



Our ref: 19977 / NH/23/00953
Your ref: Crawley Borough Local Plan 2024-2040:
Regulation 19 Consultation

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**FAO: Elizabeth Brigden
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20 June 2023

Dear Ms Brigden

Publication of the Crawley Borough Local Plan 2024-2040: for consultation under Regulation 19 of the Town and Country Planning Regulations (Local Planning) (England) 2012

Thank you for your formal notification email of 10 May 2023 inviting National Highways (NH) to comment on the Crawley Borough Local Plan 2024-2040: Regulation 19 Consultation, as part of the consultation process, seeking a response no later than 17.00 on 20th June 2023.

We have read the Local Plan Representation Guidance. We understand that we do not need to repeat comments made on a previous Regulation 19 consultation.

We appreciate that the focus of this consultation is on **legal compliance** and the **soundness of the Local Plan** as judged against the soundness tests in the National Planning Policy Framework (NPPF) (July 2021) para.35. We have structured our response accordingly.

Policy Context

NH is responsible for the Strategic Road Network (SRN), with our focus being on its safety, reliability and operational efficiency. Unacceptable impacts on the SRN must be avoided. Furthermore, in accordance with national policy, NH expects the plan-making process to explore all options to reduce a reliance on the SRN for local journeys including

a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

The policy of the Secretary of State for Transport in relation to the SRN is **Circular 1/2022: [Strategic road network and the delivery of sustainable development](#)**. In responding to this consultation, NH has taken Circular 1/2022 (“1/22”) as relevant national policy alongside the NPPF.

The remainder of this response is split into three tables:

1. **Table 1: Legal Compliance** – This is focused on how Crawley Borough Council has engaged with NH during the plan-making process on strategic transport matters relating to the SRN.
2. **Table 2: Soundness Tests** – This is focused on the soundness tests and how plan-making has considered and responded to transport-related matters that are likely to impact on the SRN, as well as compliance with national policy on transport matters, in particular national policy on the SRN (Circular 1/2022).
3. **Table 3: Detailed Representations** – These are focused on detailed comments on individual policies relating to strategic transport matters that are likely to impact on the SRN. In some cases, they highlight how the robustness of the policies could be improved through some minor modifications.

We would like to thank Crawley Borough Council for their positive engagement with NH during the preparation of the Local Plan. We have valued the opportunities to review and comment on earlier stages and pieces of transport evidence.

We recognise that Circular 1/2022 was published by the Department for Transport at a relatively late stage in the plan-making process (December 2022). However, it is important to appreciate that this does represent national policy in respect of the SRN. The Local Plan, in many respects, does address key principles of sustainable development in the Circular and we are happy to work with you to ensure the Plan positively responds to the government’s expectations.

A summary of NH’s key points concludes the response.

Table 1: Legal Compliance

NH Rep. No.	Issue	NH response
NH001	Duty to Cooperate	Crawley Borough Council (“the Council”) has engaged with NH constructively, actively and on an ongoing basis on strategic transport matters relating to the SRN during the preparation of the Local Plan. NH hope this can continue up until the point of submission. NH would like to work with the Council and capture this process in a Statement of Common Ground prior to the Local Plan being submitted for examination. On the basis of the process followed and work undertaken during plan-making in respect of strategic transport matters relating to the SRN, NH considers that the Local Plan is legally compliant in respect of the Duty to Cooperate.

Soundness

This section of the response initially highlights significant soundness issues that NH would wish to work with the Council on to resolve, ideally prior to submission. This is followed by a table of additional comments highlighting minor modifications that would strengthen the robustness of certain policies.

Table 2: Soundness: Significant Issues

NH Rep. No.	Soundness Test	NH response
NH002	Positively prepared: unmet housing need and consequences for SRN	<p>It is understood that the spatial strategy in the Local Plan would address 42% of the assessed housing need. This means that the level of unmet need which the Local Plan is not responding to is 58%, which equates to 7,050 residential units.</p> <p>NH welcome the continual positive engagement with neighbouring authorities about addressing the identified unmet need through their plan-making processes. However, this is clearly at a very early stage and there is little evidence of tangible progress on this matter.</p> <p>This concerns NH because the level of unmet need is significant and without provisions being made for addressing this across the wider housing market area, it is not possible to assess if potential options (allocations in neighbouring emerging Local Plans) could lead to unacceptable impacts on the safety, reliability and operational efficiency of the SRN (M23 and A23).</p> <p>In the absence of a clear worked-up strategy, and given the significance of the unmet need, NH does not believe the Local Plan has effectively satisfied, to date, the positively prepared soundness test.</p>

NH Rep. No.	Soundness Test	NH response
NH003	Justified: Transport evidence and consequences for the SRN	<p>NH recognise and appreciate the ongoing engagement on the preparation of the Crawley Transport Study (CTS).</p> <p>NH have noted that there is a misalignment between the forecast year in the CTS (2035) and the time horizon for the Local Plan (2040). This is a difference of five years.</p> <p>This may/may not be significant, but it would be unreasonable to assume, in the absence of updated evidence, that there would not be significant implications for/unacceptable impacts on the safety, reliability and operational efficiency of the SRN (M23 and A23).</p> <p>According to the housing trajectory, 500 new homes are projected to be delivered during the last five years of the plan period. The source of this supply is windfalls. Given that this at the end of the plan period, this may be a conservative estimative of delivery because prior to this point at least one Local Plan review would have been completed and additional sites are likely to be allocated for this period. Furthermore, there may be significant windfall sites coming forward during these last five years which are not possible to rule out at this stage.</p> <p>Given this misalignment, NH does not believe that the Local Plan has effectively satisfied the justified test because the key piece of transport evidence is not sufficiently proportionate.</p> <p>NH wishes to work with the Council on what needs to be done to update the transport assessment so that it aligns with the time horizon of the Local Plan. We understand that further work is being considered in relation to the transport impacts of the Local Plan, which is welcomed.</p>

NH Rep. No.	Soundness Test	NH response
		<p>This work is needed to understand fully the infrastructure implications of the development strategy and whether or not unacceptable impacts on the safety, reliability and operation efficiency of the SRN will arise. NH would prefer this work to be completed to our satisfaction prior to the submission of the Local Plan, in case the outputs trigger a need to review our position on the soundness of the Local Plan. This process needs to be captured in the Statement of Common Ground.</p>
NH004	<p>Justified: Infrastructure Plan and consequences for the SRN</p>	<p>Allied to the CTS is the Infrastructure Plan (IP) (May 2023). While it is helpful to identify the range of transport infrastructure that is needed to support the development strategy in the Local Plan, the IP lacks details. There is no detailed phasing of highway mitigation schemes; it simply states “... <i>Most highway mitigation schemes critical to the Local Plan are expected to be implemented by 2035 provided that the envisaged build-out is achieved...</i>”.</p> <p>As presented, it is not possible to understand the expected commencement and completion dates of these schemes, particularly those relating to the SRN, and how these relate to the housing and economic development trajectories. For the benefit of plan users, it would be helpful to clearly understand what the projects are, how much they will cost, who will be the lead delivery agency and when will they be phased alongside the housing and economic development. Some of these elements are included, which is helpful.</p> <p>For example, the IP includes SRN mitigation schemes for M23 J10 (southbound merge) and M23 J11 (northbound diverge and merge).</p>

NH Rep. No.	Soundness Test	NH response
		<p>However, there are no details of when the mitigations would be required during the plan period and how this would relate to the housing and economic development trajectories. This is needed to provide confidence that the overall development strategy is deliverable, and to facilitate ‘monitor and manage’ so that the Council and NH can keep track with delivery of the vision for developments.</p> <p>‘Monitor and manage’ is a key element of national policy in respect of the SRN (Circular 1/2022, para.15). It is necessary for ensuring that vision-led developments are delivered by providing a mechanism for determining if interventions are needed to achieve the outcomes communities want. The government expects transport planning to move away from the ‘predict and provide’ model.</p> <p>Given the lack of details, NH does not believe that the Local Plan has effectively satisfied the justified test because the IP is not sufficiently proportionate.</p> <p>As highlighted above in rep. NH003, NH wishes to work with the Council on what needs to be included so that is possible to clearly understand the impacts on the SRN.</p>
NH005	Effective: Potential strategic transport matters and consequences for the SRN	<p>The previously expressed concerns about the level of unmet need and the disproportionate evidence on transport matters (CTC and IP) means that NH question whether the Local Plan has satisfied the effective soundness test.</p> <p>The misalignment between the CTS and the time horizon for the Local Plan and the lack of details in the IP on the phasing of infrastructure</p>

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		<p>alongside the housing and economic development trajectories cast doubts over whether the spatial strategy is deliverable over the plan period. It certainly makes it challenging for NH to assess if the spatial strategy would result in unacceptable impacts on the safety, reliability and operation efficiency of the SRN.</p> <p>The absence of details on how the significant amount of unmet housing need will be addressed across the wider housing market area in neighbouring authorities means that it is not possible to conclude that this and related cross-boundary strategic matters such as transport and impacts on the SRN have been effectively dealt with.</p> <p>As noted above, NH wishes to work with the Council to address these concerns so that it is possible to fully understand the impacts of the spatial strategy on the safety, reliability and operational efficiency of the SRN.</p>
NH006	<p>Consistent with national policy: Department for Transport (DfT) Circular 1/2022: Strategic Road Network and the delivery of sustainable development</p>	<p>As highlighted at the beginning of this letter, DfT Circular 1/2022 represents national policy in relation to the SRN (see para.8 of the circular), alongside the NPPF. This was published in December 2022.</p> <p>This represents a significant change in the approach to delivering sustainable development, particularly in respect of transport planning. One of the principal drivers for this change is the need to achieve legally binding net-zero carbon targets by 2050.</p> <p>The government expects transport planning for developments to move away from the traditional model of ‘predict and provide’ to planning that sets an outcome communities want to achieve and provides the</p>

NH Rep. No.	Soundness Test	NH response
		<p>sustainable transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage').</p> <p>NH is mindful that Circular 1/22 is not referenced in the Local Plan.</p> <p>NH welcome 'Crawley: A Vision' at the beginning of the Local Plan. NH would like to see greater emphasis in this Vision on reducing the need to travel, especially by car, thereby reducing the reliance on the SRN for local journeys.</p> <p>As well as an overall vision for Crawley in 2040, the setting of a vision needs to be a requirement for the development sites, at least for the key housing sites. The vision should clearly set out an outcome communities want to achieve. It should be focused on reducing car dependency and the overall need to travel and stress the need to maximise opportunities for active travel and public transport. In order to capture and deliver this, masterplans should be required in the relevant policies addressing matters including layout and design to support sustainable development which reduces the need to travel. NH expects this process to reduce a reliance on the SRN for local journeys. The SRN should not be relied upon for the transport accessibility of site allocations except where this relates to roadside facilities or SRN-dependent sectors (such as logistics and manufacturing).</p> <p>While the Local Plan does not directly reference and address the expectations of Circular 1/2022, that is not to say that the Plan is silent on the principles of sustainable development and sustainable transport</p>

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		<p>within the Circular. For example, Policy ST1 prioritises the needs of pedestrians, cyclists and users of public transport over ease of access by the motorist. This is welcomed by NH.</p> <p>To help NH's understanding of how far the Local Plan positively responds to the expectations of Circular 1/2022, it is suggested that a checklist is prepared, setting out the requirements in the Circular and signposting to the relevant section of the Local Plan in terms of a response. NH is willing to assist the Council with this work.</p> <p>It is considered by NH that this additional piece of work is needed, prior to submission of the Plan, so that a clear assessment can be made of whether the Local Plan is sufficiently consistent with Circular 1/2022. At present, NH is unable to conclude that the Local Plan is consistent with this national policy.</p>

Table 3 (below) sets out more detailed representations. These are suggestions for how the Plan and its policies could be made clearer and robust, to assist plan users.

Table 3: Detailed Representations

NH Rep. No.	Local Plan Reference	NH response
NH007	Policy SD1: Presumption in Favour of Sustainable Development	This over-arching strategic policy needs to be strengthened by responding positively to the expectations of Circular 1/2022. For example, reference should be made to reducing the overall need to travel, especially by car, through layout and design of developments.
NH008	Policy SD2: Enabling Healthy Lifestyles and Wellbeing	This should promote visions for developments which set outcomes communities want to achieve. Underpinning these visions should be the need for developments to reduce the need to travel, especially by car, and to maximise opportunities for sustainable travel. This is needed to promote health and well-being, as well as reducing the reliance on the SRN for local journeys. This proposed change would help demonstrate compliance with the expectations of Circular 1/2022.
NH009	Policy IN2: The Location and Provision of New Infrastructure	This policy should stress the need for new infrastructure to be sited at locations which are highly accessible by sustainable transport. At present it only requires major facilities to be accessible 'by a variety of means of transport', which can include the car. There should be an emphasis on reducing the need to travel (overall) to comply with Circular 1/2022.
NH010	Chapter 9: Economic Growth & Social Mobility'	NH understand that the development numbers for employment in the Transport Study Report (2022) were derived in 2020. The numbers in

NH Rep. No.	Local Plan Reference	NH response
		<p>the submission version of the Plan appear similar in terms of additional employment floorspace. However, NH are unable to confirm that the allocations and windfalls are the same or similar between the current Local Plan and the Transport Study Report. It is unclear whether the amount of consented and non-consented allocations has changed as NH are primarily concerned with the non-consented element of the Plan (allocations and windfalls). Clarity is sought.</p>
NH011	Policy EC4: Strategic Employment Location	<p>The policy should include the need for a vision to be developed for the site, as a matter of priority, which sets an outcome communities want to achieve and provides the sustainable transport solutions to deliver this outcome ('vision and validate' – see Circular 1/2022, para.15). The focus should be on reducing the overall need to travel and maximising opportunities for walking, wheeling, cycling, public transport and shared travel. This would help reduce reliance on the SRN for local journeys.</p> <p>NH suggest that this vision and transport solutions should feature in a masterplan prepared for the site. The masterplan should also consider how design can minimise the exposure to strategic traffic, for example a landscape buffer or sensitive screening to shield the environment and development from M23 noise.</p> <p>The policy needs to address the construction phase and how impacts, especially on the SRN, can be effectively eliminated or acceptably reduced to the satisfaction of NH.</p>
NH012	Policy GAT1: Development of the Airport with a Single Runway	<p>NH are currently working with Gatwick Airport Limited (GAL) on their proposals for the Gatwick Airport expansion. Due to the close proximity</p>

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		of Gatwick Airport to the borough and the progress towards its expansion, NH would like to understand how the assumptions on development have changed and whether this has any implications for the findings of the Transport Study report which was written in 2020. The traffic forecasts on Gatwick growth will require review to ensure consistency with current forecasts and assumptions relating to the Plan.
NH013	Policy GAT3: Gatwick Airport Related Parking	NH are concerned about the provision of additional or replacement airport-related parking. The provision of additional car parking will give rise to additional vehicle trips which, due to the close proximity and the nature of the airport development, could result in a significant increase in the number of vehicle trips on the SRN. This may impact on the safety, reliability and operational efficiency of the SRN. Development proposals outside of Gatwick Airport boundary for additional car parking should be accompanied by a detailed Transport Assessment setting out the impact on the M23 junctions 10, 10a and 11 and what mitigation is proposed. The passenger mode share targets set out in Policy GAT3 do not align with the latest passenger mode share targets in the Gatwick Airport Transport Assessment. The Policy should be updated to reflect these.
NH014	Chapter 12: Housing Delivery	NH understand that the development numbers for housing in the Transport Study Report (2022) were derived in 2020. The housing numbers in the submission version of the Plan appear similar. However, NH are unable to confirm that the allocations and windfalls are the same or similar between the current Local Plan and the Transport Study Report. It is unclear whether the amount of consented and non-

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		consented allocations has changed as NH are primarily concerned with the non-consented element of the Plan (allocations and windfalls).
NH015	Policy H2: Key Housing Sites	The policy should require the preparation of a vision for each housing site which sets the outcome the communities want to achieve, supporting sustainable transport and reducing the need to travel, especially by car. The vision can fit within a masterplan, which sets out how these objectives can be achieved through layout and design. This is needed to comply with the requirements of Circular 1/2022 and to help reduce a reliance on the SRN for local journeys.
NH016	Policy EP4: Development and Noise	NH expect development masterplans for allocations in proximity of the SRN to be designed to minimise the exposure to noise from traffic on the SRN, for example a landscape buffer or sensitive screening to shield the environment and dwellings from M23 noise.
NH017	Policy EP6: External Lighting	The policy should include a requirement for the assessment of the brightness and effect on public safety of drivers on the SRN in respect of visible external lighting arising from a development in close proximity to the SRN.
NH018	Policy ST1: Development and Requirements for Sustainable Transport	The policy should require developments (certainly the key housing sites) to include a vision setting out the outcome communities want to achieve and the sustainable transport solutions to deliver the outcome ('vision and validate'). This is needed to comply with Circular 1/2022 (para.15). The policy needs to require masterplans for key housing sites to help deliver the vision through layout and design (eg walkable neighbourhoods) to demonstrate how the need to travel, especially by

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		<p>car, will be reduced. The masterplan work should ensure that developments optimise the potential of sites to support local facilities and sustainable transport networks, there by reducing the reliance on the SRN for local journeys.</p> <p>As well as highway safety, other considerations should include reliability and operational efficiency, especially of the SRN.</p>
NH019	Policy ST4: Area of Search for a Crawley Western Multi-Modal Transport Link	Based on the high-level details provided for the Crawley Western Multi-Modal Transport Link, NH are satisfied that there will not be an unacceptable impact on the SRN. However, as further details of the alignment are available NH will need to review the impacts.

Summary

Thank you for engaging with NH on the Regulation 19 Local Plan. We recognise that Crawley Borough Council has engaged with NH constructively, actively and on an ongoing basis on strategic transport matters relating to the SRN during the preparation of the Local Plan.

There are a few significant soundness issues relating to the Local Plan and potential impacts on the safety, reliability and operational efficiency of the SRN that need addressing. In particular, the misalignment between the forecast year in the CTS (2035) and the time horizon of the Plan (2040). This misalignment means it is not possible to make a reasonable judgement on whether the safety, reliability and operational efficiency of the SRN would be unacceptably impacted by the spatial strategy at the end of the plan period. NH believe this can be resolved, ideally prior to submission, through an Addendum to the CTS so that the forecast year aligns with the time horizon of the Local Plan.

Consistency with national policy must also include consistency with Circular 1/2022, which is the national policy for the SRN. The Plan needs to emphasise the importance of visions for key housing sites setting outcomes communities want to achieve and sustainable transport solutions to deliver those outcomes ('vision and validate'). Masterplans can play an effective role in achieving this through layout and design of development sites which can help reduce the need to travel and, as a consequence, reduce the reliance on the SRN for local journeys. NH is willing to assist in this process, including the drafting of a checklist to demonstrate where and how the Local Plan responds positively to the expectations of Circular 1/2022.

NH is happy to meet up with officers at Crawley Borough Council to discuss these matters and find a way forward to address the concerns raised that relate to the SRN and the delivery of the requirements of Circular 1/2022.

If you have any questions with regards to the comments made in this response, please do not hesitate to contact me via PlanningSE@nationalhighways.co.uk.

Yours sincerely

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