

Crawley Borough Council

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

Expected Date of Decision 26 November 2020

Crawley Local Development Scheme 2020 – 2023 (December 2020)

Report of the Head of Economy and Planning: Report Number PES/365

1. Purpose

- 1.1 To approve and adopt the updated Crawley Local Development Scheme 2020 – 2023 (December 2020). 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 three years.
- 1.2 Crawley Borough Council is required to prepare and maintain a LDS and the Crawley Local Plan Review must be prepared in conformity with the scheme. This LDS updates and replaces the current Local Development Scheme 2020 – 2023 adopted in February 2020¹.

2. Recommendations

- 2.1 That the Cabinet Member for Planning and Economic Development approve the updated Crawley Local Development Scheme 2020 – 2023 (December 2020) (attached as 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 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 January 2019 by Cabinet Member decision and was updated in February 2020 by Head of Service decision to agree factual and minor amendments.
- 3.3 The document remains largely the same as the previous version. Updates consist of reflecting current progress and an amended timetable following delay created by the COVID-19 crisis as well as responding to outcomes of the evidence base and following advice received from an advisory visit with a Planning Inspector. This has included the removal of the intention to prepare an Area Action Plan for North Crawley and the inclusion of new proposed supporting planning documents identified through progressing the Local Plan Review.

¹ Crawley Local Development Scheme 2020 – 2023 (February 2020) CBC:
<https://crawley.gov.uk/planning/planning-policy/engagement-and-monitoring/local-development-scheme>

4. Background

- 4.1 The current LDS was adopted in January 2019 and updated in February 2020. It covers the period 2020 – 2023.
- 4.2 The adopted LDS set the timetable for the Local Plan Review. In addition, it set the timetable for the production of the North Crawley Area Action Plan, which the council committed to preparing in draft Policy SD3 of the draft Local Plan (January 2020).
- 4.3 It also updated the production and review of a number of supporting planning documents, including Community Infrastructure Levy, SPDs, Brownfield Land Register, Local List, and the Statement of Community Involvement. As well as new SPDs identified for production (including Conservation Area Statements and Development Briefs), reviews of the existing SPDs were also anticipated, alongside the Local Plan Review.

5. Description of Issue to be resolved

- 5.1 Since the adoption of the current LDS, the revised Local Plan was subject to a period of formal public consultation, carried out between 20 January and 2 March 2020. This was undertaken in accordance with the programme set out in the adopted LDS and represented the requirements of Regulation 19 of the Local Planning Regulations².
- 5.2 Following the close of public consultation, and prior to the intended submission of the revised Local Plan in April 2020, the advice of the Planning Inspectorate was sought. A number of issues were raised by the council and discussed with a Planning Inspector as part of an advisory meeting. These issues included:
 - the national aviation policy position (following the Court of Appeal Judgement on the Airports National Policy Statement); and
 - progress on some of the borough's key supporting evidence particularly Viability, Transport Modelling and Economic Growth (including taking into account the impacts of COVID-19 on the borough, as far as reasonably possible).
- 5.3 Following this meeting and the advice provided by the Planning Inspector, it was agreed to postpone submission of the revised Local Plan to allow amendments to be made and evidence to be concluded.
- 5.4 The updated LDS establishes the new Local Plan Review programme, taking into account the delays experienced. It reflects changes to the revised Local Plan draft by deleting reference to the production of an Area Action Plan for North Crawley, and factoring in commitments emerging through the recent evidence, therefore amending the timescales anticipated for the revision of the existing documents, and introducing the production of new SPDs, alongside those already identified:
 - i. Local Heritage Assets List;
 - ii. Character Area Assessments.

² Town and Country Planning (Local Planning) (England) Regulations 2012: <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

6. Information & Analysis Supporting Recommendation

- 6.1 The updated LDS now commits the council to the following detailed timetable for the progression of the Local Plan Review:

Key Milestone	Date
Early Engagement Public Consultation (Reg. 18)	June/July 2019
Publication Formal Public Consultation (Reg. 19)	January/March 2020
Additional Publication Formal Public Consultation (Reg. 19)	January/February 2021
Submission to Secretary of State	March 2021
Examination Hearing Sessions (anticipated)	May – September 2021
Receipt of Inspector’s Report (anticipated)	December 2021
Adoption	March 2022

- 6.2 It is imperative for progress on the Local Plan Review to continue and meet the timetable set out in this LDS to ensure the Plan can fall within the transitional arrangements proposed within the two recent government planning related consultations (Changes to the Current Planning System³ and White Paper: Planning for the Future⁴). These allow for those authorities who have submitted their Local Plan by the time the policy guidance and legislation is in place to continue to progress with their current Local Plan in the existing format and continue with the existing standard method for calculating housing need. It would also extend the statutory timeframe for preparing the borough’s first new style Local Plan from 30 months to 42 months.
- 6.3 The draft LDS 2020 – 2023 (December 2020) is attached as Appendix A.

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 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 Strategic Planning team over the coming three-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 planning policy 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.
- 7.5 The legal implications are addressed in the report.

³ <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

⁴ <https://www.gov.uk/government/consultations/planning-for-the-future>

8. Background Papers

[Crawley Borough Council's Local Development Scheme 2020 – 2023 \(February 2020\)](#)

Crawley Borough Council's Local Development Framework Local Development Scheme 2020 – 2023 (December 2020)

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