



# Crawley Local Plan

<p><b>Ref No:</b></p>   <p><i>Office use only</i></p>
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## Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council.

Representations can be made via this form and emailed to [strategic.planning@ Crawley.gov.uk](mailto:strategic.planning@ Crawley.gov.uk) or sent via post to: Local Plan Consultation, Strategic Planning, Crawley Borough Council, Town Hall, The Boulevard, Crawley, RH10 1UZ. Alternatively, representations can be made online using the [eform](#) which allows attachments of documents.

This form has two parts:

### PART A – Personal details

By law, representations cannot be made anonymously. All representations will be published alongside your name, company name (if applicable), and your client’s name/company (if applicable). The Council will use the information you submit to assist with formulating planning policy.

Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018, for example, how to contact the Data Protection Officer, how long information is held or how we process your personal information can be found at [www.crawley.gov.uk/privacy](http://www.crawley.gov.uk/privacy). Specific reference to the Local Plan and planning policy related public consultation can be found [here](#).

### PART B – Your representation

Please fill in a separate sheet for each representation you wish to make. You may submit multiple “PART B” sections with a single “PART A” completed.

## PART A – Personal details

Please ensure that you complete all fields in 1. If a planning agent is appointed, please enter the Title, Name and Organisation in 1, and complete the full contact details of the agent in 2.

	1. Personal details	2. Agent’s details
Title:	Mrs	
First name:	Eleanor	
Surname:	Harman	
Organisation:	West Sussex County Council	
Address line 1:	County Hall	

Address line 2:

Town/city:

Postcode:

Telephone:

Email:

## PART B – Your representation

### 3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

### 4. Which part of the Local Plan does this representation relate to?

Paragraph:

Policy:

Other:

### 5. Do you consider the Local Plan to be: (Please tick)

- 5.1. Legally compliant? Yes  No
- 5.2. Sound? Yes  No
- 5.3. Compliant with the duty to co-operate? Yes  No

### 6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

Policy GAT2: Safeguarded Land for the potential future additional wide spaced runway as per the Gatwick Airport Master Plan is in conflict with Policy ST4: Safeguarding of a Search Corridor for a Crawley Western Link Road as substantial sections of the ST4 area lies within the GAT2 safeguarded area. Failing to address this issue may compromise the ability for Gatwick Airport to expand in the future and/or delivery of a western link road to support future growth.

The Draft Local Plan therefore does not fully comply with the following sections of The National Planning Policy Framework due to the conflict:

- 104 (c) – identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;
- 104 (f) – recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency

service needs, and the Government's General Aviation Strategy.

West Sussex County Council is aware that further technical analysis is currently underway to resolve the conflict. The objective of the analysis is to refine the alignment of the Link Road so that it does not conflict with the GAT2 boundary, or to come to an agreeable solution with all parties with regards to amended boundaries.

Justification 17.25 – It should be noted that developments could be refused on highway grounds based on the potential severe cumulative impacts on the transport network, if the scheme is not implemented.

Policy ST4 & Justification 17.28 - As indicated in paragraph 17.28, there is potential that land may need to be compulsorily purchased in order to deliver the Western Relief Road. However, Policy ST4 does not include reference to the potential need for land to be compulsorily purchased in its reference to its impact on residential and commercial properties. This is not sound because the scheme is likely to be dependent upon a successful future application for a Compulsory Purchase Order which may need to be considered at a Public Inquiry. Therefore, Policy ST4 should be amended to specifically state that there is a potential need for land to be compulsorily purchased in order to deliver the scheme. Failing to amend Policy ST4 to reflect the potential need for land to be compulsorily purchased may compromise the future delivery of this section of the Western Relief Road or mean that the scheme is unable to achieve its strategic objectives.

*If required, please continue your response on an additional piece of paper and securely attach it to this response*

- 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.**

Refinement of the alignment of the Link Road so it does not conflict with the GAT2 boundary or to come to an agreeable solution with all parties with regards to the amended boundaries.

*required, please continue your response on an additional piece of paper and securely attach it to this response*

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- 8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)**

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

- 9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:**

Failing to address this issue may compromise the ability for Gatwick Airport to expand in the future and/or delivery of a western link road to support future growth. Refining the alignment of the Link Road so it does not conflict with the GAT2 boundary is fundamental to successfully demonstrating the soundness of the Plan. As the Highways Authority, WSCC's attendance at the hearings is considered necessary.

*The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.*

If you would like to make a representation on another policy or part of the Local Plan then please complete a separate PART B section of the form or securely attach an additional piece of paper. Copies of the representation form can also be downloaded from the council's website at: [www.crawley.gov.uk/localplanreview](http://www.crawley.gov.uk/localplanreview)

**Signature**

Eleanor Harman

**Date**

30.06.2021

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- |   |   |  |
|---|---|--|
| 5.1. Legally compliant?                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| 5.2. Sound?                                 | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

### 6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

The current transport evidence base analysis has progressed considerably but is not yet fully complete. The County Council will continue to work with the Borough Council on further development of the evidence base towards resolution of the outstanding issues but considers that the Plan cannot yet be considered sound until this is achieved. The published report does not yet include costings for the highway mitigation on the County Council's highway network, although the County Council is aware of ongoing work to develop this. In addition, safety audit is still required for this highway mitigation to confirm that the design presented can be delivered.

Further, several potential public transport schemes were presented as options in the transport study, but further evidence is required on costing, option selection for prioritisation, deliverability of prioritised schemes and delivery mechanisms to demonstrate that sufficient sustainable transport measures can be delivered during the Plan period to achieve the forecasted reductions in private car trips. This evidence is required to ensure compliance with paragraph 108 of the national Planning Policy Framework (NPPF). This certainty on the sustainable transport-based car trip reductions is needed to ensure that additional highway mitigation measures would not be required to prevent severe residual impacts on the highways network in compliance with paragraph 109 of NPPF.

At present the extent of highway mitigation for the Strategic Road Network (SRN) has not yet been agreed with Highways England. The County Council will require assurance that the SRN mitigation package does not have any adverse effects with its interface with the local highway network but complements the rest of the mitigation package. The County Council will continue to work with the Borough Council and Highways England towards achieving this aim. We note that it is possible that the mitigation for the SRN may require some land adjacent to the SRN in third party ownership.

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As outlined above, the Plan cannot be considered sound until the Transport evidence has been completed. We will continue to provide technical advice to support this work and offer assistance as necessary to address the soundness of the Plan.

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No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

The County Council will continue to provide technical advice to support work on the Transport Study and provide assistance, as necessary, to address the soundness of the Plan. However, the completion of the transport study work and agreement of a viable and deliverable strategy for mitigation is fundamental to successfully demonstrating the soundness of the Plan. As Highways Authority, WSCC's attendance at the hearings is considered necessary.

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*We are pleased to see the importance of Public Rights of Way recognised in the Crawley Local Plan and the contribution they make, as part of the Borough's Green Infrastructure network, towards promoting active travel, reducing car journeys, improving residents' mental and physical wellbeing, providing safe, alternative routes for non-motorised users, achieving carbon-neutral status, improving air quality and reducing pollution.*

*We agree that providing and improving access to the countryside beyond Crawley's urban borders is of particular importance to its residents (Reasoned Justifications 7.27 and 7.28 within Policy OS3), especially to the south and east of the town. Crawley is also a major employment hub for the area. Any, and all opportunities to protect and enhance the network should be taken therefore (as stated in Crawley's Infrastructure Plan January 2021, Green Infrastructure, Current Findings). Policy OS3: 'Rights of Way and Access to the Countryside' falls short of this however and is not in keeping with NPPF which requires LPAs to protect and enhance PRow and seek opportunities to provide better facilities for users.*

*As recognised in Strategic Policy SD1 (4), sustainable development offers opportunities for positive outcomes. Strategic Policy SD2 states that new development must prioritise the use of and provide greater levels of safe and attractive opportunities for active travel. Policy CL3 (2ii) outlines how new development should connect with areas of rural open space and goes on to justify this in 4.35 that new development should be seen as an opportunity to integrate improvements to active travel. Policy CL8 (xi) describes how development should ensure access to the countryside is maintained and enhanced from Crawley's neighbourhoods. 17.1 within the Section on Sustainable Transport points out that the provision of additional facilities and services to support new development is a key objective of the planning system and it is important to retain, and where possible enhance, opportunities in the Borough for increasing active travel as an alternative to the car.*

*Sustainable development approved through these policies provides Crawley Borough Council with the chance to enhance existing and surrounding PRow networks through surface improvements (to mitigate against the effects of increased usage), upgrading footpaths to*

*bridleways and creating new paths, improving links and connectivity within the Borough and across its borders. Policy OS3 is negatively worded however to assume development will always adversely affect the network and only then should mitigation measures be sought. We would like to see more emphasis on the positive net gains that can be achieved.*

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It is suggested that the first sentence of Policy OS3 be amended to include the words '**and enhanced**' (as set out below) to be consistent with para. 98 of NPPF with more emphasis on opportunities to provide better facilities for users of Public Rights of Way.

*"Public Rights of Way will be protected **and enhanced** by ensuring that development does not result in the loss of, or adversely affect, a Right of Way or other recreational route, unless a new route is provided of equal or better value".*

*If required, please continue your response on an additional piece of paper and securely attach it to this response*

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Yes, I wish to participate in the examination hearings

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West Sussex County Council are supportive of Policy IN1 (Infrastructure Provision) as it is worded flexibly to secure CIL contributions or S106 for the funding of education infrastructure.

The methodology used in the 'Whole Plan Policies and Community Infrastructure Levy Viability Assessment' (March 2021) excludes education contributions on the basis that it is assumed they would be sought through CIL (page 50). This does not reflect the approach taken in Policy IN1 which is worded flexibly to seek both in accordance with CIL regulations for a site as it comes forward. Therefore, the viability of the plan policies seeking education contributions through s106 has not been tested through the evidence. However, it is noted that housing delivery in Crawley Borough is more likely to cumulatively generate the need for school places rather than seeking site specific contributions and this should be explained in the evidence base as suggested below.

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It is therefore recommended that further text is added to the viability assessment to explain the specific circumstances in Crawley Borough, why education has been excluded in the evidence preparation and that Policy IN1 allows for s106 contributions if an unallocated site came forward, subject to a separate site specific viability assessment.

Further to this, West Sussex County Council would support the preparation of a Statement of

Common Ground setting out the joint working that is ongoing between Crawley Borough Council, Horsham Borough Council and West Sussex County Council towards meeting the education requirements arising from new housing development in Crawley Borough.

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Paragraph:

9.46

Policy:

Other:

Appendix B

### 5. Do you consider the Local Plan to be: (Please tick)

- |   |   |                             |
|---|---|-----------------------------|
| 5.1. Legally compliant?                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5.2. Sound?                                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

### 6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

Suggested modification to Para. 9.46 and Appendix B – reference to the ‘West Sussex Joint Minerals Local Plan (2018)’ should now read ‘West Sussex Joint Minerals Local Plan July 2018 (Partial Review March 2021)’.

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### 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.

Suggested modification to Para. 9.46 and Appendix B – reference to the ‘West Sussex Joint Minerals Local Plan (2018)’ should now read ‘West Sussex Joint Minerals Local Plan July 2018 (Partial Review March 2021)’.

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- 5.2. Sound? Yes  No
- 5.3. Compliant with the duty to co-operate? Yes  No

### 6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

The Local Plan Map does not currently show the Minerals Safeguarding Area which is required by para. 005 of the Planning Practice Guidance. It is requested that this is included as a modification to the Plan.

*If required, please continue your response on an additional piece of paper and securely attach it to this response*

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