

Crawley Borough Council and National Highways Statement of Common Ground 31 July 2023

1. List of Parties involved

- Crawley Borough Council (CBC)
- National Highways (NH)

2. Signatories



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Chief Executive
Crawley Borough Council



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National Highways

3. Introduction and Scope

This Statement of Common Ground (SCG) has been prepared by Crawley Borough Council (CBC) and National Highways (NH).

CBC is the local planning authority for the area, and has the main responsibility for preparing the Local Plan and coordinating development and change within the borough.

NH is responsible for the Strategic Road Network (SRN), with a focus on its safety, reliability and operational efficiency. Unacceptable impacts on the SRN must be avoided. Furthermore, in accordance with national policy, NH expects the plan-making process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

CBC is preparing its Local Plan for submission in July 2023. The purpose of this SoCG is to set out the basis on which CBC and National Highways have actively and positively worked together in recognition of the benefits which can be achieved through positive joint working and in order to meet the requirements of the Duty to Cooperate.

The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. The policy of the Secretary of State for Transport in relation to the SRN is Circular 1/2022: Strategic road network¹ and the delivery of sustainable development. Circular 1/2022 ("1/22") is considered to be relevant national policy alongside the NPPF.

¹ <https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development/strategic-road-network-and-the-delivery-of-sustainable-development>

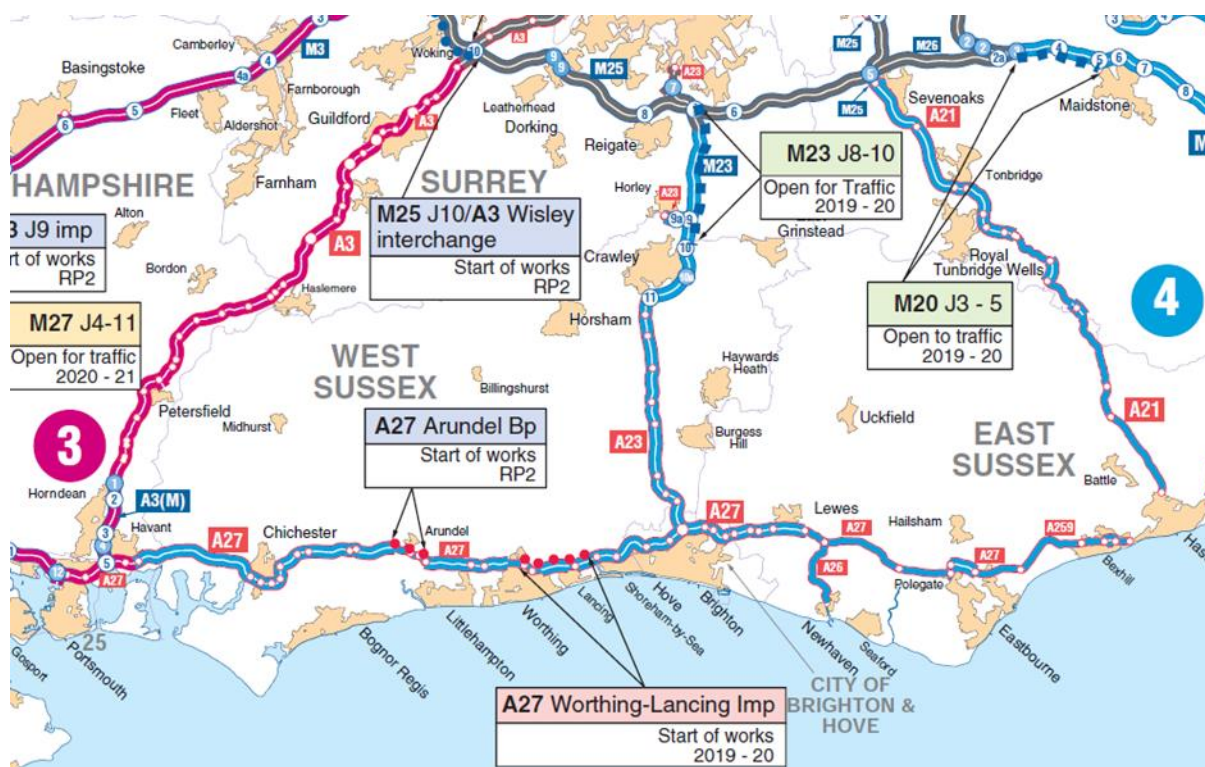
4. Strategic Geography

Crawley is located within the north east of West Sussex county, halfway between London and the south coast. Horsham district abuts the town on the western side, Mid Sussex district to the south and east, whilst the county of Surrey lies to the north of the borough. Crawley borough covers 4,497 hectares. Its administrative boundaries are drawn tightly around the town itself, with very little land falling outside of the built up area. The M23 motorway forms the borough boundary to the east/south east.

The borough lies within the Coast to Capital Local Enterprise Partnership (LEP) Area and the Gatwick Diamond Economic Area. Crawley is one of the largest towns by population in West Sussex, along with Worthing. Gatwick Airport is located within the borough to the north of the town.

The SRN includes the A23/M23 road corridor. It is a key connector for the Gatwick Diamond Area, and connects Brighton, Crawley and eventually London via the M23 and intersects the M25 Orbital Motorway at Junction 7. M23 Junctions 9, 10, 10a and 11 connect directly into Crawley borough.

The map below shows Crawley borough in the context of the SRN and the wider strategic geography. Appendix A provides additional maps to scale.



Crawley Transport Strategy

The Crawley Transport Strategy “New Directions for Crawley”² seeks to identify opportunities for Crawley to develop a more attractive and practical transport infrastructure for everyone, whether or not they drive. It looks at:

- Current travel and access issues
- The council’s vision for the future as a low carbon, healthy and attractive town
- Some options for improvement
- What could be delivered in the town over the next five years

² New Directions for Crawley (2020) CBC: <https://crawley.gov.uk/sites/default/files/2020-10/New%20Directions%20for%20Crawley%202020.pdf>

This is supported by the Crawley Local Cycle and Walking Infrastructure Plan³.

These documents, along with the adopted Transport Plan for West Sussex County Council, mark a step change in approach to transport infrastructure and seek to support the delivery of Crawley Borough Council's Climate Emergency declaration and the government's net zero commitments.

Appendix B sets out the key joint working and cooperation involving CBC and National Highways during the preparation of the Crawley Borough Local Plan Review.

5. Strategic Matters

Key Strategic Issues between the parties have been identified as including:

- SRN and Local Highway Network: traffic and transport impacts and mitigation

Government policy places much emphasis on housing delivery as a means of economic growth and addressing the national shortage of housing. The Standard Housing Methodology (SHM) as referred to in NPPF (with details set out in Planning Practice Guidance) sets a need arising from Crawley for at least 755 dwellings per annum.

As a land constrained borough with high housing needs, and particularly high affordable housing needs, it is essential that Crawley meets as much of its housing need as possible within its administrative boundaries. Any unmet need is to be considered through the process of Duty to Cooperate with its neighbouring authorities within the Northern West Sussex Housing Market Area in the first instance.

Government equally places emphasis on building a strong, responsive and competitive economy, including by ensuring that sufficient land is available to support growth, innovation and improved productivity. This includes the need to set criteria, or identify strategic sites, for local and inward investment to match the economic strategy and to meet anticipated needs over the Plan period.

As a consequence, the draft Submission Crawley Borough Local Plan identifies the following total housing and employment supply over the full Plan period 2024 – 2040:

- Housing: 5,030 net dwellings;
- Employment: 26.2ha for B Use Classes (provided within the existing Main Employment Areas and through the allocation of a new strategic site for industrial-led development of 13.73ha).

The position of National Highways is that development should not have unacceptable impacts on the safety, reliability and operation of the Strategic Road Network.

National Highways also expects that initiatives will be put forward that manage down the traffic impact of proposals while supporting the promotion of sustainable transport and the development of accessible sites. This is particularly necessary where the potential impact is on sections of the SRN that could experience capacity problems in the short or medium term.

Therefore, as necessary and appropriate, any development must be accompanied by suitable mitigation in the right places at the right time, that is to the required standards and is deliverable in terms of land availability, constructability and funding.

6. Key Points of Agreement

The parties agree that for the Crawley Borough Local Plan to be sound, the parties must demonstrate that if any unacceptable impacts on the SRN arise from the overall quantum of anticipated development, as well as its distribution, these can be appropriately mitigated. Where necessary, the policy, mitigation and practical frameworks in order to ensure this, should be put into place.

³ Crawley Local Cycle and Walking Infrastructure Plan (2020) CBC:
<https://crawley.gov.uk/sites/default/files/2020-10/Crawley%20LCWIP%20report%20and%20appendices.pdf>

On this basis, it is **agreed** that the Local Plan should not leave all matters of assessment and mitigation to individual applications as it is likely that cumulative effects will need mitigating or mitigation is larger than can be delivered by a single developer/development. It is **agreed** that the Local Plan needs to identify necessary mitigation options and establish the process for their delivery.

Therefore, this SoCG seeks to demonstrate that CBC and NH are taking full responsibility for the identified needs arising from the planned growth identified within the draft Submission Local Plan. The parties will ensure necessary policy is in place with suitable mitigation identified. The parties will work together to ensure existing delivery frameworks are used and, where relevant and necessary, new delivery mechanisms are created.

The parties agree that the draft Crawley Borough Local Plan seeks to reduce demand on the SRN by promoting more sustainable development and forms of transport, in particular, through the following draft Local Plan policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places – Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development – Layout, Scale and Appearance
- Policy IN1: Infrastructure Provision
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards
- Policy ST3: Improving Rail Stations
- Policy ST4: Safeguarding of a Search Corridor for a Crawley Western Link Road

Technical evidence:

The main evidence underpinning the draft Submission Crawley Borough Local Plan in respect of impact on the road network is the Crawley Transport Modelling Study, prepared and undertaken by Stantec Consultants on behalf of CBC. This incorporates a purpose-built model (the Crawley Town Model) which has enabled an objective high-level assessment of the impacts of development going forward in a study area focused on Crawley borough.

This study has been commissioned by CBC and supported continually by the technical input from WSCC, along with the involvement at key points from NH.

The full final study was published in June 2022, following its six-week publication as part of the Crawley Borough Council Additional Regulation 19 Consultation (between May and June 2021). The June 2022 Transport Modelling was supported by WSCC and NH.

The parties agree that the Transport Modelling Study has been prepared following a reasonable process. National Highways have highlighted that the forecast year in the Study (2035) differs from the time horizon of the Local Plan (2040). In response, sensitivity testing has been produced and shared by CBC to demonstrate that the Study's findings represent an appropriate basis for testing strategically the highway impacts of the draft Crawley Borough Local Plan. National Highways have reviewed the sensitivity testing and are content that the 2035 flows in the Transport Study present a worse case.

Appendix B shows the key stages in the preparation of the Transport Modelling Study which has secured agreement in the approach and establishes the ongoing cooperation and discussions involved in developing the evidence.

Impacts on the strategic and local highway network and mitigation:

The parties agree, based on modelling and analysis reported in the Crawley Transport Modelling Report, that the following SRN locations are impacted by the Crawley Borough Local Plan and need mitigation:

- M23 J10 Southbound Merge
- M23 J11 Northbound Diverge
- M23 J11 Northbound Merge
- M23 Junction 10

To address these impacts, CBC and WSCC have worked with the consultant team Stantec to propose a set of measures for mitigating the cumulative and direct impacts on Crawley's transport network, incorporating the delivery of sustainable and active transport schemes as well as necessary highway junction improvements at specified locations which are published as part of the Transport Modelling Study.

The parties agree that these measures provides a solid and realistically achievable basis for successfully mitigating the impacts attributable to the Crawley Borough Local Plan, and will be implemented through developer funding as is proportionate to the impacts of development, or, in part or in full, through other identified funding where there is an identified shortfall to address an existing issue or a need for forward funding.

These measures are identified in the Infrastructure Plan, which is being updated to provide further detail regarding their timing, funding, and delivery.

Areas of Agreement:

- 1. The draft Crawley Borough Local Plan and the Crawley Transport Strategy seek to reduce demand on the SRN by promoting more sustainable forms of transport.**
- 2. If there are likely to be any unacceptable impacts on the SRN arising from the overall quantum of anticipated development, as well as its distribution, these must be appropriately mitigated and, where necessary, the policy, mitigation and practical frameworks in order to ensure this, should be put into place.**
- 3. The Transport Modelling Study has been prepared following a reasonable process and following a review of the sensitivity testing by National Highways, is an appropriate basis for testing strategically the highway impacts of the draft Crawley Borough Local Plan.**
- 4. The delivery of sustainable and active transport schemes, as well as necessary highway junction improvements at specified locations, provides a reasonable and realistically achievable basis for successfully mitigating the impacts attributable to the Crawley Borough Local Plan. This will be implemented through developer funding as is proportionate to the impacts of development, or, in part or in full, through other identified funding where there is an identified shortfall to address an existing issue or a need for forward funding.**
- 5. NH considers that the Local Plan is legally compliant in respect of the Duty to Cooperate.**

7. National Highways Representations and Subsequent Engagement

As part of the Crawley Borough Local Plan Regulation 19 Consultation (May – June 2023) NH submitted representations which confirmed that CBC has engaged with NH constructively, actively and on an ongoing basis on strategic transport matters relating to the SRN during the preparation of the Local Plan.

On the basis of the process followed and work undertaken during plan-making in respect of strategic transport matters relating to the SRN, NH considers that the Local Plan is legally compliant in respect of the Duty to Cooperate but raised the following outstanding issues:

- NH is concerned that, because the level of unmet need is significant and without provisions being made for addressing this across the wider housing market area, it is not possible to assess if

potential options (allocations in neighbouring emerging Local Plans) could lead to unacceptable impacts on the safety, reliability and operational efficiency of the SRN (M23 and A23).

- There is a misalignment between the forecast year in the CTS (2035) and the time horizon for the Local Plan (2040). This is a difference of five years. The transport assessment needs to have an update so that it aligns with the time horizon of the Local Plan. This work is needed to understand fully the infrastructure implications of the development strategy and whether or not unacceptable impacts on the safety, reliability and operation efficiency of the SRN will arise.
- The Infrastructure Plan (IP) (May 2023) is helpful in so far as it identifies the range of transport infrastructure that is needed to support the development strategy in the Local Plan, but does not contain detailed phasing of highway mitigation schemes. It would be helpful to clearly understand what the projects are, how much they will cost, who will be the lead delivery agency and when will they be phased alongside the trajectories for housing and economic development.
- It is suggested that a checklist is prepared setting out how far the Local Plan positively responds to the expectations of Circular 1/2022, including the requirements in the Circular and signposting to the relevant section of the Local Plan in terms of a response.
- Due to the close proximity of Gatwick Airport to the borough and the progress towards its expansion, NH would like to understand how the assumptions on development have changed and whether this has any implications for the findings of the Transport Study report which was written in 2020. The traffic forecasts on Gatwick growth will require review to ensure consistency with current forecasts and assumptions relating to the Plan.
- NH understand that the development numbers for housing in the Transport Study Report (2022) were derived in 2020. The housing numbers in the submission version of the Plan appear similar. However, NH are unable to confirm that the allocations and windfalls are the same or similar between the current Local Plan and the Transport Study Report. It is unclear whether the amount of consented and non-consented allocations has changed as NH are primarily concerned with the non-consented element of the Plan (allocations and windfalls).
- Detailed comments on specific policies within the Local Plan.

Transport Modelling Sensitivity Testing was commissioned by CBC to consider:

- Task 1 (TN01): TEMPro trip end comparisons
- Task 2 (TN02): GAL DCO Sensitivity test
- Task 3 (TN03): Gatwick Green trip generation comparison.

NH has requested clarification of the definitions of the '2037 Reference Case' and the '2040 Core' scenarios and how these relate to the development strategy in the Regulation 19 Local Plan. NH have reviewed the sensitivity testing and are content that the 2035 flows in the Transport Study present a worse case.

NH recognise that it is challenging to be certain about what will happen in years 11-15 of a Local Plan period. NH understand that during the first review of the Local Plan, there will be greater confidence about planned development for this period (2035-2040).

8. Agreed Next Steps

The parties agree the following next steps:

- 1. The Housing and Employment Trajectories will be aligned with the IDP to indicate the delivery of developments against known infrastructure improvements.**
- 2. CBC to identify the differences (if any) between the modelling scenarios and the Submission Local Plan, particularly for non-consented development (allocations and windfalls).**
- 3. CBC has provided NH with a draft checklist of the Local Plan against the expectations of Circular 1/2022; NH will work with CBC on this and any modifications needed to make the Local Plan more robust in responding to this national policy.**

- 4. Further detail concerning the costs and delivery mechanisms of highway mitigation measures, including the sustainable and active travel measures, will be provided in an updated Infrastructure Plan as soon as possible, and will be updated, monitored, and refined over time thereafter.**
- 5. CBC, WSCC and NH will continue to work closely with neighbouring authorities (including Surrey County Council) as they develop their Local Plans, particularly where strategic scale development is proposed close to Crawley's administrative boundaries, or which would increase traffic on Crawley's SRN or local highway network.**

9. Closing Matters

The parties to this statement have demonstrated in this statement that they have worked jointly and constructively on relevant cross-boundary matters relevant to the plan-making process. The parties confirm that they will continue to do so, through sustained joint dialogue.

It is intended that the Statement of Common Ground will be a living document, updated to reflect progress of the Local Plan and the elements relevant to the identified strategic matters between the parties. If there are any changes of the content of the SOCG these matters can be discussed at future meetings.

APPENDIX A: CRAWLEY CONTEXT

West Sussex County East Sussex County Surrey County



APPENDIX B: DUTY TO COOPERATE MEETINGS AND EVIDENCE BASE PROCESS

Key Milestone	Date
2019 Key Outcomes: <ul style="list-style-type: none"> • Crawley Borough draft Local Plan Review Regulation 18 Carried Out (July – September 2019) • Crawley Borough draft Local Plan Review Submission Draft Approved for Publication and Submission at Full Council (16 December 2019) 	
CBC commence Transport Modelling Tender Brief	12 December 2019
2020 Key Outcomes: <ul style="list-style-type: none"> • Transport Modelling Study Commissioned • Crawley Borough Submission draft Local Plan Published for Regulation 19 Consultation (January – March 2020) • Crawley Borough draft Local Plan (amended) Approved at Full Council for Publication and Submission (16 December 2020) 	
Shared Transport Modelling Tender Brief with Highways England	2 January 2020
Feedback from Highways England on Transport Modelling Tender Brief	17 January 2020
Shared Updated Transport Modelling Tender Brief with Highways England	21 January 2020
Agreement on Transport Modelling Tender Brief from Highways England (by email)	4 February 2020
Transport Modelling Study Tender Open	14 February 2020
Transport Modelling Study Tender Closed	13 March 2020
Evaluation of Tender Submissions	23 March 2020
Transport Modelling Study Inception Meeting with successful consultants: Stantec	15 April 2020
NH General Agreement and Comments to be taken into account as part of the Study (by email)	22 May 2020
NH Clarification of position on Query (by email)	18 August 2020
2021 Key Outcomes: <ul style="list-style-type: none"> • Crawley Borough Submission draft Local Plan Published for Regulation 19 Consultation (January – June 2021) • Final Draft Crawley Transport Modelling Published (March 2021) 	
Emerging Draft Study Report shared with Highways England	14 April 2021
Meeting to Discuss Highways England comments on Emerging Draft Study Report: CBC/WSCC/Highways England/Stantec	27 April 2021
Publication of Draft Transport Modelling Study Report & notification to Highways England	18 May 2021

Key Milestone	Date
Transport Modelling Study Progress Meeting with CBC/WSCC/Highways England/Stantec	18 May 2021
Transport Modelling Study Progress Meeting with CBC/WSCC/Highways England/Stantec	17 June 2021
NH Representations Received to Crawley Borough Local Plan Regulation 19 Consultation	30 June 2021
Study Progress Meeting with CBC/WSCC/Highways England/Stantec	13 July 2021
Transport Modelling Study Progress Meeting with CBC/WSCC/National Highways/Stantec	16 September 2021
NH comments and outstanding questions on Crawley Transport Modelling (email)	23 December 2021
2022 Key Outcomes: <ul style="list-style-type: none"> • Final Crawley Transport Modelling Published (June 2022) 	
Transport Modelling Study Progress Meeting with CBC/WSCC/National Highways/Stantec	25 January 2022
NH confirm that they are content with the Crawley Transport Modelling Study, including the mitigation requirements for the SRN.	21 March 2022
Final Crawley Transport Modelling Study Published	30 June 2022
2023 Key Outcomes: <ul style="list-style-type: none"> • Crawley Borough draft Local Plan (amended) Approved at Full Council for Publication and Submission (22 February 2023) • Crawley Borough Submission draft Local Plan Published for Regulation 19 Consultation (May – June 2023) • Transport Modelling Sensitivity Testing Carried Out (June – July 2023) • Draft CBC/NH Statement of Common Ground Prepared (July 2023) 	
Draft Infrastructure Plan shared with WSCC and NH	8 March 2023
NH response to draft Infrastructure Plan received	12 April 2023
Draft Duty to Cooperate Statement shared with WSCC and NH	14 April 2023
NH response to draft Duty to Cooperate Statement received	28 April 2023
Transport Modelling Sensitivity Testing Commissioned with Stantec	30 May 2023
NH Representations Received to Crawley Borough Local Plan Regulation 19 Consultation	20 June 2023
Draft Transport Modelling Sensitivity Testing Technical Notes received from Stantec	27 June 2023
Transport Modelling Study and Regulation 19 Representations Meeting with CBC/WSCC/NH/Stantec	18 July 2023

Key Milestone	Date
Draft Transport Modelling Sensitivity Testing Technical Notes shared with National Highways	18 July 2023
Draft Statement of Common Ground and CBC draft Circular 01/2022 Checklist Shared with NH/WSCC	24 July 2023
Feedback Received from National Highways on draft Statement of Common Ground	31 July 2023
Signed CBC/NH Statement of Common Ground	31 July 2023
Crawley Borough Local Plan Submission	31 July 2023