



Planning Policy  
Crawley Borough Council  
The Boulevard  
Crawley  
RH10 1UZ

25 March 2024

Dear Sir or Madam,

**Representations to Crawley Borough Council Main Modifications Consultation – Land East of Tinsley Lane, Crawley (Policy H2)**

On behalf of our client, Homes England, we submit this response to the current consultation in respect of the Crawley Borough Council (CBC) draft Local Plan Main Modifications, dated February 2024 in relation to Land East of Tinsley Lane, Crawley.

Homes England have been promoting the Land East of Tinsley Lane site at every stage of the formulation of the emerging Crawley Local Plan and most recently taken part in the hearing session for the site on 9 January 2024 as part of the Examination. It should also be noted that an outline planning application for 138-unit residential unit, re-provision and enhancement of the existing Oakwood Football Club facilities, and associated works remains live and in the planning system. Now a water neutrality solution is underway, Homes England's will be seeking resolution of the application in 2024. Further background on the planning history of the site and the progress that has been made in all areas can be found in previous representations.

We have reviewed the Inspector's Post Hearing Advice Note (dated 31 January 2024) and the proposed Schedule of Main Modifications set out by CBC and comment as follows.

**NON-CONFORMITY WITH THE INSPECTOR'S POST HEARING ADVICE NOTE**

We believe that the council have not made modifications to draft Policy H2 in line with the content of the Inspector's Post Hearing Advice Note dated 31<sup>st</sup> January 2024.

Following the Examination hearing sessions, the Inspector's Post Hearing Advice Note was released and at Paragraph 26 stated the following:

*26. The site at Tinsley Lane would provide sufficient facilities for Oakwood Football Club. We do not wish to provide any comment on matters within the extant outline application for planning permission. However, the possibility of provision for allotments within the site should remain in the policy in line with the adopted development brief, as we do not consider there to be sufficient justification for its removal.*

The letter confirms that the site would provide **sufficient** facilities for Oakwood Football Club, such that no more beyond the policy list were needed, and that the possibility of provision for allotments within the site should remain in the policy in line with the adopted development brief. For clarity, the adopted development brief requires the 'consideration' of provision for allotments. However,

OFFICIAL

WSP House  
70 Chancery Lane  
London  
WC2A 1AF  
Tel: +44 20 7314 5000  
wsp.com

no main modification was proposed in the Post Hearing Advice Note in relation to Policy H2 and therefore it seems that the unintended consequence has been that CBC have not included any proposed main modification in their current consultation.

It is clear to us from reading paragraph 26 that the Inspector's intention was that a modification should have been proposed to Policy H2 to revert to the original wording and not include 'at least' ahead of the prescribed list of sports facilities and that 'consideration of' should have been added to the 'vii. the provision of allotments' bullet. We have sought legal advice on this matter and our advisors are of a similar view.

This is further supported by para 44. of the Post Hearing Advice Note that stated:

*44. For the avoidance of doubt, all other changes presented in the Council's Schedule 7e not referenced in this letter/appendix would be additional modifications (sometimes known as "minor mods") which are a matter entirely for the Council when finalising the content of your Plan for adoption. They are generally factual, presentational, and non-consequential changes which we do not need to recommend for soundness, and so they do not need to be consulted on.*

As the Inspectors' comments on the Tinsley Lane site were referenced in this letter then accordingly the instructed changes to draft Policy H2 were to be dealt with as a main modification.

Although the Inspectors did not specifically articulate the Tinsley Lane policy changes as a main modification in Appendix A, we still believe CBC should have proposed a change to Policy H2 to ensure conformity with para 26 of the Inspector's Advice Note.

We have written separately to the Planning Inspectorate in this regard to seek clarification in relation to the Inspectors intentions for the Land East of Tinsley Lane allocation wording.

To resolve this inconsistency, Homes England believe the council should propose a further main modification to Policy H2 for consultation. The proposed wording of Policy H2 should be:

*"Tinsley Lane, Three Bridges (deliverable) 120 dwellings, mixed use recreation/residential. Development of this site must include, **at least**:*

- i. the replacement of Oakwood Football Club;*
- ii. senior 3G football pitch and facilities;*
- iii. a junior 3G football pitch;*
- iv. community use arrangements for the sports pitch facilities;*
- v. enhancement and management for public access of Summersvere Woods;*
- vi. on-site publicly accessible play space and amenity greenspace;*
- vii. **consideration should be given to** the provision of allotments.*

*Development must also be carefully planned, laid out and designed to minimise potential future conflicts and constraints on the important minerals function of the adjacent safeguarded minerals site.*

*Full details of the requirements relating to this site are set out in the Tinsley Lane Development Brief."*

## CASE FOR AMENDMENTS TO POLICY H2

Homes England's contention is that to ensure conformity with the Inspectors' Post Hearing Advice Note, a main modification should have been proposed to amend Policy H2 as set out above. Homes England's case for these changes can be found in previous representations but are summarised below.

Firstly, Homes England believe that the sports facilities proposed within draft Policy H2 are sufficient for Oakwood FC and therefore there is no need to insert '*at least*' into the policy wording. This position is supported by Sports England in their response to the current outline planning application on site. Sport England assessed the loss of the existing grass pitches at the Tinsley Lane site against exception 4 of the Sport England Playing Field Policy, which requires the replacement of playing field with equivalent or better quality, and of equivalent or greater quantity. Sport England concluded that the proposed full size AGP and grass 9v9 pitch would be considered appropriate given that ability of the 3G pitch to accommodate more intensive use and range of pitch markings. Sport England consulted the FA and Sussex County FA in their response who also confirmed that the replacement provision is acceptable in principle.

Furthermore, the existing football clubhouse is a dated single-storey building with portacabins providing additional office/admin floorspace. Sport England outlined that the application satisfactorily demonstrates that a new clubhouse of 500sqm and all associated facilities could be accommodated. The new clubhouse would provide an opportunity for additional revenue for the club and provide a significant community asset in an area with a lack of such facilities. Sport England therefore concluded that the replacement facilities represented better provision.

Homes England are seeking a return to the wording of the previous Local Plan policy, and Development Brief wording, which refers to 'consideration of' provision of allotments, allowing for sufficient flexibility.

In relation to both outline applications CR/2018/0544/OUT and CR/2021/0355/OUT at the site, allotment space had been considered but was not deemed feasible due to the following reasons:

- the scale of the open space, play, woodland and sports facilities;
- a unique design approach which provides a continuous housing 'edge' which shields new and existing residents from noise from the Goods Yard/ Manor Royal and Crawley Avenue to the south;
- requirement for SuDS attenuation areas;
- a 15m woodland buffer from the Ancient Woodland;
- recent addition of TPO notifications for several trees and hedgerows;
- policy requiring delivery of 1 tree per home; and
- setback from the Crawley Avenue Air Quality Management Area.

To provide allotments in addition to the above requirements would necessitate the removal of a number of much needed new homes which would impact negatively on viability or the reduction in other contributions such as affordable housing, which as an Agency, we are reluctant to do.



It should also be noted that no objections were made by the council or other statutory consultees regarding the need for allotments during the determination of either outline application for the site. In the absence of removal of allotment provision from the policy, the (re)addition of 'consideration of' enables the approach to allotment provision to be considered as part of the planning application, based on evidence of need and feasibility of delivery potential at the time of the application.

We hope that these representations will be incorporated in the modifications of the draft Local Plan.

If you require any further information, please do not hesitate to contact me or my colleague Hamish Dean.

Yours faithfully

Aaron Peate  
Planning Director