

**HDCB/Issue 1**

**STATEMENT BY  
HORSHAM DISTRICT AND  
CRAWLEY BOROUGH COUNCILS**

**ISSUE 1**

**Whole document and general; Chapters 1-3: Setting the Scene; Development vision, Principles and Objectives; West of Bewbush Neighbourhood – Allocation of land and Conceptual Masterplan; Policies WB1 and WB2**

**HORSHAM DISTRICT AND CRAWLEY BOROUGH LOCAL  
DEVELOPMENT FRAMEWORKS**

**WEST OF BEWBUSH JOINT AREA ACTION PLAN DEVELOPMENT  
PLAN DOCUMENT**

**JANUARY 2009**



**Horsham  
District  
Council**



**ISSUE 1: Whole document and general; Chapters 1-3: Setting the Scene; Development vision, Principles and Objectives; West of Bewbush Neighbourhood – Allocation of land and Conceptual Masterplan; Policies WB1 and WB2**

**1. Introduction**

- 1.1 This Statement relates to Issue 1 and the justification for the Councils' decision to include these policies, reasoned justification and supporting chapters, both in terms of their objectives and the specific wording, within the submission West of Bewbush Joint Area Action Plan (JAAP).
- 1.2 A number of issues relating to these policies, reasoned justification and supporting chapters were raised in the original representations on the submission JAAP. Subsequently, the Inspector has identified main matters and questions for Examination.

**2. Main Matters**

- 2.1 There are several main matters and questions raised in the Inspector's Issues for Examination. Fundamentally, the Inspector asks '**Whether the JAAP will deliver the required numbers and a balanced range of housing based on the neighbourhood principle in the right location**'. This section sets out the relevant questions and the Councils' responses.

Are there, in general only, any serious problems with the development of the site that might prevent the required housing delivery within the stated timescale? In particular, are there problems with bridging the railway, remediating the landfill, transport (bypass and railway station) and economic viability? **NOTE:** any detailed examination of these problems will be considered under later issues.

- 2.2 The Councils consider that there has been a robust analysis of all reasonable alternatives within the Area of Search identified in the Horsham and Crawley Core Strategies (CDHDCB1 & CDHDCB4) for the development of a neighbourhood of 2,500 homes and other uses west and north-west of Crawley. This is clearly demonstrated in the Final Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA, reference CDHDCB18) and is explained further in HDBC/Issue 8. Land west of Bewbush was assessed as the most sustainable location for the development of a new neighbourhood and is considered to be the most appropriate for this and other planning reasons.
- 2.3 The site is unconstrained by environmental designations yet has a strong existing landscape framework, which provides the opportunity for an attractive setting for development whilst minimising its impact in this sensitive part of the countryside in the narrowest part of the Horsham Crawley Strategic Gap and adjacent to the High Weald AONB. Although around a third of the area has been subject to tipping, the waste is inert and can be adequately dealt with by remediation. The site benefits from direct access onto the strategic road network at the A264, which for a development at this scale the Transport

Authority agrees, does not require the provision of major new road infrastructure. An extension of Fastway and bus links to the existing network in Bewbush and Ifield respectively can be achieved and the site offers a further opportunity in terms of sustainable transport by the presence of the railway line through the site and the opportunity to provide a new rail station in an accessible location to serve both the new and existing neighbourhoods.

- 2.4 The Councils do not consider that there are any serious problems with the development of the site that might prevent the required housing delivery within the stated timescale. A problem of this magnitude is often referred to as a 'showstopper'. The Councils believe that not only is the West of Bewbush site the most suitable for the required development, as explained above, it is genuinely available for development, benefiting from a single land owner whose representatives have been working with the Councils over a number of years to bring forward sustainable development in this location and continue to do so despite the current economic climate. The Councils are entering into a Planning Performance Agreement (PPA) with the developers to ensure an achievable commencement and delivery programme.
- 2.5 There is no delay in the programme from that discussed at submission in May 2008, for the commencement of development in 2010, with the first residential completions in coming forward in 2011/12. The Waste Licence surrender application has been made and there is close continued liaison with the Environment Agency, which has been supportive of the actions undertaken to date. Statements of Common Ground exist with both the Transport Authority and Highways Agency where there is general agreement regarding the issue of a western relief road, the provision of a rail station and the necessary transport measures that are required by the development. Furthermore, the Viability Appraisal demonstrates how even in a low economic growth scenario, residential development could be brought forward within the flexibilities of the JAAP policies (subject to minor proposed changes). This is explained further in Statement HDBC/Issue 6.

#### *Crossing the railway*

- 2.6 Policy WB 26 requires the provision of three crossings of the railway, which are indicated on the Conceptual Masterplan and referred to in the Third Draft Transport Assessment at paragraphs 4.3.1 and 4.3.2 (CDOth1). Network Rail has made no representations on the JAAP of objection to the crossing of the railway line and is in negotiation with the developers over a Basic Level Agreement regarding these crossings. The developers believe that the landowner has existing rights to cross the railway line; but nevertheless have factored any potential ransom that could be payable to Network Rail into the Viability Appraisal, as discussed further in HDBC/Issue 6.

#### *Remediation*

- 2.7 The remediation of the former inert landfill site is a key issue for the Councils who appointed independent consultants to examine the suitability, viability and risks involved in identifying West of Bewbush to accommodate a

neighbourhood before putting it forward as the preferred location for development (CDBCCD 33 and CDBCCD 34). This work and all other studies undertaken on behalf of the developer have indicated that there are no outstanding complications or impediments to the remediation of the site in a timely and satisfactory manner meeting all relevant safety standards for its development as part of a neighbourhood. This conclusion is based on the outcome of the extensive level of monitoring over a number of years in liaison with the Environment Agency. The site closed to landfill in May 2006 and remediation is ongoing during Core Phases One and Two although a majority of the works that will be undertaken in Core Phase Two relate to the provision of appropriate foundations to support development in this area. The key components of the remediation strategy are set out in HDBC/Issue 5. The cost of the remediation is factored into the Viability Appraisal appended to HDBC/Issue 6.

### *Transport*

- 2.8 Significant problems with regard to transport have been resolved by a number of Statements of Common Ground between key parties. A Statement of Common Ground has been prepared between the Highways Agency and the developers which agrees the level of impact the neighbourhood would have on the M23 junctions around Crawley and the broad support for Policy WB 26 in terms of there being no prerequisite requirement for a western relief road. A further Statement of Common Ground has been prepared between the Councils, West Sussex County Council (WSSCC - the Transport Authority) and the developers regarding support for the content of Policies WB 25 (Railway Station) and WB 26 (Transport) and reasoned justification, subject to some proposed changes to reflect the most up-to-date technical position. Finally, a third Statement of Common Ground has been prepared between the Councils, WSSCC and the developers regarding support for the position of the Western Relief Road (Policy WB 24) subject to some proposed changes in the light of discussions following further technical work.
- 2.9 The development, although not reliant on the provision of a railway station, would significantly benefit from it in terms of sustainable transport solutions and as an important piece of infrastructure that is likely to attract new residents. Significant progress has been made towards the delivery of a station and the Councils in conjunction with the current development remain confident a station will be delivered.

### *Economic viability*

- 2.10 The Viability Appraisal illustrates the likely impact of various economic scenarios but given current day costs and assumptions it demonstrates that in both the medium (which represents the current economic climate) and high scenarios that the residential development can be delivered by 2019 in the medium scenario and 2018 in the high scenario. The scenario testing also demonstrates that economic viability does not prevent development occurring in even the low economic scenario provided that the flexibilities built into the policies of the JAAP are engaged in terms of the requirement for free and

serviced land for affordable housing and the levels of sustainable construction. These issues are discussed further in HDBC/Issue 6. The Viability Appraisal also indicates that the residential development would not be completed in the low economic scenario until 2024 in accordance with the South East Plan period as discussed below in paragraphs 2.17 and 2.18. A low economic scenario situation would have a significant impact on proposed developments across the south east. Nevertheless, the Councils consider that West of Bewbush has locational and infrastructure benefits which would enhance its prospect of delivery even in the worse case scenario.

What are the housing supply implications of the 9 July 2008 and 15 October 2008 High Court judgements concerning the North East Sector? Does this affect the basis of the Core Strategies for the allocation of this site or its timescale?

2.11 This matter is addressed in Statement HDBC Issue 1(2).

In ¶ 2.3 why is the Horsham Core Strategy requirement (CP6) for a landscaped western edge to prevent further expansion omitted? Does this omission affect the Conceptual Masterplan as this landscaped edge is not shown?

2.12 The Horsham Core Strategy requires the new development (in Policy CP6) to provide a firm and defensible boundary to the western edge in order to minimise the impact on the Horsham Crawley Strategic Gap by preventing further expansion thereby maintaining the sense of physical separation between the two settlements. The Core Strategy does not prescribe what form the boundary should take and the Councils' consider that the western boundary is clearly defined by existing landscape features, which together with the additional landscaping proposed and the disposition of land uses within the site, provides a firm and defensible western boundary. This matter is discussed further in HDBC/Issue 4.

2.13 The policy provisions of the Horsham Core Strategy Policy CP6 would also apply to any planning applications for the West of Bewbush development. The JAAP does not repeat these requirements but seeks to expand the policy provisions by the provision of structural and informal landscaping in Policy WB 12 and the requirement to deliver the neighbourhood in accordance with the Conceptual Masterplan (Policy WB 2) including a substantial area of informal open space. It is considered that requirement to provide a firm western edge is adequately addressed by the provisions of the JAAP and that a specific policy is not therefore required.

2.14 Development should be delivered in accordance with the Conceptual Masterplan (as set out in the policies of Chapter 4), which illustrates the intended location of additional landscaping to supplement the existing landscaping where development lies close to the western edge as well as the substantial existing landscape feature of Pondtail Shaw, which is retained by Policy WB 13 and a large area of informal open space. The Councils consider that the Conceptual Masterplan adequately illustrates a firm western edge to the development, which can be defended against further development, in compliance with Policy CP 6.

In ¶ 2.6, what public rights of way network is proposed?

- 2.15 A network of green linkages with connections to Crawley and the countryside are proposed in the JAAP and discussions regarding the designation of these green linkages as public rights of way through Section 25 of the Highways Act 1980 will be pursued at the planning application stage. This matter is addressed in Statement HDCB/Issue 4 Statement of Common Ground between the Councils and The British Horse Society (58136), The Countryside Access Forum for West Sussex (58778) and Rusper Bridleway Association (58283) in paragraph 2.3.
- 2.16 In addition, the Councils are seeking to enhance links with the public rights of way network to the south of the A264. This matter is addressed further in Statement HDBC/Issue 4 paragraphs 2.16 and 4.12.

Should WB1 be made clearer by stating the delivery timescale (see ¶ 6.3)

- 2.17 The JAAP does not refer to a specific plan period in Policy WB 1 because the timescale for the delivery of the development is explicit in the over arching Horsham District Core Strategy, Policy CP6 and the detailed delivery timescales are set out in Chapter 5 of the JAAP and its housing trajectory. It is not considered necessary for the JAAP to repeat the policy provisions of Policy CP6, which would also apply to any planning applications for the West of Bewbush development and should be read alongside the JAAP, as explained in paragraph 1.2, page 1.
- 2.18 However, the Horsham District and Crawley Borough Core Strategies were prepared in the context of the requirements of the West Sussex Structure Plan 2001 for the period to 2016. The Councils have now begun the preparation of their Core Strategy Reviews in accordance with the emerging South East Plan, which will need to refer to the West of Bewbush allocation. This is as a result of the Secretary of State's Proposed Changes to the South East Plan, which were published after the submission of the JAAP, that roll forward the requirement for the western expansion of Crawley for 2,500 homes in the South East Plan period to 2026. The Councils recognise that although the intention is to complete the development of West of Bewbush in the period to 2018 as set out in the JAAP, this may be difficult to achieve as the submission document and housing trajectory were prepared in a different and more favourable economic climate. If the proposed changes to GAT 2 (CDReg3) are agreed, Policy WB 1 could be amended to refer to the delivery of development by 2026. Nevertheless, in the absence of an adopted South East Plan the Councils consider that Policy WB 1 should remain unchanged.

How will the Council ensure that the development is delivered on a comprehensive basis (WB 2) – i.e. that phases and infrastructure flow in the anticipated order at the anticipated dates?

- 2.19 The Councils are entering into a PPA with the developers which will include a structure for the formulation, consideration and determination of JAAP planning applications against a series of agreed milestones to facilitate the

timely delivery of development. The Councils will require a phasing programme to be submitted during the planning application stage, which the Councils will expect to be JAAP compliant. It is considered that Chapter 5 sets out clearly the phasing requirements to guide this process and the decisions on whether to grant planning permission will be judged on this basis.

In ¶ 3.10 is the secondary access to be the access for the first phase?

2.20 The secondary access onto the A264 described in paragraph 3.10 will be the access for the first core phase of development as set out in the Third Draft Transport Assessment (CDOth1) paragraph 4.2.4. This access point will be retained in the longer term for emergency access only and will be used for this purpose once the main A264 junction is established.

In ¶ 3.13 has it been decided yet what elements of the Neighbourhood Centre might be provided in the first phase?

2.21 The neighbourhood centre and necessary road and bus/Fastway links will be provided in Core Phase Two as set out in Chapter 5, paragraphs 5.8, 5.10 and 5.11 together with land for the primary school, environmental infrastructure area and railway station on adjoining land. It is not possible to provide the neighbourhood centre in Core Phase One because the timing of the necessary remediation works and the development of the links and infrastructure mentioned above, which will need to be in place before the neighbourhood centre can be completed.

2.22 The Councils had in mind when drafting paragraph 3.14 that there may be the opportunity to secure temporary community facilities in the form of a meeting room or rooms within the area identified for the development of Core Phase One (see Indicative Core Phasing Plan). Such a facility would not be retained on completion of the neighbourhood centre as this would be contrary to the neighbourhood principle that requires community facilities to be provided in a single central location but would provide a valuable facility to assist the new community to establish itself. Although the Councils have discussed the provision of such a facility with the developers, the JAAP makes no requirement for such a facility because it is not considered an essential requirement for the development of a new neighbourhood to the West of Bewbush. The Councils considered therefore that the reference to elements of the neighbourhood centre being provided earlier than Core Phase One could be misleading and propose that this wording be deleted from paragraph 3.14.

2.23 Core Phase One will be developed with the provision of pedestrian, cycle and bus links into Bewbush from the outset. Dwellings in the eastern part of Core Phase One are located particularly close to Bewbush and residents will benefit from the comprehensive facilities that are being provided as part of the current Bewbush neighbourhood centre renewal, which will be complete prior to the occupation of the first dwellings west of Bewbush.

In ¶ 3.14 should the CHP be mentioned in any policy (see also ¶ 4.70), particularly as it is shown on the Conceptual Masterplan? Would this not increase traffic to provide the fuel? How would this link into the first phase? What happens to this land allocation if the CHP does not proceed?

- 2.24 The Councils are keen not to prescribe the technologies to be used in the energy strategy that will be prepared at the planning application stage to demonstrate how the developers intend to meet the sustainability targets set out in Policy WB 22. In the context of current day technologies CHP remains the most cost effective and efficient method of achieving carbon emission reduction and the Councils would strongly support its provision but it is considered that it is for the developers to justify the components of the energy strategy, which will be prepared in liaison with the Councils through the PPA process.
- 2.25 It is not considered appropriate therefore to require the provision of a CHP in Policy WB 22 and references to the identification of land for a CHP in paragraph 3.14 and on the Conceptual Masterplan are proposed to be amended to 'Environmental Infrastructure Area' (see paragraphs 4.3 and 4.6). The text continues to use CHP as an example of provision in paragraphs 3.14 and 4.70. The proposed change to the identification of an Environmental Infrastructure Area provides the necessary flexibility if a system that does not include CHP can be demonstrated, through the energy strategy, to be capable of meeting the targets in Policy WB 22.
- 2.26 The traffic generated by the provision of a CHP energy centre is dependant on two factors; firstly the size of the plant, which will be dependant on the number of dwellings and non-residential buildings to be served by it and secondly, the type of fuel used. If the fuel used is gas, the CHP is unlikely to generate an increase in traffic. If it is fuelled by biomass, this will need to be delivered and will therefore have an impact on traffic generation the scale of which will be dependant on the size of the energy centre. The level of traffic generation will be assessed through a Transport Assessment at the detailed planning application stage for this facility.
- 2.27 If a CHP is included in the energy strategy for West of Bewbush the appropriate infrastructure (including the pipe network) will need to be installed as the development progresses from the start of Core Phase One even though the provision of the CHP energy centre itself (within the Environmental Infrastructure Area) would not be provided until the development of Core Phase Two. This position is clarified by proposed changes in Statement HDCB/Issue 6.
- 2.28 The proposed amendment to the identification of land on the Conceptual Masterplan for an Environmental Infrastructure Area rather than CHP gives greater flexibility for the use of this land if the CHP does not proceed. The land could be used for a mix of uses including a waste recycling facility and other forms of infrastructure, or could possibly become part of the neighbourhood centre. The Councils remain of the view that that it is most likely to be required for the provision of a CHP however.

### **3 Responses to the matters raised by original representations**

- 3.1 The Councils do not wish to respond to specific representations relating to Issue 1.

### **4 Proposed changes to the JAAP**

- 4.1 The Councils therefore propose the following wording changes to the JAAP for the Inspector's consideration.
- 4.2 **3.13** The ~~N~~neighbourhood ~~C~~centre will be provided in the second core phase of development ~~although elements of it may be provided earlier.~~
- 4.3 **3.14** A Combined Heat and Power plant (CHP) and possibly a waste management or recycling facility could be provided as part of the neighbourhood development in off-setting the carbon emissions of the new development. If this is considered the most appropriate method to off-set carbon emissions, the Conceptual Masterplan identifies 1 hectare of land adjacent to the neighbourhood centre ~~for the CHP as an Environmental Infrastructure Area which could include a CHP,~~ close to the access road and Pondtail Shaw.

### **5 Conclusion**

- 5.1 It is considered that the responses to the Inspector's questions, coupled with the proposed changes, demonstrate that the JAAP will deliver the required numbers and a balanced range of housing based on the neighbourhood principle in the right location and that the JAAP meets the relevant Tests of Soundness, particularly Tests 4,6,7 and 9.