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Dear Sir/Madam,

CRAWLEY SUBMISSION DRAFT LOCAL PLAN REVIEW EXAMINATION IN PUBLIC HEARING STATEMENT – MATTER 9

This Examination Hearing Statement has been prepared on behalf of Bellway Homes Ltd (South London), please find enclosed the following Hearing Statement on Matter 9: Environment and Green Infrastructure in particular Policy EP4: Development and Noise. This representation is supported by Cass Allen's technical response to the Inspector's Questions 9.2, 9.3 and 9.4 with regards to Matter 9, Issue 1 (whether the approach to Environmental Protection is justified, effective and consistent with national policy).

Bellway Homes have been working with Crawley Borough Council for the submission and determination of phase 1 and 2 planning applications at Land at Steers Lane, Crawley, within the wider Forge Wood Allocation. Bellway Homes submitted a representation to the Regulation 19 Consultation Version of the Crawley Local Plan Review, particularly with regard to Policy EP4 (Development and Noise). It is worth noting that the response to the Regulation 19 consultation (REP 060 2023) remains and this Hearing Statement is submitted in support of the previous representation and to respond to the questions raised by the Inspector in response to draft Policy EP4.

The following section responds to the Inspector's Matter 9.

Matter 9: Environment and Green Infrastructure

Issue 1: Whether the approach to Environmental Protection is justified, effective and consistent with national policy.

9.2 Is the policy justified in restricting development sensitive to aviation transport noise to the 60dB contour (57db at night)? What has informed the change in thresholds since the 2015 Plan and does Topic Paper 7 provide a cogent explanation?

It is Cass Allen's view that the policy is not justified in restricting noise sensitive development. The strict noise thresholds in its current format (e.g. the 60 dB contour for aircraft noise, etc) ignores the potential benefit of mitigation and good acoustic design in the design and planning of new developments.

Rather than setting strict external noise limits, each proposed development should be assessed on its own merits. It is not appropriate to automatically refuse a site for development without considering the achievable benefit of good acoustic design or mitigation that could be incorporated in the proposals.

The application of strict thresholds as currently proposed also contradicts relevant central government guidance on how noise should be managed within planning policies.

The above points are discussed in more detail in our representation (REP 060 2023).

9.3 Would the policy potentially inhibit otherwise sustainable locations for residential development in the Borough?

Yes. Based on Cass Allen's experience and expertise in the acoustic design and planning of new residential development, we believe it will be quite possible for acceptable (i.e. compliant with all relevant acoustics standard and guidance) noise levels to be achieved in habitable areas of new developments located on some sites where the noise would be classified as an 'Unacceptable Adverse Effect Level' in accordance with Policy EP4. Therefore, Policy EP4 as currently proposed is restricting sustainable development by automatically refusing planning application without considering various factors which will mitigate impacts.

9.4 Have alternative thresholds for aviation transport sources been tested including: (i) the scope for allowing development within a specified higher dB range subject to demonstrating effective mitigation that would reduce noise levels to acceptable readings in habitable areas; and (ii) not having a dB threshold in Policy and so assessing each proposal on its own merits subject to the acoustic evidence and mitigation provided?

Cass Allen has reviewed the technical rationale for the fixed noise thresholds in Policy EP4 and the supporting Noise Annex, which is set out in - **Topic Paper 7: Development and Noise Technical Appendix, January 2021**. This document explains that the thresholds are based on guidance given in the now rescinded Planning Policy Guidance (PPG) 24 – *Planning and noise* and the findings of a Planning Inspectorate Appeal Decision for a development of new housing near Manchester Airport (Case reference: APP/R0660/W/15/3027388).

It is worth noting that PPG24 has since been replaced by other acoustic planning guidance and none of the newer guidance advocates for the use of fixed external noise thresholds in the way Policy EP4 does. As above, more recent government guidance on noise planning policies also specifically states that strict fixed thresholds should not be applied.

Furthermore, the Appeal Decision that has been used to support the fixed external aircraft noise limits in Policy EP4 is for a site in Manchester that sits directly in line with the western end of the airport runways. This is important because the flight path of aircraft would therefore pass directly above the appeal site with planes at relatively low altitudes. Furthermore, with prevailing winds aircraft would be expected to take off to the west approximately 70% of the time and noise emissions during take-off are higher than during landing. The environment at the appeal site would therefore be very different to many sites that will sit within the 60 dB daytime aircraft noise contours around Gatwick and it would therefore be inappropriate in our view to apply the exact same noise criteria from the appeal, with no consideration for the potential benefit of mitigation that may have not been available at the Manchester appeal site.

I trust this Hearing Statement provides a sufficient response to the Inspector's Questions 9.2, 9.3 and 9.4 with regards to Matter 9 (Environment and Green Infrastructure), Issue 1. Bellway Homes would like to use this opportunity to request attendance at the on-line Matter 9 Hearing Session due to be taking place in the morning of Tuesday 16th January 2024.

Bellway Homes would like to remain informed on the progress of the Local Plan Examination and subsequent main modification / adoption. If you have any queries or require further information, do please get in contact.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R. Steele".

Robert Steele