

**WEST OF BEWBUSH
JOINT AREA ACTION PLAN
EXAMINATION IN PUBLIC**

**FINAL
1,300 words**

**EXAMINATION STATEMENT
CREST NICHOLSON DEVELOPMENTS LTD
DECEMBER 2008**

Issue 2 – Alternative Development Options
Wednesday 21st January 2009

CND NOT ATTENDING

CND EXAMINATION STATEMENT 2
CND REF: 73910

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Introduction

This Examination Statement has been submitted by Crest Nicholson Developments (CND) as part of the Examination in Public on the West of Bewbush Joint Area Action Plan (JAAP). The Statement highlights and where necessary expands upon representations submitted by CND in July and October 2008 on the JAAP process. It does not repeat representations.

CND is not formally appearing at the Examination on this issue.

The following CND representations and technical evidence are relevant to this statement:

Ref		Ref	
WoBAIt40	WoB ADS 1 (Objection)	WoBAIt45	WoB ADS 6 (Objection)
WoBAIt41	WoB ADS 2 (Objection)	WoBAIt46	WoB ADS 7 (Objection)
WoBAIt42	WoB ADS 3 (Objection)	WoBAIt49	WoB ADS 8A (Objection)
WoBAIt43	WoB ADS 4 (Objection)	WoBAIt47	WoB ADS 8B (Objection)
WoBAIt44	WoB ADS 5 (Objection)	WBsub230	Policy WB14 Archaeology (Objection) Withdrawn

Abbreviations

- CBC / HDC – Crawley Borough Council / Horsham District Council
- CND – Crest Nicholson Developments Ltd
- SV - Savills (Planning Consultant)
- BW – Barton Willmore (Masterplanner)
- SLR (Environment and Landscape Consultant)
- PBA – Peter Brett Associates (Transport / Utilities Consultant)
- FL – Fulcrum (Sustainability Consultant)
- CP – Capitol (Railway Consultant)
- WoB – West of Bewbush

Issue 2: Alternative Development Options

Questions for most Alternative Development Sites [ADS]

How is the Sustainability Appraisal assessment incorrect for the ADS (where applicable)?

1. CND support the request for a full Sustainability Appraisals to support each ADS.

For residential alternatives, how would the ADS better meet the principles and objectives set out in the Core Strategies?

2. CND refer the Inspector to our representations WoBAIt40 through to WoBAIt47 made in October 2008 objecting to all of the alternative development options.

Alternative Development Options

ADS 1: The westernmost part lies outside the Area of Search in the Core Strategies (CP 6 & W1). Can this part therefore be considered? Would the remainder achieve the required housing numbers?

3. The option cannot be considered as a reasonable alternative (as given by paragraph 4.38 of PPS12) as it would not be in conformity with the Core Strategies and original Area of Search. It should therefore be dismissed. Please refer to CND's representation WoBAIt40.
4. The exclusion in the option of land north of the railway is not warranted. CND has made clear that it has the legal right to cross the railway (see paragraphs 47 – 52 of the ADS stage covering letter – repeated as paragraphs 43 – 48 of representation WoBAIt49) this has been further included in paragraphs 3.1 – 3.20 of the original Technical Appendix 6 (submitted with CND's July 2008 representations now amended) and as given in the Third Draft Transport Assessment (May 2008).
5. Any ransom from Network Rail associated with crossing the railway (if justified) has been factored in the further market viability and development phasing work undertaken (see CND Examination Statement 6) and furthermore the expected infrastructure costs of the bridges have been factored.
6. The land north of the railway is also virgin Greenfield land not in need of landfill remediation which assists with the overall development viability.

ADS 2: Would the deletion of this part of the site prevent the housing numbers being achieved?

7. The removal of the land around Kilnwood as a development allocation would require robust justification. CND has submitted evidence showing that the Historic Parkscape allocation is not warranted (objection WBSUB230 on policy WB14 and also Technical Appendix 4 submitted in July 2008) and this has been adopted by CBC/ HDC as a Core Document (ref: CDoth4). CND has also submitted evidence which concurs with the LDA Design Urban Rural Fringe Study for Crawley (Core Document ref: CDHDCB35) illustrating that the land north of the railway can be developed without any adverse landscape impacts (see Technical Appendix 5, Landscape and Visual Justification, submitted July 2008). The land north of the railway is also virgin Greenfield land not in need of landfill remediation which assists with the overall development viability.
8. It is understood the historic parkscape designation is subject to a pre Hearing change (see CND Examination Statement 4) which CND support.
9. The loss of residential land of approximately 25 hectares at a density of 30 dwellings per hectare (which takes account of woodland spring lines and landform) would reduce the site's capacity by around 750 dwellings. The loss of dwellings is reduced by a commensurate reduction in the size of the facilities such as School, Neighbourhood Centre and Open Space. Within the reduced area of land, maintaining existing densities an estimated 2,000 dwellings could only be accommodated. As such the loss of the land north of the railway would limit the mix of dwellings that could be provided by the development and therefore restrict the social balance.
10. The option ADS2 should therefore be dismissed. Please also refer to CND's representation WoBAIt41.

ADS 3: A major acute hospital is not identified in the Core Strategies for the JAAP to allocate. Can this therefore be considered?

11. The option cannot be considered as a reasonable alternative (as given by paragraph 4.38 of PPS12) as it would not be in conformity with the Core Strategies and original Area of Search. It should therefore be dismissed. Please refer to CND's representation WoBAIt42.

ADS 4: This site lies outside the Area of Search in the Core Strategies (CP 6 & W1), and a CHP scheme is not identified in the Core Strategies for the JAAP to allocate. Can this therefore be considered?

12. Please refer to CND's representation WoBAIt43.
13. The option cannot be considered as a reasonable alternative (as given by paragraph 4.38 of PPS12) as it would not be in conformity with the Core Strategies and original Area of Search. As the CHP facility being promoted by the respondent would be fuelled in most part by residual waste, the identification of sites for such facilities should accord with the emerging Waste and Minerals Local Development Framework for West Sussex (MWLDF) and the soon to be adopted South East Plan (SEP). The MWLDF is in an early stage of preparation with a Core Strategy Issues and Options Paper scheduled for publication in mid 2009 and ultimate adoption scheduled for autumn 2011. As such CND contend that any "allocation" of such a major waste facility would be premature and not the role of the District level LDF.
14. In these contexts it is noted that WSCC has recently published background papers regarding strategic waste sites and waste arisings and waste management capacity (Background Paper 6: Strategic Waste Sites, Version 1: October 2008) which, using information on capacity requirements from Background Paper 2: Waste Arisings and Waste Management Capacity (Version 1: June 2008) do not lend any credence to the need for such a facility.
15. It is understood that the SEP will be adopted in the first part of 2009. The Secretary of State's proposed changes were published in July 2008 and deal, inter alia, with the need for waste treatment facilities and with the thorny subject of the management of waste from other regions. The Secretary of State's suggested changes to Policy W3 regarding Regional Self Sufficiency included the insertion of the following text. *"Provision for recovery and processing capacity for London's waste should only be made where there is a proven need, with demonstrable benefits to the region, including improving the viability of recovery and reprocessing activity within the region, and where this is consistent with the proximity principle in the nearest appropriate location. A net balance in movements of materials for recovery and reprocessing between the region and London should be in place by 2016."*
16. It is clear that there is neither Regional or County level planning policy support for the principle of a large rail linked waste treatment plant in the location being put forward by the respondent which would be intended to provide long term waste treatment capacity for waste originating outside West Sussex. It should therefore be dismissed.

17. It is worthy of note that CND has been in contact with WSCC over the issue of potential waste provision on WoB. In this regard and in connection with the potential CHP facilities at WoB CND have proposed an 'Environmental Infrastructure Area' be designated which may incorporate small built waste facilities. This area on land associated with the potential CHP may provide longer term flexibility so as to allow for a small and proportionate waste allocation. This issue relates to Issue 4 and JAAP policy WB18, which CND support (see CND Examination Statement 4).

ADS 5, 6 and 8B: Are these sites too small to achieve the required housing numbers?

18. These options cannot be considered as a reasonable alternatives (as given by paragraph 4.38 of PPS12) as they would not be in conformity with the Core Strategies and original Area of Search. The site areas cannot deliver 2,500 homes or a single neighbourhood concept as given by the Core Strategies. The forum for promoting these land areas is suggested as being the forthcoming Horsham District Core Strategy Review. They should therefore be dismissed. Please refer to CND's representations WoBAIt44, WoBAIt45 and WoBAIt47.

19. CND would also highlight the need for sound and robust technical evidence to support the allocation of the sites and note the absence of any transport or environmental evidence. This is contrary to the evidence base approach advocated within PPS3 (notably paragraph 38) and PPS12 (notably paragraph 4.36).

ADS 6, 7 and 8A: Do landscape, ecological, flood, noise and conservation constraints preclude these sites? An eastern part of ADS 8A lies outside the Area of Search in the Core Strategies (CP 6 & W1) - can this area therefore be considered?

20. These options cannot be considered as reasonable alternatives (as given by paragraph 4.38 of PPS12). The eastern part of ADS 8A being outside of the original Area of Search would not be in conformity with the Core Strategies.

21. CND would also highlight the need for sound and robust technical evidence to support the allocation of the sites and note the absence of any transport or environmental evidence. This is contrary to the evidence base approach advocated within PPS3 (notably paragraph 38) and PPS12 (notably paragraph 4.36).

22. They should therefore be dismissed. Please refer to CND's representations WoBAIt45, WoBAIt46 and WoBAIt49.

Conclusion

23. The JAAP in terms of the selection and fundamental principle of development West of Bewbush is sound. The alternative proposals are all flawed being either contrary to the Core Strategies, original Area of Search or not based on technical evidence. They would consequently not meet the key tests of soundness to warrant a development allocation.

END OF STATEMENT