

Crawley

Local Plan

Crawley Borough Local Plan Examination

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

Matter 8: Character, Design and Heritage

December 2023



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Issue 1: Whether the plan's approach to character, landscape and form of development is sound.

8.1 Question 8.1: Are the proposed density ranges set out in Policy CL4 sound? Are they the most appropriate method in achieving a balance between optimising site capacity and respecting the character of surrounding areas? How will considerations such as parking and open space provision be included within density calculations?

Optimising site capacity and respecting character

- 8.1.1 Crawley Borough Council (CBC) considers that the density ranges proposed in Policy CL4: 'Compact Development – Layout, Scale, and Appearance' of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) represent the most appropriate method for achieving effective use of land and optimising site capacity to support housing delivery. As required by the National Planning Policy Framework, 2021, paragraphs 124 and 125 (Post Submission Document Reference: PS/DS/NPPF/01), careful consideration has been given to locations where higher minimum density standards are appropriate and these are set out in Policy CL4. The higher density ranges apply in the most accessible locations.
- 8.1.2 Although density should be seen as a product of design, not a determinant of it (as set out in paragraphs 4.45-4.46 of the Crawley Borough Submission Local Plan), density ranges, as proposed, provide clarity and direction in line with national policy and guidance.
- 8.1.3 Topic Paper 4: Housing Supply, July 2023, page 14 (Submission Document Reference: DS/TP/04) provides a table which compares the densities set out in Policy CL4 with the density ranges set out in Figure 10: 'Example Area Types' shown on page 13 of the National Model Design Code: Part 1 – the coding process (NMDC Part 1) (Post-Submission Document Reference: PS/DS/NMDC/01). This shows how Policy CL4's moderate and high-density ranges correspond with the NMDC 'Example Area Types': Town/City Centre and Urban Neighbourhood. Considering NMDC area types, Suburb and Outer Suburb, Policy CL4 also includes a 'minimum density' figure, which is an average of the two NMDC ranges and this was determined because:
- CBC recognises that much of the borough is highly sustainable when compared with surrounding areas, as set out in the Crawley Compact Residential Development Study, May 2023, paragraphs 5.2 and 5.11-5.13, pages 101-3 (Submission Document Reference: WC/CLD/01) and the Crawley Strategic Housing Land Availability Assessment 2023, February 2023, paragraph 3.11, page 9 (Submission Document Reference: H/HD/04); and
 - the minimum density figure corresponds with the average density being achieved at Forge Wood, (the last new neighbourhood under development in the borough) and a location which lies outside of a sustainable transport area as outlined in paragraph 8.1.6-8.1.7 below.
- 8.1.4 This is further set out in paragraphs 5.15-5.17, pages 103-104, of the Crawley Compact Residential Study.

- 8.1.5 Chapters 4 and 5 of the Compact Residential Development Study set out in detail the critical issues which the council needs to address in order to successfully pursue new compact development. The Crawley Borough Submission Local Plan states that minimum density ranges only apply to sites where existing character, as set out in Strategic Policies CL2 and CL4 does not justify a lower figure. Policy CL2 and CL4 make it clear that no two sites are the same and that proposals need to be justified on a site-by-site basis. This is explained in the Crawley Compact Residential Development Study, paragraphs 3.1-3.1, page 37, paragraph 3.25, page 45, paragraph 4.1, page 47 and, in particular, principles 1, 2, 4 and 6, page 48. This is further justified in paragraphs 4.6-4.9, pages 49-50, and paragraphs 5.18-5.20, pages 104 and 105. This is consistent with national policy on design and respecting the character of surrounding areas as set out in the NPPF, paragraphs 120(c) and (d), 130, 134, 174(a) and (b) and 175.

Parking

- 8.1.6 In order to provide clarity and support housing delivery, Policy CL4 identifies locations where moderate and high-density ranges are generally appropriate, such as Crawley Town Centre. CBC considers these are areas where existing and improved high quality public transport and active travel infrastructure can support higher densities than exist currently, as set out in Policy CL4 and CL3 (1) and explained in the supporting text. This is justified more fully in the Crawley Compact Residential Development Study, paragraphs 5.10-5.17, pages 103-104, Map 1, page 114 and Map 2, page 115.
- 8.1.7 Within these highly sustainable locations, car parking provision can be significantly below the parking standard set out in the Parking Standards Annex in the Crawley Borough Submission Local Plan, page 295, as density itself is not a determinant of the need for or dependence on car use. This is justified more fully in the Crawley Compact Residential Development Study, paragraphs 4.31-4.32, 4.35-4.36, 4.38-4.40, and 4.49, pages 57-63.
- 8.1.8 As part of a planning application, a Travel Plan and Transport Statement would need to justify proposed parking levels on a case-by-case basis and a contribution may be required to fund or part-fund the delivery/improvement or expansion of sustainable transport infrastructure, as outlined in Crawley Borough Submission Local Plan Policies CL3 and ST1 and the Planning Obligations Annex, page 274.

Open Space

- 8.1.9 Provision of open space and recreational facilities with new development is set out in Policy OS2 and is applicable to any density range.
- 8.1.10 However, the sixth paragraph in the policy and paragraph 7.24 of the Reasoned Justification addresses higher density development in locations such as the Town Centre for all density calculations and ranges. This policy provides options and flexibility in how this provision is met both on and off-site. Page 278 of the Planning Obligations Annex in the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01), is clear that the requirements for some types of open space do not apply for such development, as set out in paragraph 1 page 280. The final paragraph on page 279 outlines how for higher density development a financial contribution will be expected, proportionate to the

associated anticipated increase in population generated by the development towards strategic sports pitch and ancillary facilities provision. This is due to understanding the viability limitations of the schemes.

- 8.2 Question 8.2: *Would the requirements of Policies CL2 and CL3 be onerous for smaller-scale developments? To what degree do the Council's 2009 Area Character Assessments remain relevant?*
- 8.2.1 Crawley Borough Council (CBC) does not consider either policy to be too onerous for smaller -scale developments as the requirements are in line with the National Planning Policy Framework (NPPF) 2021 (Post-Submission Document Reference: PS/DS/NPPF/01). Paragraph 129 of the NPPF states that the National Design Guide (NDG) and the National Model Design Code (NMDC) should be used to guide decisions on applications in the absence of locally produced design guides or design codes. More detail on consistency with the NPPF is covered in paragraph 8.2.5 below.
- 8.2.2 Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) Strategic Policy CL2 lists requirements which must be achieved by all development and is clear that only major and moderate or high-density range development must meet additional requirements to ensure that existing character and the quality of life and level of amenity currently enjoyed by existing communities is safeguarded. The reasons for this are set out in paragraphs 4.8-4.11 and 4.14 - 4.16, pages 41-43, of the Crawley Borough Submission Local Plan.
- 8.2.3 Policies CL2, CL3 and CL5 together establish three clear thresholds; (1) in regard to all development, (2) major and (3) significant development, for when additional requirements apply to new development. These policies outline an incremental increase in requirements commensurate with the scale and overall quantity of new development proposed, and they will apply, not just for individual sites and applications, but also where the total cumulative quantity of new development granted permission during the plan period, occurring within proximity of one another, as per the geographic definition set out in Policy CL5, Reasoned Justification, paragraph 4.57. In addition, in response to the questions raised by the inspector, CBC also proposes a number of further Modifications to policy CL2, CL3 and CL5, which provide even greater clarity regarding the differentiation in thresholds and requirements.
- 8.2.4 These modifications are set out below and included in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBC/CBLP/07e).

Strategic Policy CL2: Making Successful Places – Principles of Good Urban Design

Suggested Change: Section 1. 2nd and 3rd Paragraphs *(for added clarity on policy requirements for different scale of development)*

For major applications, proposals must demonstrate and document how the positive and valued components of existing, wider area rural/urban structure have guided and directed the form of new development. Area-based character assessment should, and for schemes of moderate density and above must, be used to identify a clear design vision and opportunities available and in turn use these opportunities to define the types of place(s) the proposal aims to achieve. The Assessment, vision and opportunities should demonstrate how the proposal [#] will contribute to the sustainable development of the area,

and how the existing special qualities of an area will be reflected in new proposals, while not preventing or discouraging appropriate innovation or change (such as increased densities).

~~For schemes of moderate density and above, Area Based Character Assessments must be used and the identification of opportunities and the design vision must be developed with local communities.~~ Design principles and parameters reflecting these must be set out at a broad level for the surrounding area and as detailed design requirements for the site. This can be in the form of masterplans, design guides and/or codes.

Suggested Change: Section 2 and 3 (for added clarity on policy requirements for different scale of development)

Effective Use of Land

2. All new development must identify, test, determine and (where appropriate) embrace opportunities for increased density, **and major applications must** meeting the requirements of Policy CL3 criteria **i and ii a) to c)** and Policy CL4.

3. Built Form, Layout and Movement

In considering the layout, scale and arrangement of buildings, streets and landscapes, all new development must:

- i. demonstrate how ~~all~~ the components and characteristics of **a well-designed** place **as set out in the National Model Design Code**, ~~both existing and proposed~~, have been considered to create a well-designed proposal;
- ii. demonstrate how places are experienced (both currently and proposed) including valuable visual connections into, out, through and beyond the site;
- iii. make connected places that are permeable for people and wildlife;
- iv. provide recognisable spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people. Intersections and landmarks should be used and designed to help people find their way around and create places that are legible and easy to read; and
- v. optimise orientation, solar gain and aspect, for both outdoor space and buildings.

Major applications must:

- a) ensure the proposed urban structure results in **active travel** movement paths and corridors which are determined by where people want to go within and beyond the development, taking advantage of direct desire lines as much as possible;
- b) create continuous frontages onto streets and spaces enclosed by development which clearly define private and public areas and ensure streets, footpaths and open spaces are overlooked by buildings; and
- c) ensure movement corridors and the placing of new development take account of long distant vistas, landmarks, views into and out of adjoining areas, gateways to and between particular areas, and focal points.

Major, **moderate and high-density range** applications should use illustrative tools, such as accurate 3D massing models, to show the basic form of new proposals in relation to their existing setting/surrounding context, particularly from a street level perspective.

Policy CL3: Movement Patterns, Layout and Sustainable Urban Design

Suggested Change (for added clarity on policy requirements for different scale of development)

All development should seek to:

1. Use land more efficiently and sustainably, integrating land uses and movement networks. It should build upon, connect to, enhance and extend sustainable movement, in turn maximising opportunities for compact development and sustainable travel and increased levels of sustainable transport modal share.

2. Ensure that buildings are orientated to overlook movement corridors in order to provide passive supervision and safety.

~~2. Major development should~~ **P** put people before traffic and encourage walking and cycling through establishing a layout of ~~pathways~~ **routes, within the proposed site** which:

- i. Understand and respond to the wider borough pattern of movement, demonstrating how walking and cycling connections will enhance and integrate schemes with Crawley town centre, local centres, transportation hubs, schools and employment areas.
- ii. Connect **, or provide scope for future connection, from** new development to areas of rural open space and/or large urban areas of green open space ~~, and ensure n~~ **New route alignments should** follow ~~direct~~ desire lines as much as possible allowing for **sustainable travel** through routes to be straight and direct, providing clear, legible and obvious linkages to adjoining areas. This should draw **active travel routes** ~~points-of-connection~~ into and through new sites to create a strong and direct street, path and open space network.
- ~~i. Ensure that buildings are orientated to overlook movement corridors in order to provide passive supervision and safety.~~

Policy CL4: Compact Development – Layout, Scale and Appearance

Suggested Change to criteria i (for accuracy)

- i. **High density:** A minimum of 200 dwellings per hectare for development sites within 800m (a 10 minutes' walk) of Crawley or Three Bridges train stations, Crawley bus station, and/or within 640m (8 minutes' walk) of the ~~eight~~ **Town Centre Fastway stops at the Broadway and Leisure Park.**

Policy CL5: Significant Development, Masterplanning and Design Success

Suggested Change, paragraph 2 (for added clarity on policy requirements for different scale of development)

Masterplanning and Design Codes

Proportionate ~~M~~ **masterplans and codes, the identification of opportunities and the design vision based on Area Based Character Assessments must be developed with local communities. Proposals will need to set out an overall vision for the site and its context. These should be prepared as part of area-wide and site-specific design codes, should** providing ~~e~~ **indicative and flexible vision for future development form, urban design concepts and design codes** informed by preliminary technical appraisals and viability testing.

8.2.5 This distinction in thresholds provides greater clarity to promoters of smaller scale development while at the same time helps to allay the fears of existing communities, for example, in regard to the slow build up or accumulative pressure which new compact development can place on existing infrastructure (e.g., leading to increased traffic congestion or demand for existing on-street parking space).

8.2.6 Specific Policy CL2 requirements applicable to all development relate to matters which, according to the NPPF, local policy and decisions must follow. This includes:

(A) Existing Character: Policy CL2 i and ii and section 1 and 3 i -ii. This is consistent with the NPPF in paragraphs 9, 124(d), 130(c), 134, 174(b).

(B) Effective Use of Land: as set out in the NPPF in Chapter 2, paragraphs 8(c), 11(a); and Chapter 11, paragraphs 119, 120, 123, 124 and 125; and Crawley Borough Submission Local Plan Policy CL2 requirements ii, section 2.

(C) Layout, Movement and Connectivity; Policy CL2 requirements i and ii (part 3), consistent with the NPPF paragraphs 86(e), 92, 100, 104 c and e, 105, 110 (a -c), 112 a – c, and 130.

- 8.2.7 CBC maintains that the 2009 Area Character Assessments remain relevant as they provide an ongoing and, with the exception of new heritage assessment outcomes, unchanging, verified high-level assessment of broad character areas and positive features that should be protected. This is clearly set out in paragraph 4.28 of the Crawley Borough Submission Local Plan, as well as in the Crawley Compact Residential Development Study, May 2023, paragraphs 5.21-5.23, page 106 (Submission Document Reference: WC/CLD/01).
- 8.2.8 The NPPF underlines the importance of Area Based Character Assessment, as set out in paragraph 125. This is further expanded in the Crawley Compact Residential Development Study, paragraphs 3.4, 3.17-3.19 and 3.22, pages 37, 41- 42 and page 44. The 2009 and 2010 assessments provide the baseline for new individual area-based character assessments and subsequently area wide and site-specific design codes. Although a number of opportunities for regeneration and enhancement, as set out in paragraph 5.22 of the Crawley Compact Residential Development Study, have been or are in the process of being delivered this is an ongoing process as reflected in the review of Strategic Housing Land Availability Assessment (SHLAA) sites and broad locations, as set out in Chapter 6 of the Study.
- 8.3 Question 8.3: Does Policy CL8 require specific provision for connectivity between new and existing communities, including active travel links? Should there be a presumption against development affecting identified sites of wildlife importance, and the High Weald AONB, and is there sufficient protection for such sites? Are there areas of the Upper Mole Farmlands Rural Fringe (on the Manor Royal boundary) urbanised to such a degree that there would be conflict with this policy? How does this policy take account of the proposed Western Multi-Modal Transport link? Are criteria I and iv of this policy in conflict?

Connectivity between new and existing communities and active travel links

- 8.3.1 Crawley Borough Submission Local Plan, May 2023, Policy CL8 (Submission Document Reference: CBLP/01) does not specify specific provision for connectivity between new and existing communities, including active travel links as these requirements are set out for all areas, either within or outside the Built-Up Area Boundary of Crawley, in Policy CL2, i and ii 3 iv, v and for major applications 3 (a) and (c), and in Policy CL3.
- 8.3.2 The Reasoned Justification for Policy CL3, paragraphs 4.35-4.37, explains the importance of connectivity. In terms of active travel links, the Crawley Local Cycling and Walking Infrastructure Plan (LCWIP) outlines existing direct desire lines of wider routes across the borough, across the BUAB and up to the borough boundary. They also link to Gatwick Airport as a major employment centre.
- 8.3.3 Although exact alignments are shown only at macro scale, this established evidence base can be built upon for future developments, as is currently being considered for active travel links to the Gatwick Green Strategic Employment site as it provides

clarity, direction and justification for how and where detailed active travel connectivity should best be sited.

Sites of Wildlife Importance

- 8.3.4 The Submission Local Plan Green Infrastructure Chapter policies protect sites across the borough from development.
- 8.3.5 Local Plan Policy GI1: Green Infrastructure seeks to ensure that when development comes forward and places additional stress on the natural environment the borough's green infrastructure network will be conserved and enhanced through nine criteria.
- 8.3.6 Critically for the designated sites and those sites with protected/priority habitats or species, Policy GI2: Biodiversity Sites also offers strong protection from harm through development. The policy sets out that if significant harm to biodiversity as a result of development cannot be avoided, adequately mitigated or as a last resort compensated for then permission should be refused. The policy also identifies international and nationally designated sites, NPPF framework sites such as ancient woodland and aged or veteran trees and locally designated sites.

High Weald Area of Outstanding Natural Beauty

- 8.3.7 The High Weald Management Plan (Submission Document Reference: WC/CLD/09) sets out and defines the pressures facing land within the High Weald Area of Outstanding Natural Beauty (AONB), this includes the land that is located within the borough's boundary.
- 8.3.8 The High Weald AONB designation within Crawley also overlaps with Policy CL8 South of Broadfield Buchan Hill Forest and Fringes. Policy CL9 of the submission Local Plan specifically requires high regard to be given to the High Weald Management Plan when proposed developments within and close to the High Weald AONB are considered.
- 8.3.9 The management plan and associated design guide that the High Weald AONB Unit has produced, on behalf of the Local Authorities which include the AONB, clearly sets out what development is deemed to be acceptable within the area, restricting development within the area.
- 8.3.10 Crawley Borough Council is proposing some modification to Policy CL9: High Weald Area of Outstanding Natural Beauty to respond to changes to terminology regarding Areas of Outstanding Natural Beauty. From 22 November 2023, all Areas of Outstanding Natural Beauty became National Landscapes.
- 8.3.11 These modifications are set out below and included in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBC/CBLP/07e).

High Weald National Landscape ~~Area of Outstanding Natural Beauty~~

- 4.71 The High Weald National Landscape ~~Area of Outstanding Natural Beauty (AONB)~~ is a nationally important landscape where great weight should be given to conserving the landscape and scenic beauty of the designation. A small area of the National Landscape ~~AONB~~ lies within the southern boundary of the borough.

Policy CL9: High Weald National Landscape ~~Area of Outstanding Natural Beauty~~

The council will conserve and enhance the natural beauty and setting of the High Weald National Landscape ~~Area of Outstanding Natural Beauty (AONB)~~ by having particular regard to the High Weald AONB Management Plan in determining development proposals affecting the National Landscape ~~(AONB)~~.

Where development is proposed close to, or within, the High Weald National Landscape ~~Area of Outstanding Natural Beauty~~, consideration of both the visual impacts on the intrinsic scenic qualities of the National Landscape ~~AONB~~ and the impacts of its landscape character or features, must be provided within submitted landscape character assessments.

Reasoned Justification

- 4.72 *The small area of the National Landscape ~~AONB~~ within Crawley's boundary is located to the south of the A264 which separates it from Broadfield Neighbourhood. The western part (the former Broadfield Kennels) is allocated under Local Plan Policy H8 as a reserve Gypsy and Traveller site for up to 10 pitches. The eastern part is heavily wooded and incorporates the Little Trees Cemetery. To the east is a row of houses along Old Brighton Road, considered part of Pease Pottage Village. Buchan County Park is within the High Weald National Landscape ~~(AONB)~~ and adjacent to Crawley's boundary.*
- 4.73 *The borough council has a statutory duty to conserve and enhance the natural beauty of the High Weald National Landscape ~~AONB~~. The visual setting of the AONB to the east is largely shielded by the M23. However, there are other impacts that could affect it such as watercourses and historic routeways. In addition, there are some areas of Ancient Woodland between Pease Pottage and the A264 and the areas further north-west form part of Buchan Park and include archaeological assets.*
- 4.74 *Proposals within the National Landscape ~~AONB~~ will be judged against the guidelines and advice of the High Weald AONB Management Plan. The Management Plan provides a transparent and accessible means by which the council can ensure that it is exercising its duty to have regard to the purposes of designation¹ and providing a guide for everyone involved with the actions they can take to care for the area.*

Countryside Character Areas

- 8.3.12 Countryside areas Outside the Built-Up Area Boundary, as defined in Policy CL8, are protected from inappropriate development to ensure that Crawley's compact nature and attractive setting is maintained. The importance of Crawley's character as a compact town within a countryside setting, as part of its New Town heritage, is a key criteria of Policy SD1 (2).
- 8.3.13 The submission Local Plan does not exclude potential new development in such locations. For example, both Policy CL8 and Policy EC1 iv, support extensions to Manor Royal into the countryside of the Upper Mole Farmlands Rural Fringe (on the Manor Royal boundary) in order to support business requirements where this is outside of safeguarding.
- 8.3.14 However, in practical terms, the vast majority of suitable sites along this Built-Up Area Boundary have already received permission and have done so while still complying with Policy CL8 criteria i-vii. Further opportunities for expansion are

¹ Section 85, Countryside and Rights of Way Act 2000

extremely limited, due in the main to safeguarding, and in a few cases as a result of significant natural character constraints such as ancient woodland.

- 8.3.15 Policy ST4 sets out specific considerations for the design and routing of the Crawley Western Multi-Modal Transport Link. Whilst not an exhaustive list, these include the rural landscape, biodiversity and heritage landscape assets. The Plan policies have to be read as a whole, and the proposed Crawley Western Link Road will also need to meet the criteria of Policies CL8 and CL2 in relation to existing character and Policy CL3.
- 8.3.16 New movement routes can be designed within the area of search so that the specification, alignment, positioning and in places separation of vehicular carriageways from active travel paths, not just minimises the visual impact of such infrastructure on the countryside setting, but would also allow for active travel and bus lanes to better follow and align with desire lines.
- 8.3.17 CBC does not consider that Policy CL8, Criteria i and iv are in conflict. Criterion i is appropriate to ensure new isolated buildings are not scattered throughout the countryside areas of Crawley but are grouped with existing buildings to minimise their visual impact. Criterion iv does not conflict with this, as it is not suggesting buildings should not be grouped together, rather that low density, loose knit development is appropriate, clearly differentiating it from Crawley's higher density urban area.
- 8.4 [Question 8.4: What requirements are there of development within long distance views \(other than foreground development\) to take account of their features or importance?](#)
- 8.4.1 Crawley Borough Council (CBC) considers that long distance views, as set out in Policy CL7, Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) are very valuable to Crawley as they allow the viewer to appreciate and experience the borough's wide scale, macro landscape and urban structure and topography. As such, beyond the foreground of such views, the key requirements of development relate to a restriction on the height or cumulative height of new development so that it does not block or diminish the long-distance panorama. For example, the viewpoint location such as that at Tilgate Park offers an appreciation not just of the wider town setting itself, including the town centre but also a far-reaching panorama of the wider setting of Crawley in relation to the Surrey Hills AONB far to the north.
- 8.4.2 Retaining and protecting these views, an adopted Policy in the current Crawley Borough Local Plan, December 2015 (Submission Document Reference: CBLP/02), has not proved to be a limiting factor on building height in key compact development locations such as Crawley Town Centre. This is because the location from where these long-distance views are experienced, is (a) set at a higher level to that beyond and (b) the onward view immediately across the foregrounds usually align with and follow public open space or a highway, with adjoining buildings and landscape set back framing the start of the panorama. The need for development to take account of this requirement usually begins in the middle or far distance and by this stage the drop in level (for example, see paragraph 4.61, p56 of the plan), means that the long-distance panorama is now continuing above the roofs of standard 2-

storey buildings. Further in the distance, and once more using the Tilgate Park view by way of example, even the tallest new 10 storey buildings in the Town Centre do not detract or block the view.

- 8.5 Question 8.5: Given the intended densities of redevelopment sites, is a specific tall buildings policy required?
- 8.5.1 Crawley Borough Council (CBC) maintains that the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) policies, together with national policy, the National Design Guide (NDG), 2021 (Post-Submission Document Reference: PS/DS/NDG/01) and National Model Design Code (NMDC), 2021 (Post-Submission Document Reference: PS/DS/NMDC/01) represent (as set out below), the most appropriate method for achieving effective use of land and optimising site capacity to support housing delivery, consistent with national policy on design, while also protecting and enhancing the character of the surrounding area of any given redevelopment site. These policies also provide sufficient clarity for developers and decision makers in relation to what building height may be appropriate for a given redevelopment site and allowing for flexibility in decision making so as not to prevent or discourage appropriate innovation or change. The anticipated capacities for high density Town Centre allocations in the Local Plan have been assessed taking into account all the parameters which affect tall buildings in Crawley - including existing character, heritage assets and aerodrome safeguarding. These are covered in more detail below.
- 8.5.2 Local Plan Policies CL2 and CL4 make it clear that no two sites are the same and that proposals need to be justified on a site-by-site basis, as set out in the Crawley Compact Residential Development Study, May 2023 (Submission Document Reference: WC/CLD/01) paragraphs 3.1-3.1 on page 37, paragraph 3.25, page 45, paragraph 4.1, page 47 and in particular, principles 1, 2, 4 and 6 on page 48, and further justified in paragraphs 4.6-4.8-4.9 pages 49-50, 5.18-5.20, pages 104 and 105.
- 8.5.3 Policy CL4 identifies locations where moderate and high-density ranges are generally appropriate, and although density is a product of design, not a determinant of it, a high-density range can only be achieved when the average building height is above 4 storeys. Within these areas identified, Strategic Policy CL2 and Policy CL4 states that minimum density ranges only apply to sites where existing character does not justify a lower figure, as explained in Question 8.1.
- 8.5.4 Where redevelopment affects a heritage asset or the setting of a heritage asset, Areas of Special Local Character or Conservation Area, Heritage Impact Assessment will be required (as set out in Strategic Policy HA1: Heritage Assets, paragraphs 6.14 - 6.15 of the submission Local Plan, Policy HA2: Conservation Areas and Policy HA3: Areas of Special Local Character). A number of heritage assets and Conversation Areas adjoin or lie within the geographic locations identified by Policy CL4 as areas where high-density ranges are generally appropriate.
- 8.5.5 Another clear parameter, restricting building height relates to Aerodrome Safeguarding and the height and design of proposed development or construction equipment, as set out in paragraphs 5.39-5.45 and submission Local Plan Policy DD5.

- 8.5.6 CBC will continue to provide maximum clarity about design expectations at an early stage, including new area-wide design codes, consistent with the principles set out in the NPPF, National Design Guide and National Model Design Code, as set out in paragraphs 4.27-4.29 of the submission Local Plan. Opportunities for tall buildings will particularly be identified within Individual, area-wide design codes and masterplans where identified opportunities justified by the conclusions of area-based character assessment evidence.
- 8.5.7 Crawley Borough Council (CBC) considers that a specific tall building policy is not required because both the National Planning Policy Framework, 2021, paragraph 130 (c) (Post Submission Document Reference: PS/DS/NPPF/01) and Strategic Policy CL2 and Policy CL4, as well as the NMDC: Parts 1 and 2 – the coding process (NMDC Part 1) already allow for and encourage appropriate innovation or change, particularly in relation to form and increased densities. The NPPF, paragraph 129, is clear that these national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.
- 8.5.8 A separate policy would likely only serve to duplicate what is, as set out above, already in place, and instead serve to repeat high level considerations. Such a policy is unlikely to be effective in contributing further to the identification, understanding or justification of opportunities for taller buildings as this relies on area specific design coding and Masterplanning underpinned by specific area evidence as set out in paragraph 8.5.4 above.
- 8.6 [Question 8.6: Is Policy CL5 required for soundness, or does this policy replicate others in the plan?](#)
- 8.6.1 Crawley Borough Council (CBC) maintains that Policy CL5 is required for soundness, in line with National Planning Policy Framework (NPPF) 2021, paragraph 16 a, b, d and f (Post-Submission Document Reference: PS/DS/NPPF/01). Different proportionate requirements need to apply to proposals of differing size. This was raised in response to Question 8.2 in relation smaller-scale developments. In order to provide unambiguous clarity, related to the scale of development proposed, for both applicants and decision makers, Policies CL2, CL3 and CL5 differentiate between all, major and significant scale development, setting out three clear thresholds for when specific requirements apply, as set out in paragraph 8.2.3 above.
- 8.6.2 In addition, although the council continues to develop overarching design vision and expectations in line with National Policy, as set out in Crawley Borough Submission Local Plan paragraph 4.29 and although landowners and developers may contribute to these exercises, to further improve housing delivery, Policy CL5 is required. Rather than replicate other policies, it is particularly concerned with significant scale development, appropriately as a standalone policy, and clearly and deliberately places particular requirements on developers in relation to design coding and Masterplanning:
- a. in order to better take advantage of opportunities for making more efficient use of land in line with the NPPF, the National Design Guide (NDG), 2021 (Post-Submission Document Reference: PS/DS/NDG/01) and National Model Design Code (NMDC), 2021 (Post-Submission Document Reference: PS/DS/NMDC/01); and

- b. development of this quantity and density range can result in considerable change to existing areas, including to the amenity of existing residents.
- 8.6.3 It is suggested for clarity that the requirement for the identification of opportunities and the design vision based on area-based character assessments to be prepared with local communities is moved from Policy CL2 to Policy CL5 as it is intended only to relate to development of significant scale. The suggested modification is set out in Question 8.2.4 and is included in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBC/CBLP/07e).
- 8.7 [Question 8.7: Is there unnecessary replication between the Nationally Described Space Standard and Policy DD3? Is the approach proposed consistent with PPG paragraph 56-018-20150327? Does this policy ensure the most efficient use of town-centre sites?](#)
- 8.7.1 Crawley Borough Council (CBC) maintain that Policy DD3 in the Submission Crawley Borough Local Plan, May 2023 (Submission Document Reference: CBLP/01) and Reasoned Justification paragraphs 5.27 -5.29 sets out minimal requirements in order to create a safe, comfortable and sustainable living environment. Policy DD3 also asks for specific consideration of the needs of families to be given in regard to apartment typologies and further basic residential development standards, i, ii and iii, in addition to the Nationally Described Space Standards, are encouraged in relation to moderate and high-density development, and further explained in Reasoned Justification paragraphs 5.31 -5.32.
- 8.7.2 These additional basic standards, although not a requirement, are positively encouraged not only for the benefit of residents but also to support housing delivery over the life of the Plan, helping ensure that the most efficient use land is made by taking advantage of new opportunities for moderate and high-density range homes which people aspire to (as set out further in paragraph 5.4, page 64 of the Plan, and further justified in the Crawley Compact Residential Development Study, May 2023 (Submission Document Reference: WC/CLD/01) paragraphs 4.121 - 4.127 and 4.130 on pages 90 -92. 4.134 and 4.135 – 4.138, pages 93 -95 and 4.143, 4.145 and 4.146 on page 96 and 4.149, page 97). Although submission Local Plan Policy DD3 only encourages decent home standards for moderate and high-density homes, it is hoped that by including this as part of the Local Plan, the benefits of these standards will, over time, become the norm and will be reflected in more realistic prices paid for development land suited to compact form, as set out in the Crawley Compact Residential Development Study, 4.132 and 4.133 (d) on page 92.
- 8.7.3 Making such homes more viable to deliver for the development industry and also making them considerably more attractive to a wider residential market, resulting in greater demand for compact, sustainable living will ultimately be reflected in greater windfall numbers being delivered in locations suited to higher density range development.
- 8.8 [Question 8.8: Policies refer include terms such as “developments of significant scale” and achieving a “good standard”, or refer to “important” or “\(in\)appropriate” features. Are more specific definitions required?](#)
- 8.8.1 Crawley Borough Council (CBC) maintains that the terms used within the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference:

CBLP/01) correspond with the language adopted by the National Planning Policy Framework (NPPF), 2021, Chapter 12 (Post-Submission Document Reference: PS/DS/NPPF/01) or by the National Design Guide (NDG), 2021 (Post-Submission Document Reference: PS/DS/NDG/01) which refers to ‘the ten characteristics of good design’.

- 8.8.2 Thresholds for “Large Development”, “Major Development” and “Significant Development” are set out in the Glossary provided as part of the submission Local Plan. In addition, paragraph 4.57, defines development of ‘significant scale’. The NPPF also uses the term, ‘significant’ when referring to large scale developments (see paragraph 133). The reason for why this term is needed at all is set out above in the council’s response to Question 8.2. Policy SD1: Presumption in Favour of Sustainable Development confirms that development will be supported where it, amongst other criteria, complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable development, conserves and enhances the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique Green Infrastructure.
- 8.8.3 The introductory paragraphs to the submission Local Plan Character, Landscape and Development Form set out the context for the relationship between development proposals and key elements of Crawley’s character. This highlights the importance of the New Town neighbourhoods, including the design and layout of the buildings and spaces, and green landscaping in and around the built environment, along with the setting of the town with a clear distinction between urban and accessible countryside. Therefore, CBC maintain that the Local Plan, when read as a whole, clearly indicates the important features which need consideration.
- 8.8.4 The terms ‘appropriate’ and ‘inappropriate’ is considered to be a specific term used in planning processes. Again, the Local Plan sets out what is considered appropriate/inappropriate in a Crawley context. For example, paragraph 4.14 of the submission Local Plan is clear that Crawley’s residential neighbourhoods are characterised by predominately two-storey, family-sized homes, meeting internal and external space standards. Crawley Borough Council (CBC) is mindful that, in pursuing higher densities within the borough, the town character, reducing quality of life for residents and creating town cramming, should not be compromised.
- 8.8.5 The submission Local Plan sets out the council’s interpretation of “good design” in paragraph 4.30. This follows the key characteristics established by the National Design Guide (NDG), 2021 (Post-Submission Document Reference: PS/DS/NDG/01) and provides its application in a Crawley context.
- 8.8.6 These terms are deliberately used in national policy and guidance as well as in the Crawley Borough Local Plan policies to allow for flexibility in decision making and so as not to prevent or discouraging appropriate innovation or change.
- 8.8.7 Strategic Policy CL2 provides specific, detailed parameters and Policy CL4 sets acceptable ranges for a parameter (regarding borough locations and related appropriate density ranges). In addition, both the National Model Design Code (NMDC), 2021 (Post-Submission Document Reference: PS/DS/NMDC/01) and local

design codes sets out simple, concise, design requirements and detailed guidance, as set out in the NMDC, part 1, page 1.

- 8.8.8 The NMDC, NDG and Manual for Streets sets a baseline standard of quality and practice which, in the absence of detailed local design guidance, CBC is expected to defer to. As set out in the NMDC, paragraph 16, page 3, these documents can be used as material considerations in planning decisions.

Issue 3: Whether the plan's approach to heritage matters is sound.

- 8.18 Question 8.18: Is the approach to Areas of Special Local Character justified, and are they sufficiently different from statutory conservation areas to warrant their inclusion in the plan?

- 8.18.1 The approach of the Submission Crawley Borough Local Plan (Submission Document Reference: CBLP/01) in identifying Areas of Special Local Character through Policy HA3 is derived from the requirement in the National Planning Policy Framework 2021, paragraph 190 (Submission Document Reference PS/DS/NPPF/01) that:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

- 8.18.2 Areas of Special Local Character (ASLCs) are a form of 'non-designated heritage asset', as distinct from 'designated' assets such as listed buildings and conservation areas. Non-designated heritage assets are defined in Planning Practice Guidance Paragraph: 039 Reference ID: 18a-039-20190723, as follows:

'Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.'

- 8.18.3 Non-designated heritage assets do not benefit from the same level of protection as designated heritage assets by the tests for decision making set out in paragraphs 194 to 208 of the NPPF. However, Chapter 16 of the NPPF, as a whole, does recognise the value of all assets, and sets out, in paragraph 203, that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- 8.18.4 Crawley Borough Council has historically shown a keen awareness of and interest in non-designated heritage assets, given its status as a large town in which the surviving extent of pre-industrial built form is limited, but which includes extensive areas of building from the late nineteenth century onwards, including periods (such as the post-war era) which have historically been relatively under-appreciated in terms of their heritage significance. This is reflected by the recognition of three specific types of non-designated heritage asset (Locally Listed Buildings, ASLCs, and Historic Parks and Gardens) in the Submission Crawley Borough Local Plan.
- 8.18.5 In this context, ASLCs exist in essentially the same relationship to conservation areas as Locally Listed Buildings do to statutorily listed buildings, i.e., they are comparable in so far as both are 'area'-based heritage designations. The specific ASLCs identified in Policy HA3 reflect a cross-section of Crawley's townscapes, including late Victorian terraced housing, arts and crafts style developments, New Town neighbourhoods and suburban estates.
- 8.18.6 At the same time, ASLCs are not of sufficient heritage significance to merit designation as conservation areas, and this is reflected in the more limited and general nature of the requirements which are set out in Policy HA3, as compared with those which are set out in Policy HA2: 'Conservation Areas'.
- 8.18.7 As recognised in the Planning Practice Guidance (040 Reference ID: 18a-040-20190723) non-designated heritage assets can be identified in a number of different ways, subject to the decision to identify them being based on sound evidence. As set out in the Reasoned Justification to Policy HA3 the evidence base for the identification of Crawley's ASLCs is provided by the Crawley Heritage Assets Review of December 2020 (Submission Document Reference: WC/H/01) carried out by Place Services, and in particular Appendix C1 'ASLC Assessment' (Submission Reference Document: WC/H/07) and Appendix C2 'ASLC Review' (Submission Document: WC/H/08). As shown by the Crawley Heritage Assets Review documents, the identification of the ASLCs is based on the application of objective criteria based on Historic England guidance in respect of Local Listing.
- 8.19 [Question 8.19: Is the level of protection afforded by the plan to Locally Listed Buildings appropriate?](#)
- 8.19.1 Crawley Borough Council (CBC) would maintain that the approach of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) in respect of Locally Listed Buildings is sound.
- 8.19.2 Like Areas of Special Local Character (ASLCs), discussed in answer to Question 8.18, Locally Listed Buildings are a form of non-designated heritage asset, and Crawley Borough Council's established interest in the identification of Locally Listed Buildings reflects a similar motive to that regarding ASLCs in terms of the importance of recognising features of the town which may not be of national heritage significance, but have a local historical interest (albeit one sometimes overlooked on account of the relatively recent date of many of the assets in question).
- 8.19.3 Unlike ASLCs Locally Listed Buildings are not individually listed in the Plan. Instead, the basis of their identification is a separate Local Buildings List (Post-Submission Document Reference: PS/WC/H/12) and the intention of CBC is to retain and update

this as a freestanding Local Heritage List rather than identifying Locally Listed Buildings through the Local Plan process.

- 8.19.4 Like ASLCs, Locally Listed Buildings were part of the focus of the Crawley Heritage Assets Review of December 2020 (Submission Document Reference: WC/H/01), carried out by Place Services. Locally Listed Buildings are particularly the focus of Appendix A1 'Local Heritage List' (Submission Document Reference: WC/H/02) and Appendix A2 'Buildings Not Recommended Local Heritage List' (Submission Document Reference: WC/H/03) which identify objective criteria in accordance with Historic England guidance on Local Listing and use it to reassess the existing Local List (dating from 2010) suggesting new additions as well as some removals. A consultation on proposed updates to the Local List was carried out in early 2021. This generated further evidence and suggestions which have been under consideration by the council, and no further step in terms of updating the List has been taken at this time (partly on account of the priority taken by the Local Plan process).
- 8.19.5 In this context, CBC considers that the role of the Crawley Borough Submission Local Plan is to provide an account of the basis, evidence and criteria on which Locally Listed Buildings are identified, and to set out how proposals affecting them will be considered as part of the planning process. This is the function of Policy HA5: 'Locally Listed Buildings and Structures'.
- 8.19.6 Accordingly, the Reasoned Justification of Policy sets out the basis of the identification of the historic significance of Locally Listed Buildings in terms of robust and objective criteria aligned with Historic England guidance. The main HA5 policy text meanwhile seeks to protect Locally Listed Buildings and sets out the requirements for Heritage Impact Assessments. It also sets out criteria and requirements for proposals seeking the demolition of a Locally Listed Building.
- 8.19.7 CBC maintains that the requirements of Policy HA5 are in accordance with the National Planning Policy Framework 2021 (Submission Document Reference: PS/DS/NPPF/01).
- 8.19.8 The words 'respect or preserve' within the policy were deliberately inserted by the 2015 Local Plan Inspector (in place of 'conserve or enhance') in order to distinguish the requirements of the policy from those applicable to a designated heritage asset, as reflected in the reference to Main Modification 13 in the Crawley Local Plan Inspector's Report 2015, paragraph 98 on page 27 (Submission Document Reference: CBLP/03). The requirements set out in relation to Heritage Impact Assessment meanwhile build directly on paragraph 194 of the Framework, in terms of requirements for applicants to describe the significance of heritage assets affected by a proposal.
- 8.19.9 More generally, CBC disagrees with the suggestion made in representations on behalf of Muller Property Group (Rep 162 (2023)) that the requirements are equivalent to those applicable to Listed Buildings under national policy.
- 8.19.10 The National Planning Policy Framework (paragraphs 199 to 202) provides detailed policy on the identification and treatment of different levels of 'harm' in decision making with regard to designated heritage assets in paragraphs 199-202, including a test of "substantial public benefits" or other detailed circumstances in order to

justify “substantial harm to (or total loss of the significance of)” a designated heritage asset. This is widely acknowledged as being a very high threshold of justification.

8.19.11 In comparison, the tests in Policy HA5 for justifying the loss of a locally listed building (which would clearly represent a very high degree of harm to the asset’s heritage significance) are less stringent, being limited to a requirement that the development that the new development ‘retain or reflect key features of the building’ and ‘significantly outweigh the merit of retaining the original building with regard to the social, economic and environmental benefit to the wider area.’

8.19.12 As such, CBC maintain that the requirements of Policy HA5 with regard to justifying the loss of a Locally Listed Building represent a reasonable elaboration of National Planning Policy Framework, paragraph 203, appropriate to the context of a Locally Listed Buildings policy:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’