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Dear Elizabeth

Crawley Borough Local Plan 2024-2040: Regulation 19 Consultation

Thank you for your consultation which we received on 10 May 2023. Having reviewed The Regulation 19 consultation, we find it "SOUND" subject to some minor changes for clarification purposes.

Draft Crawley Borough Local Plan 2024 – 2040

Water Quality

The plan covers most aspects of surface water quality to some extent but could be improved. Climate change impacts have been included in the Local Plan, but the impacts of climate change on surface water quality were not adequately addressed. The local plan should give more detail on measures to protect and enhance the status water bodies under the Water Environment (Water Framework Directive) (England and Wales) Regulations. This should be done in relation to the various elements making up the overall water body status.

Specific comments

Page 14, 1.31, on *“Partnership working to resolve the water supply constraint to development affecting the local authority areas within the Sussex North Water Resource Zone. Joint commissioning of technical evidence to secure water neutrality and ensure new development does not add to the impacts of water abstraction on internationally protected habitats.”*

Comment: It is good to see the plan is setting partnerships to resolve water supply and water neutrality. However, water quality is essential in water supply towards current and future water needs. How will partnership working be used to address water quality impacts.

Page 100, 8.11, on *“The Water Cycle Study Crawley Addendum Report (January 2021) identifies that the flow permit for Crawley Wastewater Treatment Works is likely to be exceeded towards the end of the 2025-2030 period (near the end of the AMP8 period). Thames Water has confirmed that the works is close to its treatment*

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capacity and will exceed its permit during the Local Plan period. A new permit from the Environment Agency is likely to require a tighter Ammonia, Biochemical Oxygen Demand (BOD) and suspended solids consent, likely requiring an upgrade to achieve. It should be noted that in the event of an upgrade to sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade.”

Comment: The local plan correctly states that there may be a long lead time for wastewater treatment upgrades. It is therefore imperative that Crawley Borough Council is proactive and initiates discussion with the water company, helping the company by providing relevant data and information they require.

Page 100, 8.11, on *“Wastewater/Sewage Treatment Works upgrades take longer to design and build. Implementing new technologies and the construction of a major treatment works extension or new treatment works could take up to ten years to plan, design, obtain approvals and build. In case of major development, it is strongly recommended that developers engage with Thames Water, as the wastewater infrastructure provider, at the earliest opportunity to establish: • the development’s demand for wastewater/sewage treatment and network infrastructure, both on and off site, and whether it can be met; and; • what loading/flow from the development is anticipated.”*

Comment: The Crawley Borough Council should be proactive by encouraging developers to engage with the water company early in the planning process.

Page 219, 15.34, on *“As well as applying to the demand for public water supplies, it is also an environmental issue that can cause deterioration of the water environment in both the quality and quantity of water, and consequently restricts the ability of a waterbody to achieve ‘good’ status under the Water Framework Directive.”*

Comment: More information needs to be provided on the direct and indirect relationship between ensuring water supply and impacts on water quality. The Local Plan should provide more information on how ‘good status’ will be ensured under the Water Environment (Water Framework Directive) (England and Wales) Regulations.

Flood Risk

The two Policies, EP1 and EP2, set out the Policy approach to managing flood risk in development planning for Crawley Borough. These Policies are essential, as flood risk is a key issue for Crawley, with parts of the Borough being at significant risk to fluvial flooding from the River Mole catchment, as well as other areas being at risk from surface water flooding.

The content and reasoned justification of Policy EP1, Development and Flood Risk, appears sound. As commented above, the SFRA is an important document in setting out the flood risk in the Borough and in outlining recommendations that should be

considered in the identification of site allocations and the determining of planning applications. The current SFRA is considered to be fit for purpose, though consideration should be given to updating the SFRA when new or revised information become available. The content of Policy EP1 does reflect the update to the Planning Policy Guidance from August 2022 related to the definition of the functional floodplain, or Flood Zone 3b.

The content and reasoned justification for Policy EP2, Flood Risk Guidance for Householder Development and Small Non-Residential Extensions, appear sound. This type of development can have a cumulative impact on flood risk, though in these instances, should be considered through an appropriate assessment. The content of this Policy would allow for this proportionate assessment of flood risk for these types of development, the nature of which is clearly set out within Policy EP2.

Strategic Housing Assessment Land Availability Assessment

Currently two sites identified for housing in Local Plan Policy H2 are partially at risk to flooding though it appears feasible that both these sites, Land Adjacent to Desmond Anderson and Land West of Balcombe Road/Street Hill, can be designed/developed in a sequential way to avoid built development in those areas at risk to flooding.

Previous discussions have taken place on the flood risk at these sites.

There are a few Larger Housing Sites with Planning Permission of September 2022, located in flood risk area. However, these sites have been reviewed and commented on at the planning stages by us, and we expect to see site specific Flood Risk Assessments from the site developer when these proposals moved ahead.

Two sites with flood risk as a constraint, Furnace Green Community Centre (Site Reference 86) and Henty Close (Site Reference 14) are currently classified as Site that are suitable but currently undeliverable/undevelopable. It is commented that these be considered as windfall sites, though we would ask to be consulted on any development proposals should these sites come forward.

Several sites, including Site References 65, 72, 73, 75, 76, 77, 78, 79 and 80 all have significant constraints on development posed by flooding. We welcome that all these sites are currently classified as being unsuitable for residential development and consider this an appropriate conclusion. Site References 94, 95 and 96 are partially constrained by flooding, and again welcome that these are not currently considered to be suitable for residential development. Should the stance on any of these sites change, we would wish to be consulted.

Draft Sustainability Appraisal/SEA

The SA/SEA recognises that flood risk is one of the Sustainability issues facing Crawley. Section A11 highlights the nature of the flood risk within the Crawley

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Borough, and the importance of this constraints being recognised in the Local Plan is welcomed, as it the importance of flood risk continuing to remain so in planning for Crawley's future.

Section A13 refers to the Strategic Flood Risk Assessment (SFRA). The SFRA is an important document in setting out the flood risk in the Borough and in outlining recommendations that should be considered in the identification of site allocations and the determining of planning applications. The current SFRA considers to be fit for purpose, though by its very nature does represent a point in time. You should consider updating the SFRA when new information is available.

Policies EP1, Development and Flood Risk, and EP2, Flood Risk Guidance for Householder Development and Minor Non-residential development, are related to how the flood risk in the Borough will be managed in terms of development planning.

- For Policy EP1, the choice of including a locally specific flood risk policy appears sound, as it better enables flood risk to be dealt with in a locally specific manner whilst strengthening the National Policy on development and flood risk.
- For Policy EP2, the choice of including a specific policy detailing bespoke requirements for householder applications appears sound, as these types of application can result in a cumulative impact on flood risk though the nature and scale of supporting information should be proportionate to the development type.

Infrastructure Delivery Plan (IDP)

We have reviewed the Flood Defence section of this Plan, and we are pleased to note the content has been updated in line with comments we made at a previous review.

I hope you find our comments helpful.

Yours sincerely

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