

Crawley

Local Plan

Crawley Borough Local Plan Examination

Crawley Borough Council Response to Inspectors' Matters, Issues and Questions

Matter 6: Housing Delivery

December 2023



Page Left Intentionally Blank

Contents

Issue 1: Whether the policy approach to the proposed key housing sites is soundly based.....	7
6.1 Question 6.1: Is the content of Policy H2 factually correct in terms of latest permissions and capacities as of 1 April 2023?.....	7
6.2 Question 6.2: Has the assessment of sites in Policy H2 through the SHLAA process, appropriately optimised delivery from these sites? Are any amendments needed to site capacities and their timeframe in the housing trajectories for plan soundness?	10
6.3 Question 6.3: Has appropriate regard been given to any ancient woodland or trees within or in close proximity to these sites in terms allocating these sites and assessing their capacity? Would sufficient protection be provided for by Policy GI2? Would it be necessary for soundness to de-allocate or amend the capacity of any H2 sites to account for ancient woodland so as to comply with NPPF paragraph 180c?.....	13
6.4 Question 6.4: Is the inclusion of Land East of Balcombe Road/Street Hill, Pound Hill justified and consistent with national policy and PPG paragraph 013- 20190721 in allocating land which contains a Local Wildlife Site as part of ecological networks? Does the policy provide sufficient protection and scope for enhancement of the Local Wildlife Site, including connectivity to wider ecological networks?	15
6.5 Question 6.5: Is the proposed allocation of the Tinsley Lane site soundly based, having regard, to amongst other things, the overall provision of sports facilities / pitches to meet the needs of the Borough’s population; the vitality and viability of existing sports clubs at the Tinsley Lane site; highway safety and access to the site; amenities of nearby residential properties; and local biodiversity?	17
Open Space Needs and Sports Provision.....	17
Highway Safety	20
Residential Amenity.....	20
Biodiversity	20
6.6 Question 6.6: What is the status of the Tinsley Lane Development Brief? What does it set out / require that is not in Policy H2 or covered by other policies in the Plan?	21
6.7 Question 6.7: Is the policy for Tinsley Lane justified and deliverable in requiring the provision of allotments?.....	22
6.8 Question 6.8: Given the various requirements for the Tinsley Lane site in Policy H2 is there reasonable assurance that residential development would be viable?	22
Issue 2: Whether the Plan would deliver an appropriate mix of house tenures and types.	23
6.9 Question 6.9: Given the significant need for, and importance to the local economy of, affordable housing, does the plan optimise its delivery having appropriate regard to plan-wide viability considerations? Is the approach to smaller sites (less than 10 dwellings) justified and demonstrably viable given the significance of such sites to housing delivery in the Borough?	23
Optimising Affordable Housing Delivery	23

Small Sites.....	24
6.10 Question 6.10: Is the differentiation in affordable housing provision (proportion and mix) between the town centre and areas outside of the town centre justified?	26
6.11 Question 6.11: As part of the duty to cooperate or through other mechanisms (for example the Planning Performance Agreement on West of Ifield) is there a reasonable prospect that Crawley’s significant affordable housing need could be positively considered on housing development in adjoining administrative areas adjacent to or very close to the boundary with Crawley through some nomination of Crawley’s affordable housing needs being met on these schemes? Is paragraph 12.23 at point vii) justified in seeking 40% affordable housing on prospective urban extensions at Crawley and to seek agreements for nomination rights for those on Crawley Borough’s housing register?.....	27
6.12 Question 6.12: Is the approach to affordable care accommodation in Policy H5 justified by the evidence in the SHMA and plan-wide viability assessment? Will it be effective in meeting the needs for affordable forms of housing including those requiring an affordable form of use class C2 accommodation? Is the proposed approach consistent with national planning policy?	29
6.13 Question 6.13: Will the Plan be effective in delivering a housing mix that reflects the SHMA evidence in terms of a blend that is steered towards smaller affordable dwellings (1 + 2 bed) and larger market housing (3 & 4+ bed)?	39
6.14 Question 6.14: The SHMA identifies that Crawley has, in comparison to the wider HMA, a younger population and a particular issue of affordability for younger households forming in the Borough. Does the Plan at Policy H4 provide an effective response to this aspect of the Borough’s housing market? Is the town centre a location where this need (and other housing needs) could be met (in part)?	40
6.15 Question 6.15: Given the nature of the housing land supply in the Borough and the numbers on the Council’s registers are there any reasonable options to specifically allocate or identify sites for custom or self-build in the Borough? Has the issue of this specific sector of the Borough’s housing need and the unmet need been identified or considered through duty to cooperate discussions within the HMA?.....	41
6.16 Question 6.16: Will the Plan be effective in meeting the needs of older persons, consistent with NPPF paragraph 62 and PPG paragraph 63-001-20190626? In addition to the two sites allocated for older persons in Policy H2 is further provision required to meet needs identified in the SHMA? Is older persons housing a specific element of the unmet housing need raised under the duty to cooperate?.....	42
6.17 Question 6.17: Is the proposed approach in Policy H5 to ‘Affordable Care’ justified and effective? Having regard to NPPF paragraph 58, is it viable and is it capable of practicable implementation on-site? Do the proposed exceptions in the policy provide sufficient flexibility?.....	44
Issue 3: Whether Policy H8 provides a sound approach to meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople.....	45
6.18 Question 6.18: Is the proposed approach of identifying a reserve site for gypsy and traveller provision in Policy H8 justified and consistent with National Policy?	45

6.19	Question 6.19: Is the identified reserve site at Broadfield Kennels suitable and deliverable having regard to highway safety from the A264, site gradients, ownership and future management arrangements for a single, larger site?	45
6.20	Question 6.20: Are the criteria for assessing ‘windfall’ proposals for gypsy and traveller accommodation at a)-f) in Policy H8 justified, consistent with national policy and positively prepared?	47
	Policy H8, criteria a: Noise	47
	Policy H8, criteria b: Design and Amenity.....	48
	Policy H8, criteria c: Flooding	48
	Policy H8, criteria d: Sustainable Location.....	48
	Policy H8, criteria e: Infrastructure and Community Services.....	48
	Policy H8, criteria f: Identified Local Need	48
6.21	Question 6.21: Have any alternative options to Broadfield Kennels sites been offered (through call for sites process) or assessed through sustainability appraisal?	49
Issue 4: Whether there would be a deliverable supply on plan adoption and developable supply thereafter to meet the housing requirement.		50
6.22	Question 6.22: Recent housing delivery has exceeded the 2015 Local Plan requirement but conversely allocations in 2015 Plan have been slower to come forward than anticipated (para 2.4.2 – Topic Paper No.4). This appears to be a consequence of higher rates of windfall (e.g., former office premises). Going forward, is the housing trajectory robust (particularly on windfalls (having regard to the Windfall Statement)) or is there a risk of continuing over-delivery in the context of a significant unmet need which, under current legislation, is subject to the duty to cooperate?	50
6.23	Question 6.23: Does the SHLAA 2022 and other sources of evidence, including the Compact Residential Development Study (2023), demonstrate that “no stone has been left unturned”??.....	50
6.24	Question 6.24: Does the housing trajectory appropriately anticipate some optimisation (maximising capacity) of 2015 Local Plan allocations?	51
6.25	Question 6.25: Is the proposed housing trajectory soundly based and consistent with Strategic Housing Land Availability Assessment evidence and latest annual monitoring (base date 23 March 2023)? Are any factual updates required to the trajectory?	54
6.26	Question 6.26: Is the profile of annual housing delivery justified and is it to be treated as a front-loaded stepped trajectory?.....	55
6.27	Question 6.27: Does the housing trajectory take account of Water Neutrality and any impact of implementing offsetting?	55
6.28	Question 6.28: Would at least 10% of the housing requirement be met on sites no larger than one hectare (NPPF paragraph 69)?.....	55
6.29	Question 6.29: Is there compelling evidence to make an allowance for windfall housing in the plan period as per NPPF paragraph 71? Is the windfall figure of 100 dwellings per annum from 2024/25 soundly based?.....	56

6.30 Question 6.30: The submitted Plan seeks to establish and confirm a five-year supply in accordance with NPPF paragraph 74b) in terms of the deliverable supply factoring in a buffer of 10%. Is this approach justified for Crawley by evidence that shows there will be sufficient sites to ensure that a five-year supply (predicated on a 10% buffer) will be achieved?57

6.31 Question 6.31: Overall, would the submitted plan provide for a robust five-year supply of deliverable housing land on plan adoption (in 2024)? Is the figure of 5.5 years justified?59

6.32 Question 6.32: Overall, would the submitted plan identify a developable supply in years 6-10 that would likely maintain continuity of supply as part of ensuring a plan-led system?59

Issue 1: Whether the policy approach to the proposed key housing sites is soundly based.

6.1 Question 6.1: Is the content of Policy H2 factually correct in terms of latest permissions and capacities as of 1 April 2023?

6.1.1 Crawley Borough Council (CBC) considers Policy H2: ‘Key Housing Sites’ of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) to be an accurate reflection of the information available to the council as of 1 April 2023, regarding permitted or (for unpermitted sites) potential site capacities.

6.1.2 The status of the Policy H2 sites as of 1 April 2023 is as shown in the table below (including planning permission status, although the Policy itself does not for the most part refer to specific permissions). It will be seen that the main area of substantive difference from the content of the Policy relates to cases where sites were partly or wholly built out, although this is reflected in the updated Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14) and proposed housing requirement set out in Policy H1. In some cases, there are variations between the quantum of development indicated in Policy H2 and that indicated in current (undetermined) planning proposals, reflecting cases where the acceptability of a higher quantum of development remains to be established.

Site	Policy H2 indicative capacity	Planning Status	Further comments
Forge Wood Phase 4B	434	Outline consent CR/2015/0552/NCC Reserved Matters application for 434 dwellings (CR/2017/0128/ARM) pending determination	
Zurich House, East Park	53	Permitted for 53 dwellings in total (CR/2019/0271/PA3 for change of use to 44 dwellings & CR/2019/0681/FUL for additional storey of 9 flats)	Completed during 2022/23
Former TSB Site, Russell Way	59	Resolution to grant permission (CR/2020/0037/FUL) for 59 dwellings subject to S106	
Upper Floors, 7-13 The Broadway & 1-3 Queens Square, Northgate	25	Expired permission (CR/2015/0694/FUL) for 25 dwellings	Previous permission was implemented post-expiry and remains to be regularised
Shaw House, Pegler Way, West Green	33	Expired permissions (CR/2016/0816/PA3 for change of use to 26 dwellings; CR/2014/0811/FUL for additional storey of 7 dwellings)	Change of use to 26 dwellings was implemented post-expiry and remains to be regularised

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Policy H2 indicative capacity	Planning Status	Further comments
Longley House, Southgate	121	Resolution to grant permission (CR/2020/0024/FUL) for 121 dwellings subject to S106	
Land at Steers Lane, Forge Wood	185	Outline consent (CR/2018/0894/OUT) and reserved matters approval (CR/2020/0548/ARM) for 185 dwellings	35 dwellings completed in 2022/23; 150 remaining
Land Adjacent to Sutherland House, Russell Way	30	Unpermitted	
Land Adjacent to Desmond Anderson, Tilgate	205	Unpermitted	
Land to the South East of Heathy Farm, Forge Wood	188	Unpermitted	
The Imperial, Broadfield Barton	19	Expired permission (CR/2017/0519/FUL) for 19 dwellings	
Telford Place, Three Bridges	1500	Resolution to grant permission subject to s106 (4/12/23) for Outline application (CR/2023/0357/OUT) for up to 300 dwellings on major part of the allocation site	
Crawley Station and Car Parks, Northgate		Outline consent (CR/2016/0294/OUT) for 308 dwellings; reserved matters application for 223 dwellings (CR/2019/0602/ARM) has resolution to grant permission subject to S106; associated detailed planning application for 83 dwellings (CR/2019/0660/FUL) has resolution to grant permission subject to S106	
County Buildings, Northgate		Unpermitted	
Land North of the Boulevard, Northgate		Permitted for 91 flats (CR/2016/0662/FUL) on part of site; outline consent for 182 flats (CR/2017/0997/OUT) on adjacent land as part of Town Hall redevelopment scheme; approved matters application for 182 flats (CR/2022/0070/ARM) pending determination	

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Policy H2 indicative capacity	Planning Status	Further comments
Crawley College, Three Bridges		Unpermitted	Masterplan for whole College site agreed, related to CR/2019/0403/FUL
Cross Keys, Northgate		Unpermitted	
MOKA, Station Way, Northgate		Full planning permission for 152 dwellings (CR/2019/0542/FUL)	Development was commenced by demolition of existing building on site in April 2023
Tinsley Lane, Three Bridges	120	Current (pending) outline application for up to 138 dwellings (CR/2021/0355/OUT)	
Breezehurst Drive Playing Fields, Bewbush	85	Resolution to grant permission (CR/2020/0192/RG3) for 85 dwellings subject to S106	
Land East of Balcombe Road/ Street Hill	15	Unpermitted	
Oakhurst Grange, Southgate	55 (dwellings) or 120 (rooms)	Full planning permission for 146 Bed Care Home (CR/2016/0972/FUL)	
St Catherine's Hospice, Malthouse Road, Southgate	60 (dwellings)	Unpermitted	

6.1.3 In light of the completion of Zurich House, CBC proposes a modification to the main text of Policy H2 to remove the site from the list of 'Deliverable' sites, as follows:

Deliverable

Forge Wood Phase 4B, Pound Hill (434 dwellings)

~~Zurich House, East Park, Southgate (53 dwellings)~~

Former TSB site, Russell Way, Three Bridges (59 dwellings)

Upper Floors, 7 – 13 The Broadway & 1 - 3 Queens Square, Northgate (25 dwellings)

Shaw House, Pegler Way, West Green (33 dwellings)

Longley House, Southgate (121 dwellings)

Land at Steers Lane, Forge Wood (185 dwellings) (subject to implementation of outline planning permission of CR/2018/0894/OUT, or any amendment thereof, and associated Reserved Matters approval(s))

6.1.4 This proposed modification is set out in the Schedule of Suggested Modifications, version 5, 15 December 2023 (Examination Document Reference: CBC/CBLP/07e).

- 6.2 Question 6.2: Has the assessment of sites in Policy H2 through the SHLAA process, appropriately optimised delivery from these sites? Are any amendments needed to site capacities and their timeframe in the housing trajectories for plan soundness?
- 6.2.1 The discussion at the Local Plan Stage 1 Hearing Session held on Tuesday 21 November 2023 confirmed the submission Local Plan covers the period from 1 April 2023 to 31 March 2040. Due to this, it has been necessary to update the Housing Trajectory to cover the 17-year Plan period, rather than the submitted suggestion of 2024 to 2040 (which covered a 16-year Plan period). The updated Housing Trajectory is submitted alongside this Written Statement (Post-Submission Document Reference: PS/H/HD/14).
- 6.2.2 CBC has taken this opportunity to propose modifications to the Housing Trajectory as well as the arrangement of the stepped requirement in Policy H1: 'Housing Delivery of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01). These changes reflect the additional year of housing need (2023/24) and also the anticipated delivery during that year. The updated stepped trajectory reflects the review and refresh of anticipated site delivery within the Plan period. The modified Policy H1 is proposed as follows:

The Local Plan makes provision for the development of a minimum of ~~5,330~~ ~~5,030~~ net dwellings in the borough in the period ~~2024~~ 2023 to 2040².

This minimum requirement will be broken down into an annual average requirement on a stepped basis as follows:

- ~~• Years 1-5 (2024-29): 400 dwellings per annum (dpa)~~
- ~~• Years 6-10 (2029-34): 360dpa~~
- ~~• Years 11-16 (2034-40): 205dpa.~~
- Years 1-10 (2023-2033): 386dpa
- Years 11-17 (2033-2040): 210dpa.

After this supply is deducted from the identified housing need of ~~12,835~~ ~~12,080~~ over the period ~~2024~~ 2023 to 2040, there will be a remaining unmet housing need, of approximately ~~7,505~~ ~~7,050~~ dwellings, arising from Crawley over the Plan period. This will arise as follows:

- ~~• Years 1-5 (2024-29): 355dpa~~
- ~~• Years 6-10 (2029-34): 395dpa~~
- ~~• Years 11-16 (2034-40): 550dpa~~
- Years 1-10 (2023-2033): 369dpa
- Years 11-17 (2033-2040): 545dpa.

- 6.2.3 These modifications are set out in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBC/CBLP/07e).
- 6.2.4 Consequential modifications in relation to the housing need, supply-led housing requirement and unmet need figures are made throughout the Local Plan. These are also set out in the Schedule of Suggested Modifications, submitted alongside this Written Statement.
- 6.2.5 The proposed changes to the Trajectory and Housing Requirement are further discussed in answer to Questions 6.25, 6.26, and 6.27 below.

² This includes the additional 10% buffer within Years 1-5 as required by paragraph 74 of the National Planning Policy Framework (2021) as detailed in the council's Housing Trajectory, Base Date 31 March 2023

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

6.2.6 The question of Policy H2 capacities and timings is addressed by the table below, by the proposed updated Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14), which takes account of variations in timings referred to here, as well as the Table provided separately in the answer to Matter 3 Question 6:

Site	Capacity Comments	Timing Comments
Forge Wood Phase 4B, Pound Hill	This is the final sub-phase of the wider Forge Wood Neighbourhood permitted under outline permission for up to 1900 dwellings (CR/1998/0039/OUT and CR/2015/0552/NCC). A reserved matters application (CR/2017/0128/ARM) is currently pending determination. During detailed design discussions on the application the number of dwellings has been revised downwards a little meaning the ultimate dwelling quantum delivered under the outline consent is expected to be 1837 rather than 1900.	The developer has advised CBC that the rate of build-out on the site is unlikely to exceed 60 dwellings a year from the point of approval being granted. Accordingly, the Housing Trajectory has been amended to reflect a slower build-out than shown in the submitted Housing Trajectory.
Zurich House, East Park, Southgate	Site was completed in 2022/23 with 53 dwellings and is proposed to be removed from Policy H2.	N/A
Former TSB site, Russell Way, Three Bridges	Scheme benefits from resolution to grant planning permission subject to S106 for 59 dwellings at a density of 197 per hectare – i.e. just short of the minimum for ‘high density’ as per Policy CL4.	Projected completion date pushed back by 2 years from 2024/25 to 2026/27 due to water neutrality.
Upper Floors, 7 – 13 The Broadway & 1 - 3 Queens Square, Northgate	This 25-dwelling scheme has already been implemented (and apparently occupied) on the basis of an earlier planning permission but it was commenced following expiry of the relevant consent, so needs to be regularised and is currently with enforcement.	No change
Shaw House, Pegler Way, West Green	A 26-dwelling prior approval scheme was implemented on this site but was not completed within the time frame required by the permitted development order. The scheme needs to be regularised (including addressing water neutrality) and is currently unoccupied. The site previously benefitted from planning permission for a roof extension with an additional seven dwellings, pursuant to the earlier prior approval scheme, thereby making up the 33 dwelling total projected.	Projected completion date pushed back by 2 years from 2024/25 to 2026/27 due to uncertainties in respect of site mainly arising from water neutrality.
Longley House, Southgate	Benefits from resolution to grant planning permission for 121 dwellings, representing a density of over 400 dwellings per hectare, thus well above the minimum ‘high density’ range as per Policy CL4.	Projected completion date pushed back by 2 years from 2024/25 to 2026/27 due to water neutrality.
Land at Steers Lane, Forge Wood	Site was granted outline consent on appeal and is being built out at full dwelling quantum allowed by the terms of the outline application.	Allocation of completions between 2022/23 and 2023/24 amended to reflect WSCC monitoring information.
Land Adjacent to Sutherland House, Russell Way, Three Bridges	Indicative quantum of 30 dwellings (86 dwellings per hectare) is considered appropriate for this site bearing in mind its unusual shape, including a long access via Russell Way, and the structural landscaping on the eastern boundary.	No change

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Capacity Comments	Timing Comments
Land adjacent to Desmond Anderson, Tilgate	Proposed quantum of 205 dwellings represents 60 dwellings per hectare at the lower end of the 'moderate density' range as per Policy CL4, and is considered appropriate in light of flood risk issues and ancient woodland to the south.	No change.
Land to the southeast of Heathy Farm, Balcombe Road, Forge Wood	Proposed quantum of 188 is aligned with 45 dwelling per hectare minimum as per Policy CL4 and is considered appropriate in light of relationship to the general location, ancient woodland and structural landscaping.	No change.
The Imperial, Broadfield Barton	Proposed quantum of 19 (18 net) is towards the upper limit of moderate density which is considered suitable for this relatively accessible location at a neighbourhood centre.	No change.
Telford Place, Three Bridges	Total projected yield from allocation is 385, i.e. 'high density' as per Policy CL4 (albeit towards lower end of that range, reflecting that allocation area includes a significant extent of highways land).	No change.
Crawley Station and Car Parks	Existing outline consent for 308 dwellings represents 346 dwellings per hectare – i.e. well above minimum for 'high density' as per Policy CL4 – and is considered appropriate for this highly sustainable location.	Projected completion date pushed back by 1 year from 2026/27 to 2027/28 due to water neutrality.
County Buildings	Projected yield of 135 dwellings is considered below what site could achieve as a purely residential site (identified as 215 dwellings in the SHLAA – at the lower threshold of high density as per Policy CL4) but takes account of policy intention to include a significant element of commercial within the scheme.	No change.
Land North of the Boulevard	Existing outline consent for 182 dwellings represents 'medium' density (182dph) as per Policy CL4 in relation to the gross site but reflects that the site area includes the new Town Hall/Create Building and district energy centre. Site is also constrained by adjacency of Geraint Thomas House.	Projected completion date pushed back by 2 years from 2024/25 to 2027/28 to due to water neutrality and site-specific (e.g., design) complexities.
Crawley College	Indicative capacity of 363 dwellings represents 'medium' density (119dph) as per Policy CL4 in relation to the gross site but reflects that further education facilities will need to be retained/included as part of the development of the site.	No change.
Cross Keys	Proposed quantum of 12 dwellings represents approx. 50 dwellings per hectare, reflecting need for character-led approach in view of adjacent designated heritage assets.	No change.
MOKA	Approved scheme (commenced through demolition of existing building since 31 March 2023) for 152 dwellings represents high density (400+ dwellings per hectare), reflecting the highly accessible location.	No change.
Tinsley Lane, Three Bridges	Indicative quantum of 120 dwellings is below 45 ha minimum set in Policy CL4 when compared with gross area but reflects need for replacement sports facilities within site, relationship to ancient woodland, and general accessibility levels at this location. The current submitted application is for 138 dwellings.	No change.

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Capacity Comments	Timing Comments
Breezehurst Drive Playing Fields, Bewbush	Resolution to grant permission subject to s106 for 85 dwellings, below 45 ha minimum set in Policy CL4 when compared with gross area but reflects needs for delivery of improved sports facilities within site.	Projected completion date pushed back by 1 year from 2024/25 to 2025/26 due to water neutrality.
Land east of Balcombe Road/Street Hill, Pound Hill	Site is outside the Built-Up Area Boundary and subject to biodiversity/heritage/character constraints – Policy H2 expresses 15 dwellings as a maximum for this site, in line with 2015 Local Plan Inspector’s report.	Projected completion date pushed back by 1 year from 2024/25 to 2025/26.
Oakhurst Grange, Southgate	Housing Trajectory includes figure of 146 bedrooms in accordance with the existing permission for the site. On basis of 1.8 ratio this represents equivalent of 81 dwellings, which would represent 54 dwellings per hectare.	Projected completion date pushed back by 2 years from 2024/25 to 2026/27 due to water neutrality.
St. Catherine’s Hospice	Indicative figure of 60 dwellings (if scheme is delivered as self-contained dwellings) represents medium density as per policy CL4 (82dph). Site is in a relatively accessible location, but character constraint is present in form of Malthouse Road Conservation Area.	No change.

6.3 Question 6.3: Has appropriate regard been given to any ancient woodland or trees within or in close proximity to these sites in terms allocating these sites and assessing their capacity? Would sufficient protection be provided for by Policy GI2? Would it be necessary for soundness to de-allocate or amend the capacity of any H2 sites to account for ancient woodland so as to comply with NPPF paragraph 180c?

6.3.1 Crawley Borough Council (CBC) considers that Policy GI2 of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) provides sufficient protection for ancient woodland and veteran trees in the context of the proposed sites and capacities in Policy H2, in accordance with national policy.

6.3.2 The National Planning Policy Framework (NPPF), 2021, paragraph 180c (Post-Submission Document Reference: PS/DS/NPPF/01) sets out that:

‘development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;’

6.3.3 Policy GI2: ‘Biodiversity Sites’ of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) identifies ancient woodland to be an irreplaceable habitat. The policy confirms that development of such areas should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. NPPF paragraph 180c, footnote 63, suggests examples of exceptional reasons as “infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat”. The policy requires a minimum buffer zone of 15 metres between any new development and ancient woodland, in line with Natural England Standing Advice. This would apply to any site allocated for housing development which includes or is close to ancient woodland.

6.3.4 A number of proposed housing allocations identified in of the Policy H2: ‘Key Housing Sites’ of the submission Local Plan are close to or adjoining areas of ancient woodland. As such these sites are affected by the requirements of Policy GI2, including the provision of an appropriate buffer, the precise location of which will need to be determined through further ecological work. CBC nonetheless believes that these sites can achieve the indicative site capacities set out in Policy H2 in conformity with the policy as follows:

- Forge Wood Phase 4B: there is ancient woodland on the western side of the main area of the site. This sub-phase of the Forge Wood neighbourhood already has outline consent and reserved matters approval is currently pending determination. The master plan for the wider neighbourhood (permitted under reference CR/2015/0552/NCC) provides for the retention of the existing areas of ancient woodland within the master plan area, and the layout plan for the reserved matters application for 434 dwellings (CR/2017/0128/ARM) includes a buffer zone around the Ancient Woodland.
- Land Adjacent to Desmond Anderson: there is an area of ancient woodland along the southern edge of the site, although there is an off-road footpath outside the site boundary providing a degree of separation. CBC considers that the need for a buffer zone can be addressed as part of the design of the scheme consistent with the proposed dwelling quantum of 205 dwellings, bearing in mind the limited proportion of the site affected and the fact that a moderate density scheme is appropriate for this site in accordance with submission Local Plan Policy CL4.
- Land South East of Heathy Farm: there is an area of ancient woodland on the southern side of the south western portion of the site. The extent of the site constrained by proximity to the ancient woodland represents a relatively small proportion of the overall site area and CBC considers that this issue can be addressed as part of the design of the scheme consistently with the proposed dwelling quantum of 188 dwellings.
- Tinsley Lane Playing Fields: there is ancient woodland (Summersvere Woods) along the eastern side of this site, which is an existing allocation in the 2015 Local Plan. Detailed work on this site as part of the earlier (refused) outline application for up to 150 dwellings (CR/2018/0544/OUT) and the current (pending) outline application for up to 138 dwellings (CR/2021/0355/OUT) indicates that the total of 120 dwellings included in Policy H2 can be accommodated in accordance with the requirements of Policy GI2. More information is provided below in the council’s response to Question 6.5.

6.3.5 Representation 087 (2021) and Representation 087 (2023) from the Woodland Trust identify a number of additional areas of ancient woodland as being of potential concern in relation to Policy H2. These are areas of ancient woodland which are located within the wider Forge Wood neighbourhood (not adjoining Phase 4B – discussed above), and as such the need for their protection and retention is addressed through the existing outline permission and reserved matters approvals in place for the relevant sub-phases. These areas are not affected by the allocations proposed in Policy H2.

- 6.3.6 A number of sites identified in Policy H2, including the above, adjoin or overlap with areas of structural landscaping. Development proposals in respect of these sites will therefore need to comply with Policy CL6: 'Structural Landscaping', including requirements to 'enhance the prominence, legibility and visibility of these natural assets through the orientation and layout of new development', to 'protect and/or enhance, including through extending and connecting areas of structural landscaping where appropriate', and to demonstrate 'the visual impact of proposals on structural landscaping'. Indicative site capacities for these sites (and detailed/permitted schemes, where present) are informed by these requirements.
- 6.4 [Question 6.4: Is the inclusion of Land East of Balcombe Road/Street Hill, Pound Hill justified and consistent with national policy and PPG paragraph 013-20190721 in allocating land which contains a Local Wildlife Site as part of ecological networks? Does the policy provide sufficient protection and scope for enhancement of the Local Wildlife Site, including connectivity to wider ecological networks?](#)
- 6.4.1 Crawley Borough Council (CBC) considers that the allocation of Land East of Balcombe Road/Street Hill, Pound Hill, proposed in Policy H2: 'Key Housing Sites', of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) is consistent with national policy and planning practice guidance in respect of the natural environment, including PPG paragraph 013-20190721.
- 6.4.2 Land East of Balcombe Road/Street Hill, Pound Hill, was allocated through the examination of the adopted Local Plan, Crawley Borough Local Plan, December 2015 (Submission Document Reference: CBLP/02).
- 6.4.3 Throughout the preparation and submission of the adopted Local Plan, and up to and during the examination hearings, CBC maintained an objection to the inclusion of this site on the grounds the site is a Local Wildlife Site (at that time Site of Nature Conservation Importance – SNCI) designated in 1992.
- 6.4.4 Representations and statements submitted on behalf of the site owners argued, conversely, that residential development could be designed and implemented to provide enhancement to the SNCI as a whole. This was maintained on the basis that the meadow grassland habitat within the area had been negatively affected by the encroachment of bramble scrub, and that a management plan implemented as part of a development proposal could arrest this while taking other measures that would ensure a significant enhancement to the nature conservation interest of the largest part of the area. Evidence submitted on behalf of the site owner identified the SNCI as having high potential to support bats, breeding birds, and reptiles with moderate potential to support dormice and great crested newts. Ecological enhancements which could support these were suggested as part of this evidence.
- 6.4.5 Following the Examination hearing sessions, the Inspector issued his Preliminary Findings, May 2015, requesting the council consulted on a Main Modification which included the site as an allocation (Post-Submission Document: CBC/CBLP/09). In considering the impacts of development on the SNCI, the Inspector concluded that a management plan implemented as part of development 'would enable the decline of the remaining species-rich meadow habitat to be arrested', 'would offset the harm

caused by the loss of part of the meadow’ and represent ‘a balanced approach to meeting the housing needs of the area.’ The Inspector concluded in his final report that the site should be allocated for up to 15 dwellings, Inspector’s Report, November 2015, paragraphs 49-57, pages 15-17 (Submission Document Reference: CBLP/03).

- 6.4.6 It should be noted that, in his final report, the Inspector concluded that “the illustrative layout for 21 dwellings provided by the promoter in response to the modifications consultation serves to demonstrate that it will be challenging to achieve the required loose-knit character with as many as 15 dwellings”. On this basis, the council maintain the maximum figure of 15 dwellings as a possible maximum, but that following detailed assessments and designs the site might warrant a lower figure to be in conformity with planning requirements as a whole. This figure as a limitation was previously found sound on the basis of the known constraints on the site.
- 6.4.7 The council prepared a draft Supplementary Planning Brief (Post-Submission Document Reference: PS/H/HD/16) in accordance with the adopted Local Plan Policy. This was published twice for formal public consultation. Initially, it was published between July and September 2017 for an eight-week consultation, and then again for a four-week consultation between November and December 2018, along with a detailed Consultation Statement setting out the feedback from the initial consultation in 2017 and the changes made in response. The draft document remains available on the council’s website, although it hasn’t been formally adopted as a Supplementary Planning Document at this stage due to the commitments of the Local Plan Review and limited capacity of the Strategic Planning Team.
- 6.4.8 CBC notes that Paragraph 013- 20190721 of the PPG post-dates the adoption of the 2015 Local Plan. This refers to the national policy expectation that plans ‘identify and map’ Local Wildlife sites and include ‘policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.’
- 6.4.9 Accordingly, Policy GI2: ‘Biodiversity Sites’ of the Crawley Borough Submission Local Plan, May 2023, includes the use of a mitigation hierarchy of biodiversity sites, including Local Wildlife Sites, which have been mapped on the Crawley Borough Submission Local Plan Map (Submission Document Reference: CBLP/M/01). Policy H2, in allocating the site as a ‘Housing, Biodiversity and Heritage Site’, includes strengthened requirements for development to ‘avoid harm to the species-rich meadow grassland which contributes to the Local Wildlife Sites (LWS)’ and to ‘be accompanied by a long-term commitment to the ecological enhancement and positive management of the remainder of the LWS (excluding the ponds and woodland in the centre and north-east in separate ownership) for the benefit of biodiversity.’
- 6.4.10 It should be noted that CBC was not initially supportive of the allocation of the site and remains cognisant of its sensitivity – in terms of its location outside the Built-Up Area, the importance of the rural setting to the designated and non-designated heritage assets and close proximity to these, and in terms of flood risk, as well as in terms of biodiversity.

- 6.4.11 However, the policy criteria in the adopted Local Plan sought to manage any development coming forward in order to protect and enhance these. In addition, further amendments have been made to the Policy to reflect the strengthening of planning for biodiversity, and in particular, the new duties and expectations through The Environment Act 2021. These reflect suggested amendments recommended by the Sussex Wildlife Trust as part of the Crawley Local Plan Review, Regulation 18 “Early Engagement” consultation undertaken in July 2019. These can be found in the Consultation Statement Appendix 2: Early Engagement Consultation Representations and Council Response, pages 463-465 (Submission Document Reference: KD/CS/01c).
- 6.4.12 The council maintains that the retention of the allocation in the new Local Plan is justified and consistent with national policy. In particular, Policy H2 and the Local Plan when read and applied as a whole, provide a sufficient framework for protecting the existing ecology and biodiversity, retaining much of the existing habitats, and ensuring no harm to protected species, while maximising enhancements and long-term management and maintenance of the site as a whole. CBC also recognises its potential to contribute to the borough’s housing supply both in terms of quantity and dwelling mix.
- 6.5 Question 6.5: Is the proposed allocation of the Tinsley Lane site soundly based, having regard, to amongst other things, the overall provision of sports facilities / pitches to meet the needs of the Borough’s population; the vitality and viability of existing sports clubs at the Tinsley Lane site; highway safety and access to the site; amenities of nearby residential properties; and local biodiversity?
- 6.5.1 Crawley Borough Council (CBC) consider that the proposed allocation at Tinsley Lane Playing Fields as a ‘Housing and Open Space Site’ in Policy H2: ‘Key Housing Sites’ of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) is soundly based in relation to matters of open space need and provision, the vitality and viability of existing sports clubs at the Tinsley Lane site, highway safety, the amenity of nearby properties, and biodiversity. The site has been robustly considered from the perspective of these constraints and considerations and is judged to be able to address them while making a significant contribution to meeting Crawley’s housing need.

Open Space Needs and Sports Provision

- 6.5.2 From the perspective of open space need and provision, CBC acknowledges the importance of protecting existing sites. However, the requirements for re-provision (including community use arrangements) set out in the allocation policy are achievable and would meet relevant policy tests for allowing the loss of existing facilities.
- 6.5.3 The National Planning Policy Framework (NPPF), July, paragraph 99 (Post-Submission Document Reference: PS/DS/NPPF/01) sets out that:

‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) *the development is for an alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'*

6.5.4 These provisions are substantially incorporated into the text of submission Local Plan Policy OS1: 'Open Space, Sport and Recreation'.

6.5.5 An updated Strategic analysis of supply and demand for playing pitches is provided in the Crawley Playing Pitch Strategy Stage C: Needs Assessment, March 2021 (Submission Document Reference: WC/OSSR/03). The Football Analysis within the Assessment (summarised in section 3.12 on p.50) considered that there was currently sufficient existing capacity to meet grass football pitch demand (assuming some use of under-used adult pitches by youth teams) but that existing capacity is expected to be insufficient to meet future demand. Additionally, in respect of Artificial Grass Pitches (AGP) the assessment concluded (see section 7.6 on p.115) that existing provision falls short of existing demand and would see an increased deficit by 2035.

6.5.6 In this context, CBC considers that the loss of the existing Tinsley Lane facilities has not been justified in terms of their being surplus to requirements. Therefore, the development of the land must be justified by the provision of replacement or alternative facilities.

6.5.7 The Inspector examining the adopted allocation policy confirmed that the allocation would satisfy the then National Planning Policy Framework (NPPF) 2012, paragraph 74, which seeks to protect existing open spaces (including playing fields) from development in terms of quantity and quality unless equivalent or better replacement provision is made (paragraph 43, page 13, of the Crawley Borough Local Plan Inspector's Report, 2015 (Submission Document Reference: CBLP/03).

6.5.8 The Playing Pitch Strategy Stage C: Needs Assessment, March 2021 (Submission Document Reference: WC/OSSR/03) counted Tinsley Lane as a loss, with Tinsley Lane categorised as being disused/lapsed, in the context that provision is to be re-provided through the housing development proposed on-site. Section 7.2.6 provides further details to the proposal (redeveloping Oakwood Football Club's facilities on the Tinsley Lane site and relocating them to provide a full size 3G and 9v9 natural turf pitch on land to the north of their current site).

6.5.9 The requirements set out in both the adopted Local Plan policy and Submission Local Plan seek to ensure that new facilities will allow for a higher intensity of use in order to compensate for a net reduction in the number of marked pitches. CBC considers that the new facilities, including the 3G pitch, will allow for a higher intensity of use, thereby compensating in terms of 'quantity' for the net reduction in the number of marked pitches. This is supported in Section 7.1.2 of the Playing Pitch Assessment (page 104). The specification of the facilities, further detailed in the Tinsley Lane Development Brief (Post-Submission Document Reference: PS/H/HD/15) and to be

secured as needed through conditions and S106 obligations, would also be expected to represent an improvement in terms of quality, thereby meeting the relevant tests detailed in NPPF paragraph 99 and Policy OS1. This position has been endorsed by Sport England in responses to outline applications CR/2018/0544/OUT and CR/2021/0355/OUT.

- 6.5.10 Consideration of the proposals against the NPPF and Policy OS1 tests should ensure that the development has no overall negative impact on the vitality of the clubs (particularly Oakwood Football Club) who use the site and it is expected that there will also be opportunities for clubs to make use of spare capacity on other sites (including existing capacity and new capacity arising through the implementation of other 3G schemes, for example at Three Bridges football club), where necessary in order to accommodate their expansion plans (see also answer to the council's Written Statement response to the Inspectors' Question 9.6). The 'viability' of a tenant club in financial terms would derive benefit from the provision of a new clubhouse able to be made available for hire by the community.
- 6.5.11 It should be noted that the capacity of the site for delivering housing is based on the adequate replacement of Oakwood Football Club. The housing number set out in Policy H2 (120 dwellings) is an indicative figure which could be increased if all of the sports facilities and associated car parking can be provided on the northern land parcel, leaving the central and southern land parcels free for residential development and other open space requirements, confirmed in the Tinsley Lane Development Brief, page 12. However, it is also the case that the residential capacity of the site could be less where the requirements of the Policy, and other Local Plan policies when read as a whole, are required to be met on-site.
- 6.5.12 A proposed modification to Policy H2 is recommended in order to bring the allocation in line with the most recent agreed position with Sport England, and to ensure the consideration of a planning application is based on the most up-to-date evidence regarding the Sports Club's requirements at that time. The adopted Local Plan, paragraph 6.51, states that "For Tinsley Lane this will involve consideration into the needs of the football club". This line has not been included in the submission Local Plan and it is suggested this text is added as a modification.

Policy H2: Key Housing Sites

- Tinsley Lane, Three Bridges (deliverable) 120 dwellings, mixed use recreation/residential. Development of this site must include, at least:
 - the replacement of Oakwood Football Club;
 - senior **3G** football pitch and facilities;
 - a junior **3G** football pitch;

Insert new final sentence to paragraph 12.53:

The layout of these sites has been considered in more detail to ensure they can deliver the quantum of housing within the constraints identified by the open space study for meeting recreational open space needs³. A development brief has been prepared for both sites to ensure their development adheres to the requirements of the Open Space, Sport and Recreation Study and Playing Pitch Study (2014); critical elements of these are set out in the

³ In accordance with paragraphs 98 and 99 of National Planning Policy Framework (2021) MHCLG

Policy. [For Tinsley Lane this will involve consideration into the needs of the football club.](#)

6.5.13 These proposed modifications are set out in the Schedule of Suggested Modifications, version 5, 15 December 2023 (Examination Document Reference: CBC/CBLP/07e).

Highway Safety

6.5.14 The Tinsley Lane Development Brief, page 28, notes that:

'West Sussex County Council (WSSCC), the Highways Authority, considers that access to the site is, in principle, likely to be achievable via Birch Lea and Kenmara Court, subject to design improvements.'

6.5.15 The Development Brief, page 28, also confirms that a Road Safety Audit will be required to be submitted in support of an application in respect of the site, and further work on access arrangements has subsequently been undertaken in support of outline applications CR/2018/0544/OUT and CR/2021/0355/OUT. Neither application has met with an objection from the Highways Authority.

Residential Amenity

6.5.16 As regards the impact of the scheme on the amenity of nearby residential properties: this would primarily be experienced in the form of traffic movements, which would be particularly notable in respect of Birch Lea and Kenmara Court, as the most likely points of access.

6.5.17 There is a recognition that the access arrangements could potentially have significant impacts on the streetscape and residential amenity of Birch Lea and Kenmara Court. Therefore, the Tinsley Lane Development Brief, page 28, confirms that all access options to the west, north, south need to be fully explored as part of the planning application.

6.5.18 In addition, it is understood that the effect of this could be reduced through the design and layout of a proposed scheme, for example, access points should be designed in order to reduce vehicle speeds. This would be a key consideration through the Decision-Making process.

6.5.19 The Tinsley Lane Development Brief, page 12, confirms that "less units may prove to be realistic once work has been undertaken to fully understand the site's various infrastructure capacity and environmental constraints and may better facilitate good placemaking. CBC notes that application CR/2018/0544/OUT was refused on amenity grounds. However, this was on the basis of a larger scheme (150 dwellings) than the indicative quantum (120 dwellings) detailed in Policy H2.

Biodiversity

6.5.20 Impacts on local biodiversity are a critical consideration for the allocation and development of this site owing to the position of the site adjacent to the area of Ancient Woodland at Summersvere Woods. Accordingly, whilst the proposed allocation policy requires "enhancement and management for public access" of the woods, the Development Brief, page 23, confirms that the ecological survey will establish the suitability of this woodland for public access. Critically, the protections to Ancient Woodland set out in Policy GI2: Biodiversity Sites and the NPPF would apply to any proposals to this site.

- 6.5.21 The Tinsley Lane Development Brief sets out how these requirements could operate in detail through the carrying out of ecological surveys, the maintenance of an appropriate 15m buffer zone around the woodland, and the formalising of public access routes (with appropriate protections). These measures have been reflected in the proposals put forward as part of outline applications CR/2018/0544/OUT and CR/2021/0355/OUT.
- 6.5.22 The site also contains a number of protected trees and ancient hedgerows. The Development Brief provides further detail on how these should be addressed through any development scheme.
- 6.5.23 As the site is located adjacent to the A2011, it is affected by noise and air pollution. The site falls within the Hazelwick Air Quality Management Area. This southern part of the site is designated in the Local Plan as Structural Landscaping. Opportunities in this area for increased tree planting could address some of these concerns.
- 6.5.24 Additionally, the scheme will be subject to national Biodiversity Net Gain (BNG) requirements, including through the application of submission Local Plan Policy GI3.
- 6.6 [Question 6.6: What is the status of the Tinsley Lane Development Brief? What does it set out / require that is not in Policy H2 or covered by other policies in the Plan?](#)
- 6.6.1 Crawley Borough Council (CBC) adopted the Tinsley Lane Development Brief as a Supplementary Planning Document on 4 April 2017 through delegated powers (Post-Submission Document Reference: PS/H/HD/15). The Development Brief was prepared in accordance with the requirement in the adopted Local Plan Policy H2 which confirmed the council's intention for full details of the requirements relating to this site to be set out in a Development Brief.
- 6.6.2 The Development Brief was prepared jointly between the council and Homes England as landowner of the site. However, the document was finalised by the council and taken through its formal processes for the preparation and adoption of Supplementary Planning Documents.
- 6.6.3 The development brief was subject to a period of early engagement consultation, in addition to a formal six-week period of public consultation. A consultation statement was produced to accompany the final Development Brief.
- 6.6.4 The Tinsley Lane Development Brief does not introduce new policies. Instead, it expands and builds on the adopted Local Plan policy requirements which apply to this site. This is particularly important in relation to the relocation of the Football Club, Summersvere Woods, on-site play space and allotments and the noise concerns arising from the Goods Yard.
- 6.6.5 However, it does identify a number of matters which are not explicitly set out in the Policy, including: development quantum, housing mix, design quality, environmental sustainability, green infrastructure and biodiversity (protected trees, new tree planting, ancient woodland, ancient hedgerows), access, transport and parking, noise, air quality, flooding and drainage, social infrastructure and Planning Obligations. These are all established within other Policies in the adopted and submission Local Plans.

6.7 Question 6.7: Is the policy for Tinsley Lane justified and deliverable in requiring the provision of allotments?

6.7.1 Crawley Borough Council (CBC) maintains the importance of the delivery of allotments within this site. Since the adoption of the Local Plan, December 2015 (Submission Document Reference: CBLP/02) and through the preparation of the Tinsley Lane Development Brief (Post-Submission Document Reference: PS/H/HD/15) it was noted that there is very little alternative opportunity for allotment provision, or enhancement to existing allotments, within a suitable distance from this site.

6.7.2 The Development Brief, page 26, confirms that, due to an existing deficiency in the accessibility of this type of open space within the catchment area, the development proposals should provide allotment space on-site in line with the council's Green Infrastructure Supplementary Planning Document quantity standards.

6.7.3 The Open Space Assessment, 2020, Figure 9, page 48 (Submission Document Reference: WC/OSSR/01) shows the location and accessibility threshold for allotments within the borough, highlighting the deficiency for the Tinsley Lane area. Table 39 of the Open Space Assessment, page 83, confirm that there is anticipated to be a quantity deficit of allotments of -0.07ha borough-wide by 2035.

6.8 Question 6.8: Given the various requirements for the Tinsley Lane site in Policy H2 is there reasonable assurance that residential development would be viable?

6.8.1 The Tinsley Lane site was included in the Crawley Local Plan and Community Infrastructure Viability Assessment, March 2021 (Submission Document Reference: DS/VA/02a). The specific appraisal is detailed in Appendix IIIb to the Assessment (Submission Document Reference: DS/VA/02b) (page 4 and pages 19-20 of 33).

6.8.2 This was a relatively high-level appraisal but indicated strong viability, with base projections envisaging a residual land value after development costs/profit etc, of £1.5 million per hectare as compared with greenfield benchmark land values of £250,000 per hectare.

6.8.3 Crawley Borough Council (CBC) considers that the surplus of gross development value over development and benchmark land acquisition costs indicated in the appraisal would be sufficient to meet the costs for on-site provision and mitigation in accordance with Policy H2 of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01), in so far as they exceed the costs already allowed for in the appraisal.

6.8.4 Separately from the viability appraisal process, CBC would highlight that the site is within the ownership of Homes England, who have been promoting the site over a number of years, and are strongly supportive of the allocation of the site as a housing and open space site.

6.8.5 Neither of the outline applications submitted to CBC by Homes England in relation to the site (CR/2018/0544/OUT and CR/2021/0355/OUT) have sought to put forward site-specific viability evidence to justify the provision of a lower quantum of affordable housing than that the 40% detailed in existing Local Plan Policy H4 of Crawley 2030: adopted Crawley Borough Local Plan 2015-2030 (Submission

Document Reference: CBLP/02). This evidence should be noted in the context of National Planning Policy Framework 2021 (Submission Document Reference: PS/DS/NPPF/01), para. 58:

'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable.'

- 6.8.6 Like a number of sites in the Crawley Borough Submission Local Plan, the site is subject to water neutrality requirements, and this has helped to delay the determination of the current live application. In the context of the establishment of the SNOWs scheme and the accumulation of offsetting credits in advance of this through the retrofitting of Crawley Homes properties, the fact that Homes England are currently supporting a policy-compliant percentage of affordable housing is likely to count in favour of the ability of the scheme to access water offsetting capacity.

Issue 2: Whether the Plan would deliver an appropriate mix of house tenures and types.

- 6.9 Question 6.9: Given the significant need for, and importance to the local economy of, affordable housing, does the plan optimise its delivery having appropriate regard to plan-wide viability considerations? Is the approach to smaller sites (less than 10 dwellings) justified and demonstrably viable given the significance of such sites to housing delivery in the Borough?

Optimising Affordable Housing Delivery

- 6.9.1 The pressing need for affordable housing in Crawley is demonstrated by the chapter 7 of the Strategic Housing Market Assessment (SHMA) 2019 (Submission Document Reference: H/HN/01), including the finding of a need of 739 affordable homes per annum – representing a figure equivalent to the vast majority of the Crawley Borough Council's (CBC) housing need as calculated through the Standard Method.
- 6.9.2 The Council has an active programme of delivering 100% affordable housing on its own land (Breezehurst Drive, Telford Place, and a raft of smaller sites), and in some cases acquiring opportunities from the market (Brighton Rd, Longley House, Ambulance site, and others) to address the urgent need for affordable housing.
- 6.9.3 Unfortunately, there has been a delay in the programme due to water neutrality, where momentum in the affordable housing programme has stalled, resulting in a few consecutive years without any starts on site, and therefore a significant time-lag before the next wave of completions are likely to emerge. However, CBC has proactively progressed an active off-setting strategy, using its existing housing stock, which has placed the Council in a favourable position to secure schemes from the market during this time of market uncertainty arising from water neutrality.
- 6.9.4 The Council is also an approved Homes England Investment Partner, with Registered Provider status to access grant funding, and in addition has access to Right-to-Buy 1-4-1 grant funding to support the affordable housing delivery programme, as well as having access to public works borrowing when necessary.
- 6.9.5 As set out in Topic Paper 3: Housing Needs, May 2023 (Submission Document Reference: DS/TP/03) CBC recognises the importance of delivering affordable

housing. The Submission Crawley Borough Local Plan, May 2023, Policy H5 (Submission Document Reference: CBLP/01) requires affordable housing provision from all residential development. With the exception of the town centre, (as explained in response to Question 6.10 below) this is set at a 40% affordable housing rate across the borough.

- 6.9.6 In exceptional circumstances, Policy H5 allows the developer the recourse of submitting a viability appraisal, which must include a range of permutations looking at different ratios of affordable housing and tenures aimed at reaching the most optimum outcome to address the priority need and local affordability. The final cascade may be to agree an off-site commuted payment, however, this is not the preferred outcome as it is considered that the land opportunity is lost forever, given the short supply of land in the borough.
- 6.9.7 The approach is supported by and aligned with the findings of the Crawley Local Plan & Community Infrastructure Levy Viability Assessment March 2021 (Submission Document Reference: DS/VA/02a) and the Crawley Local Plan Review Viability Assessment Update December 2022 (Submission Document Reference: DS/VA/01a), with their Appendices (Submission Document Reference: DS/VA/02b and DS/VA/01b).
- 6.9.8 Affordable housing also offers certain benefits to developers, most notably the bulk sale of 40% of the scheme off-plan, with reduced market risk, and the benefit of CIL exemption, reduced financing costs and savings on marketing and sales fees, etc. all of which serve to assist with scheme viability.
- 6.9.9 As set out in answer to Question 6.10 below and Matter 10 Question 32, the development of Policy H5 (particularly the approach to Town Centre sites, where the headline requirement is reduced to 25%) has been developed on an iterative basis alongside the preparation of the Viability Study.

Small Sites

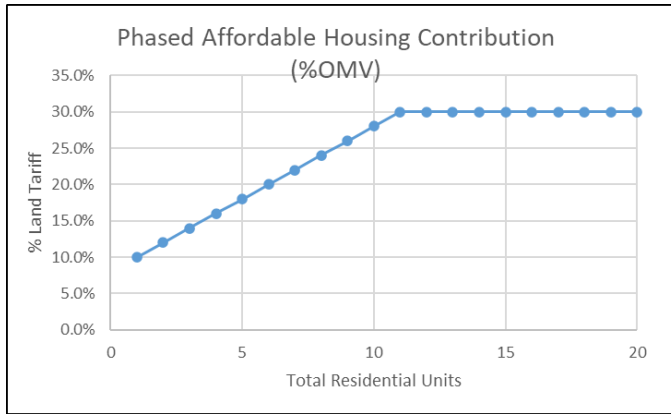
- 6.9.10 Crawley Borough Council (CBC)'s approach to small sites is set out in Topic Paper 3: Housing Need, May 2023, Section 3.4, pages 15-19 (Submission Document Reference: DS/TP/03). This reflects the important role they play in delivery of housing and affordable housing within Crawley.
- 6.9.11 Appeal decisions (see footnote 37, page 17 of the Housing Needs Topic Paper) have supported this approach and have secured affordable housing from smaller sites. More recent appeal cases where Policy H4 was upheld as a refusal reason on small sites include:

CBC Ref	PINS 7 Digit Ref	Site	Development Description	Decision Date
CR/2021/0294/OUT	3282436	5 WOOLBOROUGH ROAD, NORTHGATE, CRAWLEY	OUTLINE APPLICATION (LAYOUT, SCALE & APPEARANCE) FOR DEMOLITION OF THE EXISTING DETACHED BUNGALOW AND ERECTION OF A PART ONE AND HALF STOREY AND PART THREE STOREY	07/11/22

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

CBC Ref	PINS 7 Digit Ref	Site	Development Description	Decision Date
			RESIDENTIAL BUILDING, COMPRISING 1 X STUDIO FLATS, 4 X ONE-BED FLATS AND 2 X TWO-BED FLATS	
CR/2020/0800/FUL	3280643	LAND AT THE GROVE, POLES LANE, LANGLEY GREEN, CRAWLEY	ERECTION OF 1 X THREE BEDROOM DETACHED DWELLING FOLLOWING DEMOLITION OF EXISTING NON-AGRICULTURAL BUILDINGS	17/10/22

- 6.9.12 Paragraph 3.3.14 confirms that the Submission Crawley Borough Local Plan, May 2023 (Submission Document Reference: CBLP/01) is likely to meet around 15% of the total affordable housing need: 108dpa compared to the need of 739dpa identified in the Strategic Housing Market Assessment, 2019 (Submission Document Reference: H/HN/01). This includes securing 40% affordable housing contributions from small sites and windfalls. The Sustainability Appraisal & Strategic Environmental Assessment, May 2023, Policy H1, Option 3, page 261 (Submission Document Reference: KD/SA/01) considered the level of housing required in order to meet Crawley’s affordable housing based on securing 40% housing from all developments. This indicated there would need to be a delivery level of 1,848 dwellings per annum (dpa) within the borough, as compared to the supply constrained delivery figure of 314dpa.
- 6.9.13 As explained in paragraph 3.4.7 of the Housing Needs Topic Paper, the large sites within the borough are finite. Therefore, there will be an increasing reliance on small sites, coming through as windfalls in the latter part of the plan period. This can be seen in the Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14), whereby from 2033/34 to the end of the Plan period 2039/40, 100% of the housing delivery is anticipated to come forward on windfall sites.
- 6.9.14 The council’s Viability Assessment, 2021 and its update 2022 (Submission Document References: DS/VA/01 and DS/VA/02) confirm that all development, outside the Town Centre, remains viable across the borough with a 40% affordable housing provision (paragraph 3.4.12 of the Housing Needs Topic Paper).
- 6.9.15 The cost of delivering affordable housing is met in part by the land vendor, as this is a requirement that runs with the land, and having a standard affordable housing requirement across all residential schemes creates a level playing field, and does not favour vendors of smaller land parcels.
- 6.9.16 However, to avoid placing a disproportionate burden on these smaller sites, the affordable housing contribution is tapered from 1 dwelling up to 10 dwellings, before expecting the full contribution from schemes greater than 10-units (as reflected in the graph below).



6.9.17 This equates the affordable housing requirement ratcheting upwards from 13% for a single dwelling, increasing in c.3% increments, up to the full 40% requirement from 11-units upwards.

Units	% AH
1	13%
2	16%
3	19%
4	21%
5	24%
6	27%
7	29%
8	32%
9	35%
10	37%
11	40%

6.9.18 While on-site affordable housing is not always secured from these smaller sites, it is an option that the developer may choose to implement, or otherwise an off-site commuted payment is expected to support the wider affordable housing delivery programme, and importantly the land vendor is required to make an affordable housing contribution from the financial proceeds that are enabled through the planning process.

6.9.19 By not requiring an affordable housing contribution from smaller sites, the land vendors would be given a disproportionate advantage over the vendors of larger sites, where less than 10-dwellings would result in a blunt and arbitrary cut-off, whereas the Council’s tapered approach offers a fairer and more consistent outcome.

6.9.20 Due to the limited supply of land within Crawley, it is inevitable that many future sites will emerge through land assembly, which is likely to consist of such smaller sites, and it will be an opportunity lost forever if the Council fails to secure affordable housing contributions from such settings.

6.10 Question 6.10: Is the differentiation in affordable housing provision (proportion and mix) between the town centre and areas outside of the town centre justified?

6.10.1 Policy H5: ‘Affordable Housing’ of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) sets a variable affordable housing requirement of 25% in the Town Centre, as distinct from the 40% boroughwide requirement. There is also a variation in the approach to Affordable Housing tenure,

with the boroughwide split of 75 social/affordable and 25 intermediate being altered to a 60/40 split. The social/affordable quantum is thus effectively halved from 30 to 15% of the whole scheme, while the intermediate element remains at 10%.

- 6.10.2 As set out in Housing Need Topic Paper, May 2023, paragraphs 3.3.11 – 3.3.14, and Table 7, pages 14-15 (Submission Document Reference: DS/TP/03), this approach arises primarily from the need to take into account the viability of development, and the findings of viability testing conducted as part of the preparation of the Crawley Local Plan & Community Infrastructure Levy Viability Assessment March 2021 (Submission Document Reference: DS/VA/02a).
- 6.10.3 The detail of the viability findings supporting this approach is set out in the answer to Matter 10 Question 32. It is aligned with Crawley Borough Council's (CBC's) experience that historically most viability challenges have come from town centre located schemes, due in large part to the cost of building higher rise developments, and the gross/net ratio that results, as well as the price of land in the town centre locality.
- 6.10.4 High density town-centre living is still an uncertain market in Crawley, which also impacts on risk and viability, and the reduced affordable housing requirement is aimed at supporting residential development in the town centre as an essential source in addressing Crawley's housing needs.
- 6.10.5 In practice a large number of town centre residential developments, having obtained permission as market-led schemes, are being offered by developers to registered providers, on the basis that these offer a more reliable market in current circumstances.
- 6.10.6 The very significant need for affordable housing within the borough is recognised, and its delivery is a longstanding corporate priority for the council. The step of reducing the affordable housing requirement would not have been taken without compelling necessity.
- 6.11 Question 6.11: As part of the duty to cooperate or through other mechanisms (for example the Planning Performance Agreement on West of Ifield) is there a reasonable prospect that Crawley's significant affordable housing need could be positively considered on housing development in adjoining administrative areas adjacent to or very close to the boundary with Crawley through some nomination of Crawley's affordable housing needs being met on these schemes? Is paragraph 12.23 at point vii) justified in seeking 40% affordable housing on prospective urban extensions at Crawley and to seek agreements for nomination rights for those on Crawley Borough's housing register?
- 6.11.1 Crawley Borough Council (CBC) has worked closely with its neighbouring authorities on strategic development schemes on and close to Crawley's administrative boundaries. Nomination rights have been secured for approximately 50% of the Affordable rent and Shared-Ownership units for the council's Housing Register within the Kilnwood Vale development in Horsham District (113 Affordable Rent and 259 Shared Ownership units) and within the Pease Pottage development within Mid Sussex (70 and 23 units respectively).

- 6.11.2 This approach is supported by the Crawley Strategic Housing Land Availability Assessment (SHLAA), February 2023 (Submission Document Reference: H/HD/04), para. 7.65 on page 89, and is also reflected in the relevant requirement detailed in para. 12.23 of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01), on page 159-61.
- 6.11.3 Accordingly, the Duty to Cooperate Statement July 2023 (Submission Document Reference: KD/DtC/01b) includes discussion of Affordable Housing on pages 24-31 and makes reference to the following identified actions as follows on pages 30-31:
- ‘Ongoing discussions as part of the PPA and development management processes on any masterplans, planning applications, proposed infrastructure provision and affordable housing nomination rights, for Homes England’s strategic development proposals, particularly for land to the west of Ifield, should proposals from Homes England come forward for it to form a new neighbourhood for Crawley.’
- ‘Ongoing discussions as part of the Mid Sussex District Local Plan Review evidence, policy preparation, consultation and examination in relation to strategic development proposals for Crabbet Park to the east of Crawley, in particular in relation to infrastructure, density, housing type mix and affordable housing nominations’
- 6.11.4 The principle of agreeing nomination rights is set out in the agreed Statements of Common Ground with both Horsham District Council, paragraph 7.3e, page 10 (Submission Document Reference: SoCG/07) and Mid Sussex District Council, agreement number 8, page 4 (Submission Document Reference: SoCG/08).
- 6.11.5 The precise level of affordable housing secured through the respective Plans would need to be determined through the evidence and examinations for the relevant Plans/authorities. It should be noted that these would be shared nominations, and so only around half of the social/affordable rental element of the affordable housing secured would be available for Crawley residents. CBC accepts that the number of the nominations awarded to the Crawley Housing Register would need to be agreed between the two relevant authorities. However, as examples:
- The proposed scheme for West of Ifield, using 40% affordable housing requirement, with a 70/30 tenure split, out of 3,000 dwellings this would result in a potential affordable housing provision for those on the Crawley housing list, over the lifetime of the development, of around 420 dwellings. The draft Horsham District Plan assumes 1,600 dwellings will be completed within the Plan period (to 2040).
 - For Crabbet Park, out of the total 2,000 dwellings, at 30% affordable housing with a 75/25 tenure split, this would result in a potential affordable housing provision for those on the Crawley housing list of 225 dwellings. The Mid Sussex Plan assumes 1,500 dwellings will be completed within the Plan period (to 2039).
- These figures are based on the assumption that CBC secures 50% of the affordable housing nomination rights for both strategic schemes.
- 6.11.6 The Northern West Sussex HMA authorities’ approach to Duty to Cooperate in respect of housing needs is further detailed in the answers to Matter 1 and Matter 2,

and in the Northern West Sussex Housing Needs Statement of Common Ground (Submission Document Reference: SoCG/02).

- 6.12 Question 6.12: Is the approach to affordable care accommodation in Policy H5 justified by the evidence in the SHMA and plan-wide viability assessment? Will it be effective in meeting the needs for affordable forms of housing including those requiring an affordable form of use class C2 accommodation? Is the proposed approach consistent with national planning policy?
- 6.12.1 Northern West Sussex Housing Market Assessment, (SHMA) 2019 (Submission Document Reference: H/HN/01) discusses the housing needs of older people and those with disabilities in chapter 10 on pages 121-134. Table 64 on p.129 identifies a requirement for an additional 1,027 additional self-contained dwellings catering to older people in Crawley by 2039 (i.e. sheltered and extra care dwellings), and an additional 1,029 care bedspaces.
- 6.12.2 The analysis of national planning policy provided in paragraphs 10.32-10.44 of the SHMA indicates that affordable housing contributions can be sought from C2 as well as C3 developments, while noting specific factors which influence viability in respect of such schemes. This case is considered to have been strengthened subsequently by the judgement in Rectory Homes Limited v Secretary of State for Housing Communities and Local Government in 2020 (Post-Submission Document Reference: PS/H/HN/10) which indicated that self-contained accommodation within a C2 development could be capable of being counted as 'dwellings' for the purposes of Local Plan policies on affordable housing.
- 6.12.3 Planning Policy H5 accordingly sets requirements that will apply to both C2 and C3 developments.
- 6.12.4 The Crawley Local Plan & Community Infrastructure Levy Viability Assessment March 2021 (Submission Document Reference: DS/VA/02a) and Appendices (Submission Document Reference: DS/VA/02b) include consideration of a number of typologies and sites including an element of care, as follows:
- 30 flats (sheltered) boroughwide (Appendix IIIa);
 - 60 flats (extra care) boroughwide (Appendix IIIa);
 - St Catherine's Hospice allocation (60 flats, sheltered) (Appendix IIIb);
 - Residential Nursing Home (Appendix IIIc).
- 6.12.5 These identify (to varying degrees) more constrained viability outcomes than found with equivalent general needs housing schemes, when tested at a 40% affordable housing requirement. The Viability Assessment notes in paragraph 3.7.21 on page 76 in respect of the 'sheltered' and 'extra care' typologies:
- 'In our experience (in other Council areas to date) these schemes produce mixed viability outcomes and are frequently the subject of viability review and negotiation resulting in a commuted sum payment route towards affordable housing enabling off-site. Retirement and extra care developments do however typically support premium sales values levels, which tend to go some way to counteracting the often higher than standard development costs.'*

- 6.12.6 In relation to the appraisals, Crawley Borough Council (CBC) notes that these make an allowance for CIL in respect of the sheltered/extra-care schemes on the basis of them being classed as C3 schemes (£183,470 for 30 flats sheltered; £441,000 for 60 flats extra care; £366,940 for St Catherine’s Hospice). Whereas there is a strong likelihood that schemes containing self-contained dwellings for older people would still be characterised as C2 on the basis of communal facilities and on-site care provided, and as such would fall outside CIL as charged via the council’s adopted CIL Charging Schedule 2016 (Post-Submission Document Reference: CBC/KD/CIL/01).
- 6.12.7 However, bearing in mind the discussion of these schemes in the Crawley Local Plan & Community Infrastructure Levy Viability Assessment March 2021 (Submission Document Reference: DS/VA/02a) and representations which have been made in respect of the application of affordable housing requirements to sheltered/extra care/care home schemes, CBC has set out a series of proposed modifications to Policy H5 ‘Affordable Housing’ and to the Planning Obligations Annex of Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01). These are intended to provide a clearer approach to ‘affordable care’, and to provide additional assurance that it can be implemented viably.
- 6.12.8 The approach is based on the CBC’s existing Affordable Housing Calculator, used for calculating offsite contributions, which is further explained in the Planning Obligations Annex and in the Affordable Housing Supplementary Planning Document (Post-Submission Document Reference: PS/H/HN/08).
- 6.12.9 The core rationale of this approach is that the capital contribution should be at a minimum equivalent to free-serviced land, and should reflect the cost to the development had affordable housing been provided on-site. It is on this basis that the Affordable Housing Supplementary Planning Document identifies a tariff of £350 per square metre as being equivalent to a 40% housing requirement, assuming that the notional value of free serviced land is equivalent to 30% of the open market value of the development. The relationship between these values is set out in the Table below:

Development Floor Area	80sqm
Open Market Value	£233,333
X 30% (representing free land equivalent)	£70,000
x 40%	£28,000
Per square metre	£350

- 6.12.10 For the purpose of applying the proposed 25% requirement in respect of Town Centre developments (as part of the Policy H5) this will work as follows:

Development Floor Area	80sqm
Open Market Value	£233,333
X 30% (representing free land equivalent)	£70,000
x 25%	£17,500
Per square metre	£218.75

6.12.11 The approach being proposed through the modifications would use this approach in applying Policy H5 to developments involving an element of care in the following steps:

- 1) The Affordable Housing Calculator would be used to establish the contribution due from developments involving an element of care (whether to be provided on or offsite). This would be calculated (as with the existing calculator) on the basis of a floorspace levy, though this would be based on net sale area (NSA) rather than the gross internal area (GIA) of the development as a whole, in order to make allowance for the high proportion of communal space which typically exists in such developments. On this basis, a levy of £350 per square metre would be used, as currently, to reflect the boroughwide 40% requirement. A lower levy of £218.75 per square metre would be applicable for the purpose of achieving the 25% requirement in the Town Centre.
- 2) In cases where West Sussex County Council Social Services was prepared to provide the associated care package, this contribution would be required in the form of on-site provision in an appropriate tenure, topped up as appropriate by additional grant funding for affordable housing.
- 3) In cases where West Sussex County Council was not in a position to provide the associated care package, the contribution would be required in the form of a payment towards offsite provision as set by the calculator.

6.12.12 Further commentary on the viability implications of this approach as compared with the sheltered / extra care typology and site appraisals detailed in the Crawley Local Plan & Community Infrastructure Levy Viability Assessment is provided in the council's response to the Inspectors' Question 6.17 below.

6.12.13 The proposed modifications are as follows:

In the main policy text:

Strategic Policy H5: Affordable Housing

~~40% An~~ affordable housing contribution will be required from all residential developments, including those providing care regardless of whether it falls into Use Class C2 or C3, ~~resulting in a net increase of at least one new housing unit across the borough which fall outside the Town Centre~~ where on-site provision is the default expectation while off-site contributions in lieu may be considered in exceptional circumstances.

Outside the Town Centre

On C3 developments, 40% affordable housing will be sought where ~~T~~the council will expect a minimum of 75% of the affordable housing to be Social Rent and/or Affordable Rent and up to 25% as First Homes. This equates to 30% of the total scheme for Affordable/Social Rent and 10% of the total scheme as First Homes, resulting in a 75/25 tenure split.

On C2 developments outside the Town Centre, the value of the developer's contribution will be determined by using the Borough-Wide Commuted Sums Calculator, applying the scheme's Net Sale Area (NSA) to account for the gross-net ratio of care schemes.

~~For sites of 10 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought, unless on-site provision is preferred, with the on-site tenure mix to be agreed as appropriate.~~

Within Crawley Town Centre

For residential development resulting in a net increase of at least one new housing unit within the Town Centre, including those providing care regardless of whether it falls into Use Class C2 or C3, 25% affordable housing will be required. The Town Centre Commuted Sums Calculator will be applied in determining the value of the developer's on-site contribution on C2 developments, and/or off-site commuted payments for both C2 and C3 developments where exceptional circumstances apply. In the case of C2 developments the scheme's Net Sale Area (NSA) will be used to account for the gross-net ratio of care schemes.

On C3 developments, the council will expect 60% of the affordable housing in the Town Centre to be Social Rent and/or Affordable Rent, and up to 40% as Intermediate Tenure. The Intermediate element will be expected to comprise at least 25% in the form of First Homes, with the other 15% to comprise First Homes or other Intermediate products, including Shared-Ownership, Shared-Equity or other Affordable Home Ownership tenures. This equates to 15% of the total scheme for Social Rent and/or Affordable Rent and 10% of the total scheme as Intermediate Tenure, resulting in a 60/40 tenure split.

In the event of withdrawal of national policy requiring 25% of affordable housing secured through developer contributions to be First Homes, this minimum proportion will be expected to be provided in the form of Shared Ownership homes.

Sites of 10 dwellings or less

For sites of 10 dwellings or less (whether C2 or C3), a commuted sum towards off-site affordable housing provision will be sought, using the Borough-Wide or the Town Centre Commuted Sum Calculator according to the location of the site, unless on-site provision is preferred, with the on-site tenure mix to be agreed as appropriate. For C2 schemes the relevant Commuted Sum Calculator inputs will be based on Net Sale Area only.

Affordable Care

~~This Policy applies to all new residential developments, including those providing care, regardless of whether it falls under Use Class C2 or C3. Affordable provision for such schemes should be met on-site and equate to:~~

- ~~• Borough-Wide: 40% affordable provision (tenure to be determined);~~
- ~~• Town Centre: 25% affordable provision (tenure to be determined).~~

For traditional Care Homes, the requirement will be for the **on-site** provision ~~of the equivalent percentage in~~ **to be made in the form of** affordable care beds in order to meet the Policy.

Exceptions

Except for sites of 10 dwellings or less, payments in lieu will only be accepted in exceptional circumstances where it can be demonstrated that there are robust planning reasons for doing so and provided that the contribution is of equivalent financial value.

For high density schemes, as defined in Policy CL4 (i), falling outside the Town Centre, should viability evidence be provided to justify similar levels of affordable housing to that required in the town centre, this will be considered along with claw-back mechanisms to secure higher levels of affordable housing provision, up to the Policy level of 40%, should viability improve during the period of development construction. In exceptional circumstances an off-site commuted payment in lieu may be considered.

The council will only consider relaxing this affordable housing requirement, in part or in full, in exceptional circumstances, where a scheme is clearly subject to abnormal

costs, not including land costs, and not otherwise envisaged by the Local Plan Viability Assessment. This must be evidenced by robustly assessed viability appraising various permutations of affordable housing provisions to best address local affordable housing needs which will be independently assessed. Should concessions be agreed by the council then claw-back mechanisms will be expected to be put in place and independently monitored. The scheme must also evidence that it addresses a demonstrative and immediate housing need.

Build to Rent will also be considered as an exception while all units remain for rent. This is further detailed in Policy H6, which will revert back to Policy H5 should such schemes cease to be predominantly private rental.

Rent to Buy is considered as an exceptional Intermediate Tenure that may be considered only in exceptional circumstances where it can be evidenced to address local housing needs, and will not be considered as an an Affordable rental Rent tenure.

Modification to paragraph 13.40 of Reasoned Justification to Policy H5, as follows:

13.40. The Viability Study considered 'sheltered' housing and 'extra care' housing typologies (this included a higher proportion of communal areas), along with a 'nursing home' commercial typology. The Viability Study supports the principle of affordable housing from such schemes, although it acknowledges ~~that particular consideration may need to be given on a case-by-case basis given~~ the complexities and issues to resolve in terms of combining care services and housing. In consideration of the issues specific to this type of residential development, Policy H5 sets out a tailored approach, based on the use of Commuted Sum Calculators for the Borough-Wide and Town Centre areas (intended to reflect the headline 40% and 25% requirements for those areas in the form of a square metre levy). The Net Sale Area (NSA) of the scheme (excluding communal areas) is entered into the calculator and that value shall determine the number of units (or bed spaces) that can be acquired on-site, with or without any subsidy, and of appropriate tenure. This value can then either be put towards on-site provision (where West Sussex County Council agree to support the package), or else paid as a commuted payment towards off site provision. On-site provision will be reliant on West Sussex County Council Adult Services agreeing to support the care package, and any reasonable care-related service charges. Where Adult Services elect not to support a scheme, this will be considered an exceptional circumstance, and the council will, in this case, accept an off-site commuted payment as valued at the outset. For C2 schemes of 10 dwellings or less, as for C3 schemes, the calculator ensures that headline affordable housing requirements are 'tapered' in proportion to scheme size. This approach is set out more fully in the Planning Obligations Annex. In exceptional cases, where particular consideration may need to be given to site-specific issues, ~~In such cases,~~ the council will consider any details of care and communal facilities costs, if relevant, as part of viability information. However, the longer term financial models associated with specialist accommodation must also be factored into the assessment.

Proposed modifications to Planning Obligations Annex at pages 285-289:

Policy H5: Affordable Housing

Policy H5 requires 40% affordable housing from all residential developments (including both C3 and C2 use classes) resulting in a net increase of at least one new housing unit which fall outside the Town Centre.

The council expect a minimum of 75% of the affordable housing to be Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 25% as First

Homes. This equates to 30% of the total scheme for Affordable/Social Rent and 10% of the total scheme as First Homes.

On C2 developments outside the Town Centre, the value of the developer's contribution will be determined by using the Borough-Wide Commuted Sums Calculator, applying the scheme's Net Sale Area (NSA) to account for the gross-net ratio of care schemes, and that value shall determine the number of units (or bed spaces) that can be acquired on-site, with or without any additional subsidy, and of an appropriate tenure. NOTE: On-site provision will be reliant on West Sussex County Council Adult Services agreeing to support the care package, and any reasonable care-related service charges. Where Adult Services elect not to support a scheme, this will be considered an exceptional circumstance, and the Council will in this case accept an off-site commuted payment as valued at the outset.

~~For sites of 10 dwellings or less, a commuted sum towards off site affordable housing provision will be sought, unless on site provision is preferred, with the on-site tenure mix to be agreed.~~

Crawley Town Centre

For residential developments resulting in a net increase of at least one new housing unit within the Town Centre, Policy H5 requires 25% affordable housing.

The council will expect 60% of the affordable housing in the Town Centre to be Social Rent and/or Affordable Rent, and up to 40% as Intermediate Tenure. The Intermediate element will be expected to comprise at least 25% in the form of First Homes, with the other 15% to comprise First Homes or other Intermediate products, including Shared-Ownership, Shared-Equity or other Affordable Home Ownership tenures.

The Town Centre Commuted Sums Calculator will be applied in determining the value of the developer's on-site contribution on C2 developments, and/or off-site commuted payments for both C2 and C3 developments where exceptional circumstances apply. In the case of C2 developments the scheme's Net Sale Area (NSA) will be used to account for the gross-net ratio of care schemes.

Sites of 10 dwellings or less

For sites of 10 dwellings or less (whether C2 or C3), a commuted sum towards off-site affordable housing provision will be sought, using the Borough-Wide or the Town Centre Commuted Sum Calculator according to the location of the site, unless on-site provision is preferred, with the on-site tenure mix to be agreed as appropriate. For C2 schemes the relevant Commuted Sum Calculator inputs will be based on Net Sale Area only.

Affordable Care

~~This Policy applies to all new residential developments, including those providing care, regardless of whether it falls under Use Class C2 or C3. Each scheme will be considered on a case-by-case basis in relation to any specific or exceptional matters. However, the starting point remains as:~~

- ~~• Borough Wide: 40% affordable provision (tenure to be determined)~~
- ~~• Town Centre: 25% affordable provision (tenure to be determined)~~

For traditional Care Homes, the requirement will be for the **on-site** provision ~~of the equivalent percentage in~~ **to be made in the form of** affordable care beds in order to meet the Policy.

Exceptions

Policy H5 states that, except for sites of 10 dwellings or less, payments in lieu will only be accepted in exceptional circumstances where it can be demonstrated that there are robust planning reasons for doing so and provided that the contribution is of equivalent financial value.

For high density schemes elsewhere in the borough, as defined in Policy CL4(i), and falling outside of the Town Centre, should viability evidence be provided to justify similar levels of affordable housing to that required in the Town Centre, this will be considered with claw-back mechanisms in place to secure higher levels of affordable housing provision, up to the Policy level of 40% should viability improve during the period of development construction, or in exceptional circumstances an off-site commuted payment in lieu may be considered.

The council will only consider relaxing this affordable housing requirement, in part or in full, in exceptional circumstances, where a scheme is clearly subject to abnormal costs, not including land costs, and not otherwise envisaged by the Local Plan Viability Assessment, and where this is evidenced by robustly assessed viability. The scheme must also evidence that it addresses a demonstrative and immediate housing need. In such situations, the scheme is expected to appraise various permutations of affordable housing provisions to best address local affordable housing needs, and where concessions are agreed by the council then claw-back mechanisms will be expected to be put in place and the scheme independently assessed.

Build to Rent will also be considered as an exception while it remains all for rent, and is further detailed in Policy H6, which will revert back to Policy H5 should such schemes cease to be predominantly private rental.

Rent to Buy is considered as an exceptional Intermediate Tenure that may be considered only in exceptional circumstances where it can be evidenced to address local housing needs, and will not be considered as a rental tenure.

Mechanism to Secure the Delivery of Affordable Housing

Section 106 Planning Agreements (or Unilateral Undertakings) will be required to secure the delivery of affordable housing. The council will expect affordable housing to receive free serviced land as a starting point, whereby the Registered Provider receives transfer of the built-out units at a price commensurate with the affordable tenure or under special circumstances receives free transfer of serviced land at an equivalent aggregate value. The S106 Agreement will require applicants to provide an Affordable Housing Scheme setting out the provisions of affordable housing in keeping with this Policy requirement (para. 13.32).

Where exceptional circumstances result in the council accepting an off-site commuted payment, the basic rationale will be for the council to secure a capital contribution that would be at a minimum equivalent to free-serviced land, and should reflect the cost to the development had affordable housing been provided on-site. The approach to be taken in calculating the financial contribution is based on a Square Metre Levy.

This is an approach whereby a square metre levy is applied across the whole development ([or the Net Sale Area in the case of C2 developments](#)) aimed at securing an appropriate proportion of the build area towards the provision of affordable housing on an alternative site. This approach seeks to achieve a value equivalent to free-serviced land for the proportion of affordable housing that would otherwise have been provided on-site. For Crawley, a land-value tariff of £350 p/sqm ([£218.75 p/sqm in the Town Centre](#)) is considered appropriate.

Square Metre Levy: Boroughwide
--

GIA x [£350] p/m2 = Commuted sum Town Centre GIA x [£218.75] p/m2 = Commuted sum
Note: The key variables of [£350 or £219] per square meter and [30%] of gross development value applies in full from [11] units upwards. To address any 'disproportional burden', these variables on smaller schemes of [10 units or less] are 'discounted' on a sliding scale, the first unit starting at [one-third] of these respective values.

[subsequent tables/boxes in pages 287-288 the Planning Obligations Annex are replaced with the following:]

Boroughwide Affordable Housing Calculator

Key Variables:							
Free land to m2:	<input type="text" value="£350"/>						
Free land to OMV:	<input type="text"/>						
Policy Requirement:	<input type="text" value="40%"/>						
			Value Equal to % AH				
Units	m2 tariff	% AH	AH units	avg. GIA	Sum due	Avg pu	
1	£116.67	13%	0.13	60	£7,000	£52,501	
2	£140	16%	0.32	120	£16,800	£52,501	
3	£163	19%	0.56	180	£29,400	£52,501	
4	£187	21%	0.85	240	£44,800	£52,501	
5	£210	24%	1.20	300	£63,000	£52,501	
6	£233	27%	1.60	360	£84,000	£52,501	
7	£257	29%	2.05	420	£107,800	£52,501	
8	£280	32%	2.56	480	£134,400	£52,501	
9	£303	35%	3.12	540	£163,800	£52,501	
10	£327	37%	3.73	600	£196,000	£52,501	
11	£350	40%	4.40	660	£231,000	£52,500	
12	£350	40%	4.80	720	£252,000	£52,500	
13	£350	40%	5.20	780	£273,000	£52,500	
14	£350	40%	5.60	840	£294,000	£52,500	
15	£350	40%	6.00	900	£315,000	£52,500	

Key Variables – Model Assumptions:
 1. Free Land to m2: £350 notional value of free serviced land for the 40% affordable housing quota.
 2. Free Land to OMV: 30% of market value of the 40% affordable housing quota, equating to a notional value of free serviced land, for 11+ units, with a sliding discount applied from 1-10 units.

Indicative scheme for modelling purposes only

BOROUGH-WIDE Affordable Housing Calculator (40% policy)	
Total number of self-contained residential units:	<input type="text" value="6"/> units
GIA for C3 Residential & NSA for C2 Residential	<input type="text" value="446"/> m2
Number of affordable units applicable:	2.4 AH units
Commuted Payment Due:	<u>£104,067</u> @ £233 p/m2

Town Centre Affordable Housing Calculator

Units	m2 tariff	% AH	AH units	avg.GIA	Sum due	Avg pu
1	£73	8%	0.08	60	£4,375	£52,521
2	£87	10%	0.20	120	£10,500	£52,516
3	£102	12%	0.35	180	£18,375	£52,512
4	£117	13%	0.53	240	£28,000	£52,509
5	£131	15%	0.75	300	£39,375	£52,507
6	£146	17%	1.00	360	£52,500	£52,505
7	£160	18%	1.28	420	£67,375	£52,504
8	£175	20%	1.60	480	£84,000	£52,503
9	£190	22%	1.95	540	£102,375	£52,502
10	£204	23%	2.33	600	£122,500	£52,501
11	£219	25%	2.75	660	£144,375	£52,500
12	£219	25%	3.00	720	£157,500	£52,500
13	£219	25%	3.25	780	£170,625	£52,500
14	£219	25%	3.50	840	£183,750	£52,500
15	£219	25%	3.75	900	£196,875	£52,500

Key Variables – Model Assumptions:

- 1. Free Land to m2: £218.75 notional value of free serviced land for the 25% affordable housing quota.**
- 2. Free Land to OMV: 30% of market value of the 25% affordable housing quota, equating to a notional value of free serviced land, for 11+ units, with a sliding discount applied from 1-10 units.**

Indicative scheme for modelling purposes only

TOWN CENTRE Affordable Housing Calculator (25% policy)	
Total number of self-contained residential units:	10 units
<u>GIA</u> for C3 Residential & <u>NSA</u> for C2 Residential	1,000 m2
Number of affordable units applicable:	2.5 AH units
<u>Commuted Payment Due:</u>	£204,167 @ £204 p/m2

[Rest of text follows on as below]

Normally, for schemes of one to ten dwellings payments shall be made on occupation of the first property. For schemes of 11 dwellings or more, the payment schedule will be 50% on commencement and 50% upon occupation of the first market units, unless otherwise agreed. Indexation will continue until the final payment is made.

The council may spend the capital contribution in any part of the borough, or within developments beyond Crawley’s administrative boundary where the council secures nomination rights to affordable housing, for the provision of and/or improvements to affordable housing.

Approach for Small Sites:

Where financial contributions are sought (including for calculating the value for on-site tenure options in developments of six to ten new dwellings), the Affordable Housing Calculator has a built-in sliding scale discount, to ensure the contribution

required remains proportionate and viable for smaller developments. For smaller schemes (ten dwellings or less) payment is accepted at the point of first occupation in order to aid cash-flow constraints.

On smaller schemes of 10 units or less the starting point will be to establish the capital value of the expected affordable housing contribution using the Affordable Housing Calculator. This will determine the commuted sum payable on schemes of 5 residential units or less, unless the applicant wishes to consider on-site provision whereby the approach detailed below will also apply.

For schemes in the range of 6 to 10 residential units, the capital contribution established by the Affordable Housing Calculator for on-site provision will be modelled by the council to determine the most appropriate on-site use of this resource to address local housing needs while taking into account practical considerations and constraints.

The council's options would then be to apply this capital value across the available affordable housing units as either Discounted Market Sale or Shared-Equity, which would not require the involvement of a Registered Affordable Housing Provider. Alternatively, with the involvement of a Registered Affordable Housing Provider, the options available to the council would then include either Shared-Ownership or Affordable Rent. The council may choose to apply this capital value over fewer affordable units than are due in order to improve the affordability of the affordable units.

Worked Examples

For example:

C3 Scheme: A scheme comprising of 6 residential units (2 x 1b/2p flats, 2 x 2b/4p flats, and 2 x 2b/4p houses) **outside the Town Centre** would have:

- an affordable housing requirement of 2.4 affordable units;
- which would be equivalent to a capital contribution towards affordable housing ranging between £104,067 and £119,953.
- This is based on 446m² GIA and almost £1.5m GDV, depending on which option is applied.

C2 Scheme: A scheme with a Gross Internal Area (GIA) of 10,000 square metres, outside the Town Centre, comprising 100 self-contained dwellings, and with a Net Sale Area (NSA) of 6,500 square metres, would result in an affordable housing requirement of £2,275,000.00 (£350 x 6500).

Subject to West Sussex County Council providing a care package, this could be used to secure affordable housing within the scheme as follows:

Average market value of scheme dwellings: £340,000

Average cost per dwelling of securing 55% equity: £187,000

Number of dwellings secured by affordable housing requirement = 2275000 / 187000 = 12.166. This could be increased to 13 with an additional £156,000 in grant funding.

In addition, to further reduce disproportionate burdens on smaller developments, the council will seek to simplify viability assessment requirements. If a viability or delivery problem is accepted, then the council will consider:

- i. Varying mix/tenure split;
- ii Varying payment timing;

iii Reducing percentage of affordable and/or applying a lower sum to the off-site calculation.

6.12.14 These modifications are set out in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBC/CBLP/07e).

6.13 Question 6.13: Will the Plan be effective in delivering a housing mix that reflects the SHMA evidence in terms of a blend that is steered towards smaller affordable dwellings (1 + 2 bed) and larger market housing (3 & 4+ bed)?

6.13.1 Policy H4: 'Future Housing Mix' of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) sets out Crawley Borough Council's (CBC) requirements in respect of dwelling size. Target 'boroughwide' and Town Centre mixes, informed by the Northern West Sussex Housing Market Assessment 2019 (Submission Document Reference: H/HN/01), are set out for both affordable and market housing in the Reasoned Justification, and the Policy is designed to ensure that these (or updates to them based on updated delivery figures) influence individual development proposals in a proportionate way, including through the use of a 'housing mix test'. This test is intended to apply a 'backstop' framework within which the most appropriate mix can be negotiated.

6.13.2 A key concern of Policy H4 is to ensure that the housing supply is balanced in terms of dwelling size to reflect the structure of need/demand as identified in the Northern West Sussex Housing Market Assessment. The approach is informed CBC's Authority Monitoring Reports, for example see, in particular, the report for 2021/22, pages 28-33 (Submission Document Reference: CB/AMR/01).

6.13.3 This monitoring indicates that the Policy H3: 'Future Housing Mix' of Crawley 2030: adopted Crawley Borough Local Plan 2015-2030 (Submission Document Reference: CBLP/02) has been working effectively in relation to the affordable housing mix being delivered.

6.13.4 On the other hand, the policy has been less effective in respect of the mix of market housing, where there has been an over-provision of smaller dwellings (especially 1-bedroom and studio properties) at the expense of larger family dwellings. The effect of this is that delivery of 1-bedroom properties is on course to exceed Crawley's total need for such properties, as evidenced by the Northern West Sussex Housing Market Assessment. Therefore, it is likely that the pipeline of these properties is partly meeting demand arising from outside of Crawley. Conversely, the delivery of larger (3 and 4 bedroom) market properties is falling significantly short of demand, to the extent that Crawley's unmet needs for open market housing may be said to be heavily slanted towards these larger properties.

6.13.5 To some extent, this pattern may be said to be a product of inter-dependencies within the Northern West Sussex Housing Market Area, with Crawley's urban form and lack of strategic and greenfield sites lending itself to the provision of smaller units of accommodation, while the neighbouring districts may be suited to a greater supply of estate-type housing. However, in a context where it is not yet certain how far the neighbouring authorities will be able to make a contribution towards meeting unmet needs from Crawley, CBC has a responsibility to consider the element of its need which relates to larger market dwellings, and the approach taken by Policy H4 is considered justified in this context.

- 6.13.6 The Policy H4 approach is likely to result in the council seeking 3-bedroom open market accommodation in the context of flatted schemes. It is noted that there is some market resistance to this. CBC acknowledge that this is a less mature or established market, and that careful consideration will be needed in the implementation, monitoring and review of the Policy. Nonetheless, CBC highlights that the proposed H4 dwelling mixes are taken into account in the Crawley Local Plan and Community Infrastructure Viability Assessment, March 2021 (Submission Document Reference: DS/VA/02a) in respect of the flatted sites and typologies, as shown particularly Appendix I (Submission Document Reference: DS/VA/02a).
- 6.13.7 There is every reason to expect that Policy H4 will be effective in respect of affordable housing, given the monitoring evidence for the effectiveness of existing adopted Policy H3 with regard to that tenure.
- 6.14 Question 6.14: The SHMA identifies that Crawley has, in comparison to the wider HMA, a younger population and a particular issue of affordability for younger households forming in the Borough. Does the Plan at Policy H4 provide an effective response to this aspect of the Borough's housing market? Is the town centre a location where this need (and other housing needs) could be met (in part)?
- 6.14.1 Crawley Borough Council (CBC) is mindful of the evidence set out in the Northern West Sussex Housing Market Assessment, 2019, Chapter 8 on pages 92-110 (Submission Document Reference: H/HN/01) regarding the affordability issues faced by younger households, and of the detail set out on page 92 regarding the relative significance of this group in absolute terms within Crawley.
- 6.14.2 In large measure the difficulties faced by this group are a product of overall housing affordability issues, which can be linked to overall levels of housing supply. To this extent, addressing the needs of younger households through Local Plan housing policies in the context of a supply-constrained housing delivery requirement is challenging.
- 6.14.3 As discussed in the council's answer to the Inspectors' Question 6.13 above, Policy H4: 'Future Housing Mix' of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) sets out CBC's requirements in respect of dwelling size, which are intended in part to address what appears to be over-provision of smaller dwellings (especially 1-bedroom and studio properties) at the expense of larger family dwellings. This over-provision may reflect demand from younger households, and may help to meet their needs to an extent, but its sheer scale creates the risk that it is serving demand arising outside of Crawley rather than the borough's own housing needs.
- 6.14.4 One significant feature of younger households highlighted in the Northern West Sussex Housing Market Assessment is their relatively high dependence on the private rented sector. Within Crawley a particularly important role is in practice played here by Houses of Multiple Occupation (HMOs), of which there were 256 licensed and an unknown number unlicensed in October 2023. The council takes a broadly positive approach to this type of accommodation both corporately (in terms of a supportive Private Sector team within Strategic Housing, and the absence of

additional licensing requirements above the national baseline), and in its capacity as a Local Planning Authority.

- 6.14.5 From a planning perspective Proposed Policy H9: ‘Houses of Multiple Occupation’ seeks to ensure that HMOs provide a suitable standard of accommodation, that they are able to meet their operational requirements, and that they do not (by virtue of intensity of occupation or cumulative impact of multiple HMOs within an area) adversely affect the character of the area and the amenity and privacy of neighbouring properties. There are also a number of Article 4 Directions in place in the borough to control highly localised concentrations of HMOs, but these cover a very small total area and a negligible proportion of the total amount of housing in the borough, and are considered unlikely to restrict the overall supply of HMOs.
- 6.14.6 Another form of development relevant to the private rented sector is Build to Rent. Within the town centre there are a number of larger schemes operating on this basis, all completed since the adoption of the 2015 Crawley Borough Local Plan, as follows.
- Platform, The Boulevard (185 dwellings)
 - Avion Court, London Road (137 dwellings)
 - The Broadgate, the Boulevard (78 dwellings)
- 6.14.7 Policy H6: ‘Build to Rent’ sets out a proposed approach for Build to Rent development, informed by Planning Practice Guidance, including a tailored approach to affordable housing provision, and the expectation of CBC that key particulars of the scheme will be secured through planning obligations in order to ensure that both the affordable and market rent elements of the scheme are delivered and managed in accordance with needs.
- 6.14.8 In addition, Policy H5: ‘Affordable Housing’ is also relevant to younger households, given the affordability issues raised in the Northern West Sussex Strategic Housing Market Assessment. In particular, the Policy incorporates the First Homes requirements set out in national policy, making this the dominant intermediate tenure.
- 6.15 [Question 6.15: Given the nature of the housing land supply in the Borough and the numbers on the Council’s registers are there any reasonable options to specifically allocate or identify sites for custom or self-build in the Borough? Has the issue of this specific sector of the Borough’s housing need and the unmet need been identified or considered through duty to cooperate discussions within the HMA?](#)
- 6.15.1 The issue of unmet demand arising in the form of entries on the Crawley Borough Council’s (CBC) Self-Build and Custom Housebuilding Register was identified in the ‘unmet needs’ letters sent to surrounding authorities on 21 January 2020 and 14 April 2023. See Duty to Cooperate Statement, July 2023, Appendix H and Appendix J (Submission Local Plan Document: KD/DtC/01a).
- 6.15.2 The issue of demand for Self-Build and Custom Build homes was referred to CBC’s Strategic Housing Board in February 2023, in order to give consideration to any options that might be available for allocation of council-owned land for this type of

housing. The Board considered that they did not have land available for this type of housing.

6.15.3 A particular difficulty in the Crawley context is that any allocation for Self-Build and Custom Build Housing would need to be at the expense of other forms of housing need (including needs for affordable and open market housing) which are also only partially able to be accommodated within the borough. Self-Build and/or Custom Build Housing would also be likely to involve a relatively low density, meaning that the total amount of unmet need would potentially be increased.

6.15.4 An overarching difficulty for CBC, and other councils, in planning for Self-Build and Custom-Build housing is the lack of legal clarity regarding exactly what constitutes a 'suitable development permission' in the terms of the Self-Build and Custom Housebuilding Act 2015. This is effectively acknowledged in the following recommendation, included in the government's 2021 Review of Self-build and Custom Housebuilding (Post-Submission Document Reference: PS/H/HN/09):

'Make minor changes to the Self-build and Custom Housebuilding Act 2015, where possible through secondary legislation, to clarify the definition of custom and self-build housebuilding; what counts towards giving suitable development permissions and how the 'duty to provide' is measured.'

6.16 Question 6.16: Will the Plan be effective in meeting the needs of older persons, consistent with NPPF paragraph 62 and PPG paragraph 63-001-20190626? In addition to the two sites allocated for older persons in Policy H2 is further provision required to meet needs identified in the SHMA? Is older persons housing a specific element of the unmet housing need raised under the duty to cooperate?

6.16.1 The Northern West Sussex Housing Market Assessment 2019 (Submission Document Reference: H/HN/01) discusses the housing needs of older people and those within disabilities in chapter 10 on pages 121-134. Table 64 on p.129 identifies a requirement for an additional 1,027 additional self-contained dwellings catering to older people in Crawley by 2039 (i.e. sheltered and extra care dwellings), and an additional 1,029 care bedspaces.

6.16.2 This highlights the importance of addressing this growing area of need in accordance with National Planning Policy Framework, 2021, paragraph 69 (Post Submission Document Reference: PS/DS/NPPF/01) paragraph 62 and PPF paragraph 63-001-20190626. Accordingly, Policy H2: 'Key Housing Sites' of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) includes the following allocations:

- Oakhurst Grange, Southgate (deliverable) 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 (deliverable) as residential Class C3 use for older people (60 dwellings) and/or residential rooms as Class C2 (Residential Home) use.

As set out in the Policy text:

‘Development of each of these sites should specifically meet the needs of older people, either as a care facility in the form of Extra-Care or Residential Care or to provide general housing designed to meet particular needs of older people and those with disabilities, including being wheelchair adapted dwellings meeting Building Regulations Part M, Category 3 accessibility standards.’

- 6.16.3 These allocations are considered necessary as part of a strategy of meeting needs for older people and those with disabilities. At the same time, they do not represent the limit of projected provision for this group.
- 6.16.4 The Crawley Strategic Housing Land Availability Assessment (SHLAA), February 2023 (Submission Document Reference: H/HD/04 and Housing Trajectory (Base Date 31 March 2023) (Submission Document Reference: H/HD/01) include an additional site in the form of the derelict Gables Nursing Home site in Ifield, which is projected to come forward for communal accommodation with 60 bedrooms in the middle part of the Local Plan period.
- 6.16.5 It is probable also that residential development on other sites allocated for housing will come forward as specialised housing for older people. Notably on the Telford Place Key Town Centre opportunity site there is an outline scheme currently benefitting from resolution to grant permission subject to S106 (planning reference CR/2023/0357/OUT) for up to 300 dwellings, of which roughly a third is proposed in the form of extra care flats for older people, to be provided in the form of shared ownership tenure and supported by associated communal facilities.
- 6.16.6 Additionally, Crawley has in recent years seen a number of smaller communal care schemes delivered through the conversion of existing buildings, including the following schemes which have been delivered through the conversion of large late Victorian/Edwardian houses. Whilst neither of these were specifically for older people, they are examples of the type of development which could serve this need.

Planning Ref	Site Address	Development Description	Year Completed
CR/2017/0569/FUL	56 & 58 HORSHAM ROAD, SOUTHGATE, CRAWLEY	CONVERSION OF A SINGLE DWELLING AND A BED AND BREAKFAST HOTEL FOR USE OF BOTH PROPERTIES AS 8 SELF CONTAINED APARTMENTS TO BE OCCUPIED BY PEOPLE WHO REQUIRE SUPPORT TO LIVE INDEPENDENTLY	2018/19
CR/2019/0292/FUL	49 HORSHAM ROAD, SOUTHGATE, CRAWLEY	CHANGE OF USE OF A SINGLE FAMILY DWELLING (C3) TO A FACILITY PROVIDING SUPPORTED ACCOMMODATION FOR 7NO. ADULTS WITH MENTAL HEALTH AND LEARNING DIFFICULTIES AND ASSOCIATED STAFF FACILITIES (SUI GENERIS) (AMENDED DESCRIPTION AND INFORMATION RECEIVED).	2019/20

6.17 Question 6.17: Is the proposed approach in Policy H5 to ‘Affordable Care’ justified and effective? Having regard to NPPF paragraph 58, is it viable and is it capable of practicable implementation on-site? Do the proposed exceptions in the policy provide sufficient flexibility?

6.17.1 As set out in response to Question 6.12 above, Crawley Borough Council (CBC) has set out a series of proposed modifications to Policy H5 ‘Affordable Housing’ and to the Planning Obligations Annex of Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01), which are intended to provide a clearer approach to ‘affordable care’, and to provide additional assurance that it can be implemented viably.

6.17.2 The following table illustrates how this approach could potentially work in practice to mitigate the viability impact of Policy H5 on the viability of the extra care/ sheltered typologies and sites in the appraised as part of the Crawley Local Plan & Community Infrastructure Levy Viability Assessment March 2021 (Submission Document Reference: DS/VA/02a) and Appendices (Submission Document Reference: DS/VA/02b). The values in the last column are based on deducting the ‘Total GDV as modelled (with 40% AH)’ and the ‘Proposed H5 contribution’ from the ‘Projected GDV of all-market scheme’ in order to illustrate what saving could result to the development from the proposed alternative approach.

Scheme	Total GDV as modelled (with 40% AH)	Projected GDV of all-market scheme	Proposed H5 contribution	Net increase in developer revenue arising from proposed modification re H5 ‘affordable care’ approach
30 flats sheltered (borough-wide)	£9,145,283.00	£12,562,875.00	£676,462.50	£2,741,129.50
60 flats extra-care (borough-wide)	£19,134,163.00	£26,018,839.70	£1,401,036	£5,483,640.70
St Catherine’s Hospice (60 flats, sheltered)	£17,051,564.00	£23,192,806.73	£1,352,925.00	£4,788,317.73

6.17.3 In respect of the practicality of on-site provision the proposed modifications to Policy H5 further clarify that on-site implementation will be limited to circumstances where West Sussex County Council has agreed to provide the care package. Where this is not the case a financial contribution towards offsite provision will be accepted.

Issue 3: Whether Policy H8 provides a sound approach to meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

- 6.18 Question 6.18: Is the proposed approach of identifying a reserve site for gypsy and traveller provision in Policy H8 justified and consistent with National Policy?
- 6.18.1 Crawley Borough Council (CBC) believes that the proposed approach set out in the Crawley Borough Submission Local Plan, May 2023, Policy H8 (Submission Document Reference: CBLP/01) identifying a reserve site for Gypsy and Traveller provision is justified and consistent with National Policy.
- 6.18.2 This approach was found sound in the examination into the adopted Crawley Borough Local Plan, December 2015, Policy H5: Gypsy, Traveller and Travelling Showpeople Sites, pages 85-87 (Submission Document Reference: CBLP/02), as confirmed by paragraphs 68-70, page 20, of the Inspector's Report, November 2015 (Submission Document Reference: CBLP/03).
- 6.18.3 National policy, Planning Policy for Traveller Sites, 2015, paragraph 10 (Post-Submission Document Reference: PS/H/HN/07) requires local planning authorities to:
- a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets;
 - b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;...
- 6.18.4 In respect of paragraph 10a, CBC's response to Matter 3, Issue 2, Question 3.12 confirms that the Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023 (Post-Submission Document Reference: PS/H/HN/06) concluded that there is no immediate need, in years 1-5, for a traveller site.
- 6.18.5 Footnote 5 to paragraph 10b confirms that "to be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged" (Planning Policy for Traveller Sites).
- 6.18.6 As confirmed by the Inspector's Report for the adopted Local Plan, as a council-owned site, Broadfield Kennels is an available site and could be viably developed at the point such a need for the site is identified.
- 6.19 Question 6.19: Is the identified reserve site at Broadfield Kennels suitable and deliverable having regard to highway safety from the A264, site gradients, ownership and future management arrangements for a single, larger site?
- 6.19.1 Footnote 4 to paragraph 10a relates to a deliverable site: "to be considered deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years", Planning Policy for Traveller Sites, 2015 (Post-Submission Document Reference: PS/H/HN/07).

- 6.19.2 Crawley Borough Council (CBC) maintains that through the updated Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023 (Post-Submission Document Reference: PS/H/HN/06) there is no immediate need which would require the site to come forward within the first five years of the Local Plan. On this basis, the site at Broadfield Kennels does not need to meet the requirements of paragraph 10a, footnote 4, to be suitable and deliverable.
- 6.19.3 Notwithstanding this, the site is owned by the council and currently not in any other use. On this basis, it is available to come forward as a Traveller site now, subject to the necessary highway access improvements being carried out.
- 6.19.4 It was confirmed through the examination into the adopted Crawley Borough Local Plan (Submission Document Reference: CBLP/02) to be a suitable location for development. In particular, in relation to highway safety, as part of the original allocation in the adopted Local Plan, improvements to the access' width and gradient were agreed to be possible to satisfy the Highways Authority that it can be made safe, paragraph 68, page 20, of the Inspector's Report, November 2015 (Submission Document Reference: CBLP/03). No objections or concerns have been received from the Highways Authority in relation to retaining this allocation through the Local Plan Review. Detailed costings have not been undertaken but CBC accepts it will be a significant cost due to the access works required and the council would seek grant support.
- 6.19.5 Broadfield Kennels site can be accessed directly by pedestrians and cyclists through an existing footpath under the A264 into Broadfield Neighbourhood. It was assessed in 2013. Appendix G of the GTTS ANA confirms that the site is generally level, extends to approximately two hectares, and sits in an elevated position adjacent to the A264. The site is outside of the flood risk zone. The site is reasonably secluded from the few surrounding uses. Concerns in relation to highway access and impact on the Area of Outstanding Natural Beauty and the close proximity to the Site of Special Scientific Interest were addressed at the time of the previous Local Plan examination through additional wording included in the Policy which have been maintained in the current version.
- 6.19.6 The site is currently in council ownership. It is currently intended that, due to the limited land supply opportunities within the borough, this site would be retained as a publicly run site. Whether this is by the council, as a social housing stock owning authority, or a housing association or some other approach has not yet been determined. On this basis, future management and maintenance is to be agreed.
- 6.19.7 However, in identifying the site size, reference was made to the 'Designing Gypsy and Traveller Sites: Good Practice Guidance' (DCLG, 2008), which suggested 'that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage'. The Broadfield Kennels site is allocated for up to ten pitches which is considered to be well within this maximum. In addition, the site also offers opportunities for design and layout to be flexible to the needs of the families.

- 6.20 Question 6.20: Are the criteria for assessing ‘windfall’ proposals for gypsy and traveller accommodation at a)-f) in Policy H8 justified, consistent with national policy and positively prepared?
- 6.20.1 Crawley Borough Council (CBC) believes that the criteria set out in Policy H8: Gypsy, Traveller and Travelling Showpeople Sites, Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) for assessing windfall proposals for Gypsy and Traveller accommodation are justified, consistent with national policy and positively prepared.
- 6.20.2 The policy retains the criteria set out in Policy H5 of the adopted Crawley Borough Local Plan, December 2015, Policy H5: Gypsy, Traveller and Travelling Showpeople Sites, pages 85-87 (Submission Document Reference: CBLP/02). This was found sound through the examination, confirmed by paragraph 70, page 20, of the Inspector’s Report, November 2015 (Submission Document Reference: CBLP/03).
- 6.20.3 The Reasoned Justification to Policy H8: Gypsy, Traveller and Travelling Showpeople Sites, paragraph 13.57 of the Crawley Borough Submission Local Plan (Submission Document Reference: CBLP/01) confirms that land ordinarily considered suitable for housing development will be considered suitable for traveller accommodation subject to the proposal being compatible in design and amenity terms with the surrounding area. In addition, the Policy confirms that where proposals are located in areas predicted to be noise affected at some point in the future, temporary planning permission may be appropriate. On this basis, CBC believes that the Local Plan criteria approach is positively prepared.

Policy H8, criteria a: Noise

- 6.20.4 Gatwick Airport Limited representations to Further Regulation 19 Publication Consultation, May – June 2023, confirmed they withdrew their previous objections to the policy, made as part of the Initial Regulation 19 Consultation January – March 2020, placing a tighter noise restriction on traveller sites, due to the reinstatement of Safeguarded Land for Gatwick Airport runway expansion (Policy GAT2).
- 6.20.5 The approach to ensuring caravan accommodation is only approved in appropriate locations not subject to unacceptable noise levels reflects paragraph 13(e) of the Planning Policy for Traveller Sites, 2015 (Post-Submission Document Reference: PS/H/HH/07): “provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development”. This is critical in a borough which contains an international airport at Gatwick Airport.
- 6.20.6 CBC strongly believes the noise levels set out in the Local Plan for the Traveller sites, dependent on the length of stay, is the most appropriate approach. It is based on substantial Environmental Health evidence and has been retained from the previous Local Plan where these levels were found sound. Indeed, representations raised concerns that these were not sufficient in relation to the impact of noise levels above 57dB for temporary sites, but the Inspector concluded that the policy ensures that exposure to higher noise levels would only be short-lived and there is no evidence that this would cause serious long term health impacts. On this basis, the same noise levels have been retained.

Policy H8, criteria b: Design and Amenity

6.20.7 Policy H8, criteria b, reflects national planning policy guidance in relation to both Traveller sites and general development. Paragraph 26(b) of the Planning Policy for Traveller Sites, 2015, requires sites to be well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness, and paragraph 25 confirms that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Furthermore, local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

Policy H8, criteria c: Flooding

6.20.8 Paragraph 13(b) of the Planning Policy for Traveller Sites, 2015 confirms that local planning authorities must ensure their policies do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans.

Policy H8, criteria d: Sustainable Location

6.20.9 Paragraph 25 of the Planning Policy for Traveller Sites confirms that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. In addition, traveller sites should be sustainable economically, socially and environmentally (paragraph 13) and provide a settled base that reduces both the need for long-distance travelling (paragraph 13(d)).

Policy H8, criteria e: Infrastructure and Community Services

6.20.10 Paragraph 13(f) of the Planning Policy for Traveller Sites, 2015, confirms local authorities should ensure policies that avoid placing undue pressure on local infrastructure and services.

Policy H8, criteria f: Identified Local Need

6.20.11 As set out in the council's Written Statement in response to Matter 3, Issue 2, Question 3.12, it should be noted the significantly, physically constrained nature of Crawley borough in comparison with the neighbouring authorities (notwithstanding Green Belt restrictions faced by the authorities located in Surrey). On this basis, the GTTS ANA confirms that it is not possible for the borough to take additional traveller needs from outside of the borough (pages 25-26).

6.20.12 Furthermore, through the Duty to Cooperate, at the point of submission of the Local Plan, CBC was not aware of unmet needs arising from neighbouring authorities which would suggest a requirement for the borough to meet additional needs. Agreements set out in the Statements of Common Ground confirm each authority should seek to meet its own Gypsy and Traveller needs arising from within its administrative boundaries.

6.20.13 Horsham District Council had indicated in the Statement of Common Ground, July 2023 (Submission Document Reference: SoCG/07) it was undertaking its needs assessment and may conclude it was unable to meet its needs within its district. However, this was not confirmed at the point of the Crawley Borough Local Plan submission (July 2023). The Horsham District Plan Regulation 19 December 2023 has

been published ahead of its Cabinet and Council meetings. This confirms Horsham will seek to meet the identified current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople in Horsham District (Strategic Policy 43, page 148, Horsham District Council Extraordinary Council Meeting, Monday 11 December, Agenda Item 5, Appendix 1 Horsham District Local Plan Regulation 19 December 2023).

6.20.14 The GTTS ANA and its conclusions are based on the Crawley Borough Local Plan meeting needs arising from within the borough. The criteria set out in Local Plan Policy H8 reflects this evidence.

6.21 [Question 6.21: Have any alternative options to Broadfield Kennels sites been offered \(through call for sites process\) or assessed through sustainability appraisal?](#)

6.21.1 Crawley Borough Council (CBC) undertook substantial site assessments over a significant period of time, from 2004 and throughout the preparation of the adopted Local Plan as well as through the Local Plan Review. This is set out on pages 31-32, as well as Appendix E – G, of the Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023 (Post-Submission Document Reference: PS/H/HN/06). The conclusions of these assessments have indicated the extremely limited options available within the administrative boundaries of Crawley.

6.21.2 Despite the Call for Sites being maintained as an open opportunity throughout the Local Plan Review, no representations have been made promoting a site, including through any of the Local Plan Review consultations, carried out:

- Early Engagement Public Consultation and Call for Sites for the Local Plan Review (July 2019);
- Initial Publication Consultation for the Local Plan Review (January 2020);
- Additional Publication Consultation for the Local Plan Review (January 2021); and
- Further Publication Consultation for the Local Plan Review (May 2023).

6.21.3 An alternative site, Land north of Langley Walk, was assessed through the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA), May 2023, pages 368-369 (Submission Document Reference: KD/SA/01). This site was found to perform worse, compared to the chosen Broadfield Kennels site, against the SA Objectives 1: Minimise Climate Change and Local Pollution (significant negative impact); 2: Adapt to Climate Change (significant negative impact); and 8: Provide Sufficient Infrastructure (significant negative impact). Critically, on the basis of objections from Gatwick Airport to the allocation of the Langley Walk site, along with evidence provided by respondents to the Additional Sites Consultation which highlighted the extent of surface water and river flooding concerns with this site, it was considered unsuitable to take forward as an allocation for a reserve Traveller site in the submission Local Plan.

6.21.4 As noted above, in paragraph 6.20.11 above, Crawley is an extremely constrained borough. However, as referred to in paragraph 6.20.3, opportunities may come forward on smaller sites for private, family-owned pitch provision. These would be acceptable where the principle of residential is agreed, subject to meeting the criteria of Policy H8 (see paragraphs 6.20.7-6.20.14 above).

Issue 4: Whether there would be a deliverable supply on plan adoption and developable supply thereafter to meet the housing requirement.

6.22 Question 6.22: Recent housing delivery has exceeded the 2015 Local Plan requirement but conversely allocations in 2015 Plan have been slower to come forward than anticipated (para 2.4.2 – Topic Paper No.4). This appears to be a consequence of higher rates of windfall (e.g., former office premises). Going forward, is the housing trajectory robust (particularly on windfalls (having regard to the Windfall Statement)) or is there a risk of continuing over-delivery in the context of a significant unmet need which, under current legislation, is subject to the duty to cooperate?

6.22.1 Crawley Borough Council (CBC) maintains that, in so far as there has been ‘over-delivery’ against the adopted Crawley Borough Local Plan 2015-2030, December 2015 (Submission Document Reference: CBLP/02), this arises from an under-estimation of Windfalls. The detail of that is set out in table on page 5 of the Windfall Statement, May 2023 (Submission Document Reference: H/HD/06).

6.22.2 As set out in the Windfall Statement, CBC considers this under-estimation has been corrected through the specification of the higher windfall allowance. Therefore, the risk of over-calculation of unmet need of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) is significantly reduced.

6.23 Question 6.23: Does the SHLAA 2022 and other sources of evidence, including the Compact Residential Development Study (2023), demonstrate that “no stone has been left unturned”??

6.23.1 Crawley Borough Council (CBC) considers that the evidence shows it to have used all reasonable endeavours to identify additional housing capacity that would be capable of being delivered during the projected Local Plan period.

6.23.2 Topic Paper 4: Housing Supply, July 2023 (Submission Document Reference: DS/TP/04) sets out how various potential sources of supply have been explored and (as needed) discounted. This has been explained further in CBC’s Written Statement to Matter 3 Questions 3.3 and 3.4 (Examination Document Reference: CBC/MIQ/03a).

6.23.3 The Crawley Strategic Housing Land Availability Assessment (SHLAA), February 2023 (Submission Document Reference: H/HD/04) is the product of a process of site assessment which is described in the introduction on pages 6-11. The SHLAA considers sites from a range of sources, including:

- The 2014 SHLAA which informed the adopted Crawley Borough Local Plan 2015-2030, December 2015 (Submission Document Reference: CBLP/02). This was the product of a series of ‘calls for sites’ and a neighbourhood-level urban capacity assessment undertaken by the council.
- Additional sites from the following sources following the publication of the 2014 SHLAA:
 - A ‘call for sites’ undertaken in 2018 as part of the process of creating the Crawley Borough Council’s Brownfield Land Register;

- A further 'call for sites' undertaken in 2019 as part of the Regulation 18 consultation;
- Planning applications.
- Potentially suitable parcels of CBC owned land.

6.23.4 One feature of this exercise is the tendency for sites to come to the council's attention through direct engagement with the development management process rather than through formal consultation/'call for sites' exercises. This reflects the fact that the sites making up Crawley's housing land supply are typically small-to-medium sized sites within existing neighbourhoods or Crawley Town Centre, within the Built-Up Area boundary. Therefore, typically these are sites which would not require an allocation in order to be accepted as suitable for residential development.

6.23.5 Accordingly, CBC considers that a key element of a 'no stone unturned approach' should be a positive and supportive policy framework and evidence base, combined with a significant windfall allowance, as set out and justified in the Windfall Statement, 2023 (Submission Document Reference: H/HD/06).

6.23.6 In this context, and as set out in the council's Written Statement in response to the Inspectors' Matter 8, Question 8.1, paragraphs 8.1.1 - 8.1.6 (Examination Document Reference: CBC/MIQ/08a) the role of the Crawley Compact Residential Development Study, May 2023 (Submission Document Reference: WC/CLD/01), is to provide the justification for a policy approach which combines identified density standards with the design requirements needed to ensure that 'compact residential development' can be achieved in a way that is consistent with climate change objectives, well designed place making and resident amenity and wellbeing.

6.23.7 This approach is further set out in the council's Written Statement in response to the Inspectors' Matter 3, Question 3.5 (Examination Document Reference: CBC/MIQ/03a).

6.23.8 The council's approach reflects the components and characteristics of well-designed places, as set out in the National Design Guide (NDG), 2021 (Post-Submission Document Reference: PS/DS/NDG/01) and the National Model Design Code (NMDC), 2021 (Post-Submission Document Reference: PS/DS/NMDC/01).

6.24 [Question 6.24: Does the housing trajectory appropriately anticipate some optimisation \(maximising capacity\) of 2015 Local Plan allocations?](#)

6.24.1 The Housing Trajectory, both submitted (Submission Document Reference: H/HD/01) and updated (Post-Submission Document Reference: PS/H/HD/14) anticipate optimisation of the 2015 Local Plan allocations.

6.24.2 As set out in Section 3.4 of Topic Paper 4: Housing Supply, July 2023 (Submission Document Reference: DS/TP/04) as part of the Local Plan Review, the council reassessed each of the allocated housing sites and those in the Strategic Housing Land Availability Assessment (SHLAA), February 2023 (Submission Document Reference: H/HD/04). This resulted in an anticipated net gain of 1,170 dwellings compared with what was projected at the point of allocation (paragraph 3.4.1 of Topic Paper 4).

6.24.3 Section 6 of the Crawley Compact Development Study, pages 113-129 (Submission Document Reference: WC/CLD/01) explains the process undertaken for each site. The summary assessments are provided for each of the Category D: Key Housing Allocations - Developable, F: Broad Locations, G: Suitable Deliverable Sites and H: Suitable Developable sites, along with an example from the Category C: Key Housing Allocations – Deliverable.

6.24.4 It should be noted there is some limitation to increasing capacity on all of the 2015 sites. Some have already received planning permission and are currently building out. In addition, some of the sites are subject to constraints which were already taken into account at the time of their original assessment for inclusion in the adopted Local Plan. Therefore, they already provided a reasonable assumption of an appropriate indicative capacity. Finally, much of the scope for increasing densities will be on the sites coming forward within the town centre, mostly as windfalls, as this is the most sustainable location for such increases.

2015 Local Plan Site	2015 Indicative Capacity	2023 Indicative Capacity	Comment
Forge Wood, Pound Hill	1,900	434	2023 capacity indicates remaining phase anticipated delivery (this would result in slightly below the full 1,900)
Ifield Community College, Ifield	125		Completed
Southern Counties, West Green	218		Completed
Land Adj. Desmond Anderson, Tilgate	100	205	Capacity re-assessed in light of need to make effective use of land whilst taking account of flood risk and ancient woodland constraints.
Fairfield House, West Green	93		Completed
15-29 Broadway Upper Floors, Northgate	57		Completed
Kilmead Car Park, Northgate	40		Completed
Zurich House, Southgate	59	53	Completed in 2022/23
Goffs Park Depot, Southgate	30		Completed
Former TSB Site, Russell Way, Three Bridges	40	59	Capacity re-assessed in response to emerging proposals and need to make effective use of land

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

2015 Local Plan Site	2015 Indicative Capacity	2023 Indicative Capacity	Comment
Land Adj. Langley Green Primary School, Langley Green	30		Completed
5-7 Brighton Road, Southgate	48		Completed
Longley Building, Southgate	48	121	Capacity re-assessed in response to emerging proposals and need to make effective use of land
Town Centre Key Opportunity Sites: <ul style="list-style-type: none"> • Telford Place, Three Bridges • Crawley Station and Car Parks • County Buildings • Land North of the Boulevard 	499	1,500	2023 Town Centre Key Opportunity sites now also includes: <ul style="list-style-type: none"> • Crawley College • Cross Keys • MOKA
Tinsley Lane, Three Bridges	120	120	
Breezehurst Drive, Bewbush	65	85	Capacity re-assessed in response to emerging proposals and need to make effective use of land
Henty Close, Bewbush	24		No longer an allocated site – forms part of the council’s owned sites which is included in the windfall uplift
Land East Balcombe Road/Street Hill, Pound Hill	15	15	Capacity in Policy H2 expressed as a maximum
Oakhurst Grange	55	55	No change: proposal now expected to come forward as C2 scheme as reflected in Housing Trajectory
Town Centre Boundary	156	129	There has been some change in the sites included, with one of the 2015 sites having been built out. New sites

2015 Local Plan Site	2015 Indicative Capacity	2023 Indicative Capacity	Comment
			have been added and some existing ones optimised.
Residual Land Forge Wood: <ul style="list-style-type: none"> • Steers Lane • Heathy Farm 	150	185 188	Steers Lane – commenced Heathy Farm: capacity reviewed in light of need to make effective use of land, whilst taking account of ancient woodland constraint
Land East London Road, Northgate	171	84	Capacity reviewed in light of responses from landowners and additional constraint from development on neighbouring site

6.25 Question 6.25: Is the proposed housing trajectory soundly based and consistent with Strategic Housing Land Availability Assessment evidence and latest annual monitoring (base date 23 March 2023?)? Are any factual updates required to the trajectory?

6.25.1 Following the discussions at the Stage 1 Hearings in relation to Matter 1 and Matter 3, the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) Plan period has been amended to run from 2023 to 2040, rather than the submitted suggestion of 2024 to 2040. On this basis, the housing trajectory has been updated. A new Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14) has been submitted alongside the council’s Written Statements for the Stage 2 Matters (Post-Submission Document Reference: PS/H/HD/14).

6.25.2 However, since the change of the Plan period has been adjusted to the submitted Housing Trajectory (Submission Document Reference: H/HD/01) 2023 base date, new sites permitted since then (e.g. as referred to in the council’s Written Response to the Inspectors’ Question 6.29 below) have not been added.

6.25.3 Instead, revisions have been made in terms of projected delivery dates for sites, and this has tended to flatten out the projected profile of housing delivery over Years 1 to 10 in particular.

6.25.4 Due to the timing of the preparation of the Housing Trajectory for the submission Local Plan Publication Consultation, Crawley Borough Council (CBC) made some assumptions on completions and commencements. This information is gathered and

provided by West Sussex County Council (WSCC) annually for the purposes of the council's Authority's Monitoring Report. The WSCC data was provided to CBC following the publication of the submission draft Local Plan and there were some minor discrepancies between the figures. The updated Housing Trajectory has taken the opportunity to rectify this difference, and the December 2023 version is now consistent with West Sussex County Council monitoring and associated Housing Flow Returns data submitted to DLUHC.

6.26 Question 6.26: Is the profile of annual housing delivery justified and is it to be treated as a front-loaded stepped trajectory?

6.26.1 The Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) Policy H1 housing requirement is expressed as a stepped requirement.

6.26.2 In practice, it is front loaded primarily because the identified sites are finite and as medium-small sites they typically do not require a long lead-in such as strategic sites do.

6.26.3 There is no particular strategic intention in the fact that it is 'front loaded' in this way. However, the proposal to reflect the anticipated profile of housing delivery in the form of a stepped housing requirement, rather than a single annual average figure for the Local Plan period as a whole (i.e. 314dpa), is intended to ensure that the council will not be penalised (e.g. in the context of the housing delivery test or 5-Year Housing Land Supply assessment) at a future date if the rate of housing delivery falls consistently below 314, on account of the identified housing supply having been delivered in the early and middle parts of the Local Plan period.

6.27 Question 6.27: Does the housing trajectory take account of Water Neutrality and any impact of implementing offsetting?

6.27.1 The amendments which the Crawley Borough Council (CBC) has put forward to the Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14) with resulting implications for Policy H1: 'Housing Delivery' of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) include a number of amendments to individual development trajectories which are (chiefly) the result of Water Neutrality issues, although it has not been necessary to remove or reduce the housing contribution arising from particular sites or allowances.

6.27.2 Crawley Borough Council (CBC) considers that, subject to these changes, the Housing Trajectory takes account of Water Neutrality and the impact of offsetting.

6.28 Question 6.28: Would at least 10% of the housing requirement be met on sites no larger than one hectare (NPPF paragraph 69)?

6.28.1 10% of the housing requirement for Crawley, based on the supply-led figure proposed in the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) would be met on sites no larger than one hectare, in accordance with the National Planning Policy Framework, 2021, paragraph 69 (Post Submission Document Reference: PS/DS/NPPF/01).

6.28.2 The table below lists the housing supply sites above 1 hectare in size. This confirms that they account for 2,381 dwellings in total, leaving a remaining 2,944 in the

projected supply. Excluding 1,600 windfalls, 1,344 dwellings would be provided on identified sites of less than 1 hectare. This equals 25 per cent of the total supply.

Identified Housing Trajectory Site above 1 hectare in site	Indicative Dwelling Capacity
Breezehurst	85
Forge Wood Phase 1B	43
Forge Wood Phase 4B	434
Steers lane	150
Land E of St Hill / Balcombe Road	15
Tinsley Lane	120
Oakhurst Grange	81
Desmond Anderson	205
Land SE of Heathy Farm	188
County Buildings	135
Crawley College	363
Land N of the Boulevard	182
Telford Place	380
Total Number of Dwellings anticipated on Identified Sites over 1 hectare	2,381

6.29 Question 6.29: Is there compelling evidence to make an allowance for windfall housing in the plan period as per NPPF paragraph 71? Is the windfall figure of 100 dwellings per annum from 2024/25 soundly based?

6.29.1 Crawley Borough Council (CBC) considers that the windfall allowance is justified in accordance with National Policy, as further detailed in the 5 Year Housing Land Supply Statement in Topic Paper 4: Housing Supply, July 2023 (Submission Document Reference: DS/TP/04) and the Windfall Statement, May 2023 (Submission Document Reference: H/HD/06).

6.29.2 CBC considers that 100 dwellings per year throughout the Plan period is credible as evidenced in the Windfall Statement and the Topic Paper. This includes the early 2024/25 year because the 2024/25 windfall assumption includes the Steers Lane Phase 2 application for 60 dwellings (CR/2022/0055/FUL). This site was not included in the Plan because of inconsistency with new noise policy, but which has resolution to grant subject to S106. Therefore, subject to this, this site could secure permission before adoption of the Plan (also being outside the water resource zone).

6.29.3 Also, since the 31 March 2023 base date prior approval has been granted for 24 flats at Gainsborough House in the High Street (CR/2023/0383/PA3) – albeit still subject to water neutrality.

6.29.4 The 100 dwelling per annum windfall allowance is, in any case, not a projection that exactly this total will be reached in each year.

6.30 Question 6.30: The submitted Plan seeks to establish and confirm a five-year supply in accordance with NPPF paragraph 74b) in terms of the deliverable supply factoring in a buffer of 10%. Is this approach justified for Crawley by evidence that shows there will be sufficient sites to ensure that a five-year supply (predicated on a 10% buffer) will be achieved?

6.30.1 Further to the updates to the Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14) (and associated changes to Policy H1) updated Five Year Housing Supply, the 5-Year Housing supply calculation requires updating. The new calculation is set out on the first page of the updated Housing Trajectory. The key figures are as follows:

Policy H1 requirement for Years 1-5	386 x 5 = 1930
With 10% buffer added	2123
Projected supply for 2023-28	2381
Years' Supply Projected in 2023-28	5.6

6.30.2 The figure of 2,381 includes 400 windfalls (including a small number of permitted small sites), in accordance with the projection of 100 windfalls per annum from 2024/25 onwards. It also includes a projected two completions on small sites during 2023/24.

6.30.3 Topic Paper 4: Housing Supply, July 2023 (Submission Document Reference: DS/TP/04) includes a '5-Year Housing Supply Statement' as an appendix, identifying sites, the basis for their inclusion, and their status in relation to Water Neutrality.

6.30.4 The remaining 1,979 dwellings are projected to be delivered on identified sites of 5 or more dwellings. To a large extent, these are the same sites as feature in the '5-Year Housing Supply Statement' provided as an Appendix to the Housing Supply Topic Paper, which identifies sites, the basis for their inclusion, and their status in relation to Water Neutrality. However, that information requires update to take account of the adjusted Local Plan start date, more recent delays (mainly in respect of Water Neutrality) and other updated information.

6.30.5 The list of sites and the basis for supporting their identification as 'deliverable' is set out below, with reference made back to the 5 Year Housing Land Supply Statement where appropriate:

Site	Dwelling Total in Trajectory in Yrs 1-5	Basis for identification as 'deliverable'
8 - 9 Queens Square	7	Benefits from detailed permission and has commenced. Site did not feature in 5YHLS as was then expected to complete in 2023/24.
Belgrave House, Station Way	41	Combined prior approval / ground floor infill extension – physical works appear complete. Site did not feature in 5YHLS as was then expected to complete in 2023/24.
Energy House, Hazelwick Avenue	40	Benefits from prior approval dated 10/08/2021. Considered to be subject to water neutrality. See 5YHLS Statement for further info.
Pacific House, Hazelwick Avenue	20	Benefits from prior approval dated 10/08/2021. Considered to be subject to water neutrality. See 5YHLS Statement for further info.
42 & 44 Brighton Road	20	Completed during 2023/24.

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Dwelling Total in Trajectory in Yrs 1-5	Basis for identification as 'deliverable'
10 - 11 Queens Square	7	Benefits from detailed permission and has commenced. See 5YHLS Statement for further info.
Hazelwood, Balcombe Road	4	Benefits from detailed planning permission. May be affected by Water Neutrality at discharge of condition stage following CG Fry judgement.
7 - 13 The Broadway & 1 - 3 Queens Square	25	Site was developed under an expired permission and requires regularisation but is complete and apparently occupied.
Breezehurst Drive Playing Fields	85	Benefits from resolution to grant detailed planning permission subject to S106. Water neutrality strategy agreed with Natural England.
Forge Wood Phase 4B	190	Part of larger sub-phase of 434, within larger Forge Wood neighbourhood, with remaining dwelling quantum projected for Years 6-10. Reserved matters application pending approval.
Forge Wood Phase 1B	43	Residential accommodation within neighbourhood centre building. Benefits from outline and reserved matters approval – site preparation works under way. Site did not feature in 5YHLS as was then expected to complete in 2023/24.
Former TSB Site, Russell Way	59	Benefits from resolution to grant detailed planning permission subject to S106. Subject to water neutrality requirements.
Land East of Street Hill	15	'Housing, Biodiversity and Heritage' site outside the Built-Up Area Boundary. See 5YHLS for further info.
Longley House, East Park	121	Benefits from resolution to grant detailed planning permission subject to S106. Water neutrality strategy agreed with Natural England.
Shaw House, Pegler Way	33	26-dwelling conversion has already been implemented, but requires regularisation. Remains unoccupied. Additional permission for 7 dwelling roof extension appears to have lapsed without implementation, but this proposal could be renewed upon regularisation of the site. See 5YHLS for further information.
Land at Steers Lane	150	Has outline consent and reserved matters approval – construction well advanced. 35 dwellings already completed during 2022/23.
St Catherine's Hospice, Malthouse Road	60	Allocated as 'Housing for Older People and those with Disabilities.' Site released by relocation of hospice to Pease Pottage – occupation of new site currently under way. CBC is engaged with formulation of proposals in landowner capacity / housing enabling capacity.
Tinsley Lane Playing Fields	120	Housing and Open Space application with application for outline consent (for 138 dwellings) pending determination.
Crawley Station & Car Parks	308	Has outline consent with reserved matters and detailed planning applications benefitting from resolution to grant permission subject to S106.
Telford Place / Haslett Avenue	285	Recently obtained resolution to grant permission for up to 300 dwellings subject to S106. Water Neutrality strategy agreed with Natural England. Additional land within allocation area projected to contribute to housing supply in years 6-10. See 5YHLS Statement for further info.
Land N of the Boulevard	182	Has outline consent as part of wider Town Hall redevelopment scheme with reserved matters application pending determination. See 5YHLS Statement for further info.

CBC/MIQ/006 Matter 6: Housing Delivery, December 2023

Site	Dwelling Total in Trajectory in Yrs 1-5	Basis for identification as 'deliverable'
Oakhurst Grange / 44 Goffs Park Road	81 (dwelling equivalent assuming 1.8 bedrooms = 1 dwelling)	Site benefits from an existing (technically commenced) permission for 146 bedrooms but new detailed application is pending determination.
Ambulance Station, Ifield Avenue	39	Benefits from resolution to grant permission subject to S106. Water Neutrality strategy has been referred to Natural England.
Pinnacle, Station Way	44	Benefits from prior approval dated 01/12/2021 Considered to be subject to water neutrality. See 5YHLS Statement for further info.

6.31 Question 6.31: Overall, would the submitted plan provide for a robust five-year supply of deliverable housing land on plan adoption (in 2024)? Is the figure of 5.5 years justified?

6.31.1 Further to the updates to the Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14) the figure is now 5.6 years, as set out in the calculation accompanying the Trajectory.

6.31.2 Crawley Borough Council (CBC) maintain that this figure is justified on the basis of the housing supply set out in the council's response to the Inspectors' Question 6.30 above.

6.32 Question 6.32: Overall, would the submitted plan identify a developable supply in years 6-10 that would likely maintain continuity of supply as part of ensuring a plan-led system?

6.32.1 Given the nature of Crawley's housing supply, in terms of a reliance on small-to-medium brownfield sites with a potentially short lead-in times, there is some uncertainty regarding precisely which sites will be contributing to Crawley's housing supply in Years 6-10, although this is partly addressed by the proposed windfall allowance.

6.32.2 Additionally, the Housing Trajectory identifies a range of allocations and other sites/broad locations for delivery in these years. Many of these are or have been recently the focus of promotional/planning activity and developer interest, but do not meet the definition of being 'deliverable'.

6.32.3 Other sites are affected by land assembly issues (2-12 Friston Walk, 96-102 North Road, 46-48 Goffs Park Road). In these cases, the council has sought to support recognition of development opportunities through engagement with landowners as part of the Plan-making process, usually meeting a receptive response.

6.32.4 Based on the updated Housing Trajectory (Post-Submission Document Reference: PS/H/HD/14), reflecting the change in the Plan start date and changes to the projected timings of identified sites, mainly as a result of water neutrality, Crawley Borough Council (CBC) is proposing (as part of modifications to Policy H1) an annualised housing requirement of 386 dwellings per annum for years 1 to 10. Therefore, there is projected to be continuity of supply over this period.