

HDCB/Issue 4

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

ISSUE 4

Chapter 4: Policies WB12 – 22: Structural and Informal Landscape; Biodiversity; Archaeology; Green Linkages; Flood Risk/ Management; WB 18 – Household Waste Recycling Facilities; Recreation and Open Space; Education; Employment; Sustainability /Sustainable Construction

HORSHAM DISTRICT AND CRAWLEY BOROUGH LOCAL DEVELOPMENT FRAMEWORKS

WEST OF BEWBUSH JOINT AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENT

JANUARY 2009



**Horsham
District
Council**



ISSUE 4: Chapter 4: Policies WB12 – 22: Structural and Informal Landscape; Biodiversity; Archaeology; Green Linkages; Flood Risk/ Management; WB 18 – Household Waste Recycling Facilities; Recreation and Open Space; Education; Employment; Sustainability /Sustainable Construction

1. Introduction

- 1.1 This Statement relates to Issue 4 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 provides sufficiently clear and comprehensive guidance to developers on the various necessary requirements to provide a functioning neighbourhood**'. This section sets out the relevant questions and the Councils' responses.

Policy questions

WB 12: should there be a requirement for a landscaped western edge to prevent further expansion as per Horsham Core Strategy CP 6? Should the main structural areas of open space be listed?
--

- 2.2 It is not considered necessary for the JAAP to repeat the policy provisions of the Horsham Core Strategy Policy CP6, which would also apply to any planning applications for the West of Bewbush development and should be read alongside the JAAP. Paragraph 1.2 of the JAAP highlights the stance taken by the Councils in this regard.
- 2.3 The main purpose of CP6 is to create a significant and defensible boundary to further development to the west in order to minimise the impact on the Horsham Crawley Strategic Gap and maintain the sense of physical separation between the two settlements. A firm boundary is provided by the existing natural boundaries together with additional landscaping.
- 2.4 It is considered that the western boundary as it is shown on the Conceptual Masterplan accords with the requirements of CP6 and that it is not necessary to require the provision of a landscaped western edge in Policy WB12. Development proposals for the West of Bewbush will need to comply with Conceptual Masterplan together with the policies of the JAAP.

- 2.5 Existing well defined areas of vegetation exist along the entire length of the western boundary to the development, which are supplemented by additional landscaping and buffering north of the railway line where development is shown on the Conceptual Masterplan to extend close to the western boundary.
- 2.6 A well defined mature hedgerow extends from the A264 to the mature woodland at Pondtail Shaw. The mature hedgerow extends north of Pondtail Shaw and the railway line to Kilnwood Copse which lies on the western edge of the development area. In addition, Hoppers Brook is clearly defined by a line of trees and development is shown east of this boundary with a significant area of informal open space between the development and the western boundary thereby helping to maintain the integrity of the Horsham Crawley Strategic Gap at its narrowest point.
- 2.7 It is not considered necessary to list the main structural areas of open space in Policy WB12 as they are clearly shown on the Conceptual Masterplan, which will be a material consideration in the determination of planning applications for the West of Bewbush site.

WB 13: should there be mention of measures to protect the integrity of nearby off-site nature conservation areas?

- 2.8 The importance of the nearby off-site nature conservation areas is recognised in paragraph 4.27 of the JAAP and they are illustrated in whole or part on the Conceptual Masterplan. The most likely effects of the development on the integrity of these areas would be an increase in the level of public access within them or any impact from drainage.
- 2.9 It is considered that Policy WB17 makes adequate provision for appropriate drainage systems. There is therefore no need to mention measures to protect their integrity in this respect.
- 2.10 A minor wording change to paragraph 4.27 is proposed for the Inspectors consideration in paragraph 4.8, which has regard to the potential effect of increased public access on the integrity of these environmental designations. It is considered that the designations whose integrity would be most at risk if public access was increased are House Copse SSSI, which is also identified as ancient woodland, and Buchan Hill Ponds SSSI, which forms part of Buchan Hill Country Park. There are no proposals for access enhancements to these specific areas however and therefore it is not considered necessary to specify measures to protect their integrity. For clarity, an amendment is proposed to the Conceptual Masterplan at paragraph 4.34 regarding the annotation for a pedestrian/cycle/equestrian link across Kilnwood Lane in the north-west corner. This link was not intended to cross Kilnwood Lane to provide access into House Copse, it is intended that the green linkages proposed in the JAAP and shown on the Conceptual Masterplan link into the existing right of way along Kilnwood Lane.

- 2.11 The integrity of the other environmental designations; Hyde Hill, Ifield Pond and Kilnwood Copse are not considered sensitive to increased public access and therefore it is not considered necessary to mention measures to protect the integrity of nearby off-site nature conservation areas in either paragraph 4.27 or Policy WB13.

WB 14: has this assessment already been carried out? If so, is the policy necessary?

- 2.12 Following discussions with the County Archaeologist, it is considered that such an assessment has been carried out (CDOth4) so the policy is not necessary. There are consequential changes and a small number of minor amendments to existing paragraphs that the Councils are proposing for clarity, particularly relating to the status of the 'historic parkscape' now that this has been clarified. These are set out in paragraphs 4.2, 4.3 and 4.9-4.11.
- 2.13 It is expected that an assessment of potential archaeological impact for the site as a whole and consideration of mitigation measures will be addressed nearer the planning application stage within the usual frameworks of PPG 16, the West Sussex Structure Plan 2001-16 and Horsham District Council's General Development Control Policies (2007) DPD. As such, there is no need to duplicate existing guidance and directly refer to the requirement in the JAAP.

WB 15: what links are there to the west on the Conceptual Masterplan?

- 2.14 The Conceptual Masterplan shows links into the existing Public Rights of Way network in all directions, not just to the west. The main focus of this link to the west is Kilnwood Lane, which is a public footpath (ROW1551) that links to ROW1564 and connects onto a bridleway (ROW1550) that serves Faygate and beyond to the south, and links to an extensive ROW network in the Rusper area to the north-west.
- 2.15 It is considered that the proposed changes to the Conceptual Masterplan set out in paragraphs 4.32-4.33 will add clarity to the intended direction of the links into the existing rights of way network.
- 2.16 A further proposed change to add clarity on a rights of way issue in regard to links to the south of the A264 is put forward for the Inspector's consideration in paragraph 4.12.

WB 16: ¶ 4.36 says "60dBA or above". Which is it?

- 2.16 For consistency with the objectives for development as set out in Crawley Borough Council's Core Strategy the paragraph should read '60dBA or more' and this amendment is put forward in paragraph 4.13.

WB 17: would SuDS work given the underlying Weald Clay? Would development add to the risk of flooding in existing residential areas in Crawley?

- 2.17 Whilst the intention of the Policy is the correct one, it is accepted that there could be problems relating to the suitability and deliverability of SuDS in this particular location due to the underlying geological conditions. Therefore, it would be more appropriate for the Policy to be reworded slightly. Further paragraphs will also need to be revised as a consequential change, following the proposed amendment to the Policy (see paragraphs 4.14-4.16).
- 2.18 It is not anticipated that development would add to the risk of flooding in existing residential areas of Crawley. The Policy requires that a Flood Risk Assessment (FRA) is undertaken for each Core Phase of the development. This, in association with the Strategic Flood Risk Assessment (CDHDCB29), will ensure that flooding issues associated with the site and potential future flooding risks have been properly assessed, that all appropriate measures are put in place to minimise the risk of flooding as much as is possible and that the Policy requirement of no increase in pre-development runoff rates is achieved.

WB 18: should the site provide a household waste recycling facility (¶ 4.43)?

- 2.19 Currently, it is considered that the development should not accommodate a Household Waste Recycling Facility. Consequently, Policy WB 18 states that as a minimum the development should provide an index-linked contribution towards Household Waste Recycling Facilities. This policy approach ensures that as a minimum the development appropriately contributes to the additional pressure this development will put upon these facilities.
- 2.20 At submission, the Councils considered that a suitably robust and credible evidence base to justify such an allocation, or provision did not exist. Particularly as at that time, and currently the County Council's Minerals and Waste Development Framework remains in its infancy and is not developed sufficiently to substantiate allocations in other DPD. This approach has been justified through WSCC indicating in their Background Paper 6: Strategic Waste Sites, WSCC Minerals and Waste Development Framework (October 2008) that the County has sufficient capacity to 2026 to achieve its target of 50% recycling of municipal and solid waste, including household waste once the recycling facility currently under construction at Ford is developed.
- 2.21 Notwithstanding the previous paragraph, JAAP paragraph 4.43 provides sufficient flexibility for Household Waste Recycling Facilities to be provided on site if such a need were to emerge. If the evidence for such a facility were to emerge the detailed masterplanning and planning application process could facilitate its delivery. This flexibility provides the opportunity for different scales of facilities to be provided, for example, if deemed appropriate, local recycling facilities could provide that do not serve a strategic function. To reflect this, the Councils propose some minor wording changes in paragraphs 4.17-4.18.
- 2.22 It should be acknowledged that to enhance this flexibility the Councils are proposing a change to the Conceptual Masterplan, which will introduce an 'Environmental Infrastructure Area' (currently identified as combined heat and

power plant) that will enable the delivery of such facilities in this locality in tandem with other environmental facilities, such as CHP and/or a water recycling facility.

- 2.23 The Councils continue to maintain that the development should not allocate a site for a Household Waste Recycling Facility, but believe that the JAAP provides sufficient flexibility for such a facility, or a similar facility to be provided at the planning application stage, if such a need should emerge. Critically, as a minimum the development will contribute appropriately to the additional pressure this development will put upon Household Waste Recycling facilities.

WB 19: should the provisions of ¶ 4.50 be in the policy?

- 2.24 The intentions of ¶ 4.50 of the Submission JAAP have subsequently been superseded by the provisions of Crawley Borough's Planning Obligations and S106 Agreements SPD, which was adopted in August 2008. Within the SPD there is no appropriate mechanism to measure and collect contributions for such a type of provision, due to the nature of the existing facilities. Therefore, it is not considered that such a requirement can justifiably be placed in the policy, or indeed in the supporting text and as such the Councils propose the deletion of ¶ 4.50 (see paragraph 4.19).

WB 20: should this be amended to "2-3 form entry" to reflect ¶ 4.55? Should the policy refer to the phasing/timing of provision? Are there two schools (¶ 4.103)?

- 2.25 The Councils agree the Policy should reflect ¶ 4.55 and the proposed wording is set out in paragraph 4.20.
- 2.26 It is considered that Policy WB 20, coupled with Table 3 and 4 (delivery of the elements of Core Phases 2 and 3), gives a clear direction of when the Councils expect the Primary School to be provided, whilst retaining appropriate flexibility. To refer to the phasing/timing of provision within the Policy would create a phasing/timing element to the Policy that would be unique within the JAAP policies and replicate information from elsewhere within the JAAP.
- 2.27 Only one school is proposed, as set out in Policy WB 20. Two schools are referred to in ¶ 4.103, which built flexibility into the transport modelling, but ultimately whether there were two 1-1.5 form of entry schools or one 2-3 form of entry school, they both cater for 630 children and would result in the same land take requirements.

WB 21: is ¶ 4.64 s hostage to fortune?

- 2.28 The intention of ¶ 4.64 is to identify an opportunity for the rationalisation of existing service employment uses from the Horsham/ Crawley area within a well located development. This gives the opportunity for the relocation of uses that would complement the neighbourhood, whilst releasing land elsewhere. It is therefore considered that some minor changes to the wording of the

paragraph would be appropriate for clarity and these are set out in paragraph 4.21. It is considered that the replacement of the phrase 'non-conforming' with 'service' is appropriate to give a clearer indication of the Councils' intentions. This supporting text retains flexibility as no specific use is given, but the controls already in place in Horsham District's Core Strategy DPD (2007) and General Development Control Policies DPD (2007) will ensure that no inappropriate development occurs.

WB 22: Are the targets viable and feasible in line with paragraph 33 of PPS1 supplement "Planning and Climate Change"? Has the potential impact on housing supply been fully explored? Will the policy have an impact on affordable housing delivery? Could the viability exception result in the provision of no sustainable construction beyond that stipulated nationally?

- 2.29 The Councils consider that targets in Policy WB 22 are feasible and viable in line with the PPS1 supplement (CDNat1a). The targets derive from the strong aspiration of Councils to set challenging sustainability goals for the development. This aspiration both reflects and is a response to the ambitious national and regional carbon emissions reductions targets set by the Government and outlined in the supplement to PPS1 and in the Secretary of State's Proposed Modifications to the South East Plan. However, the targets are considered to be firmly grounded in the evidence work carried out by the developer. This evidence includes the "Land West of Bewbush: Sustainable Development Opportunities" report (CDOth7) and the Viability Appraisal (appended to Statement HDCB/Issue 6). The former assesses the particular opportunities and local circumstances that favour high levels of sustainable construction and renewable/low-carbon energy generation sought by the targets. The latter demonstrates that the targets, although challenging, are achievable within an overall development scenario that would be viable in all but the most pessimistic of economic forecasts.
- 2.30 The target for 50% on-site renewable or low-carbon energy generation is designed as a part of a flexible approach to encourage the best possible use to be made of the specific opportunities at the site. The Sustainable Development Opportunities report outlines a number of advantages enjoyed by the West of Bewbush site and by the nature of the proposed development. The report shows how these advantages would allow for a greater than average application of appropriate renewable and low-carbon energy generation technologies. Indeed, these opportunities, coupled with the well established sustainability credentials of the developer, have led to a stated intention in the report to aspire to a target of 'net zero carbon emissions' for the development as a whole. In this context and against the background of the national programmes for zero carbon homes and zero carbon non-residential buildings, the Councils considered that a target of 50% of energy demand from on-site renewable and low-carbon technologies would be both reasonable and achievable.
- 2.31 In representation WBSUB241 the developer argues that the form of the 50% target is incorrect and that it should be expressed as a carbon emissions reduction target. Further, they argue that the target used would require

onerous administration procedures to assess its achievement and that it would hinder an 'independent building approach'. The Councils do not accept these arguments. The current form of the target is a widely recognised approach that conforms to the guidance given in the PPS1 Supplement, particularly in paragraph 26(i). The debate in the Draft Practice Guidance (CDNat1b, paragraphs 3.47-3.60) over the merits of targets based on total energy demand as opposed to total carbon emissions is acknowledged. Nevertheless, it is considered that no compelling case is made to show that a target based on total energy demand is not a reasonable and flexible approach in this case. One of the main reasons for framing the target as currently written was to promote the connection of non-residential buildings to decentralised energy systems or to encourage the incorporation of renewable and low carbon generation capacity in such buildings. Therefore, the suggestion that the procedures for assessing achievement of the target be left to the Code for Sustainable Homes (CSH) cannot be accepted as it ignores the contribution of buildings not assessed by the Code. Overall the approach taken is considered to be fully flexible and would not hinder an 'independent building approach'. Nevertheless, the Councils are convinced that when compared to the reasonable alternatives currently available, the case for a 'community energy approach' remains the strongest on both viability grounds and on the potential long term contribution to carbon emissions reduction.

- 2.32 The timing of targets for the achievement of increasing levels of the CSH is deliberately aligned with the Government's programme for 'zero carbon homes'. There is no intention to anticipate or go beyond the Government's national programme. However, the Policy does seek to achieve dwellings that meet the entire Code at the appropriate level rather than just meeting the carbon emissions reduction elements that will be the subject of the national programme. The Councils believe strongly that for the development to be genuinely sustainable, other aspects of environmental performance must be considered. This assertion is supported by references in the Sustainable Development Opportunities report, for example, that there is potential at this site to achieve high levels of water efficiency and reuse and high levels of waste reduction and recycling. Further, the commitment by the developer to adhere to principles aligning with those of "One Planet Living", has been taken by the Councils as a strong indication of a commitment to achieve sustainability beyond carbon emissions reduction.
- 2.33 The recommendation of the developer at the Preferred Options stage of the JAAP was that the first core phase of the development be constructed to Code Level 3, rising to Code Level 4 after 2012. Given this and the available evidence referred to above, the Councils maintain that the targets for the first and second core phases are reasonable, achievable and evidence based. For the third phase, issues of timing in relation to the national programme for zero carbon homes and continuing uncertainty over the costs of achieving Code Level 6 dwellings resulted in the target for "a significant proportion of homes that meet Levels 5 and 6 of the Code." Given the specific opportunities and the commitment to high levels of sustainability performance by the developer, it was considered that the number of homes that should be expected to achieve Levels 5 and 6 should be greater than a 'token' element, whilst

potentially less than 50% of the third core phase. This target is considered to be appropriate for this purpose and is viable given the further evidence of the Viability Appraisal Toolkit that allows for the achievement of a viable development in the medium and high scenarios including up to 450 homes at Levels 5 and 6 in the third phase (53% of the dwellings in that phase).

- 2.34 The target for all homes to achieve a design maximum water use of 105 litres per person per day (pppd) is considered to be inextricably linked to the target to achieve Code Level 3 or above for all dwellings. Whilst all homes achieving Level 3 or above would be able to meet the water efficiency target, it was considered that a separate target was required in the Policy. This necessity reflected both the aspiration to minimise the impact of the new development on local water resources as well as the available evidence that opportunities for water efficiency and reuse could be exploited, even where any homes did not meet Level 3 of the Code. In light of these reasons and the overall case for delivering all homes to a minimum of Level 3 of the Code, this target is considered viable and feasible.
- 2.35 The target for relevant non-residential buildings to meet, as a minimum, the 'very good' level of BREEAM is considered reasonable and achievable. The developer has indicated in representations (for example wnwcaappo6422) and subsequent discussion on this issue that they support the approach and have confidence that the target could be met. BREEAM is by its nature a flexible assessment methodology that would allow the developer discretion on how to achieve the required credit totals. Given the local opportunities (such as the potential for renewable and low carbon generation and for infrastructure integration), as well as the commitment of the developer to achieve high levels of sustainability performance, the Councils can see no evidence why this target is not viable and feasible.
- 2.36 Considering specifically the impact of the targets on housing supply and on the delivery of affordable housing, the Councils would point to the JAAP policies as an overall approach. This seeks to carefully balance a range of objectives, including the need for housing delivery and to ensure that the housing delivered includes affordable housing and is built to high sustainability standards. It has been demonstrated that the targets are consistent with securing the expected supply and timing of housing delivery and the delivery of affordable housing as outlined in the JAAP. No evidence has been shown to the Councils that would indicate that these objectives are incompatible. The evidence, referred to above, suggests clearly that the sustainability targets are feasible and viable in the context of a development delivering 2,500 homes by 2018, including proportions of affordable homes as set out in the Policy WB11. Nevertheless, if it is considered that the targets within WB22 are onerous or could threaten the overall approach of the JAAP, then the Councils would not object to minor amendments that would address these concerns.
- 2.37 The Councils consider that high overall levels of sustainable construction and renewable/low-carbon energy generation are in fact assisted by the requirement for 40% affordable housing. Grant funded affordable housing

must now incorporate high standards of sustainable construction and energy efficiency and the grant funding mechanisms for affordable housing will, we believe, assist in the funding and delivery of on-site renewable and/or low-carbon energy generation infrastructure which will in turn benefit the market dwellings. Clearly, this benefit will depend on the securing of sufficient funding from the Homes and Communities Agency. However, the Councils have seen no evidence to suggest that such funding will not be available or that it will be insufficient to assist in the delivery of decentralised energy installations and related infrastructure.

- 2.38 The viability exception within WB22 reflects the need for the Councils to be flexible and realistic about their expectations. The requirements and targets within WB22 are set at a challenging level, but one which the Councils believe is possible to achieve. Nevertheless, the approach taken is not designed to impose the obligation on developers to meet the requirements 'at any price'. Therefore, in order to achieve flexibility, the viability exception is designed to be part of the approach to allow for a rolling programme of review as progress is made on each phase.
- 2.39 Given this context, the effect of the viability exception is to allow the developer to approach the Councils at the time of planning application with evidence to substantiate any viability concerns. Both Councils have established procedures for considering evidence of viability concerns. These procedures include independent scrutiny and the need for overage mechanisms to be applied that would come into effect if viability circumstances improved sufficiently before or during construction. If, after considering the independent scrutiny evidence, the Councils believe that a case has been made, they will discuss with the developer(s) the requirements that could be amended and the extent of any amendments in the light of the viability evidence.
- 2.40 The viability exception approach taken does not refer to any intended viability trigger points, nor to any 'sliding scale' of amendments that the Councils would be obliged to adhere to. Nevertheless, in any negotiation the Councils would need to be mindful of the effect of the ambitious national programmes for zero carbon homes/non-residential buildings, including the significant cost implications for development. Therefore, it is considered that in cases of severe strain on the viability of the development, the viability exception could potentially result in only the nationally stipulated minimum standards being applied.

3 Responses to the matters raised by original representations

- 3.1 The British Horse Society, the Ruser Bridleway Association and the Countryside Access Forum for West Sussex (representations WSub95, WSub122 and WSub182 respectively) consider that, whilst the principles and objectives of the policy are very good, it is unsound as it omits the equestrian from the list of users for the proposed eastern bridge over the railway. A Statement of Common Ground between the parties that sets out the issues they agree and disagree has been agreed and submitted in conjunction with this statement.

- 3.2 The Councils consider that the provision of the crossing point to a new, purpose built multi-user bridge, whilst keeping the at-grade crossing open, is the most appropriate solution to the issue. The Councils expect that the bridge crossing will be an adopted highway (albeit with no car access) and as such will have full equestrian user rights. Bearing this in mind, the Councils propose some minor wording amendments, which are set out in paragraphs 4.3, 4.4 and 4.12.
- 3.3 It should be remembered that there currently is an 'at grade' crossing of the railway serving Bridleway 1551 that allows equestrian users to cross the railway at that point and it is our understanding that it will remain. No representations were received from the County Council, as the Rights of Way authority, requesting an upgrade to the bridleway crossing provision. Nor are such improvements listed in the County Council's Rights of Way Improvement Plan.
- 3.4 It is considered that discussions in partnership with the appropriate authorities, stakeholders and developer should be held at the planning application stage to address the detail of a crossing point that safely accommodates the different users. Whilst the proposed solution might not satisfy all parties, it is considered that it will improve the current situation where the north/south route is poorly used due to safety concerns over the points that cross the railway and the A264; therefore the proposed crossing is an improvement on the existing provision and will increase public usage of the bridleway.
- 3.5 Savills, on behalf of Crest Nicholson, support the emphasis and majority of the wording of Policy WB20 (representation WBSUB238), but object to the population forecasts that underpin the assumptions of the supporting text and the requirements of the policy, although this has subsequently been withdrawn. The representation also suggested revised wording in relation to the location of the primary school.
- 3.6 The Councils consider that the policy wording relating to the location of the primary school is suitable and appropriate. In this instance it should be remembered that the Conceptual Masterplan is, by its very nature, indicative and because of this it retains the flexibility that Crest Nicholson are seeking. The Councils do not feel a wording change is necessary, but should the Inspector feel it appropriate they would accept the proposed wording change to the policy put forward by Crest Nicholson in representation WBSUB238.
- 3.7 Discussions between the Councils and the agents of Crest Nicholson Developments (CND) have resulted in a number of minor changes to WB 22 and its supporting paragraphs being agreed (see Section 4 below). Several of these were suggested in order to improve the flexibility of the approach. These comprise changes to paragraph 4.70 and the first change to 4.80, both originating from CND's representation WBSUB241. A further change made to improve flexibility was to paragraph 4.72 and an identical change to the associated photograph caption. These originated from CND's representation

WBSUB264. Other agreed changes were suggested in order to allow for evolving Government policy. These changes comprise the second change to paragraph 4.80 (CND's representation WBSUB241) and the change to the glossary definition of 'zero carbon', (CND's representation WBSUB240). Finally, three similar changes are suggested to overcome the problem that 'actual' water usage cannot be controlled by build specifications, only a 'design maximum' level of usage. These comprise changes to paragraph 4.74 and to the policy text of WB22 (second paragraph) and originated from CND's representation WBSUB264.

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 **1.19** ~~There is an archaeological parkscape around the property Kilnwood. An "historic parkscape" is recorded on West Sussex County Council's Historic Environment Record (HER) in land to the south-east of Kilnwood. Recent surveys by a landscape historian and archaeologist have confirmed to the satisfaction of the County Archaeologist that there is no evidence of a designed parkland landscape and that this entry on the HER does not present a constraint to development.~~ The southern part of this parkscape is now agricultural land...
- 4.3 **3.9** Land immediately south and east of Kilnwood will be provided as a landscape buffer ~~and to take into account the historic context of the area.~~ A landscape buffer will also be provided...
- 4.4 **3.17** A bridge will be provided across the railway line at this point for pedestrians, cyclists, equestrians, public transport and emergency vehicles.
- 4.5 **3.19** A pedestrian, cyclist, equestrian, public transport and emergency vehicle route will be provided adjacent to the railway line between the new neighbourhood and Ifield West into Woodcroft Road.
- 4.6 **4.24** The Conceptual Masterplan outlines the core elements of landscaping required to ~~mitigate~~ minimise the visual impact of the development on the surrounding area, particularly in terms of impact on the High Weald AONB and the Horsham Crawley Strategic Gap. The need to remediate the former inert landfill site, and as part of the remediation, reconfigure the topography of the site, means that opportunities exist through the remediation strategy to ~~mitigate~~ minimise the impact of the development on the landscape.
- 4.7 **4.26** In some locations advanced planting may be required to ensure that planting is sufficiently mature to ~~mitigate~~ minimise any adverse effects by the time development is delivered.
- 4.8 **4.27** The valued features of these designations are to be retained and, where ~~possible~~ appropriate, taking into account the effect of increased access on biodiversity, improved access and enhancement should be achieved.

4.9 ~~4.31~~ A historic parkscape exists around Kilnwood, a property in the north west corner of the neighbourhood. West Sussex County Council's Historic Environment Record (HER) records an "historic parkscape" in land to the south-east of Kilnwood. However, a survey in early 2008 has confirmed that there is no evidence of a designed landscape although several specimen trees which pre-date the development at Kilnwood remain in the current agricultural landscape and should be retained where possible. The first edition 6-inch Ordnance Survey Map (1872-1874) shows the land as parkland, but the southern part of the Kilnwood parkscape is now agricultural land. This means that it is unlikely that parkland relics exist in the agricultural element; however, relics may survive in the northern element of the parkscape (just south and east of Kilnwood) which lie outside the area identified for residential development.

4.10 ~~4.32~~ In light of the current uncertainty regarding the historic parkscape's merit any proposals for development in this locality will be subject to a survey, recording and assessment by a landscape historian.

4.11 **Policy WB 14**

Archaeology

~~Before any development in the historic parkscape surrounding Kilnwood takes place, a survey, and assessment of the area should be undertaken by a landscape historian to establish its historic value.~~

~~Where parkland relics are identified through the assessment process, action to mitigate the impact of development on these relics will be required.~~

4.12 ~~4.34~~ Furthermore, green linkages will provide access to the surrounding countryside, the High Weald AONB and Bewbush. Whilst the area to the south of the A264 is outside of the West of Bewbush allocation, the Councils are seeking to enhance the link to the public rights of way network to the south of the A264 so it connects with the new 'at grade' crossing to provide a valuable and useable route into the High Weald AONB and Buchan Country Park.

4.13 ~~4.36~~ ...or potentially subject to, 60dBA or above more.

4.14 **Policy WB 17**

Elsewhere within the neighbourhood flood attenuation measures and, where appropriate, SuDS should be incorporated to ensure there is no increase in pre-development runoff rates.

4.15 ~~4.39~~ Across the neighbourhood, Sustainable Drainage Systems (SuDS) and other measures, such as Sustainable Drainage Systems (SuDS) where appropriate, should be implemented...

- 4.16 **4.40** Flood attenuation measures and the possible implementation of SuDS...
- 4.17 **4.41** The ~~eConceptual mMasterplan~~ ~~has sufficient flexibility to~~ incorporates such a facility should an environmental infrastructure area which provides the opportunity for the development of such a facility should it be included in the West Sussex Minerals and Waste LDF Core Strategy.
- 4.18 **4.43** ~~Such a facility is not identified on the Conceptual Masterplan; however, it might be possible to deliver such a facility at the planning application stage;~~ The Conceptual Masterplan incorporates an environments infrastructure area which provides the opportunity for the development of such a facility if there is evidence to support its inclusion.
- 4.19 **4.50** ~~The neighbourhood should also contribute to built sports facilities to serve the neighbourhood with opportunities to improve and enhance school provision close to the neighbourhood, which provide public access to built sports facilities.~~
- 4.20 **Policy WB 20**
- A three 2-3 forms of entry primary school...
- 4.21 **4.64** In addition to the above, the neighbourhood may present the opportunity to accommodate existing ~~non-conforming~~ service employment uses from within Horsham District and Crawley Borough, to the benefit of the neighbourhood.
- 4.22 **4.70** ...required for a significant 'community energy system' ~~based on, but not limited to,~~ possibly including a CHP system...
- 4.23 **4.72** ... a robust strategy to both conserve supplies as well as to ensure that wherever ~~possible~~ feasible water is reused and rainwater intercepted and harvested.
- 4.24 **[Photo caption]** Wherever possible ~~feasible~~ rainwater harvesting through water butts will be incorporated.
- 4.25 **4.73** At the development level, this should include, where appropriate, ~~sSustainable dDrainage sSystems~~ (SUDS) that are...
- 4.26 **4.74** At the household level the Councils expect measures to be put in place to achieve a design maximum level of usage equivalent...
- 4.27 **4.74** Individual homes should incorporate appropriate maximum design consumption levels...
- 4.28 **4.80** ...requirements set out above for the energy strategy in terms of the delivery of a 'community energy system' an appropriately scaled energy system.

4.29 **4.80** This represents a modest improvement over the maximum consumption levels that ~~will~~ may soon be required by Building Regulations...

4.30 **Policy WB 22**



A water strategy will be required to show how all homes can be ~~designed~~ built to achieve a design maximum water consumption target of 105 litres or less pppd.

4.31 **Glossary**



Zero Carbon

~~Buildings that produce net zero carbon dioxide emissions over the course of a year, taking into account all the energy used in the building – for lighting, heating, cooling, cooking, running the appliances, and so on. Net zero carbon is achieved by generating energy from renewable sources (at the building or elsewhere on the development site) to offset the energy used by the building and its occupiers. The definition of ‘zero carbon’ homes has changed a number of times in recent years as the national policy in this area has evolved. The latest officially recognised definition may be found in the most recent version of the ‘Code for Sustainable Homes – Technical Guide’ published by the DCLG (currently October 2008) and available on their website.~~

4.32 **Conceptual Masterplan**

Replace the  in the north-west corner with 

4.33 **Conceptual Masterplan**

Replace the  that crosses the A264 with 

4.34 **Conceptual Masterplan**

Bus/pedestrian/cyclist/equestrian/emergency vehicle link

5 Conclusion

5.1 It is considered that the responses to the Inspector’s questions, coupled with the proposed changes, demonstrate that the JAAP provides sufficiently clear and comprehensive guidance to developers on the various necessary requirements to provide a functioning neighbourhood and that the JAAP meets the relevant Tests of Soundness, particularly Tests 4,6,7 and 9.