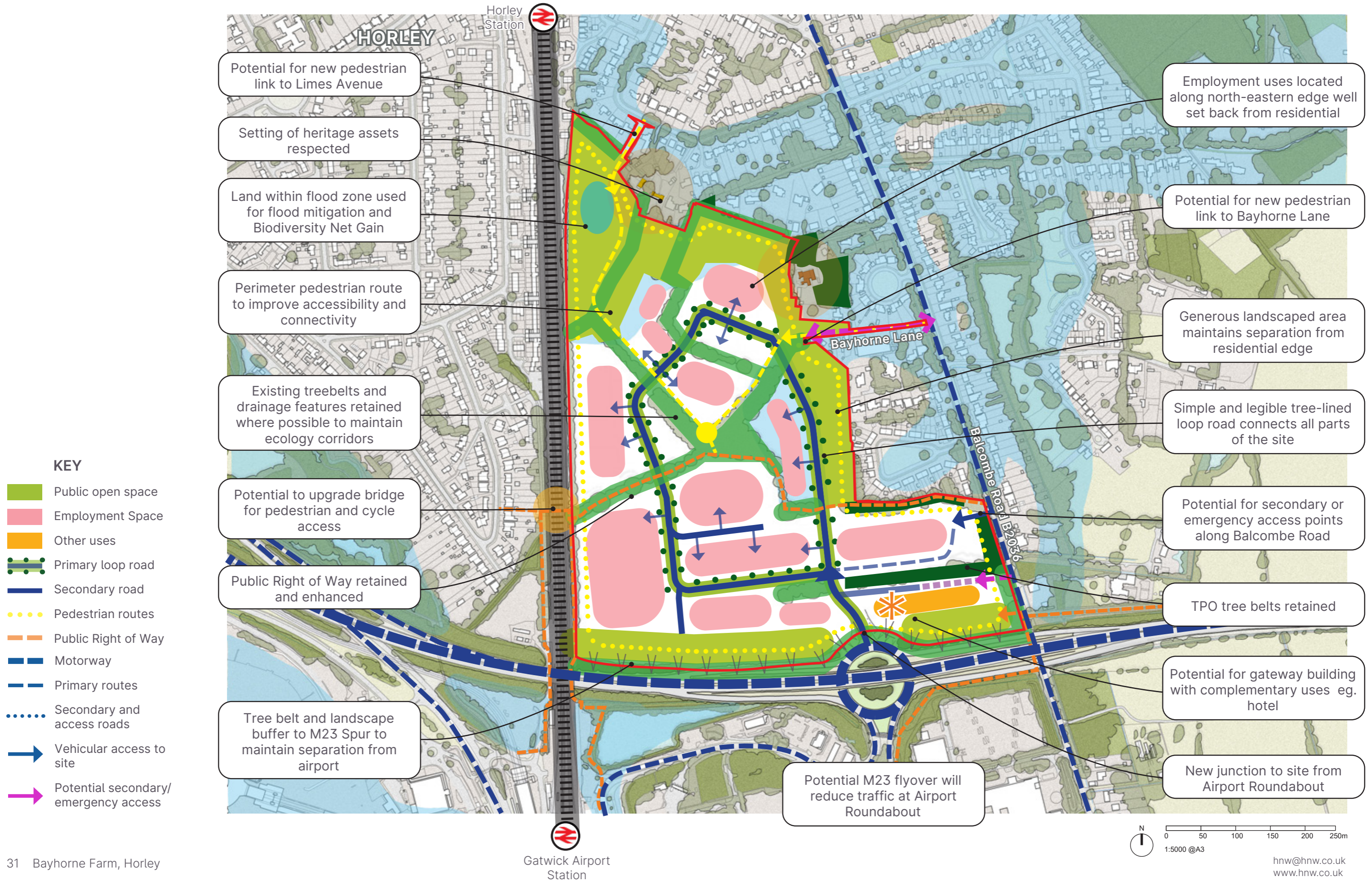
## KEY

- Site boundary
- Primary road
- Secondary road
- Pedestrian routes
- PRow
- Open space
- Retained Tree belt





# Masterplan Diagram





## The Consultant Team



Lambert Smith Hampton  
Planning  
Consultants  
55 Wells Street  
London W1T 3PT



HNW  
Architects

HNW Architects  
Architecture & Masterplanning  
Platf9rm  
Church Road  
Hove BN3 2AF



Hilson Moran Engineering  
Transport, Sustainability and  
Environment  
Shackleton House  
Hay's Galleria  
4 Battlebridge Lane  
London, SE1 2HP