

## **Inspectors' Supplementary Questions in response to additional evidence from Crawley Borough Council – 16 November 2023**

### ***Introduction***

On plan submission the Borough Council indicated that additional evidence would be submitted into the examination. This was clarified in initial exchanges of correspondence between us and the Borough Council in September 2023. We indicated in our initial letter of 20 September 2023 that on receipt of the additional evidence we may issue supplementary questions. This would also enable those who have made related representations at Regulation 19 to respond to the updated evidence prior to the relevant hearing session.

Our Matters Issues and Questions were published on 9 October 2023<sup>1</sup>. Since then, the following additional evidence has been submitted and accepted into the examination:

<b>Document</b>	<b>Reference</b>	<b>Date submitted</b>
DfT Circular 01/2022 Checklist	CBC.SOCG.15b	20 October 2023
Infrastructure Delivery Schedule – updated to reflect transport modelling	CBC.KD.IP.07	27 October 2023
Gypsy, Traveller & Travelling Showpeople Accommodation Needs Assessment (GTAA) 2023	PS.H.HN.06	10 November 2023
Upper Mole Catchment Level 1 Strategic Flood Risk Assessment 2023 [JBA Consulting]	PS.ES.EP.17	10 November 2023

For clarification, the Borough Council's additional material on Duty to Cooperate (document CBC.KD.DtC.01c) was available at the time of the October MIQs and the opportunity to raise any points as part of Matter 1 statements has been provided (or can be made orally at the hearings). Consequently, we are not inviting any comment on the additional Duty to Cooperate material as part of these supplementary questions.

We would like the Borough Council to respond to these questions as part of their statements for the relevant Matter. Those who made related representations at Regulation 19 may also submit further written statements in response to the relevant supplementary questions. Guidelines on word limits and formats apply and they can be found in our separately published Guidance Notes. Any written responses to these supplementary questions should be provided to the Programme Officer by 12 noon on 15 December 2023 to inform the Part 2 hearings in January 2024.

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<sup>1</sup> With minor revisions on 17 October to clarify split of issues between parts 1 and 2 of the hearings

## **Matter 10: Transport and Infrastructure**

### Issue 5 – Updated evidence on Transport and Infrastructure Delivery

In respect of the DfT Circular 01/22 Checklist we have raised this issue at our MIQ10.1. We have no further specific questions on the submitted checklist and would advise that anyone responding to MIQ10.1 has regard to document CBC.SOCG.15b.

#### *Infrastructure Delivery Schedule – CBC.KD.IP.07*

- SQ10.34 The Tushmore Roundabout improvements and Hazlewick Avenue/Gatwick Road junction improvements are identified separately as critical schemes for 2025/6 to support the overall Local Plan with funding shortfalls identified (£1.379 million for Tushmore). Is there a reasonable prospect that these schemes will come forward and what are the impacts if they were delayed?
- SQ10.35 London Road A23 / Manor Royal is identified as a critical scheme for 2021/22 onwards to support the overall Local Plan and has a £432,000 shortfall. Is there a reasonable prospect that this scheme will come forward and what are the impacts if it was delayed?
- [Please note this is supplementary to MIQ10.2]
- SQ10.36 Various mitigations to M23 Junctions 10 and 11 are identified as 'critical' with Forge Wood related improvements already funded but with further longer term mitigations to support overall Local Plan growth assigned from 2030 onwards. Are the costs for both junctions agreed with National Highways based on a high-level understanding of what would form effective mitigation? Is it reasonable that the costs (cumulatively £5.076million) would be fully funded from CIL?
- [Please note this is supplementary to MIQ10.2]
- SQ10.37 Amended bus routes are identified as being 'critical' from 2024 onwards. Does this rely on new infrastructure (bus gates etc) or negotiation with operators to amend routes/timetabling? Where this may incur cost/initial operating subsidy are there potential funding sources? To what extent (in broad terms) does Gatwick Airport contribute to funding transport in the Borough – either directly or through a Sustainable Transport levy?

SQ10.38 Are Station Road gyratory improvements justified as 'desirable'? Does that have any impact for town centre opportunity sites identified in the submitted Plan or is it about unlocking potential future longer-term growth in this location? [noting the distinction that Station Gateway Road is identified as 'critical' for bringing forward Overline House and other development in the "station area"]

### **Matter 6: Issue 3 - Gypsies, Travellers and Travelling Showpeople**

#### *Accommodation Assessment Update 2023 (the GTAA)*

- SQ6.33 Is the updated GTAA (November 2023) justified in finding that there is no conclusive need to immediately provide a publicly owned site in the Borough? Do recent / current planning applications/appeals indicate that there could be an immediate need? What about provision for small-scale private sites in the short to medium term?
- SQ6.34 Given that there is a prevalence for persons of travelling ethnicity to be housed within bricks and mortar accommodation in the Borough, does the GTAA appropriately consider and assess the extent to which existing or newly forming households in bricks and mortar may want culturally appropriate accommodation to meet their habitation needs?
- SQ6.35 The GTAA references 'allocation policy/criteria' where pitches arise and references the concept of "genuine need". It goes on describe genuine 'need' for households in bricks and mortar seeking pitch provision only arising "...if they have a proven psychological aversion to bricks and mortar accommodation". Is that a justified basis on which to determine genuine need?
- SQ6.36 Is the 2023 approach of a "light-touch" survey, supplemented by engagement with relevant Borough and County Officers and Traveller representatives and an interview with a private pitch household, justified given the experiences in 2014 and the significant number of identified households who refused to participate in surveys?
- SQ6.37 Is the submitted Plan Policy H8 justified at criterion a) in terms of the differentials in noise thresholds for permanent and transit provision and have alternative thresholds been considered? Is the Policy clear on how proposals within the safeguarded land should be assessed?
- SQ6.38 Are any of the Council's proposed modifications in CBCBLP.07c (10 November 2023), insofar as they relate to the updated GTAA, necessary for plan soundness?

## **Strategic Flood Risk Assessment Update 2023 PS.ES.EP.17 - Including updated appendices C, D, H & J**

### **Matter 9: Issue 1 – Approach to Environmental Protection**

SQ9.7 The SFRA states that Crawley is identified as a 'wet spot' within WSCCs draft Local Flood Risk Management Strategy (2021-26) by reference to surface water flooding and that the Borough is more generally regarded by the Environment Agency and DEFRA as an area with flood risk. Are the development and planning considerations recommended in the updated SFRA appropriately reflected in the submitted Plan?

SQ9.2 Does the updated SFRA, including its application of recent climate change allowances, result in a need to revisit any of the proposed site allocations in the submitted Plan in terms of the sequential test and, where necessary, the exception tests in accordance with the NPPF and the latest iteration of Planning Practice Guidance<sup>2</sup>?

SQ9.3 Paragraph 12.3 of the SFRA update states: "Inclusion of the SHLAA and Main Employment Areas sites in the SFRA does not imply that development can be permitted without further consideration of the Sequential Test. The required evidence should be prepared as part of a Local Plan Review Sustainability Appraisal or alternatively, it can be demonstrated through a free-standing document, or as part of strategic housing land or employment land availability assessments. NPPF Planning Practice Guidance for Flood Risk and Coastal Change describes how the Sequential Test should be applied in the preparation of a Local Plan Review. The assessments undertaken for this SFRA will assist Crawley Borough and Horsham District Councils in the preparation of the Sequential Test." Does the Sustainability Appraisal require revisiting to take account of the updated SFRA and ensuring that the Sequential Test is satisfied?

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<sup>2</sup> 'Flood Risk and Coastal Change' updated 25 August 2022