

Issues for Examination – 24 October 2008

These are the ONLY questions upon which the Inspector now invites evidence – all other existing representations will be taken into account and should not be expanded. The majority of the issues and questions on the policies and supporting text relate to tests of soundness 4, 6, 7 and 9.

Issue 1: Principle of Development & Identification of the West of Bewbush site – *Whether the JAAP will deliver the required numbers and a balanced range of housing based on the neighbourhood principle in the right location.*

Chapters 1 to 3 and policies WB 1 and WB 2

- 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.
- 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?
- In ¶ 2.3 why is the Horsham Core Strategy requirement (CP 6) for a landscaped western edge to prevent further expansion omitted? Does this omission affect the Conceptual Masterplan as this landscaped edge is not shown?
- In ¶ 2.6, what public rights of way network is proposed?
- Should WB 1 be made clearer by stating the delivery timescale (see ¶ 6.3)?
- 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?
- In ¶ 3.10 is the secondary access to be the access for the first phase?
- In ¶ 3.13 has it been decided yet what elements of the Neighbourhood Centre might be provided in the first phase?
- 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?

Issue 2: Alternative Development Options – *Whether the proposed alternatives would meet the principles and objectives set out in the Core Strategies better than the proposed site.*

Questions for most Alternative Development Sites [ADS]:

- How is the Sustainability Appraisal assessment incorrect for the ADS (where applicable)?
- For residential alternatives, how would the ADS better meet the principles and objectives set out in the Core Strategies?

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?

ADS 2:

- Would the deletion of this part of the site prevent the housing numbers being achieved?

ADS 3:

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

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?

ADS 5, 6 and 8B:

- Are these sites too small to achieve the required housing numbers?

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?

Issues 3 to 5: Policies for Development – *Whether the JAAP provides sufficiently clear and comprehensive guidance to developers on the various necessary requirements to provide a functioning neighbourhood.*

Chapter 4 (policies WB 5 to 27)

General questions:

- Are there too many policies in Chapter 4? Could some be amalgamated - WB 5 to 9?
- Do the policies make clear which infrastructure elements are to be funded by the development itself (see page 86). This applies to policies WB 5 to 8 in particular.
- Is the wording of the policies clear, reasonable and flexible?

Policy questions:

- WB 8: The word “consideration” implies this provision is not definite. Is that the case?
- WB 9: should the last sentence of ¶ 4.13 be placed within the policy to make it clearer? Is this level of retail provision viable?
- WB 10: should the policy provide more detailed information on the mix of dwelling size and type for each phase of development?
- WB 11: is the policy too inflexible in its tenure split requirement; wheel chair percentage; and Lifetime Homes percentage? Could the viability exception result in the provision of no affordable homes?
- 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?
- WB 13: should there be mention of measures to protect the integrity of nearby off-site nature conservation areas?
- WB 14: has this assessment already been carried out? If so, is the policy necessary?
- WB 15: what links are there to the west on the Conceptual Masterplan?
- WB 16: ¶ 4.36 says “60 dBA or above”. Which is it?
- WB 17: would SuDS work given the underlying Weald Clay? Would development add to the risk of flooding in existing residential areas in Crawley?
- WB 18: should the site provide a household waste recycling facility (¶ 4.43)?
- WB 19: should the provisions of ¶ 4.50 be in the policy?
- 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)?
- WB 21: is ¶ 4.64 a hostage to fortune?
- 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 the delivery of 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?
- WB 23: Has the Licence surrender taken place (the dates are different in ¶s 1.21 and 4.90)? The Licence Area includes part of phase 1 – is this a timing problem due to

reprofiling etc? What landform modifications (in general) are required? Should this be stated in the policy? How will Bewbush Brook be treated? The SLR report says that there will be additional investigation and remediation design from June 2008 – what is the result? There are different remedial solutions in the SLR report from those indicated in the JAAP (e.g. Brook treatment, surface water ponds) – have these been discounted?

- WB 24: is the safeguarded land for a by-pass in the correct location? How would the line of the by-pass flow around the JAAP site (please provide a diagrammatic plan)? Would it involve the loss of open space land, itself reserved for housing (see Issue 6 below). Page 33 of the July 2007 URS report said the second access could also be used full-time – should this be considered?
- WB 25: See related questions in Issue 6 below – should the answers to these be incorporated into the policy? Should the multi-modal interchange (¶ 4.128) be included in the policy? What happens to the land if the station is not provided (¶ 4.132) – should this be considered now and included in the policy? For instance, if this and the CHP land is not used, should the phase 3 area to the west (south of Kilnwood) be reduced?
- WB 26: should the policy (or the JAAP elsewhere) make clear how these infrastructure elements will be funded?
- WB 27: stating the obvious?

Issue 6: Phasing and Delivery – *Whether the phasing provisions are sound and flexible, capable of dealing with slippages in the delivery of development proposals; and whether the infrastructure is clear, costed, realistically timed and capable of being funded.*

Chapter 5

General questions:

- How have the areas, physical divisions, numbers of houses and infrastructure elements for each Core Phase been determined? Are they economically viable and properly timed for the neighbourhood as it grows?
- How would the Council deal with slippages and delays in the provision of either Core Phases or individual elements of infrastructure within them? Could the embryonic community be left without adequate facilities and services?
- What are the individual infrastructure costs?
- Has an assessment of the infrastructure funding been carried out? In particular, what amount and proportion of the infrastructure is to be funded by the development itself and what by statutory undertakers and other public bodies?
- Has an economic viability appraisal been carried out to assess whether the development would be able to fund its share of the infrastructure costs, at the time that is required for each Core Phase? If not, please provide one.
- How would the Councils deal with possible requests from developers to reduce or even omit affordable housing or sustainability requirements or other elements (e.g. open space?) on the grounds of inadequate viability (¶ 5.30)? Would any reduction fatally affect the neighbourhood concept and JAAP/Core Strategy aims?
- If the train station cannot be provided, what contingency measures would be introduced to reduce the use of the private car (e.g. increased bus services and/or increased platform lengths at Faygate or Rusper rail stations)?

Textual questions:

- In ¶ 5.4 is there any doubt about the Fastway 10 provision (“should have”)?
- In ¶ 5.5 when is the informal space to the west of the main access to be provided? When is Pondtail Shaw to be provided as an amenity area?
- In ¶ 5.6 the Waste Management Licence surrender date is different to ¶ 4.90.
- The remediation timetable looks very tight in ¶ 5.6. Is this feasible? Where is the developer’s “risk management schedule” mentioned in ¶ 5.20?
- Please explain the need for earthworks and remediation in phase 3 at ¶ 5.6.
- In ¶ 5.10 should the timing of the convenience centre be firmer?
- In ¶ 5.11 is the CHP as firm as it is stated?

- In ¶ 5.11 should there be mention of a multi-nodal interchange?
- What happens to the “forked” green coloured wooded area to the north of the railway?
- In ¶ 5.11 should an informal open space be mentioned?
- In ¶ 5.14 and ¶ 5.15 is the mixed use development the same as the convenience centre in ¶ 5.10?
- In ¶ 5.15 does the formal open space include Capon Grove? What happens to this?
- On page 69 the additional sewerage capacity is not mentioned in ¶s 4.137 or 5.26. Should it be?
- What is the latest situation with Network Rail on the bridges (¶ 5.21)?
- What effect would the circumstance outlined in ¶ 5.27 have on delivery?
- In ¶ 5.27 should this contingency “reserve housing site” use of the field be indicated on the Conceptual Masterplan? What effect would it have on the possible provision of a by-pass? What effect would it have on the neighbourhood in terms of loss of open space? Should other reserve open space be provisionally allocated?

Issue 7: The Longer Term Approach and Monitoring – *Whether further land should be allocated for housing or other uses, beyond those set in the time horizon of the present Core Strategies; and whether the mechanism in the JAAP for implementation and monitoring are sufficiently clear, detailed, and meet Government requirements.*

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?
- 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?
- Is there a need for WB 28? Both statements in it are factual.
- 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*)
- Are SMART targets/outcomes identified in Chapter 7?

Issue 8: Sustainability Appraisal and Strategic Environmental Assessment – *Whether it forms an adequate basis for the assessment of alternatives and the choice of the JAAP option.*

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

Issue 9: Design – *Whether the JAAP provides sufficiently clear and comprehensive guidance to developers in order to promote a high quality, well designed and serviced neighbourhood.*

Policies WB 3 and 4 – Neighbourhood Principle and Design

- 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?
- Should there be a “hook” to enable further design guidance to be provided, perhaps in the form of Supplementary Design Guides for each phase?
- Should indicative densities be included in the JAAP (WB 10)?