

Crawley Borough Council

Report to Overview and Scrutiny Committee 2 December 2013

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Report to Cabinet 4 December 2013

Submission Crawley Local Plan

Report of the Head of Strategic Housing and Planning Services
SHAP/035

1. Purpose

- 1.1 The purpose of this report recommends that Cabinet requests Full Council to approve the submission Crawley Local Plan and its supporting documents for public consultation, and submission to the Secretary of State for independent examination. National Government Guidance expects local planning authorities to produce up-to-date Local Plans for their areas over a 15-year timescale, setting out the strategic priorities for the area and showing how development needs will be met. Local Plans are critical for development control decision making and will form the basis for setting the Community Infrastructure Levy to support infrastructure improvements.
- 1.2 Planning legislation (s20(1) of the Planning and Compulsory Purchase Act 2004 as amended) requires local planning authorities to submit every development plan document, including Local Plans, to the Secretary of State for independent examination. Prior to submission of the Plan, the local planning authority must publish the submission documents for formal consultation.
- 1.3 The new Crawley Local Plan has been prepared based on a substantial period of 'early engagement' and proportionate technical evidence base. It is considered to be the most appropriate strategy, when considered against the reasonable alternatives and is the Plan which is considered to be 'sound'. In accordance with national planning guidance, this means the Plan is positively prepared, justified, effective and consistent with national planning policy.
- 1.4 The Local Plan is supported by a number of statutory supporting documents (a Local Plan Map; a Sustainability Appraisal; a Habitats Regulations Assessment; and a Consultation Statement). It is also supported by a number of detailed evidence base documents including an Infrastructure Plan, a Housing Implementation Plan, a Duty to Cooperate Statement, and topic-based technical studies.

2. Recommendations

2.1 To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet and Full Council.

2.2 To the Cabinet

2.2.1 The Cabinet is recommended to request Full Council to:

- a) approve the submission draft Crawley Local Plan and Local Plan Map for Publication consultation (a statutory six-week period of public consultation)**
- b) approve the submission draft Crawley Local Plan for submission to the Secretary of State for Examination by an independent Planning Inspector, subject to minor amendments deemed necessary following Publication Consultation for the purposes of clarity to be approved by the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning and Economic Development.**
- c) delegate the approval of the supporting documents for the Local Plan, technical evidence base document and technical topic papers to support the Local Plan through Examination to the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning and Economic Development.**

3. Reasons for the Recommendations

- 3.1 The new Crawley Local Plan will ensure the town's future development and infrastructure needs can be delivered to support the sustainable economic growth of the borough, within its accepted physical constraints, and whilst continuing to protect its important built and natural environmental assets.
- 3.2 Substantial 'early engagement and detailed technical evidence base undertaken throughout the Local Plan's preparation has shaped a justifiable, robust and practical framework against which future development control decisions can be made. The Plan is considered to be the most appropriate strategy, when considered against the reasonable alternatives and is the Plan which is considered to be 'sound' for submission to the secretary of state for independent Examination.
- 3.4 The Local Plan has been prepared in accordance with the council's adopted Statement of Community Involvement (SCI) in relation to the formal periods of consultation and on-going informal engagement, and in accordance with the timetable set out in the published Local Development Scheme (LDS).
- 3.5 Technical evidence base documents informing the Local Plan need to be published alongside the document for consultation and are listed in the background documents. It is also helpful for summary topic papers to be published at the same time, to explain how the evidence has led to the approach taken in the Local Plan in order to support the Plan through the Examination process.

4. Background

- 4.1 The importance of having an up-to-date Local Plan was reported to Cabinet on 10 October 2012 (SHAP/026) in advance of public consultation on the preferred strategy Local Plan document in October – December 2012. Following that consultation, further work has been carried out; including the establishment of detailed evidence and an additional stage of site-specific consultation.
- 4.2 This work has led to the refinement of the Local Plan to finalise a Plan suitable for submission to the Secretary of State for independent examination.

4.3 The timetable of the previous stages of the Local Plan's preparation and the anticipated next steps are set out in the table below:

Stage	Dates
Issues & Options (Early Engagement Stage; Reg. 18¹):	
6-week discretionary public consultation: Core Strategy Review	May 2009
Local Plan Working Group	July 2011
Local Plan Working Group	27 September 2011
All Members' Seminar (Locally Generated Housing Needs)	10 November 2011
Local Plan Working Group	8 December 2011
All Members' Seminar (Consultation Drop-In Session)	18 January 2011
6-week discretionary public consultation: Crawley2029	19 January – 1 March 2012
Local Plan Working Group	20 March 2012
Local Plan Working Group	17 April 2012
Preferred Strategy (Early Engagement Stage; Reg. 18):	
Local Plan Working Group	17 July 2012
Cabinet Briefing	17 July 2012
Cabinet Briefing	4 September 2012
Local Plan Working Group	11 September 2012
Cabinet	10 October 2012
6-week discretionary public consultation: Crawley2029 Preferred Strategy document	22 October – 3 December 2012
Local Plan Working Group	13 December 2012
All Members' Seminar (Viability Training)	17 January 2013
Local Plan Working Group	25 February 2013
All Members Seminar (Sites Consultation)	8 May 2013
Local Plan Working Group	9 May 2013
All Members' Seminar (Gypsy & Traveller Training)	20 May 2013
4-week discretionary public consultation: Preferred Strategy – Additional Sites	4 June – 1 July 2013
Emerging Local Plan Changes and Challenges:	
Cabinet Briefing	16 July 2013
Local Plan Working Group	19 July 2013
Local Plan Working Group	5 September 2013
All Members meeting (Affordable Housing and CIL)	18 September 2013
Local Plan Working Group	3 October 2013
Cabinet Briefing	8 October 2013
All Members Seminar (submission Local Plan)	28 October 2013
Submission Local Plan (Publication Stage; Reg.19):	
Cabinet Briefing	5 November 2013
OSC	2 December 2013
Cabinet	4 December 2013
Full Council	18 December 2013
6-week statutory public consultation period: Publication Consultation 'submission Local Plan'	13 January – 24 February 2014
Submission for Independent Examination (Regulations 22 – 26):	
Submission to Secretary of State	March 2014
Examination in Public	September 2014
Adoption	April 2015

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

5. Description of Issue to be resolved

- 5.1 It is essential that the Local Plan is progressed in a timely manner. Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, so a Local Plan is critical for development control decision making. Crawley currently has an adopted Local Plan in the form of the Core Strategy (2008) and the saved policies in the Local Plan (2000). However, the publication of the National Planning Policy Framework (NPPF), in March 2012, means that the policies in the Core Strategy and saved in the Local Plan now only have “due weight” according to their degree of consistency with national policy in development control decisions. Without an up-to-date Plan, all planning decisions will be based on the guidance in the NPPF, and local priorities will only be afforded limited weight.
- 5.2 The NPPF requires the Local Plan to seek to meet all housing needs unless this would conflict with other priorities in the NPPF. The Local Plan can identify appropriate sites for future housing development and demonstrate the maximum potential for meeting housing needs within the borough, whilst meeting other priorities such as Town Centre First, Manor Royal, countryside and open space protection. Meeting Crawley’s locally generated housing needs (based on current population growth) would require approximately twice as many houses to be built each year than current construction rates (540 dwellings per annum compared to 258 dwellings per annum). Without an up-to-date “sound” Local Plan in place, the council will be at risk of losing planning applications at appeal due to the technicality of not having a 5-year supply of housing land to meet its housing need. Therefore, potentially undesirable developments could go ahead to the detriment of Crawley’s character and quality of life for residents. Positive planning through the preparation of the Local Plan, together with joint working with neighbouring local authorities across the housing market area, will secure a stronger position for the council to defend against inappropriate developments. Similarly, the NPPF requires local targets for affordable housing levels required by new development to be set in the Local Plan. Without an up-to-date Local Plan, based on an up-to-date assessment of local needs and viability, the council would not be in a strong position to defend its policy requirement if challenged by an applicant.
- 5.3 New Government regulations (The Community Infrastructure Levy (Amendment) Regulations 2011) will limit S106 financial contributions from new development towards infrastructure improvements, unless they are directly related to the development site from April 2014. Instead, local authorities are expected to establish a Community Infrastructure Levy (CIL), by setting out a charging schedule and a list of priority infrastructure projects for the borough. The charging schedule and the list of infrastructure projects must be related to an up-to-date Local Plan otherwise these contributions will be missed.
- 5.4 This Local Plan, once adopted, will replace the current Core Strategy (2008) and the saved Local Plan policies (2000). It sets out the strategic priorities for Crawley and the strategic policies to deliver sustainable development. These are set out within the following topic chapters:
- **Sustainable Development:** meeting the national requirement for setting out a presumption in favour of sustainable development;
 - **Character:** setting the policies to guide the relationship between development proposals and key elements of Crawley’s character. Covering design criteria expected of all new development, heritage policies and planning policy considerations for development outside the built-up area boundary;

- **Economic Growth:** setting the policies to guide economic development within the borough; both in terms of use-classes (i.e. business, retail, leisure) and spatially (town centre, Manor Royal, Three Bridges, etc.);
- **Housing:** setting the policies to support appropriate residential development, including the overall housing target, identification of key sites, mix of house types and tenures to meet the housing needs arising from within the borough, including affordable requirement and reserve Gypsy and Traveller provision;
- **Environment:** setting the policies to guide the relationship between development proposals and local, national and global environmental protection and enhancement of the borough's green infrastructure;
- **Infrastructure:** setting the policies to ensure sufficient infrastructure to meet the needs of existing and future population. Covering both community and transport infrastructure;
- **Gatwick Airport:** setting the planning policy considerations which are specifically relevant to the future development of Gatwick Airport.

5.5 The submission version of the Plan continues the overall scope of the Preferred Strategy document. Key changes to the Plan have, however, arisen from a number of different sources. These include the responses to the consultations on the preferred strategy and additional sites, updates to the technical evidence base, national policy and legislative requirements, and pressures from statutory organisations and partners.

5.6 Main changes to the Local Plan include:

- Clarity on how far housing needs will be met, including setting overall and affordable housing levels and identification of a reserve Traveller site;
- Revised policies on delivering economic growth;
- Amended environmental and climate change standards.

6. Information & Analysis Supporting Recommendation

6.1 As explained in paragraphs 5.1 – 5.3 above, the Local Plan is critical to retain local control over the development and growth of Crawley, and it is a statutory requirement. Crawley's Local Development Scheme sets the timetable for the Local Plan preparation, and commits the council to submitting the Local Plan to the Secretary of State for independent Examination in March 2014.

6.2 A key milestone in achieving this commitment is undertaking the statutory period of consultation ('Publication of the Local Plan') by making a copy of each of the proposed submission documents available for inspection at the Town Hall and published on the council's website. Any representations received during this period will be submitted with the Local Plan to the Secretary of State, and respondents will be able to present their case to the Inspector at the Examination. Minor amendments for the purposes of clarity can be made to the Local Plan itself following the consultation, prior to Submission. The council can propose other modification to the Inspector for consideration as part of the Examination process. The only other option in response to representations is for the entire Plan to be withdrawn and further consultation undertaken.

6.3 The independent Inspector's role will be to assess whether the Plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The Inspector can suggest changes in order to make a Plan sound, but these would have to be subject to further consultation.

- 6.4 The local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
- **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy:** enable the deliver of sustainable development in accordance with the policies in the Framework.
- 6.5 The Local Plan is a key policy document for the borough as a whole and therefore impacts on every ward. Ward Members and Members of the Local Plan Working Group have been involved throughout the preparation stages of the submission Crawley Local Plan. All Members' Seminars have been held on the proposed site allocations, on housing needs, on Gypsy and Traveller needs and provision, on viability and on the draft Submission Plan. Queries received from Councillors have been responded to as fully as possible, and comments have been taken into account in the preparation of the final document.

7. Implications

- 7.1 An adopted Local Plan provides clarity for residents and developers about how development should take place in the borough, and is essential for decision making on planning applications. It will provide more certainty in the development control process.
- 7.2 The allocated Local Plan budget includes funds to cover the costs of Publication Consultation. The subsequent submission of the Local Plan leads to a Public Examination, which the Borough Council is required to fund, including the cost of the Inspector. Funds are allocated for this in the Local Plan budget.

8. Background Papers

For your ease, Background Papers can be accessed by clicking on the document titles below. Where documents are large they have been split into sections, and links to each section can be found below the document title.

Submission Local Plan Documents

[Crawley Submission Local Plan](#)

[Crawley Submission Local Plan Local Plan Map \(2013\) Crawley Borough Council](#)

[Council Crawley Local Plan Consultation Statement \(2013\) Crawley Borough Council](#)

- [Appendix 1 – Core Strategy Review](#)
- [Appendix 2 – Issues & Options](#)
- [Appendix 3 – Preferred Strategy](#)
- [Appendix 4 – Additional Sites Consultation](#)

[Crawley Submission Local Plan Sustainability Appraisal \(2013\) Crawley Borough Council](#)

[Crawley Submission Local Plan Habitat Regulations Screening Report \(2013\) Crawley Borough Council](#)

[Crawley Submission Duty to Cooperate Statement \(2013\) Crawley Borough Council](#)

[Crawley Borough Council Community Infrastructure Levy and Affordable Housing Viability Assessment \(2013\) Nationwide CIL Service.](#)

[Crawley Infrastructure Plan \(2013\) Crawley Borough Council](#)

European and UK legislation and regulations

[European Directive 2001/42/EC](#)

[Localism Act 2011](#)

[Planning and Compulsory Purchase Act 2004](#)

[Town and Country Planning Act 1990](#)

[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

[Environmental Assessment of Plans and Programmes Regulations 2004](#)

[National Planning Policy Framework \(2012\) Department for Communities and Local Government](#)

Previous Local Plan consultation documents

Site Allocations Consultation Reports (2013) Crawley Borough Council

- [Overall Summary Report](#)
- [Housing Report](#)
- [Cemetery Report](#)
- [Gypsy and Traveller Site Report](#)
- [Historic Parks & Gardens and Local Green Space Report](#)
- [Appendices A-D](#)
- [Appendix E](#)

[Preferred Strategy Consultation Report \(2013\) Crawley Borough Council](#)

- [Appendix 1 - Communications & Advertising Materials](#)
- [Appendix 2 - Verbatim Questionnaire Responses](#)
- [Appendix 3 - Verbatim Representations](#)

[Local Plan \(Crawley 2029\) Consultation Report \(2012\) Crawley Borough Council](#)

- [Appendices](#)

Previous Local Plan documents

[The Crawley Borough Council Local Plan 2014 – 2029 Preferred Strategy Consultation Draft \(2012\) Crawley Borough Council](#)

[Sustainability Appraisal of the Local Plan Preferred Strategy Additional Sites Consultation Document \(2013\) Crawley Borough Council](#)

[Crawley Borough Council Sustainability Appraisal/Strategic Environmental Assessment: Draft Sustainability Report for Consultation with Local Plan Preferred Strategy \(2012\) Crawley Borough Council](#)

[Sustainability Assessment Scoping Report \(2011\) Crawley Borough Council](#)

- [Appendices](#)

Crawley Borough Council corporate documents

[Creating a Successful Future for Crawley: Corporate Plan 2010-2015 \(2010\) Crawley Borough Council](#)

- [Corporate Plan Update 2011-2016](#)

[Getting Involved... Crawley's Statement of Community Involvement \(2011\) Crawley Borough Council](#)

[Getting Involved... in planning: An appendix to Crawley's Statement of Community Involvement \(2011\) Crawley Borough Council](#)

[Crawley Borough Council's Local Plan Local Development Scheme 2013 – 2016 \(2013\) Crawley Borough Council](#)

Strategic Planning Documents

[Gatwick Diamond Local Strategic Statement \(2011\) Surrey County Council, West Sussex County Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead District Council.](#)

[Gatwick Diamond Local Strategic Statement Memorandum of Understanding \(2011\) Surrey County Council, West Sussex County Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead District Council, Tandridge District Council.](#)

[Gatwick Diamond Local Strategic Statement Sustainability Appraisal/Strategic Environmental Assessment Statement \(2011\) Surrey County Council, West Sussex County Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead District Council, Tandridge District Council.](#)

Character Chapter evidence documents

[Building for Life 12 \(2012\) CABA at the Design Council](#)

Crawley Baseline Character Assessment (2009) EDAW/AECOM

- [Chapter 1-2](#)
- [Chapter 2](#)
- [Chapter 2-3](#)
- [Chapter 3](#)
- [Chapter 4](#)
- [Chapter 5](#)
- [Chapter 6](#)
- [Chapter 7](#)
- [Chapter 8](#)
- [Chapter 9](#)
- [Chapter 10](#)

Crawley ASEQs and Locally Listed Buildings Heritage Assessment (2010) Alan Baxter Associates

- [Part 1: Introduction & Part 2: Appraisal of ASEQs](#)
- [Part 3: Appraisal of Locally Listed Buildings](#)

[Historic Parks and Gardens Review \(2013\) Sussex Gardens Trust](#)

[Crawley Built Up Area Boundary Review \(2012\) Crawley Borough Council](#)

[Crawley Landscape Character Assessment \(2012\) Crawley Borough Council](#)

- [Figure 1 \(Areas and Edges\)](#)

- [Figure 2 \(Topography\)](#)
- [Figure 3 \(LCA\)](#)
- [Figure 4 \(CCA\)](#)

[A Strategy for the West Sussex Landscape \(2005\) West Sussex County Council](#)

[West Sussex Landscape Character Assessment \(Land Management Guidelines for Northern Vales, High Weald Forests and adjacent High Weald\) \(2003\) West Sussex County Council](#)

Economic Growth Chapter evidence documents

[North West Sussex Employment Land Review part 1 \(2009\) GL Hearn](#)

[North West Sussex Employment Land Review part 2 \(2010\) GL Hearn](#)

[Town Centre North Supplementary Planning Document \(2011\) Crawley Borough Council](#)

[Town Centre North Viability and Delivery Study \(2011\) DTZ](#)

[Crawley Retail Capacity and Impact Study \(2010\) DTZ](#)

[Crawley Town Centre Strategy \(2008\) Crawley Borough Council](#)

[Town Centre Wide Supplementary Planning Document \(2009\) Crawley Borough Council](#)

[Manor Royal Design Guide Supplementary Planning Document \(2013\) Crawley Borough Council](#)

[Manor Royal Public Realm Strategy \(2013\) Crawley Borough Council](#)

[Manor Royal Masterplan \(2010\) Crawley Borough Council](#)

[Crawley Manor Royal: Final Report \(2008\) Regeneris](#)

[Crawley's Economic Plan \(2011-2016\): In Support of Prosperity Crawley Borough Council](#)

[Crawley's Economic Plan \(2011-2016\): Measuring Prosperity Crawley Borough Council](#)

Housing Chapter evidence documents

[Crawley Strategic Housing Land Availability Study \(2013\) Crawley Borough Council](#)

- [SHLAA Introduction](#)
- [SHLAA Summary](#)
- [Category A Sites](#)
- [Category B Sites](#)
- [Category C Sites](#)
- [Category D Sites](#)
- [Category E Sites](#)
- [Category F Sites](#)
- [Category G Sites](#)

[Crawley Housing Trajectory \(2013\) Crawley Borough Council](#)

[Planning Policy for Traveller Sites \(2012\) Department for Communities and Local Government](#)

[Northern West Sussex Strategic Housing Market Assessment \(2009\) GVA Grimley](#)

[North West Sussex – Crawley: Strategic Housing Market Update \(2012\) GVA Grimley](#)

[Crawley Borough Council Locally Generated Housing Needs Assessment \(2011\) Nathaniel Lichfield & Partners](#)

[New Market Town Study \(2010\) GL Hearn](#)

[At Crawley Study \(2009\) GL Hearn](#)

[The Housing Strategy 2009-2013 \(2009\) Crawley Borough Council](#)

[Crawley Borough Council Urban Housing Potential Study \(2004\) Baker Associates](#)

Environment Chapter evidence documents

[Technical Guidance to the National Planning Policy Framework \(2012\) Department for Communities and Local Government](#)

[Decentralised Energy Study for Crawley \(2011\) HurleyPlamerFlatt Consultants](#)

[Planning and climate change in Crawley \(2007\) Energy Centre for Sustainable Communities](#)

[Policy Review Document \(2009\) Energy Centre for Sustainable Communities](#)

[Crawley Carbon and Waste Reduction Strategy \(2012\) Crawley Borough Council](#)

[Crawley Borough Council Corporate Climate Change Strategy \(2008\) Crawley Borough Council](#)

[Crawley Water Cycle Study Update \(2013\) Crawley Borough Council and Amec Environment and Infrastructure UK Limited.](#)

Gatwick Sub-Region Water Cycle Study (2011) Entec UK Limited

- [Scoping Report](#)
- [Executive Summary and Contents](#)
- [Chapter 1](#)
- [Chapter 2](#)
- [Chapter 3](#)
- [Chapter 4](#)
- [Chapter 5](#)
- [Chapter 6](#)
- [Chapters 7 & 8](#)
- [Appendix A](#)

[Annex 1 PPG24: Planning and Noise](#)

[Crawley Borough Local Air Quality Management Progress Report \(2008\)](#)

[Crawley Borough Local Air Quality Management Detailed Assessment of Air Quality \(2007\)](#)

[Green Infrastructure Discussion Document \(2012\) Crawley Borough Council](#)

[South East Green Infrastructure Framework \(2009\) Land Use Consultants](#)

[Review of CBC's Sites of Nature Conservation Importance Management Plans \(2010\) Crawley Borough Council](#)

[Biodiversity Action Plans – Woodland, Urban \(Sussex Wildlife Trust\)](#)

[Crawley Open Space, Sport and Recreation Study \(2013\) JPC Strategic Planning and Leisure Limited](#)

[A Playing Pitch Study for Crawley \(2013\) JPC Strategic Planning and Leisure Limited](#)

[Crawley PPG17 Open Space, Sport and Recreation Assessment \(2008\) PMP](#)

- [Appendices](#)

[Crawley Borough Playing Pitch Strategy for Outdoor Sports \(2005\) Crawley Borough Council](#)

Infrastructure and Gatwick Airport Chapters evidence documents

[Transport Modelling \(2012\) Amey Consulting](#)

[Aviation White Paper \(2003\)](#)

[Aviation Policy Framework \(2013\) DfT](#)

[Legal Agreement \(2008\) between CBC, WSCC and the airport operator](#)

[Gatwick Airport SPD \(2008\) Crawley Borough Council](#)

[Gatwick Master Plan \(2012\)](#)

- [Appendices](#)

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