

**Contact:**

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**Your Ref:**

**Our Ref:** AMN/RS

**Date:**

2<sup>nd</sup> March 2020

By e-mail only  
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Dear Sir/Madam,

**Crawley Local Plan Review 2020 – 2035 – Submission version**

Mid Sussex welcomes the opportunity to comment on the submission Crawley Local Plan Review (the Plan) and our detailed comments on the Strategic Polices of the Plan build on our earlier response to the Regulation 18 draft of the Local Plan.

Mid Sussex welcomes the further work undertaken by Crawley since the publication of the draft Local Plan and the identification of additional sources of housing supply, resulting in another 550 units. In particular, Mid Sussex supports the revisions to policies which will ensure that there is a more effective use of land in meeting housing and other land use needs in line with the National Planning Policy Framework (NPPF).

Mid Sussex has reviewed the Plan and accompanying evidence that has been prepared to support the Plan however it is noted that some of the evidence base, including Transport Assessment, Viability and Habitats Regulation Assessment have not yet been completed and therefore these comments are provided in this context. Mid Sussex may wish to make further comments as and when the evidence base is complete.

Strategic Policy SD3: North Crawley Area Action Plan

Mid Sussex **supports this policy in principle** as it seeks to make more efficient use of land. However, the Council consider that the Policy could be **more effective**.

Policy SD3 makes provision for the preparation of an Area Action Plan (AAP) for the area of land to the south of Gatwick Airport that has historically been safeguarded to accommodate the possible construction of an additional runway and associated facilities. Mid Sussex welcomes the approach to review the opportunities for development within this location, alongside the future growth needs of the airport through an AAP.

The Council welcomes the clear commitment to commence work on the AAP within three months of the adoption of the Local Plan as this will provide certainty over its development.

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However, the Crawley Plan should recognise the significant opportunities presented by this land to take a strategic approach towards consolidating employment land in this location thereby facilitating release of underused employment land elsewhere in the Borough which could be used for much needed housing.

**Changes required:** The policy needs to be amended to make clearer cross references to Policy EC1 as the opportunities presented by the Gatwick Expansion Safeguarding land should form part of a comprehensive spatial strategy for meeting development needs. In addition, the Policy should make clear the commitment to work with Horsham and Mid Sussex over the preparation of the APP given that the three authorities operate as a Functional Economic Market Area.

#### Strategic Policy CL4: Effective Use of Land: Sustainability, Movement and layout

Mid Sussex **supports** this policy in principle however considers that it could be **more effective**.

The NPPF is clear that where there is a shortage of land for meeting identified housing needs policies should ensure the use of land is optimised. Whilst this policy seeks the effective use of land it needs to be clear about how this will be achieved.

**Change required:** Policy needs clarity over how policy objectives will be achieved.

#### Strategic Policy CL5: Form of New Development – Layout, Scale and Appearance

Mid Sussex **supports this policy in principle** as it seeks to make more efficient use of land. However, the Council consider that the Policy could be **more effective**.

The Council **supports** the concept of 'compact development' and the inclusion of density standards on some locations within the Town. However, the Council consider that the Policy could be **more effective** by being clearer.

Whilst the Policy sets out minimum density standards across the Borough it states that residential density standards will be informed by Area Character Assessment. It is unclear from the supporting evidence if these Assessments have already been undertaken, and if not who will be responsible for preparing these.

**Change required:** Make the application of the policy clearer.

#### Strategic Policy CL8: Development Outside the Built-up Area

Mid Sussex **supports this policy in principle** however considers that it could be **more effective**.

Mid Sussex made comments on the previous draft in relation to policy CL8: Development Outside the Built-up Area. Whilst we welcome the changes which have been made to the policy, the objective of the policy remains the same. Therefore, we wish to reiterate that opportunities for development within these areas should be positively assessed, particularly as Crawley has an unmet housing need.

There can be opportunities for development within designated areas, including the AONB. As a rural district, the majority of Mid Sussex housing supply is within the countryside (i.e. outside built-up areas) and Mid Sussex District Council's spatial strategy allocates land for development in the AONB to meet its adopted housing requirement, which includes some of Crawley's unmet need.

**Change required:** This policy needs to be amended to be a positively framed policy which promotes and supports some development outside of the Built-Up Area.

#### Strategic Policy OS1: Open Space, Sport and recreation

Mid Sussex **supports this policy in principle** but considers that it could be **more effective**.

Policy OS1 protects against development which would affect the use of open spaces, sport and recreational spaces unless it meets certain criteria. Given the limited supply of suitable housing land in Crawley, this policy should recognise the significant opportunities presented by the Gatwick Expansion Safeguarding to rationalise open space in order to release land for much needed housing.

**Change required:** The Policy needs to be amended to cross reference to Policy SD3 as the opportunities presented by the Gatwick Expansion Safeguarding land should form part of a comprehensive spatial strategy for meeting development needs.

#### Strategic Policy EC1: Sustainable Economic Growth

Mid Sussex **supports** this policy in principle however considers that it could be **more effective** in achieving the areas needs.

Policy EC1 (iii) currently encourages the redevelopment and intensification of under-utilised sites in Main Employment areas. However, the opportunities presented by the Gatwick Expansion Safeguarding for rationalising Main Employment areas, have not been taken. This is missing an opportunity to release land for much needed housing.

**Change required:** The Policy needs to be amended to make a cross reference to Policy SD3 as the opportunities presented by the Gatwick Expansion Safeguarding land should form part of a comprehensive spatial strategy for meeting development needs.

#### Strategic Policy H3d: Upward Extensions

Mid Sussex **supports** this policy which supports upwards extensions in line with the NPPF and provides clear guidelines on assessment of proposals.

#### Strategic Policy H3g: Urban Extensions and paragraph 12.76

Mid Sussex **objects** to this policy. It is neither **justified nor effective**

The submission version of the Plan continues to include a policy that seeks to provide policy criteria for the assessment of Urban Extensions outside of the Crawley administrative boundary, in policy H3g: Urban Extensions. Policy H3g provides the framework by which Crawley would assess applications outside the borough boundaries but are adjacent to Crawley. Whilst some amendments have been made to the policy Mid Sussex continues to have concerns and therefore comments on this policy are set out below:

The Sustainability Appraisal of the MSDC District Plan (August 2016) sets out the conclusions of the 'Sustainability Assessment of Cross-Boundary Options', which assessed the unmet need of all neighbouring authorities. The evidence shows that there are strong migration and commuting links between the two authorities. These links are not constrained to the areas immediately adjacent to the administrative boundaries of the authorities. Broad locations for growth were assessed based on distance and linkages between areas based on historic commuting patterns. These broad locations cover most of Mid Sussex, which indicate any unmet need from Crawley could be located anywhere in this District. Locations 'At Crawley' has identified locations which may not be the most sustainable location for growth in Mid Sussex, but until work on the District Plan Review is undertaken and all broad locations and sites are assessed, this is not known.

It is unclear how this policy can be effective as it relates to land outside the Crawley boundary. An application within Mid Sussex, for example, would not be assessed against the policies within the Crawley Local Plan. As such the criteria within the policy can only be considered to inform Crawley's response during the consultation process on an application within an adjoining authority; and this should be made clear.

It is not sufficiently clear what is meant by the term 'Urban Extension', both in terms of scale and location. This is important because some criteria would not apply to all developments. For example, smaller scale sites would not support a neighbourhood centre, or require a masterplan. The preparation of a Joint Area Action Plan may not be necessary in all circumstances. This is acknowledged in the supporting text but not within the policy. Through Duty to Co-Operate discussions, Mid Sussex will continue to liaise with Crawley on any sites within Mid Sussex that would have cross-boundary impacts, particularly any that are promoted to the Council as part of the District Plan Review.

Part ix of the policy includes a reference to the delivery of affordable housing at 40% and agreements in relation to the nomination rights for those on the Crawley housing register. There are no mechanisms in place to seek a different affordable housing requirement on sites within Mid Sussex as intended by the policy. The adopted Mid Sussex District Plan requires 30% affordable housing and existing evidence does not demonstrate that the provision of 40% affordable housing is viable in Mid Sussex. Mid Sussex's immediate priority is to meet the affordable housing needs of those who live in Mid Sussex.

In this context, this Council **objects** to the wording of paragraph H3g: Urban Extensions and paragraph 12.76 where it refers to any urban extension on the edge of Crawley and within MSDC should be meeting the unmet needs arising from Crawley.

**Change required:** The policy needs significantly redrafting.

## Habitat Regulation Assessment: Screening Report

Mid Sussex is concerned about the conclusions reached in the HRA Screening Report and considers that further work is required to ensure that the Plan is **sound**.

- Paragraph 4.8-4.9 (air pollution) –New homes and employment are being planned by Crawley Borough Council. The distance of 10km from the borough’s boundaries is not a relevant consideration. Mid Sussex Council have undertaken transport modelling, air quality modelling and then ecological interpretation to assess the potential air quality impacts on the Ashdown Forest SAC to support the preparation of the District Plan and Site Allocations DPD.
- The 1000 AADT is not the only factor that needs to be taken into account and in any case this needs to be an in-combination assessment (taking account of recent case law as acknowledged).
- At paragraphs 5.7 to 5.10 reference is made to the transport modelling undertaken for the Mid Sussex District Plan. This information has been superseded by the Mid Sussex Transport Model (2019) which is a new transport model that has been prepared to support the preparation of the Site Allocations DPD. This new evidence should be taken into account.

**Change required:** In order to ensure the Plan is sound the Council should prepare the necessary evidence to conclude no adverse impact on the Ashdown Forest SAC habitat. It would be helpful to see some more recent and relevant correspondence from Natural England setting out their view on the likely significant effect on the Ashdown Forest SAC.

## Conclusion

Mid Sussex is committed to continuous and close co-operation and joint working and welcomes the opportunities to work on an ongoing basis to address unmet development needs and we will use the well established joint working arrangements in place, to address these outstanding issues.

Yours sincerely



Councillor Andrew MacNaughton  
Cabinet Member for Housing and Planning