

**EXAMINATION INTO THE WEST OF BEWBUSH JOINT AREA ACTION PLAN**

**CRAWLEY WESTERN RELIEF ROAD**

**STATEMENT ON BEHALF OF WEST SUSSEX COUNTY COUNCIL**

**1. Background**

The principle of a new neighbourhood to the west of Crawley was established in the West Sussex Structure Plan (WSSP) (Core Document CDSx1) 2001 – 2016 (Saved Policy LOC1(2)), adopted in October 2004, where it was designated as a Strategic Location for new development.

County Council policy relating to a Crawley Western Relief Road (WRR) is set out in WSSP Policy NE17 which was saved by the Secretary of State in September 2007.

The Crawley (West) Strategic Location and associated transport measures are also recognised in the West Sussex Transport Plan (WSTP) 2006 – 2016 (Para. 3.5.6).

**2. Transport Assessment**

Based on strategic modelling undertaken during development of the WSSP, and taking account of existing highway network conditions in the Crawley area, the County Council considered that a development of 2500 homes to the west of Crawley would require provision of a WRR. However, having studied detailed transport assessment and modelling information submitted by Peter Brett Associates on behalf of developer Crest Nicholson, the County Council has concluded that the impact of the development proposed in the JAAP can be adequately mitigated by a package of transport measures that does not include a WRR.

From its assessment of the data provided, the County Council still believes there would be considerable benefits to Crawley and the surrounding rural areas if a WRR were included in the package. It is intended that the County Council's policy position, as set out in WSSP Saved Policy NE17, shall continue to apply in respect of any further significant development in the West & North West of Crawley study area, thereby maintaining the County Council's long-run objective of providing a WRR.

**3. Outstanding Issues**

In light of its conclusions on the transport assessment and modelling information provided, the County Council has agreed a separate Statement of Common Ground (SoCG) on WRR matters with Crawley Borough Council (CBC), Horsham District Council (HDC), Peter Brett Associates and Crest Nicholson Developments Limited. This SoCG was submitted to the Programme Officer on 31<sup>st</sup> December 2008.

The County Council's July 2008 formal response to the Submission JAAP stated the need for policy amendments in relation to two issues under a "no relief road" scenario. The first of these issues is the need to safeguard the necessary land to enable the provision of a WRR in the future. The second issue is the potential requirement for a financial contribution from the JAAP development towards a future WRR which, as mentioned above, the County Council considers will be required if any significant further development were proposed on the W&NW of Crawley area of study.

### **ISSUE 1: SAFEGUARDING OF LAND FOR THE FUTURE PROVISION OF A RELIEF ROAD**

In this context it is important to note that there is no agreed or approved alignment for a WRR. The Submission JAAP includes a safeguarded corridor through part of the site and the Inspector has questioned whether it is in the right place. There are significant environmental and heritage constraints, as well as a few existing properties, affecting any choice of alignment. As a result it is unlikely that most of the safeguarded area could form part of any buildable alignment for a WRR.

Because there are feasible, albeit less than ideal, route options to west and north of the JAAP site it is likely that any practicable WRR route will cross an area of informal open space on the western edge of the site. On account of its status as contingency land for further development, and the potential for a final decision on the WRR before the end of the JAAP plan period, the SoCG dealing with relief road issues proposes that this be safeguarded by an undertaking from the developer rather than amended policy wording.

**Conclusion** – Subject to the detailed undertaking being agreed, the proposed safeguarding mechanism is accepted in view of the current lack of certainty over future development west of Crawley beyond the JAAP proposals. The County Council would expect any undertaking to be made through an Agreement under Section 106 of the Town & Country Planning Act 1990, with the landowner(s) included in the parties to the Agreement. The Agreement should also require the landowners/developer to dedicate/transfer the land to the County Council on request at nil cost, once a decision has been made to proceed and the necessary funding has been identified.

### **ISSUE 2: POTENTIAL AMENDMENT OF THE JAAP TO REQUIRE A FINANCIAL CONTRIBUTION FROM THE DEVELOPMENT TOWARDS THE FUTURE PROVISION OF A WRR**

An initial estimate of the value of the transport package required by the JAAP (ie excluding both WRR and new rail station) is around £20M.

Amending the JAAP to require a financial contribution towards a future WRR is opposed in principle by CBC, HDC and the developer on the grounds that the WRR is not required for the JAAP proposals and there are no other major development allocations to the west of Crawley in any current approved development plans. Notwithstanding that the County Council has been invited to suggest an appropriate mechanism for securing a contribution, there appear to be two alternative options:

**Option 1: Continue seeking a developer contribution towards a wider transport package that includes a rail station or alternative transport solution (including the relief road) should the rail station not be deliverable**

Policy WB25 of the JAAP states that land for a rail station must be safeguarded pending a definitive decision on its provision. Inclusion of a new rail station in the development would accord with WSSP Saved Policy NE21 and help to achieve additional modal shift towards public transport as well as encouraging existing/potential rail commuters to move into the new neighbourhood. These combined effects could potentially reduce the justification for the JAAP development contributing towards major improvements to the highway network in the future.

A new station capable of accommodating 12-coach trains could cost around £12-15M. Delivery of the station requires the support of the railway authorities and, because this aspect is beyond the control of the developer and the local authorities, the station is not a requirement of the JAAP. However it would represent a significant enhancement to the basic acceptable transport package.

The County Council considers it would be reasonable to seek a contribution towards a transport solution including the WRR in the absence of a new rail station. It is also considered reasonable to waive any such contribution if the developer were successful in delivering the station within five years of the first occupation of the new housing.

**Option 2: Rely on further development allocations through CBC/HDC core strategy reviews to deliver and fund a WRR**

The adopted CBC/HDC core strategies are based upon plan periods up to 2016 and 2018 respectively. Both will need to be reviewed in the near future to roll forward their plan periods to 2026 in keeping with the emerging South East Plan. There is potential for additional housing allocations to the west of Crawley to accommodate not only the housing numbers envisaged in the draft South East Plan but also the increased allocations in the Secretary of State's Proposed Modifications published in July 2008.

Other potential sites in the Area of Study do not have some of the advantages of West of Bewbush ie direct access to the Strategic Road Network, relatively straightforward extension of existing Fastway services into the site and potential rail station within the development. The County Council would therefore not expect further significant development to the W&NW of Crawley to be capable of satisfactory access and mitigation without a full WRR.

The County Council's long term objective of providing a WRR was made clear in its statement to the JAAP Pre-Hearing Meeting held on 11<sup>th</sup> November 2008. This objective will be reflected in its formal responses to any future CBC/HDC consultations undertaken as part of their core strategy reviews.

**Conclusion** - Should the Inspector agree with CBC/HDC/Crest Nicholson that it would be unreasonable to require the developer to contribute as outlined above in Option 1, then the Inspector is requested to acknowledge the importance of the WRR to support any further strategic development proposals in the W&NW of Crawley area that may be brought forward in the future.

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**FUNDING OF REQUIRED JUNCTION IMPROVEMENTS**

**STATEMENT ON BEHALF OF WEST SUSSEX COUNTY COUNCIL**

**1. Background**

The detailed transport modelling undertaken by Peter Brett Associates (PBA) on behalf of Crest Nicholson Developments Limited has predicted that the JAAP development will result in material impacts (ie increased congestion) at several junctions including the A23/A2220 “Cheals” roundabout and the A264/A2220/Sullivan Drive roundabout. At the former, work carried out to date indicates that conversion to a signalised layout will be necessary whilst, at the latter, further work will be required to determine the appropriate type of improvement.

Whilst noting the proximity of the above junctions to the West of Bewbush proposals, the County Council accepts that not all of the predicted increases in congestion are attributable to the JAAP development. As well as increases resulting from background traffic growth some further traffic can be expected to originate from other development in the wider area.

**2. Funding**

PBA has argued that, because other developments will contribute to increased congestion, developments such as that proposed to the south of Broadbridge Heath should be required to contribute pro rata to the junction improvements required on the A264/A2220 corridor and at M23 Junction 11. On this basis PBA do not accept that Crest Nicholson’s obligations go beyond making a proportional contribution towards the cost of the improvements.

From the point of view of the County Council as Highway Authority, it would not be acceptable if the West of Bewbush phasing were only linked to the payment of contributions at set stages of the development rather than delivery of the improvements themselves. The County Council considers it essential to avoid a situation where the West of Bewbush development were able to progress while the junction improvements are potentially delayed for lack of other developer contributions at the time they are needed.

There is no certainty over the amounts or timing of any contributions from other proposed developments. Whilst the County Council would agree to a “best endeavours” commitment to secure contributions from other developments it would expect Crest Nicholson Developments to at least provide full funding “up front” to ensure the timely delivery of the junction improvements required for the JAAP proposals. Such an arrangement is considered to be necessary in order to safeguard the principle of nil detriment to the operation of the highway network.

To sum up, it would be unacceptable to the County Council if the West of Bewbush development were allowed to proceed without a commitment to deliver the required junction improvements in their entirety.