

WEST OF BEWBUSH
JOINT AREA ACTION PLAN
EXAMINATION IN PUBLIC

FINAL
1,800 words

EXAMINATION STATEMENT

CREST NICHOLSON DEVELOPMENTS LTD

DECEMBER 2008

Issue 7 - The Longer Term Approach and Monitoring
Issue 8 - Sustainability Appraisal and Strategic Environmental
Assessment
Issue 9 - Policies WB 3 and 4 – Neighbourhood Principle and Design
Tuesday 3rd February 2009

CND NOT ATTENDING

CND EXAMINATION STATEMENT 7
CND REF: 73910

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Issue 8 - Sustainability Appraisal and Strategic Environmental Assessment
Issue 9 - Policies WB 3 and 4 – Neighbourhood Principle and Design
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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.

The following representations and technical evidence is relevant to this statement.

Ref		Ref	
Wbsub211 Policy WB3	Neighbourhood Principle (Support)	Wbsub258 Policy WB28	Longer Term Approach (Support)
Wbsub212 Policy WB4	Design (Support)		

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 (the site)
- DAS – Design & Access Statement
- PPA – Planning Performance Agreement

Issue 7 - The Longer Term Approach and Monitoring
Chapters 6 and 7

Are the issues set out in Chapter 6 appropriate for the JAAP? Should not these matters, apart from the Policy Context, be left to the Core Strategy reviews?

1. CND have no comment to make in relation to this question.

In ¶ 6.16, surely any further development to the west of Crawley could not be achieved through a JAAP review, but rather through the Core Strategies as per WB 28?

2. CND have no major comment to make in addition to the representations of support for policy WB28 (ref. WBSUB258). We would though reiterate our observation that the updated PPS12 has included the ability to allocate land strategically through the Core Strategy process (paragraphs 4.6 and 4.7). It may therefore be the case that land within the Area of Search (including WoB) may be considered for additional housing (i.e. over 2,500 dwellings to 2026) through the Core Strategy Reviews.
3. CND would highlight for consideration the need to not prejudice future development north within the masterplanning for WoB given the impending Core Strategies Reviews.

Is there a need for WB 28? Both statements in it are factual.

4. CND have no comment to make in relation to this question.

Has the advice set out in the *LDF Monitoring: Good Practice Guide* been applied in Chapter 7? (The key test is whether sufficient information is provided to assess policy implementation and its significant effects, having regard to available resources - paragraph 4.28 of the *Good Practice Guide*)

5. CND have no comment to make in relation to this question

Are SMART targets/outcomes identified in Chapter 7?

6. CND have no comment to make in relation to this question

Issue 8 - Sustainability Appraisal and Strategic Environmental Assessment

The numbering of the options in Appendix B of the SA appears to be incorrect. If so, should it be corrected?

7. CND have no comment to make in relation to this question.

Issue 9 - Policies WB 3 and 4 – Neighbourhood Principle and Design

Policy Questions

Should the JAAP be more positive and proactive in design detailing, enabling a sense of place? Has too much been left to the planning application stages?

8. CND supported policies WB3 and WB4 through representations submitted in July 2008 (refs WBSUB211 / WBSUB212). CND believes that CBC/ HDC will forward pre Hearing changes relating to design with regard to expanding on the process to be followed in the supporting text to Policy WB4. CND supports this approach although would like it noted that a hybrid planning application route, as well as an outline/ reserved matters route is being considered in order to deliver an initial 150 dwellings in Core Phase 1.
9. The Inspector has raised the question of whether the JAAP incorporates sufficient detail to create a sense of place. It is CND's view that sufficient policy exists already within the JAAP and beyond to achieve a sense of place. The JAAP merely is required to create a planning framework for future planning decisions at the development control stage, for which extensive design tools and mechanisms can potentially be adopted. Detailed design guidance is rightly not included within the JAAP (beyond the Conceptual Masterplan) as this could stifle onward flexibility and creativity.
10. There is a clear requirement in the JAAP and Core Strategies to develop the scheme in a neighbourhood principle. Whilst this neighbourhood will be developed as a neighbourhood of its time, there are clear requirements for the neighbourhood principle that will create a sense of place.
11. Policy WB3 provides a clear, robust set of principles which provide an appropriate framework in which to develop a more detailed masterplan supporting a planning application. The last bullet point in this policy specifically relates to design which is then expanded upon in WB4, which sets out six design principles to guide the development. In CND's opinion, policies WB3 and WB4 are sufficient to guide the

preparation of an application and help ensure a distinctive and quality development will ensue. This is particularly in the context of wider national, regional and local planning policy covering the issue and with regard to the procedure for Design and Access Statements (DAS) required under Circular 01/2006 (Guidance on Changes to the Development Control System) and the level of supporting information needed through '1APP' for submitting planning applications.

12. The planning application(s) will be determined in accordance with the Core Strategies along with the JAAP, national and regional policy. Crawley Core Strategy policy EN5 and Horsham Core Strategy policy CP3 both strongly relate to design quality.
13. PPS3 already provides strategic design guidance at paragraphs 12 to 19 including referrals to design and best practice and the methods available to implement high quality design. PPS1 also outlines the importance of design quality in making planning decisions (paragraphs 33-39) and this has been shown to have been upheld at numerous Planning Appeals and Secretary of State decisions, and hence is unlikely to be ignored by developers. These factors should be balanced with the requirements of PPS3 paragraph 45 to 51 over the efficient use of land.
14. As highlighted within CND's response to other Examination Issues, the implications of ensuring the delivery of homes within the trajectory should also be factored in that the imposition of protracted design process requirements through the JAAP may delay the production and submission of a planning application(s). Such in the view of CND is not necessary given the existing policy/ guidance already available and given that a Planning Performance Agreement (PPA) is progressing to achieve a coordinated approach to the planning process (that includes a specific masterplanning / design working group) and also onward third party / public engagement.
15. As such CND concurs the principle of outlining design processes in the supporting text of Policy WB4 in order for the JAAP to explicitly state the design process and role of the development control stage.

Should there be a "hook" to enable further design guidance to be provided, perhaps in the form of Supplementary Design Guides for each phase?

16. CND considers there to be four main options of approaching design available in the JAAP, some requiring a significant alteration to the present strategy and as such must be viewed with caution:

- No change to JAAP – Planning applications would need to include a Circular 01/2006 Compliant Design and Access Statement (DAS) with structured process which includes Area/Phase Master Plans (and possible Design Codes/Briefs) to support a subsequent hybrid/outline planning application(s).
 - JAAP change – As above, but also planning applications would need to follow an outlined/ structured design process (as given by the JAAP policy/supporting text) as well as including a Circular 01/2006 Compliant DAS.
 - More detailed design principles are set out in policy WB4 or a new policy which include for example:
 - i. sub division into character areas with descriptions of key characteristics
 - ii. building height limits and distribution across the site
 - iii. descriptions of key spaces
 - iv. descriptions of landscape/public realm treatments.
 - More detailed design principles are set out in an additional document (a Planning/Development Brief or Design Code which would have to be SPD), which is prepared before an outline application is submitted.
17. CND favours either the first or second bulleted options of paragraph 16 (the second reflecting CBC/ HDC's pre Hearing change). It is CND's view that the requirements of 1APP and Circular 01/2006 are sufficient to control design quality given the need to produce a comprehensive Design & Access Statement to support the planning application(s) as well as a vast range of other technical supporting information including a masterplan with parameter plans. All would need to be based on existing planning policy and guidance.
18. The third option may not be a minor change to the JAAP as it may require changes to the SA / further public consultation and as such may not be able to be made. This is because the changes will propose design detailing within the JAAP policy.
19. The possibility of producing development briefs or design guides is outlined in paragraph 4.20 of the Horsham Core Strategy, however, it is not mentioned in the JAAP. Preparation of a brief, guide or code would be an additional and unnecessary stage in the process between the JAAP and an outline application with comprehensive supporting information. It may hinder delivery.
20. The recent Appeal decision at North Filton (near Bristol) (ref. APP/P0119/A/06/2019118, core document ref. CDOth6a/6b) related to the lack of detail in relation to 'layout', 'scale' and to a lesser extent 'appearance' within

the Design and Access Statement (DAS) and supporting plans. These were considered significant issues as the application failed to demonstrate that the design principles set out in the DAS (which were considered to be weak or inadequate) would follow through to subsequent detailed applications to ensure good design was achieved. In CND's view this decision has set a precedent for major residential developments in that it is now clear that in submitting a DAS, indicative layouts (and sufficient detailing) will be required to help safeguard design quality. This in CND's view introduces sufficient controls which will be exercised at the planning application stage and will render the use of SPD/ detailed design codes unnecessary.

21. CND's master planner Barton Willmore believes from experience that a design code requires a master plan to be fixed in some detail otherwise potential contradictions and anomalies occur. If CND were to submit a hybrid planning application (as envisaged through the emerging PPA) then if required a design code would need to be prepared at the same time, perhaps as an appendage to the Design and Access Statement. Recent experience with design codes suggests that there needs to be simple style documents regulating height, plot, width and key details (i.e. an "overall design code"). Certainly this is the approach in Vauban, the German Eco urban extension much quoted by DCLG.

Should indicative densities be included in the JAAP (WB 10)?

22. The requirement to accommodate a new neighbourhood of 2,500 dwellings and associated uses on the land indicated on the Concept Masterplan produces a density of around 36/37 dwellings per hectare (PPS3 compliant definition). This has been outlined in CND Examination Statement 6 (Issue 6) with appended diagram as regards phasing and also CND Examination Statement 3 (Issue 3) relating to the housing mix.
23. If a density were to be referred in the JAAP then CND would prefer this to be expressed as a range and within the supporting text. The exact density will not be established until detail masterplans are prepared and is a matter for the subsequent planning application stage. Given the number of factors, including site location, conditions and the emphasis on family housing, CND would suggest an overall density range of 35 to 45 dwellings per hectare. This has been informed by initial design and landscape analysis, masterplan development and the Viability Report and toolkit developed in response to Issue 6 (density being related to the overall dwelling mix and distribution of this mix across the site). This situation is also broadly shown by CBC/ HDC core document 'Areas and Densities'.

24. Examples of other 'greenfield' Area Action Plans are scarce in England. The Adopted Northstowe AAP in Cambridgeshire includes density ranges and notably fairly broad design policy rather than specific guidance. The Northstowe AAP commits to "an average net housing density of at least 40 dwellings per hectare" (policy NS/7 (3)). As an illustration an increase in density to 40dph at WoB would produce 2,700 dwellings.
25. The question does though arise as to the necessity to specify density given the various design process measures available as discussed in paragraphs 8 to 21 of this Statement.
26. In addition to the residential areas shown on the Concept Master Plan, dwellings will be provided in the Neighbourhood Centre and Convenience Centre. This may necessitate a greater number of total dwellings in Core Phase 2, possibly with less in Core Phase 3. CND considers that these matters will be best addressed at the detailed design stage. It would be inappropriate without the evidence to set a density figure or range for the neighbourhood centre.

Conclusion

What parts of the JAAP are unsound.

27. Not applicable.

Which soundness test(s) it fails and why

28. Not applicable.

How the JAAP can be made sound. Including the precise changes & wording that is sought

29. The design approach of the JAAP is sound, and is further enhanced by the proposed pre Hearing change by CBC/ HDC outlining the role and remit of the DAS (as required by Circular 01/2006) within supporting text to paragraph WB4. This would reflect the core mechanisms in place through the planning application process (as supported by planning policy, best practice and relevant appeals).

30. It is CND's view that along with the proposed PPA there are sufficient measures in place to satisfy appropriate controls over design quality. An SPD would be resource intensive and is considered unnecessary given the requirements of the development control process.

31. CND would like it noted that in order to assist with the delivery of the five year supply of homes (within Core Phase 1) a hybrid planning application is being considered.

END OF STATEMENT