

Date: 20 June 2023
Our ref: 432984
Your ref: Crawley BC Local Plan



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BY EMAIL ONLY

Dear Elizabeth Brigden,

Pre-submission consultation for Natural England's views concerning the Crawley Borough Local Plan Review 2024-2040 (Reg 19)

Thank you for your consultation with Natural England early for our views on the Pre-submission local plan ahead of its publishing after the Pre-election Period shared with Natural England on 09 May 2023 and received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has reviewed:

- [Submission Crawley Borough Local Plan 2024-2040 \(PDF, 10.73 MB\)](#) (Submission Publication Consultation: May – June 2023)
- [Sustainability Appraisal - Strategic Environmental Assessment report May 2023 \(PDF, 6.23 MB\)](#)
- [Habitats Regulations Assessment report January 2023 \(PDF, 5.56 MB\)](#)
- [Local Plan map \(low res\) \(PDF, 5.79 MB\)](#)

What follows are Natural England's comments on: the draft plan as a whole, the plan's Sustainability Appraisal (SA), the plan's Habitats Regulations Assessment (HRA) and the specific policies and allocations of the plan.

Please note that Natural England has not provided advice on all aspects of the plan, instead focusing on aspects within Natural England's remit; the absence of comments on a policy should not be taken as Natural England giving support.

Additionally, Natural England were consulted on the previous iteration of the above documents. Our previously issues advice is still relevant unless specifically stated otherwise. Our comments and views within this letter are relevant to the current submitted draft plan.

Summary of our advice on the plan as a whole

While we have raised some queries and recommended some further modifications to certain policies, we do not find the current plan unsound on any grounds relating to our remit.

Comments on local plan's Sustainability Appraisal (SA)

We have no significant comments to make concerning your plan's SA.

Comments on local plan's Habitats Regulations Assessment (HRA)

We concur with the conclusions of your local plan's HRA and appropriate assessment insofar that the proposed local plan will have no adverse effects on the integrity of any internationally designated sites, either alone or in-combination.

Comments on local plan's Vision

We support your vision's focus on protecting the environment and sustainability.

We specifically support the strong focus on: CO2 emission reduction, water efficiency, green growth, conservation of natural resources, reduction of pollution, biodiversity net gain, protection of priority species/habitats and the delivery of ecosystem services. Which are in line with the aims of section 15. of the National Planning Policy Framework (NPPF) and the overarching goals and actions of the government's Environmental Improvement Plan (EIP).

Comments on specific plan policies

Our detailed comments on the policies and site allocations of the local plan are provided in the Annex 1.

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations.

We have suggested some amendments and additions to both policies and supporting text throughout the Plan, notably on Green Infrastructure, Biodiversity net gain and Water Neutrality. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan stronger and more coherent in delivering for the natural environment, which is one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c). Our advice is explained in annex 1.

If you have any queries relating to the advice in this letter please contact me at Connor.Bush@NaturalEngland.org.uk

Yours sincerely

Connor Bush
Lead Advisor
Sussex & Kent Area Team

Annex 1 - Comments on specific plan policies

Policy CL9: High Weald Area of Outstanding Natural Beauty

We are generally supporting of this policy's requirements for relevant proposals to consider impacts on the High Weald Area of Outstanding National Beauty (AONB) in line with the aims of the national planning policy framework (NPPF) (paragraphs 20. 130. 174. 176. 177.) as well as the actions of Goal 10 of the Environmental Improvement Plan 2023 (EIP).

Beyond this we would encourage your authority to engage closely with the High Weald AONB unit.

Strategic Policy DD1: Normal Requirements of All New Development

We support requirement G of this proposal.

Specifically we strongly support the requirement to retain trees and other GI or biodiversity assets, in line with the aims of the NPPF (paragraphs 20. 131. 174.) and Goal 1 of the EIP.

We also support this policy's references to policies DD4 and GI3 (to which our specific comments are provided below) which should ensure that these requirements are clear.

Strategic Policy DD4: Tree Replacement Standards

We support this policy's requirements for tree retention and replacement in line with the aims of the NPPF (paragraphs 131. 174.) and various commitments and actions of the EIP relating to Urban tree provision, specifically point 3 of goal 1.

Policy OS2: Provision of Open Space and Recreational Facilities

We support this policy's requirements regarding contributions towards natural greenspaces and green infrastructure, in line with the aims of the NPPF (paragraphs 20. 131. 174.) and Goal 10 of the EIP, specifically the commitments and actions relating to improving access to nature.

Additionally we support the requirements relating to biodiversity net gain and green infrastructure obligations, in line with the aims of the NPPF (paragraphs 20. 91. 150. 171. & 181) and various goals and actions of the EIP relating to green infrastructure provision.

Strategic Policy EC4: Strategic Employment Location

We support this policy's requirement j. regarding net zero emissions and carbon neutrality, in line with the aims of the NPPF (paragraphs 118. 148.) and goal 7 of the EIP.

We also strongly support this policy's requirements. regarding the protection and enhancement of ancient woodland, trees and hedgerows in line with the aims of the NPPF (paragraphs 131. 174. 180.) and the goals and actions of the EIP, specifically point 3 of the delivery plan for goal 1. We would however suggest strengthening the wording of this requirement by removing the "*where possible*" clause.

Additionally we also strongly support this policy's requirement s. with regards to the enhancement of green/blue infrastructure on the site, in line with the aims of the NPPF (paragraphs 20. 91. 150. 171. 181.) as well as the various goals and actions of the EIP relating to green infrastructure provision.

Strategic Policy GAT1: Development of the Airport with a Single Runway

We encourage this policy's requirement ii, regarding the need to ensure that adverse impacts of operation on the environment are appropriately mitigated and compensated, as a last resort. We would however also recommend that wording is altered akin to requirement iii to ensure the mitigation hierarchy is taken into account, as explained within the NPPF and National Planning Policy Guidance.

We also encourage this policy's requirement iii, regarding the need for Biodiversity net gain to be provided and to ensure harm to biodiversity is avoided; in line with the overarching aims of section 15. of the NPPF and Goal 1 of the EIP. In addition to this, we apologise for overlooking a detail in our non-statutory advice provided on 28 April 2023. After review we believe that the targets established in requirement iii, to meet like for like compensation as a last resort, should be changed to be more consistent with part ii, which establishes fair compensation. As a general rule compensation goes beyond like for like in recognition of the seriousness of this stage in the mitigation hierarchy and the potential difficulties with compensatory habitat creation.

Annex 1 - Comments on specific plan policies

Policy H2: Key Housing Sites

Our full comments regarding water neutrality are set out for policy SDC4 regarding Water Neutrality, however we do note that the following allocations fall within the Sussex North WRZ and as such should demonstrate water neutrality as appropriate:

- Zurich House (53 dwellings)
- Former TSB site (59 dwellings)
- Upper Floors, 7 – 13 The Broadway & 1 - 3 Queens Square, (25 dwellings)
- Shaw House, Pegler Way, West Green (33 dwellings)
- Longley House (121 dwellings)
- Land Adjacent to Sutherland House (30 dwellings)
- Land adjacent to Desmond Anderson (205 dwellings)
- The Imperial (19 dwellings including a drinking establishment (A4 use) and two retail (A1 use) units).
- Town Centre Key Opportunity Sites (1,500 net dwellings); comprising: Telford Place, Crawley Station and Car Parks, County Buildings, Land North of the Boulevard, Crawley College, Cross Keys and MOKA
- Tinsley Lane (120 dwellings, mixed use recreation/residential).
- Breezehurst Drive Playing Fields, (85 dwellings, mixed use recreation/residential)
- Oakhurst Grange, Southgate (55 dwellings as residential Class C3 use for older people or up to 120 residential rooms as Class C2 (Residential Home) use).
- St. Catherine's Hospice (residential Class C3 use for older people (60 dwellings) and/or residential rooms as Class C2 (Residential Home) use).

While policy G12 includes various provisions on ancient woodland we still note that various allocations are adjacent to or in close proximity with ancient woodlands and/or veteran trees. As such in line with the NPPF (paragraph 180), the goals and actions of the EIP and Natural England's standing advice ([available here](#)) the following allocations will need to ensure that impacts to these irreplaceable habitats are avoided and that enhancements to these habitats are supported:

- Forge Wood Phase 4B (434 dwellings)
- Land at Steers Lane (185 dwellings)
- Land adjacent to Desmond Anderson (205 dwellings)
- Land to the southeast of Heathy Farm (188 dwellings)
- Tinsley Lane (120 dwellings, mixed use recreation/residential)

Annex 1 - Comments on specific plan policies

Policy H3f: Open Spaces

We support this policy's requirement iv., regarding the need to maintain and improve links to the wider GI network, resulting in Net Gain for biodiversity. This is in line with the NPPF's aims (paragraphs 20. 91. 150. 171. 181.) and the various goals and actions of the EIP relating to green infrastructure provision.

Additionally we support policy requirement vii., regarding the protection of ancient woodland, aged trees and TPO protected trees; in line with the NPPF (paragraph 180) and the goals and actions of the EIP.

Policy H8: Gypsy, Traveller and Travelling Showpeople Sites

We support this policy's requirement for the site provision at Broadfield Kennels to ensure the requirements of the AONB Management Plan are satisfied.

We also note that the site falls within the Sussex North WRZ, and as such should demonstrate water neutrality as appropriate. Our detailed comments with regard to water neutrality are set out within our comments for policy SDC4.

Environmental sustainability statement

We would note that The Environment Act became law in 2021, and that the 25-year Environment Plan was published and updated last month through the Environmental Improvement Plan (EIP). This legislation and the updated plans place great weight on biodiversity and nature recovery, with the apex goal of the EIP being "Improving Nature". We would therefore suggest that the statement could be developed to give greater prominence to biodiversity, net gain and nature recovery.

Strategic Policy GI1: Green Infrastructure

We welcome and support this policy with its reference to blue/green infrastructure protection, enhancement aims and the holistic projects approach adopted to provide improvements to the natural environment, increasing public enjoyment, promoting climate resilience and providing health benefits. We do note that reference could be made to Natural England's Green Infrastructure (GI) Framework and in particular, the updating of 'Accessible Natural Green Space Standards' (ANGSt) to Accessible Greenspace Standards (for further information please see below).

Additionally, this policy could be further strengthened by expanding your list of blue/GI network to include other recognised elements (see the glossary in Natural England's GI Framework, by following the link provided below). As your policy simply refers to the blue green infrastructure network, it may be useful to ensure that the supporting text includes as definitive a list of these elements as possible.

We note that the following are also recognised as blue/GI network elements:

Vegetated sustainable drainage systems, SuDS, green roofs, blue roofs, rainwater harvesting and smart controls, downpipe disconnection planters, rain gardens and biofiltration strips, swales, ponds, detention basins, features for species (such as: bird and bat boxes, swift bricks and hedgehog holes) and other miscellaneous featuring including: street trees, allotments, community gardens and orchards, private gardens, city farms, green walls, cemeteries and churchyards.

Annex 1 - Comments on specific plan policies

Natural England's GI Framework

Natural England's [Green Infrastructure Framework](#) can be used to develop GI policy and we recommend that plans refer to the 15 GI principles which set out the why, what and how to do good GI. The principles in conjunction with the [Green Infrastructure Mapping Database - Beta Version 1.1](#) can be used to assist in planning GI strategically and inform policy

Development should be based on the Green Infrastructure [Principle What 4](#) - GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all.

The plan should reflect the Green Infrastructure [Principle Why 2](#) Active and healthy places to achieve - green neighbourhoods, green / blue spaces and green routes that support active lifestyles, community cohesion and nature connections that benefit physical and mental health and wellbeing, and quality of life. GI also helps to mitigate health risks such as urban heat stress, noise pollution, flooding, and poor air quality.

Sustainable Drainage Systems (SuDS) should reflect [Green Infrastructure Principle Why 4](#) - GI reduces flood risk, improves water quality and natural filtration, helps maintain the natural water cycle and sustainable drainage at local and catchment scales, reducing pressures on the water environment and infrastructure, bringing amenity, biodiversity, economic and other benefits. SuDS should be integrated and linked to green infrastructure beyond the site boundaries.

Strategic Policy GI2: Biodiversity Sites

We support this policy's strong requirements regarding the protection of international/national designated sites and irreplaceable habitats in line with the requirements of the NPPF (paragraphs 174. 175. 179. 180.) and various goals and actions of the EIP.

Policy GI3: Biodiversity and Net Gain

We welcome this policy and the aim of achieving a minimum percentage of biodiversity net gain of 10%. We welcome the inclusion of wording in the supporting text that relates to the objectives and priorities of the Nature Recovery Network and Local Nature Recovery Strategy. We would however recommend the following:

- The policy or its supporting text should make clear that BNG is required over and above meeting wider biodiversity good practice for planning and development. Development should continue to follow the mitigation hierarchy and achieve net gain in addition to this.
- The policy or its supporting text should ensure that appropriate management and maintenance measures are in place throughout and after development.

In developing this policy for the Regulation 19 stage, we suggest that you may also want to think about the following and we would be happy to discuss further:

- Have you outlined what biodiversity is at risk locally? Are you starting to think about how you wish to target your approach (e.g. onsite v offsite) and make it work in practice (rather than just making general statements)?
- Have you considered your most important assets and their connectivity? Providing a map outlining these assets and opportunities is good practice.
- Have you identified other relevant plans and strategies and cross referenced these?
- Have you established the best and least favourable areas for BNG? Do you have evidence to underpin this?

Annex 1 - Comments on specific plan policies

- Have you committed to further evidence gathering where gaps occur or to provide further detail to inform your options?
- Have you considered the impact of your BNG approach on viability and the deliverability of emerging policies and allocations?

Strategic Policy GI4: Local Green Space

We support the increased designation of Local Green Space in line with the aims of the NPPF (paragraphs 101.102.103.) and the aims of the EIP focused on creating and improving access to green spaces.

Strategic Policy SDC1: Sustainable Design and Construction

We support this policy's requirements concerning climate change mitigation and adaption in line with the aims of the NPPF (section 14) and goal 7 of the EIP.

Policy SDC3: Tackling Water Stress

Natural England supports this policy's clear delineation between standard development and development coming forward within the Sussex North Water Resource Zone (WRZ) and the inclusion of a separate policy NE17 to cover this.

We support this policy's water efficiency requirements regarding both residential and non-domestic development outside of the WRZ. However we would also strongly support encouragement of lower water efficiency rates for new development and advise that the policy wording could be made stronger, to emphasise that 110 litres per person per day is the maximum rate. Additionally greater encouragement should be given for new developments to achieve lower water efficiency ratings. We therefore advise that additional signposting of the [Waterwise UK Water Efficiency Strategy to 2030](#), should be included either within the policy wording supporting text; the Waterwise UK Water Efficiency Strategy to 2030 can provide additional guidance on delivering greater water efficiency in the UK by 2030.

Annex 1 - Comments on specific plan policies

Policy SDC4: Water Neutrality

Comments on supporting text

Paragraph	Summary	Proposed change	Suggested example wording
15.42	Sets out that development in the WRZ is supplied from the Pulborough abstraction	Could improve clarity by stating which aquifer is specifically being impacted by the Pulborough abstractions	<i>"Sussex North WRZ is supplied from ground water abstraction, from the Folkestone beds of the Lower Greensand/Wealden Greensand semi-confined aquifer,..."</i>
15.43	Sets out requirement to achieve WN for	Could add wording to clarify that achieving WN is one of the most readily	<i>"To provide the necessary certainty, the most feasible approach is for</i>

	developments coming forward	available methods to rule out AEOI, but not the only method	<i>development must to demonstrate that it is water neutral."</i>
15.45	As the final strategy is not out yet, we advise that either this, or another appropriate, paragraph should also include some discussion as to why achieving 85lppd is critical for the offsetting scheme's viability	Should add wording to make apparent within this local plan why these tighter measures are required before offsetting should be considered, given that the final plan is not yet published.	<i>"...(OIS) being prepared; Note that achieving the aforementioned higher levels of efficiency will enable the OIS to provide necessary offsetting more effectively, thereby reducing offsetting costs and ensuring viability for all development within the WRZ. Development may choose...</i>

Comments on policy

Overall we are satisfied that the policy requirements are sufficient to rule out an adverse effect on integrity (AEOI) from this plan on the Arun Valley designated sites resultant from increased abstraction at Pulborough, from the Folkestone beds of the Lower Greensand/Wealden Greensand semi-confined aquifer.

Policy requirement 1 is robust and clearly defines general requirements to rule out an AEOI.

Policy requirements 2 and 3 are robust and suitably set out that a strategic offsetting strategy is being developed which should make achieving requirement 1 significantly easier for the allocations of this plan.

Policy requirement 4, while useful to include, should include wording to make clear that where alternative water supply is being proposed as a method to avoid AEOI the statement will also need to demonstrate that deliverability of this water supply is certain for the lifetime of the development. As such we would suggest the following example wording:

"4. Where an alternative water supply is to be provided, the statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability of and certainty of delivery for alternative water supplies will be considered on a case-by-case basis."

Adding this wording will make apparent to developers seeking alternative supply as an AEOI avoidance measure, what will be required of them by the Habitats Regulations in line with the People Over Wind ruling. This will have the benefit of ensuring this policy requirement does not unintentionally encourage a proliferation of developers seeking inappropriate water supply solutions while also giving your authority more confidence to reject such inappropriate proposals at an early stage, which should save your authority and developers time and resources.

Policy requirement 5 is also robust and clearly defines the 3 key aspects of a WN statement which are required as a minimum to demonstrate that AEOI on the Arun Valley sites resulting from additional abstraction can be ruled out.

Annex 1 - Comments on specific plan policies

Policy EP5: Air Quality

We support this policy's requirements to protect the wider environment from significant adverse effects of atmospheric pollution as well as the specific requirements for developments to help improve air quality and enhance the environment. We also support requirements focused on reducing overall background pollution levels.

We note that these requirements are in line with the aims of the NPPF (paragraphs 174. 186.) and goal 2 of the EIP.

Date: 24 May 2023
Our ref: 433645
Your ref: Housing Supply Evidence Overview



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Dear Strategic Planning Team,

Housing Supply Evidence Overview

Thank you for your consultation request on the above dated and received by Natural England on 16th May 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in local and neighbourhood planning and must be consulted on draft local plans (and associated documents) and neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this Housing Supply Evidence Overview.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk

Yours faithfully

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England