

**Crawley Borough Council Written Statement on the Mid Sussex District Plan Examination: Housing Matters – Inspector's Questions
8 November 2016**

2. Calculation of the OAN

2.1 Are the calculations that have led to the OAN starting point of 714dpa sound?

Crawley Borough Council (CBC) notes that the Objectively Assessed Housing Need (OAHN) for Mid Sussex has increased due to the changes in the nationally derived household projections and recognises that the Planning Practice Guidance requires the starting point for OAHN to be the most recent DCLG household projections.

On this basis, CBC agree with MSDC that the appropriate approach is to reflect the most up-to-date position in the Submission District Plan.

3. The Duty to Co-operate

3.1 Can it be demonstrated that active co-operation has taken place on strategic cross boundary issues, especially in respect of the assessment of wider and unmet housing need?

Joint working across the two local authority (CBC and MSDC) areas, including through the Gatwick Diamond Initiative, pre-dates its formalisation and the statutory duty to cooperate imposed by the Localism Act 2011. Critically, this context includes:

- Continual joint working on cross-boundary matters as neighbouring authorities;
- The commissioning of joint strategic evidence, in conjunction with Horsham District Council (HDC) as part of the Northern West Sussex Authorities;
- The ongoing joint working as part of the Gatwick Diamond, including the adoption of the Gatwick Diamond Memorandum of Understanding and Local Strategic Statement¹.
- The signed joint Northern West Sussex Authorities' position statement between Crawley Borough Council, Horsham District Council and Mid Sussex District Council (March 2016)² and the understanding that an updated position will be prepared by MSDC and agreed to incorporate the newly published household projections for Mid Sussex District.

A number of strategic evidence base documents have been prepared to support the preparation of the individual authorities' Local Plans; these were jointly commissioned by Crawley Borough Council, Horsham District Council and Mid Sussex District Council, and include:

- Joint Northern West Sussex Strategic Housing Market Assessment (2009, 2012 and 2014) GVA/Chilmark Consulting³
- Joint Northern West Sussex Housing Land Availability Assessment – strategic sites (prepared jointly 'in-house')
- Joint Northern West Sussex Economic Growth Assessment (2014) NLP⁴
- New Market Town Study (2010) GL Hearn⁵
- At Crawley Study (2009) GL Hearn⁶
- Joint Northern West Sussex Economic Appraisal and Employment Land Review (2009 and 2010) GL Hearn

¹ MSDP Examination Library documents: EP62

² MSDP Examination Library document: BP17, p85-99

³ MSDP Examination Library documents: EP24; EP25; and EP26

⁴ MSDP Examination Library documents: EP35

⁵ MSDP Examination Library document: EP56

⁶ MSDP Examination Library document: EP53

The outcomes of the housing and employment studies form the basis for the NWS Position Statement.

CBC seek to ensure the following two expectations are recognised and met in MSDC's approach to undertaking the Duty to Cooperate:

1. That the previous commitment from Mid Sussex District Council (MSDC) to accept some of Crawley's unmet housing needs, in accordance with a formal and jointly agreed basis, is explicit in the Mid Sussex District Plan (MSDP) and continued through the planning policy work in relation to the Site Allocations Development Plan Document (DPD).
2. In future, that there is a clear commitment from MSDC to discuss in advance any site allocation(s) on or close to Crawley's administrative boundaries with CBC as part of the full planning process, to find mutually acceptable locations, and take forward any appropriate schemes jointly, including infrastructure elements.

4. Unmet need

- 4.1 What factors should determine the amount of provision that should be made in Mid Sussex to accommodate the unmet needs of other authorities, notably Brighton and Hove, and Crawley?

The Strategic Housing Market Assessment (SHMA) for the Northern West Sussex authorities in 2009 highlighted the very strong links across the three authorities within the Northern West Sussex area (Crawley Borough, Horsham and Mid Sussex Districts) and this was reaffirmed in the review in 2014. The Crawley Borough Local Plan (CBLP) identifies an unmet need arising in Crawley borough, over the Plan period, of 5,000 dwellings. The Northern West Sussex Position Statement agreed between the three authorities (Crawley Borough, Horsham and Mid Sussex Districts) sets the aim to meet housing needs in the Housing Market Area as far as possible, within constraints⁷.

Crawley Borough Council (CBC) supported the previous increase in the District Plan's housing requirement, from 650 dwellings per annum to 800 dwellings per annum in Policy DP5. In particular, CBC welcomed the recognition in the District Plan, through the Focused Amendments in paragraph 3.18, that this increased figure allowed for Mid Sussex to contribute towards meeting neighbouring authorities' housing needs, and the emphasis on the additional dwellings meeting the unmet needs from within the Northern West Sussex housing market area (HMA), principally highlighting Crawley's unmet needs.

Further amendments proposed to paragraph 3.18 following the Focused Amendments consultation removed explicit reference to Crawley and refer to the evidence which indicates that any supply in excess of local need is most likely to be absorbed by those authorities which have the strongest economic and functional links with Mid Sussex. This evidence is Sustainability Assessment of Cross-Boundary Options for the Mid Sussex District Plan (February 2015)⁸ and the Northern West Sussex Strategic Housing Market Assessment (2009, 2012 and 2014) which clearly highlight the strength of links between Mid Sussex and Crawley as part of the same Housing Market Area and cross-boundary commuting between all of the main towns within Mid Sussex and Crawley.

Whilst the work MSDC has undertaken to identify its delivery figure through the Sustainability Appraisal and current Strategic Housing Land Availability Assessment

⁷ BP17, p85-99: Northern West Sussex Authorities Position Statement, para 6.1 (revised March 2016) Crawley Borough Council, Horsham District Council, Mid Sussex District Council

⁸ MSDP Examination Library document: EP14

(SHLAA) is acknowledged, the recent (2016 Submission MSDP) increase in OAHN reduces the amount of planned housing provision potentially available for meeting unmet needs of adjoining authorities (primarily Crawley Borough, as part of the Northern West Sussex Housing Market Area, and Brighton). This is a matter of significant concern to Crawley Borough Council. This concern was raised with Mid Sussex District Council (email dated 11.08.16).

Notwithstanding this concern, CBC welcomes MSDC's commitment to working with its neighbouring authorities to, in the future, deliver sufficient levels of new housing. This mirrors the CBC commitment in Policy H1 of the Crawley Borough Local Plan and the work undertaken across the two authorities, to date, as part of the Gatwick Diamond and the NWS Authorities (reflected in the Gatwick Diamond Local Strategic Statement (LSS) and its imminent refresh, and the continual updating of the NWS Position Statement).

CBC particularly support the MSDC commitment to producing a further site allocation DPD, to identify additional sites which could come forward within the District Plan period, after 2021. CBC welcome being involved and supporting this, particularly through the continued work into understanding and unlocking infrastructure capacity and resolving environmental constraints across the housing market area, Gatwick Diamond and the Coast to Capital Local Enterprise Partnership area (C2C).

4.2 What calculations have taken place on a cross-boundary basis to arrive at that provision?

On 20th August 2014, Cllr Peter Smith, the CBC Cabinet Member for Planning and Economic Development, wrote to MSDC to request assistance in helping his authority to address its unmet development needs under the Duty to Cooperate. At that time, Crawley's total objectively assessed housing need which would not be met through the Crawley Borough Local Plan (CBLP) was calculated as being 3,130 dwellings. Cllr Norman Webster, Cabinet Member for Planning at MSDC replied to Cllr Smith's letter on 29th August. The subsequent increases to this figure have been regularly discussed with MSDC and reflected in updates to the Northern West Sussex Joint Position Statement.

The Position Statement was originally signed in September 2013 and has been regularly updated with the new OAN and supply/housing provision levels since then, to support the preparation of the Horsham, Crawley and Mid Sussex Local Plans. Table 1 within the NWS Position Statement establishes the overall combined OAN and housing supply for the Northern West Sussex Housing Market Area.

Crawley Borough Local Plan: Crawley's Objectively Assessed Housing Need

The examination into the CBLP⁹ established an objectively assessed housing need of 10,125 dwellings arising from within the borough over the Plan period 2015 – 2030 (an annualised average of 675dpa). The scrutiny into the capacity of the borough to meet its own needs concluded that there is a supply-led capacity of 5,100 dwellings over the Plan period (to 2030), meeting approximately 50% of the borough's needs.

The Inspector's report on the examination into the Crawley Borough Local Plan (November 2015)¹⁰ confirmed "The evidence shows that Crawley has been persistent in identifying the scale of its unmet needs and in asking neighbouring authorities to make provision" (para. 10).

⁹ Crawley 2030: Crawley Borough Local Plan (December 2015) [Crawley 2030: Crawley Borough Local Plan 2015 – 2030](#)

¹⁰ Report on the Examination into Crawley Borough Local Plan 2015-2030 (2 November 2015) Martin Pike [Inspector's Report into the Crawley Borough](#)

The CBLP commits the council to working with neighbouring authorities in exploring opportunities and resolving infrastructure and environmental constraints in order to meet the remaining unmet need, of approximately 5,000 dwellings, in sustainable locations. This includes the continued assessment of potential urban extensions to Crawley.

Meeting Crawley's Unmet Needs

Crawley's level of unmet need was considered as part of the Horsham District Planning Framework (HDPF) examination, and the Inspector's Report concludes that the housing requirement set by the HDPF would include an allowance (150dpa) for almost half of the unmet need for Crawley Borough¹¹. This leaves an unallocated unmet need arising from Crawley over the 15-year Plan period to 2030 of **185dpa**¹².

The Inspector's Report for the HDPF¹³ requires HDC's the work relating to early review of the HDPF to commit to a joint approach on a cooperative basis across the three authorities in the Northern West Sussex (NWS) to fully address the OANs of the Strategic Housing Market Area (SHMA).

Recognition has been established in the Reigate and Banstead Core Strategy that there is an overlap between the role of Horley in relation to the Housing Market Areas, and the Core Strategy confirms that their housing provision figure will contribute to meeting the wider needs of the Northern West Sussex and East Surrey Housing Market Areas¹⁴. For the Crawley Borough Local Plan examination, CBC prepared an Unmet Needs Topic Paper which was shared with the adjoining authorities, this suggested there may be an approximate figure of 50dpa to contribute from Reigate and Banstead towards Crawley's unmet needs, but this figure has not been derived from or supported by Reigate and Banstead Borough Council.

Timing for Meeting Crawley's Unmet Needs

The CBLP's housing trajectory confirms that the largest proportion of the housing delivery for the town will take place during the early to mid-Plan period. This primarily reflects the on-going delivery of a new neighbourhood at Forge Wood (North East Sector) and the commencement of office to residential conversions permitted within the town centre through the Prior Approval process. In addition, Kilnwood Vale (west of Bewbush), whilst located within Horsham District's administrative boundary, is under construction and will also contribute to meeting needs arising from within Crawley above the supply levels anticipated within the town.

Therefore, the annual objectively assessed housing need for Crawley can be met over the first five years of the Plan period from existing commitments within and adjacent to the town: the CBLP housing trajectory and Kilnwood Vale equal an annualised average delivery of 777 dwellings per year over the first five years of the Plan period. This figure does not include the proposed Pease Pottage allocation, delivery of the permitted scheme for 500 dwellings in Mid Sussex to the west of Copthorne, other planning permissions at Pease Pottage and Rusper Road, to the west of Ifield, or implementation of any currently unknown prior approvals.

¹¹ Report on the Examination into Horsham District Planning Framework, paragraph 43 (October 2015) Inspector Geoff Salter

¹² 675dpa Crawley OAN – 340dpa (CBLP housing delivery figure Policy H1) = 335dpa unmet needs – 150dpa (800dpa HDPF housing delivery figure – 650dpa Horsham OAN = 150 dpa to meet unmet needs from Crawley) = 185dpa unmet need outstanding for Crawley.

¹³ Report on the Examination into Horsham District Planning Framework (8 October 2015) Geoff Salter [HDPF Inspector's Report \(pdf, 536.4 KB\)](#)

¹⁴ Reigate and Banstead Core Strategy, paragraph 7.4.1 – 7.4.4 (2013) Reigate and Banstead Council.

The housing trajectory recognises that there is a significant decline in sites with development potential to meet the requirement for new housing beyond year 10 of the Plan period (2024/2025). CBC acknowledges that this is a critical issue due to the constrained nature of the borough, and this is recognised in the Plan's commitment to working with neighbouring authorities to address this.

8. Site selection and housing distribution

8.4 Can the allocation of the Pease Pottage site be reconciled with the SA and SHLAA findings? How is the site expected to relate to Crawley in terms of connectivity?

In principle, CBC supports planned, neighbourhood-scale, sustainable extensions to Crawley and has worked proactively with HDC for many years to prepare a Joint Area Action Plan and advice on planning applications for the Kilnwood Vale neighbourhood currently under construction immediately adjacent to Crawley's western boundary. Notwithstanding this, CBC has a number of concerns in relation to the proposed allocation for the site at Pease Pottage, set out in Policy DP9A, primarily relating to:

- Crawley's unmet need: timing and location of strategic development;
- infrastructure capacity and constraints;
- site boundary & extent of allocation;
- density, housing mix & housing need.

CBC have previously requested to be involved in the strategic planning and development management processes, informally as well as formally as a statutory consultee, and the opportunity to participate in effective and genuine joint working alongside MSDC to resolve the cross-boundary issues and implications arising from this allocation. However, in relation to the Pease Pottage allocation, CBC was only informed immediately before the formal consultation commenced on the Focused Amendments to the MSDP and as a statutory consultee on the planning application. CBC submitted a formal objection to the planning application following its consideration at the Development Control Committee.

CBC welcome many of the proposed amendments to Policy DP9A which address some of the concerns raised by CBC previously, particularly in relation to infrastructure and housing mix and need. However, CBC continue to have reservations in relation to the appropriateness of the allocation of the Pease Pottage site through the Mid Sussex District Plan.

Unmet Needs:

The site is unnecessary in relation to meeting unmet needs arising from Crawley in the first five years of the Plan. Therefore, justification to meet Crawley's needs in years 1-5 is inappropriate. Significant unmet need is projected for years 10 -15 and therefore later phasing would be more justifiable.

The Proposed Modification should be clearer to state "*...and therefore will make an important contribution to the housing supply for Mid Sussex in the early part of the Plan.*"

Timing and Location of Strategic Development:

Particularly in light of the site's location within the High Weald AONB, it is felt the site is premature to come forward before a full strategic assessment of alternative options At Crawley and across the NWS housing market area outside of the AONB has been undertaken, in relation to environmental and infrastructure constraints.

There remains the concern that by bringing forward this site at this stage, ahead of the strategic 'At Crawley' work, the infrastructure assessments have not taken into

account the full potential cumulative impacts on infrastructure capacity from sites in and around Crawley. CBC was anticipating working jointly with Horsham and Mid Sussex District Councils to fully assess the potential for, and implications of, all strategic options adjacent to Crawley, before any allocations were made. This joint strategic work has not yet been undertaken, and there is a concern that incremental developments adjacent to Crawley could jeopardise larger developments coming forward in the future because of the cumulative impact on infrastructure.

A joint, planned approach to urban extension to Crawley should be taken for the latter Plan period, and next Plan period, allowing for such a scheme to be designed and laid out using sustainable neighbourhood principles and resolve infrastructure issues. However, this should be progressed following a strategic look at sites beyond Crawley's boundaries, elsewhere in the Housing Market Area, as existing settlements across the HMA, and throughout Mid Sussex District have been recognised as sustainable locations for housing to meet Crawley's needs.

Infrastructure Capacity and Constraints

Outstanding Issues with the capacity of other key strategic infrastructure, for which further information has been requested, particularly in relation to the cumulative impacts and cross-boundary considerations, include:

- **Strategic highways:** the current position shows that the junction already functions at over 100% capacity. There is a need to assess the cumulative impact of other sites, and potential sites around Crawley – particularly alongside the commencement of the HDPF review;
- **Local connectivity:** Segregation created by the strategic highway network creates challenges for sustainable mode of transport which need to be overcome. **Proposed modifications to MSDP Policy DP9A introduce greater clarity and are supported by CBC;**
- **Secondary education: Proposed modifications to MSDP Policy DP9A introduce greater clarity and are supported by CBC;**
- **Health: Proposed modifications to MSDP Policy DP9A introduce greater clarity and are supported by CBC;** and
- **Drainage/flooding:** Particularly due to the EA advice provided to CBC that increased runoff from this site could increase the risk of flooding in Crawley, and their advice that any development of this site should ensure it achieves runoff no greater than greenfield rates, with the aim to reduce this where possible. In addition, there is a need to be mindful of, and reflect, Gatwick Airport Limited's advice regarding the creation of new areas of open water and bird-strike.

Whilst remaining a key infrastructure issue, the principle of **wastewater treatment works capacity** has largely been addressed, through a joint meeting with the three NWS authorities and Thames Water, and the **proposed modifications to the MSDP Policy DP9A which are supported by CBC.**

Site boundary and extent of allocation:

It remains unclear to CBC how the remainder of the site can be protected from development for the latter part of the Plan period, or beyond, on the basis that the previous Landscape Assessment (July 2007¹⁵) and earlier versions of the SHLAA clearly considered the Pease Pottage allocation site to be in the AONB and unsuitable for development, and it has now been deemed acceptable.

¹⁵ MSDP Examination Library document: EP48 Mid Sussex Landscape Capacity Study

On this basis, it is questioned whether, if this site were to be considered to address paragraphs 115 and 116 of the NPPF, there is a need to assess the potential, and implications, of bringing forward a more strategic development now to secure more comprehensive facilities. The S106 will be time-limited, and therefore the potential for future development of the wider site as another incremental development will always be there.

If the site is considered acceptable as a housing allocation, then it is believed that density could be higher whilst retaining spacious character and minimising harm on the AONB to maximise the housing delivery, and also allow for the housing mix to better address Crawley's predominant need for smaller, lower cost family housing

Proposed modifications to the supporting introductory text of MSDP Policy DP9A removing reference to lower densities of 30 dwellings per hectare and increasing the affordable housing requirement within the Policy, along with the clear referencing Crawley's affordable and market housing need and mix within the Policy are strongly supported by CBC.