

# **Crawley Borough Council**

## **Consideration Report for Delegated Decision by Cabinet Member for Planning and Economic Development**

**Expected Date of Decision 10 February 2020**

### **Crawley Local Development Scheme 2020 – 2023**

Report of the Head of Economy and Planning: Report Number PES/345

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#### **1. Purpose**

- 1.1 To approve and adopt the Crawley Local Development Scheme 2020 - 2023.
- 1.2 The Local Development Scheme (LDS) outlines the number and scope of the Local Development Documents the council intends to bring forward and sets the programme for how these will be progressed over the forthcoming four years.
- 1.3 This LDS updates and replaces the current adopted Local Development Scheme 2019 – 2022.

#### **2. Recommendations**

- 2.1 The Cabinet Member for Planning and Economic Development is recommended to approve the updated Crawley Local Development Scheme 2020 – 2023 (Appendix A to this report) as the adopted Local Development Scheme for the Local Planning Authority.

#### **3. Reasons for the Recommendations**

- 3.1 Crawley Borough Council is required by law to prepare and maintain a LDS, and the Crawley Local Plan Review, and any other Development Plan Documents, must be prepared in conformity with the timetable set out by the scheme.
- 3.2 The new LDS updates the Local Plan Review timetable which was agreed in November 2019 by Head of Economy and Planning decision. It sets the timetable for the preparation and delivery of an Area Action Plan (AAP) for North Crawley, as established by the Submission draft Local Plan 2020 – 2035 (agreed at Full Council on 16 December 2019).
- 3.3 The new commitment introduced by Policy SD3 in the Submission draft Local Plan for the North Crawley AAP confirms the council will commence this work within three months of the adoption of the Local Plan. This commitment is expressed, along with setting the detailed timetable for the production of the AAP, in the revised LDS 2020 – 2023.
- 3.4 With the exception of the commitment to the production of the Area Action Plan, the document remains largely the same as the previous version, with some minor

updates to the details of the Local Plan Review programme to reflect the current factual position.

#### **4. Background**

- 4.1 The current LDS was adopted by Head of Economy and Planning in November 2019. It covers the period 2019 – 2022.
- 4.2 The 2019 LDS agreed the timetable for the Local Plan Review to be carried out in order to maintain an up-to-date Local Plan meeting the government's requirement for Local Plans to be reviewed every five years.
- 4.3 In addition, it set the scope and timetable for the remaining planning documents identified to be produced to support the adopted Local Plan.
- 4.4 Since the approval of the 2019 LDS, the draft Local Plan Review has been considered at Full Council, and received Council approval for its Publication and Submission to the Secretary of State for its independent examination.

#### **5. Description of Issue to be resolved**

- 5.1 Since the adoption of the 2019 LDS, Full Council approval of the Submission draft Local Plan has committed the council to the preparation of an Area Action Plan (AAP) for land in the north of Crawley, south and east of Gatwick Airport which was previously safeguarded for an additional southern runway.
- 5.2 To prevent unconstrained development of this land (some 613 hectares), the AAP will establish the planning framework for development and land use designations in this area.
- 5.3 As a Development Plan Document, the timetable for the preparation of the AAP must be set out in the council's current Local Development Scheme.

#### **6. Information & Analysis Supporting Recommendation**

- 6.1 The draft LDS (2020 – 2023) is attached as Appendix A

##### Local Plan Review

- 6.2 The current LDS commits the council to a detailed timetable for the Local Plan Review. To date, this timetable has been met; with Regulation 19 Formal Public Consultation commencing on 20 January for a six week period until 2 March 2020.
- 6.3 Notwithstanding this, several pieces of critical evidence is still in the process of being undertaken, and it is not considered appropriate to submit the Plan for Examination until some degree of certainty is arrived at in relation to emerging outcomes for these, in particular in relation to Transport Modelling and Viability. On this basis, there is a minor alteration to the Submission date for the Local Plan to the Secretary of State to April 2020. The detailed timetable is now:

Key Milestone	Date
Early Engagement Public Consultation (Reg. 18)	July – September 2019
Publication Formal Public Consultation (Reg. 19)	January – March 2020
Submission to SoS	April 2020
Examination Hearing Sessions (anticipated)	July 2020
Receipt of Inspector's Report (anticipated)	October 2020
Adoption	December 2020

- 6.4 The timetable maintains the position for an adoption date within five years of the current Local Plan. This is recognised as an optimistic date, and may need to be updated subsequently, in future versions of the LDS, as the dates from the point of submission are out of the control of the council and in the hands of the Planning Inspectorate. Furthermore, depending upon the Inspector's findings during examination, there may be a further stage of public consultation with modifications required. However, the council will only be submitting a Plan to the Secretary of State for examination that it considers to be legally compliant and sound, and, as such, the dates set out above are the minimum which can be anticipated.

#### North Crawley Area Action Plan

- 6.5 In accordance with the Local Plan Policy, the timetable for the AAP has been set to commence three months following the adoption of the Local Plan. The LDS establishes the following initial timetable for its production:

Key Milestone	Date
Evidence Gathering and Informal Early Engagement	Spring – Summer 2021
Early Engagement Public Consultation (Reg. 18)	Summer – Autumn 2021
Publication Formal Public Consultation (Reg. 19)	Spring 2022
Submission to SoS	Summer 2022
Examination Hearing Sessions (anticipated)	Autumn 2022
Receipt of Inspector's Report (anticipated)	Early 2023
Adoption	Spring 2023

#### Supplementary Planning Documents

- 6.6 In addition to the Local Plan Review, the LDS also updates the production and review of a number of supporting planning documents, including the Community Infrastructure Levy, SPDs, Brownfield Land Register, Local List, and the Statement of Community Involvement. Each of the currently adopted SPDs will require review and updating to bring them in conformity with the changes introduced by the Local Plan Review, once this is adopted.

## **7. Implications**

- 7.1 Crawley Borough Council is required by law (under Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act 2011) to prepare and maintain a LDS, and it is necessary for the Local Plan and any other Development Plan Documents such as the AAP to be prepared in conformity with the council's adopted LDS. Not adopting an up-to-date LDS would place the council in breach of one of its statutory functions.
- 7.2 The LDS sets the policy-related work programme for the Forward Planning team over the coming four-year period. This is a legal requirement and sets out how resources will be prioritised to meet the wider expectations and requirements for the

council's policy planning service. Without a comprehensive and up-to-date LDS, the priorities for the council in the delivery of planning documents would be unclear.

- 7.3 Whilst there is a legislative requirement for Local Planning Authorities to maintain and publish an up-to-date LDS, it is not a document which is subject to public consultation.
- 7.4 There are no financial implications associated with the adoption of the LDS outside of the provision made within existing budgets. Notwithstanding this, the AAP work has not yet been scoped, and so the detailed financial implications associated with this is currently unknown. A full budget report will be prepared in the future, once the position on the APP through the Local Plan is established.
- 7.5 The legal implications are addressed in the report.

## **8. Background Papers**

Crawley Borough Council's Local Development Framework Local Development Scheme 2019 – 2021 (November 2019)

Crawley 2035: Submission Consultation draft Crawley Borough Local Plan 2020 – 2035 (January 2020)

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