

Crawley Borough Council

Report to Overview and Scrutiny Commission 30 January 2023

Report to Cabinet 1 February 2023

Crawley Borough Local Plan Review: Publication and Submission

Report of the Head of Economy and Planning – PES/427

1. Purpose

- 1.1. The purpose of this report is to recommend that Cabinet requests Full Council approve the submission draft Crawley Local Plan 2024-2040 and its supporting documents to go out to formal Regulation 19 public consultation and then on to submission to the Secretary of State for independent examination
- 1.2. The Crawley Local Plan Review has been undertaken to ensure the borough's Local Plan remains up-to-date. The new Crawley Local Plan 2024-2040 has been prepared based on the outcomes of monitoring the implementation of the 2015 adopted Local Plan, feedback from previous stages of formal public consultations and updating the supporting technical evidence base.
- 1.3. 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) and substantial technical evidence base.

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.

- 2.2. To the Cabinet

The Cabinet is recommended to:

- a) Delegate the following authority to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development (Generic Delegation 5 will be used to enact these recommendations):
 - i. Factual amendments and minor modifications to the Local Plan necessary in accordance with national policy and updated evidence for the purposes of clarity and accuracy.
 - ii. The approval of updates or additions to the supporting documents for the Local Plan and technical evidence base documents to support the Local Plan through Examination.

- b) Request the Full Council to:
- i. approve the submission draft Local Plan for Publication consultation (a statutory six-week period of public consultation), commencing 9 May 2023.
 - ii. approve the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to minor amendments deemed necessary following the above consultation for the purposes of clarity and accuracy.
 - iii. approve the publication and submission of the supporting documents for the Local Plan: the Local Plan Map; the Sustainability Appraisal; the Habitats Regulations Assessment; the Consultation Statement; and the detailed technical evidence base documents necessary for supporting the Local Plan through Examination.

3. Reasons for the Recommendations

- 3.1. National Government guidance expects local planning authorities to produce up-to-date Local Plans for their areas, setting out the strategic priorities for the area over a 15-year timescale and showing how development needs will be met. The Crawley Borough Local Plan was adopted by Full Council on 16 December 2015. It covers the period 2015 – 2030 and provides the borough’s full planning policies for the purposes of development management decisions.
- 3.2. A full Local Plan Review is being undertaken to ensure the borough maintains up to date planning policies. A draft Local Plan has been considered and approved by the Council previously at the meetings of the Full Council held on 16 December 2019 and 16 December 2020. It had to be considered a second time in December 2020 due to advice relating to the government’s aviation policy, which required us to reinstate most of the land safeguarded for an additional runway to the south of Gatwick Airport.
- 3.3. Unexpected critical legal matters relating to water supply and its potential impacts on internationally protected habitat sites have caused additional work and substantial delays to the progression of the Local Plan whilst being resolved. However, there is now sufficient information available to address these concerns through the Local Plan Review. As a consequence, Cabinet approval is being sought to refer the revised Local Plan and supporting documentation to Full Council, seeking approval to undertake a further period of Regulation 19 consultation prior to submission of the final draft Plan to an Inspector for examination in public.

4. Background

- 4.1. The draft Local Plan (published in January 2021¹) was subject to a Full Council decision held in December 2020. This approved the draft Local Plan Review for a second Publication Consultation (Regulation 19²) and Submission to the Secretary of State for Independent Examination. The extracts from the Cabinet and Council decisions in relation to the Local Plan are set out in Appendix A.
- 4.2. Following the Full Council decision in December 2020, the Local Plan Review was subject to formal public consultation, which took place from early January 2021 until end of June 2021.

¹ Submission Draft Crawley Local Plan January 2021 <https://crawley.gov.uk/sites/default/files/2021-01/Submission%20Draft%20Local%20Plan%20January%202021.pdf>

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

Water Neutrality

- 4.3. Progression of the Local Plan to Submission was subsequently delayed due to the work required in order to meet the Habitats Regulations specifically in relation to water supply constraints³. Due to the unique and complex nature of the issue, the extent of this was previously unknown and could not have been predicted in advance.
- 4.4. Work has been ongoing across the Sussex North Water Resource Zone between the affected authorities (Crawley, Chichester, Horsham, South Downs National Park and WSCC), Natural England, Environment Agency, Southern Water, Ofwat, Defra and DLUHC. This has sought to find a solution to deliver a Local Plan which will achieve water neutrality in the parts of the borough which continue to be served by the Pulborough abstraction sites. To meet the cumulative (in-combination) impact requirements of the Habitats Regulations, this work needs to take account of all development proposed in all the local plans across the Sussex North Water Resource Zone.
- 4.5. A Joint Advisory Meeting was held with the Planning Inspectorate to consider the joint approach being taken forward by the Local Planning Authorities to progress the Local Plans. The approach being taken by the draft Crawley Local Plan and supporting joint working with the other affected Local Planning Authorities reflects the advice given at that meeting.
- 4.6. The Water Neutrality Strategy “Part C” has been published. This was agreed by the Local Authority Chief Executives and Southern Water at the Executive Board meeting held on 27 October, subject to minor amendments, and was endorsed by Natural England on 23 November 2022.

Crawley Local Plan Timetable

- 4.7. A number of key changes, which account for the impact of “water neutrality” and associated time delay, have been made to the draft Local Plan.
- 4.8. 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 an up-to-date Local Plan is critical for development control decision making.
- 4.9. On this basis, the amended draft Plan should be considered again at Full Council as soon as possible, and subject to Full Council approval, go out for a further stage of Regulation 19 Publication Consultation.
- 4.10. Therefore, the following Local Plan programme timetable has been updated and published to the council’s website with the following key dates:

| Milestone | Date |
|---|---------------------------|
| Local Plan Working Group | 26 January 2023 |
| OSC | 30 January 2023 |
| Cabinet | 1 February 2023 |
| Full Council Meeting | 22 February 2023 |
| Public Consultation Start | 9 May 2023 |
| Public Consultation End | 20 June 2023 |
| Submission to the Planning Inspectorate | July 2023 |
| Examination in Public | September – December 2023 |
| Adoption | February – July 2024 |

³ Water Neutrality in Crawley Webpage: [Water neutrality in Crawley | Crawley GOV](#)

- 4.11. An All Members' Seminar, focused primarily on the Water Neutrality work was held on 30 November 2022. A Local Plan Working Group, open to all members, is to be held on 26 January 2023, providing the opportunity for members to consider the changes to the Local Plan since January 2021.

5. Description of Issue to be Resolved

- 5.1. Crawley currently has an up-to-date adopted Local Plan (Crawley 2030: Crawley Borough Local Plan 2015 – 2030)⁴. This was subject to a 5-year Policy Review by Full Council decision on 16 December 2020, which confirmed the policies remain up-to-date for the purposes of Development Management decisions (see Appendix A).
- 5.2. However, the requirement to review the Plan every five years and ensure it is up-to-date triggered the need to assess the existing policies against the revised national planning policy requirements. In particular, the standard methodology and the housing delivery test have been identified through the adopted Local Development Scheme⁵ and the Authority's Monitoring Report⁶ as necessitating a review⁷.
- 5.3. Without an up-to-date Plan, all planning decisions would be based on the guidance in the National Planning Policy Framework (NPPF) and the borough's total housing need based on the standard methodology (750 dwellings per annum), rather than its constrained land supply position (314 dwellings per annum), and accordingly local priorities and local designations would only be afforded limited weight particularly in the case of meeting housing and economic development needs⁸. Therefore, potentially undesirable developments could go ahead to the detriment of Crawley's character and quality of life for residents. 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 affordable housing policy requirement if challenged by an applicant.
- 5.4. 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. This has been proven to be the case with the strong position of the existing up-to-date adopted Local Plan being cited in Inspectors' appeal decisions.
- 5.5. To accompany this Cabinet Report, the following Key Documents are available (see Section 8 below):
- Submission Local Plan;
 - Submission Local Plan Map;
 - Sustainability Appraisal/Strategic Environmental Assessment;
 - Consultation Statement;
 - Habitat Regulations Assessment;
 - Infrastructure Plan;
 - Duty to Cooperate Statement;
 - Various Evidence Base Documents (see Appendix C).

⁴ Crawley 2030: Crawley Borough Local Plan 2015 – 2030 (December 2015) CBC:
<https://crawley.gov.uk/sites/default/files/documents/PUB271853.pdf>

⁵ [Local Development Scheme | Crawley GOV](#) (2020) CBC

⁶ [Authority's monitoring report | Crawley GOV](#) (2021) CBC

⁷ "Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly": National Planning Policy Framework, para. 33 (February 2022) MHCLG

⁸ National Planning Policy Framework, para. 11 (February 2022) MHCLG

- 5.6. This Local Plan (2024 – 2040), once adopted, will replace the current Crawley Local Plan (2015 – 2030).

Key Changes

- 5.7. The Local Plan being taken through Full Council and to be published for Regulation 19 consultation is a new Submission Draft Local Plan. However, much of the draft Local Plan Review and its Key Documents and Evidence Base are already established and remain the same as approved by Full Council in December 2020.
- 5.8. Key changes which have been made since the published January 2021 Draft Local Plan Review are associated with:
- Water Neutrality Requirement;
 - Amendments related to other evidence document updates;
 - Response to representations made during the 2021 Regulation 19 Consultation;
 - Passing of time – factual & data updates;
 - National Policy updates.
- 5.9. Appendix B sets out the key changes and the reason for each of the changes.
- 5.10. A copy of the new draft Local Plan is available in the link set out in Section 8 below.
- 5.11. References in the Local Plan to the Corporate Plan will be updated to reflect the new Corporate Plan, should it be approved at Full Council on 22 February 2023.

6. Information & Analysis Supporting Recommendation

Local Development Scheme

- 6.1. The Local Plan must be prepared in conformity with the council's Local Development Scheme (LDS) (a Statutory document setting out the council's Local Plan timetable). Crawley's LDS has recently been updated and published⁹, formally confirming the revised Local Plan programme to its adoption (as set out in paragraph 4.10).

Consultation

- 6.2. A key milestone in the Local Plan Review is undertaking the statutory period of consultation ('Publication of the Local Plan'). A copy of each of the proposed submission documents has to be made available for inspection through being published on the council's website and in paper form available in the council offices and other appropriate locations (Crawley Library).
- 6.3. Any representations received during this period are required to 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 also propose other modifications to the Inspector for consideration as part of the Examination process. The only other option in response to representations at that stage is for the entire Plan to be withdrawn and further consultation undertaken.
- 6.4. The reports and "advertising" of the formal consultation will clearly explain it is an amended Local Plan due to Water Neutrality and the passing of time. However, representations will be able to be made on the whole document (for example, objectors may want to highlight other matters they believe have changed). This is to ensure the legal process of public consultation carried out under Regulation 19 is met.

⁹ Crawley Local Development Scheme 2023 – 2025 (January 2023) CBC [Local Development Scheme | Crawley GOV](#)

- 6.5. Representors will be asked if they wish for their previous representations to be carried forward, or if they wish to amend anything – they won't need to resubmit the same representations.

Examination

- 6.6. 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.
- 6.7. 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: providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
Effective: deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in this Framework.
- 6.8. In carrying out the function of preparing a Local Plan and Statement of Community Involvement regard must be given to the public sector equality duty set out in Section 149 of the Equality Act 2010. As part of the process undertaken for the Sustainability Appraisal (SA), the potential effects of the Plan on people in respect of disability, gender and racial equality impacts were considered, in accordance with this duty. Therefore, the draft SA/SEA Report incorporates the Equalities Impact Assessment and Health Impact Assessment.
- 6.9. The Local Plan is a key policy document for the borough as a whole and therefore impacts on every ward. Members of the Local Plan Working Group have been involved throughout the preparation stages of the submission Crawley Local Plan.

Evidence

- 6.10. To support the Local Plan, the technical evidence documents which have been, or are currently being, finalised or updated are set out in Appendix C.
- 6.11. Critical updates currently underway include the Viability evidence, to consider the implications of the new water neutrality requirements on development within the borough alongside the other policy requirements of the Plan, a focused refresh of the Economic Growth Assessment, and an appraisal of options for the Crawley Western Multi-Modal Transport Corridor Area of Search. These are available internally in draft on request.
- 6.12. The Viability Study update has suggested that the viability appears to have the scope to support the anticipated water neutrality cost alongside a sensitivity tested/additional contingency, without the need for revisions to any other policy requirements.
- 6.13. The EGA Update establishes the current employment floorspace need. Whilst the quantitative need for new employment floorspace has reduced in the forecasts and because of the pipeline of development consents, the study confirms justification for

the continued allocation of Gatwick Green Strategic Employment Site in order to support the mixed-use function of Manor Royal, the lack of a strategic logistics provision planned elsewhere in the Functional Economic Market Area, and national planning policy focus on meeting particular logistics/storage & distribution locational demands.

- 6.14. Another study being finalised is the Systra Crawley Western Link Road study. This has refined the Area of Search for the Crawley Western Multi-Modal corridor, bringing the majority of it outside safeguarding. It proposes an interim option through safeguarding at the eastern end, to avoid having to CPO any property in County Oak unless GAL brings forward a southern runway, and shows indicative route options through County Oak as a longer term option should GAL make this decision in the future.
- 6.15. Additional new Evidence Updates are required to commence in January 2023. These will be finalised for inclusion as part of the Publication Consultation.
- 6.16. A series of Topic Papers giving more background information and further explanation of key matters in the Local Plan will be published at the time of consultation.

7. Implications

- 7.1. An adopted Local Plan provides clarity for residents, businesses 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 management process.

Legal Implications

- 7.2. The Planning and Compulsory Purchase Act 2004 (as amended) and The Town and Country Planning (Local Planning) (England) Regulations set out the requirements and the statutory procedure for the preparation of a Local Plan, relevant regulations are referenced in this report.

Finance Implications

- 7.3. The allocated Local Plan budget, including identified reserves, includes funds to cover the costs of a further 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 and the Programme Officer. Funds are allocated for this in the Local Plan budget.

Risks

National Planning Changes:

- 7.4. DLUHC has published a consultation on revisions to the NPPF (closing date 2 March 2023) and has confirmed it will be progressing the Levelling Up and Regeneration Bill over the next year. Significant reforms are anticipated to the planning process, but the legislative changes are not expected to take effect until 2024.
- 7.5. The proposed changes are being considered by the Strategic Planning Team in relation to their potential impacts on the current Local Plan. However, there are transitional arrangements in place, which may allow the Local Plan to continue under the existing NPPF, subject to the Publication of the Local Plan for Regulation 19 Consultation meeting the timetable set in paragraph 4.8 above. Whilst this is dependent on the date of the changes to the NPPF being finalised, it should also be noted that some of the proposed changes being considered as part of the consultation may not be progressed following responses received. The advice from DLUHC is to continue progressing Local Plan work.

Evidence:

- 7.6. The Local Plan is at risk of not being legally compliant or to be found unsound if the council does not make the appropriate information available at the right time and particularly if they are relevant to the Plan's strategy.
- 7.7. A Habitats Regulations Assessment has been carried out to accompany the Local Plan. The draft Integrity Test required to be undertaken by Crawley Borough Council, as the competent authority, is embedded in the Habitats Regulations Assessment report. This has concluded that there will be no adverse impact on site integrity at any Habitats site, either alone or in combination with other Plans and Projects. However, this is an iterative process and will need to be updated throughout the Local Plan preparations. In particular, it is necessary for Natural England to be consulted on this work and the conclusions and for their feedback to be taken into consideration as part of the Local Plan Publication, Submission, Examination and Adoption.

8. Background Papers

- Submission Draft Local Plan (OSC Cabinet Version January 2023):
<https://crawley.gov.uk/sites/default/files/2023-01/Submission%20Local%20Plan%20for%20cabinet%2030%20January%202023%20to%201%20February%202023.pdf>

- Local Plan Map (January 2023): <https://crawley.gov.uk/sites/default/files/2023-01/Local%20Plan%20Map%20January%202023.pdf>
- Local Plan Map Web Friendly (January 2023):
<https://crawley.gov.uk/sites/default/files/2023-01/Local%20Plan%20Map%20January%202023%20web%20friendly.pdf>

- Local Development Scheme (January 2023): available on the council's dedicated webpage – [Local Development Scheme | Crawley GOV](#)

- Statement of Community Involvement: available on the council's dedicated webpage – [Statement of Community Involvement | Crawley GOV](#)

- Draft Sustainability Appraisal/Strategic Environmental Assessment (January 2023):
<https://crawley.gov.uk/sites/default/files/2023-01/Sustainability%20Appraisal%20draft%20report%20January%202023.pdf>

- Draft Habitats Regulations Assessment (January 2023):
<https://crawley.gov.uk/sites/default/files/2023-01/Habitats%20Regulations%20Assessment%20report%20January%202023.pdf>

- Consultation Statement Main Report (January 2023):
<https://crawley.gov.uk/sites/default/files/2023-01/Consultation%20Statement%202023.pdf>
- Consultation Statement Appendices 1-4b: available on the council's Local Plan Review webpage
 - [Appendix 1 Early engagement consultation materials.pdf](#)
 - [Appendix 2 Early engagement representations 0.pdf](#)
 - [Appendix 3 Initial publication materials.pdf](#)
 - [Appendix 4 Initial publication representations.pdf](#)
 - [Appendix 4b Wilky Group appendices combined.pdf](#)

- Consultation Statement Appendix 5 – Additional Publication Consultation Materials: <https://crawley.gov.uk/sites/default/files/2023-01/Consultation%20Statement%20appendix%205%20additional%20publication%20consultation%20materials.pdf>
- Consultation Statement Appendix 6 – Additional Publication Consultation Representations: <https://crawley.gov.uk/sites/default/files/2023-01/Consultation%20Statement%20appendix%206%20additional%20consultation%20representations.pdf>
- Draft Infrastructure Plan (January 2023): <https://crawley.gov.uk/sites/default/files/2023-01/Crawley%20Infrastructure%20Plan%20January%202023.pdf>
- Draft Duty to Cooperate Statement (January 2023): 2021 version available on the council's Local Plan Review webpage ([Draft Duty to Cooperate Statement March 2021.pdf](#)); update to be prepared for Publication Consultation.
- Evidence Documents: available on the council's Local Plan Review webpage: [Local Plan Review | Crawley GOV](#); New evidence documents and updated Topic Papers to be added for Publication Consultation.

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APPENDIX A: CABINET AND COUNCIL NOVEMBER/DECEMBER 2020 LOCAL PLAN DECISIONS

**Crawley Borough Council Notification of Decisions
Cabinet 25 November 2020**

| Item No. | Title | Decision |
|----------|---|---|
| 6. | Submission Crawley Local Plan 2021 – 2037 | <p>RESOLVED</p> <p>That Cabinet delegates the following to the Head of Economy and Planning in consultation with the Cabinet Member for Planning and Economic Development (<i>Generic Delegation 5 will be used to enact these recommendations</i>), subject to recommendation 2.3 being agreed by Full Council:</p> <p>a) Factual amendments to the Local Plan necessary in accordance with national policy and updated evidence for the purposes of clarity.</p> <p>b) The approval of the supporting documents for the Local Plan and technical evidence base documents to support the Local Plan through Examination.</p> <p>That Cabinet recommends to Full Council to:</p> <p>a) Approve the submission draft Local Plan and Local Plan Map for a further Publication consultation (a statutory six-week period of public consultation).</p> <p>b) Approve the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to amendments deemed necessary following consultation and updated evidence for the purposes of clarity.</p> <p>c) Note that the final Local Plan will be brought back to Full Council following its independent examination for adoption.</p> <p>d) Approve the Local Plan Five Year Policy Assessment to confirm that each adopted Local Plan Policy retains full weight for Development Management decisions.</p> <p>Reasons for the Recommendations</p> <p>National Government guidance expects local planning authorities to produce up-to-date Local Plans for their areas, setting out the strategic priorities for the area over a 15-year timescale and showing how development needs will be met. The Crawley Borough Local Plan was adopted by Full Council on 16 December 2015. It covers the period 2015 – 2030 and provides the borough’s full planning policies for the purposes of development management decisions. A review of this Plan is therefore required, to ensure the 2 borough maintains up to date planning policies. A full Local</p> |

| | | |
|--|--|--|
| | | Plan Review has been undertaken, as well as an interim assessment of the adopted Local Plan policies to provide a strong planning policy position for the borough in the immediate future, and over the next 16 years. |
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Minutes of Full Council, 16 December 2020

6. Submission Crawley Local Plan 2021-2037 – Cabinet – 25 November 2020 (Recommendation 2)

The Full Council considered report PES/367 of the Head of Economy and Planning which sought Full Council approval of the submission of the draft Local Plan for a further publication consultation, and followed by the submission of draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, (subject to minor amendments deemed necessary following consultation for the purposes of clarity) and the approval of the publication and submission of the supporting documents for the Local Plan. The item had been previously considered at the Cabinet on 25 November 2020.

Councillor P Smith introduced the recommendation to the Full Council noting that it was a legal requirement for a Council to have a Local Plan in place which needed to regularly reviewed. The current Local Plan had been approved by Full Council in December 2015. It was noted that the development of the proposed Local Plan had occurred in a cross-party manner to ensure that the proposals were in the best interest of the borough and its residents. Officers were thanked for their hard work on producing the proposed Local Plan. Councillors Lamb and P Smith jointly moved the recommendation which was seconded by Councillor Purdy, in so doing he commented his support for the proposal.

Councillor Burrett moved and presented the Pound Hill North and Forge Wood Councillors Amendment, namely:

That the Local Plan be agreed as proposed but with all reference to the Gatwick Green employment site allocation having been removed.

The amendment was seconded and supported by Councillor McCarthy.

A single debate occurred on both the recommendation and the proposed amendment. Councillors Crow, Lanzer, B Burgess, Jaggard and Guidera all spoke during the debate.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process on the amendment. Before the vote commenced, it was confirmed that none of the Labour Members requested to vote as an individual, rather than through their respective Group block vote. However the Conservative Group confirmed that there would be no Group block vote on the amendment and as such Conservative Councillors would be voting individually.

For the amendment: Councillors Ascough, T Belben, Burrett, Eade, Jaggard, and McCarthy (6)

Against the amendment: Labour block vote of 14 votes and Councillors R Burgess, Crow, Guidera, Lanzer, Millar-Smith, Mwangale, Peck, Pendlington and Purdy (23)

Abstentions: Councillors A Belben, B Burgess, and Sudan. (3)

The Mayor declared that the proposed amendment had fallen – votes in favour 6, and votes against 23 with 3 abstentions.

Following the conclusion of the debate, the Mayor invited the Democratic Services Manager to commence the voting process on the recommendation 2. Before the vote commenced, it was confirmed that none of the Labour Members requested to vote as an individual, rather than through their respective Group block vote. However the Conservative Group confirmed that there would be no Group block vote on recommendation 2 and as such Conservative Councillors would be voting individually.

For the recommendation: Labour block vote of 14 votes, and Councillors A Belben, T Belben, R Burgess, Crow, Guidera, Jaggard, Lanzer, Millar-Smith, Mwangale, Peck, Pendlington, Purdy and Sudan (27)

Against the recommendation: None (0)

Abstentions: Councillors Ascough, B Burgess, Burrett, Eade, and McCarthy (5)

The Mayor declared the recommendation was carried – votes in favour 27, and votes against 0 with 5 abstentions.

RESOLVED

That Full Council:

a) Approves the submission draft Local Plan and Local Plan Map for a further Publication consultation (a statutory six-week period of public consultation).

b) Approves the submission draft Local Plan for Submission to the Secretary of State for Examination by an independent Planning Inspector, subject to amendments deemed necessary following consultation and updated evidence for the purposes of clarity.

c) Notes that the final Local Plan will be brought back to Full Council following its independent examination for adoption.

d) Approves the Local Plan Five Year Policy Assessment to confirm that each adopted Local Plan Policy retains full weight for Development Management decisions.

APPENDIX B: KEY EMERGING LOCAL PLAN CHANGES (JANUARY 2021 VERSION TO JANUARY 2023)

| Change | Reason |
|---|---|
| Local Plan Period: 2024 – 2040 | Factual: To Reflect Passing of Time |
| Updates to Mini-Maps throughout | To Reflect Correlating Changes to Policies and the Local Plan Map and update Copyright Year to 2023 |
| Update to Key Diagram | To Reflect Correlating Changes to Policies and the Local Plan Map |
| Update Vision | To Reflect Updated Corporate Positions |
| All References to Stages of Local Plan and Additional Consultation | Factual: To Reflect Passing of Time |
| References to Water Neutrality to be incorporated | To Reflect Water Neutrality Issue |
| Updates to Crawley’s economic context | To reflect the corporate Economic and Regeneration positions |
| Amendments to Covid References throughout document | Factual: To Reflect Passing of Time |
| Population of Crawley Figures | Factual: To Reflect Census 2021 Data |
| Standard Method Housing Number for Crawley to change from 750dpa to 748dpa | Factual: To Reflect Required Updates to Standard Method Data |
| Updates to Crawley Borough Council Climate Emergency: Net Zero Pledge | To Reflect Unanimous Decision at Full Council in December 2021. |
| Update references to New Directions Crawley Transport Strategy and the West Sussex Local Transport Plan | Factual: To Reflect Approval of Documents |
| Update to references to CCG | Factual: To Reflect Passing of Time |
| Updates on Urban Design and Character guidance | To reflect updated national position |
| Detailed minor amendments to Character and Design Policies | For Clarification |
| Reinsert references omitted from adopted Local Plan in relation to planned extensions to Manor Royal | To Correct an Omission Error |
| Updates to references to National Design Guidance | Factual: To Reflect Updates in National Policy and Design |

| Change | Reason |
|---|--|
| Insert references to Airport Public Safety Zone and new mini-map | Factual: To Reflect New Guidance issued by DfT |
| Insert reference to digital advertising | To Reflect an emerging issue |
| To include reference to the two new Conservation Areas and changes to existing Conservation Area boundaries | Factual: To Reflect the Cabinet decision to designate new Conservation Areas |
| Reference to enhancements to Public Rights of Way in the Policy | To Respond to a Representation and reflect government guidance |
| Updates to Infrastructure references | To Reflect Updated National Position |
| Updates to Telecommunications supporting information | To Reflect Technical Updates and advice from WSCC |
| Updates to Economic Growth Supporting Text | To reflect the corporate Economic and Regeneration positions |
| Updates to Employment Land Supply | To reflect the updated employment land supply position |
| Updates to Employment Land Requirements | To reflect the updated evidence in the EGA Focused Update |
| Updates to justification for employment land supply need | To reflect the updated evidence in the EGA Focused Update |
| Insertion of requirement for HGV-turn ban for Gatwick Green Strategic Employment site into Policy | To reflect requirements of Transport Modelling Study |
| Insertion of requirement for Agricultural Land Classification statement for Gatwick Green Strategic Employment site into Policy | To reflect National Requirements |
| Amendments to Hotels Policy | For Clarification |
| Detailed amendments to Evening and Night-Time Economy Policy | For Clarification |
| Updates to supporting text to Creative Industries and temporary Cultural and Creative Uses | For Clarification |
| Updates to Employment Development and Amenity Sensitive Uses Policy and supporting text | For Clarification |
| Detailed amendments to Neighbourhood Centres Policy | For Clarification |
| Detailed amendments to Rural Economy Policy | For Clarification |
| Update references to Gatwick Airport DCO | Factual: To Reflect Passing of Time |

| Change | Reason |
|--|--|
| Add references to Flightpath to the Future and Jet Zero | Factual: To Reflect Updates in National Policy |
| Amend detailed wording regarding impacts of airport operation in Policy | In response to 2021 Reg 19 Representations |
| Updated supporting text to Safeguarded Land | For Clarification and to reflect updates in National Policy |
| Updated supporting text to Gatwick Airport Related Parking | To reflect current data |
| Updated introduction text to Employment Uses at Gatwick | For Clarification |
| Updates to Town Centre Supporting Text | To reflect the corporate Economic and Regeneration work |
| Detailed amendments to Town Centre Neighbourhood Facilities Policy | For Clarification |
| Updates to Town Centre Key Opportunity Sites supporting text | To reflect the updated position |
| Insert references to Crawley's Housing Delivery Tests for 2020 and 2021: 252% and 406% respectively | Factual: To reflect the Government's most up-to-date published position |
| Update Housing Supply and Unmet Needs Figures | To reflect the updated housing supply position |
| Update Key Housing Sites | Factual: To Reflect Changes to the Housing Trajectory |
| Remove Henty Close and Rushetts Road sites from Policy H2 Allocations and instead consider CBC Sites as part of the Housing Trajectory Windfalls Allowance | Factual: To Reflect Changes to the Housing Trajectory |
| Insert reference to First Homes into Affordable Housing Policy | To Reflect Updates in National Policy and introduction of New Requirement now in place |
| Insert New Sub-Set within Affordable Housing Policy H5: Affordable Care | To Correct an Omission Error |
| Update affordable housing supporting text with reference to First Homes and Affordable Care | To reflect new policy insertions |
| Update self-build data in supporting text to Self and Custom Build | To reflect current position |
| Amend reference to "Temporary" in Gypsy, Traveller and Travelling Showpeople Sites Policy | To provide greater clarity and distinction between a 'temporary site' (i.e. less than 1 month) and a temporary planning permission (i.e. permanent until date on permission) |

| Change | Reason |
|---|--|
| Factual update Position on Gypsy and Traveller Need | To reflect outcome of recent Planning Appeal decision |
| Reinsert reference to Gatwick Airport Noise Contours omitted from adopted Local Plan to supporting text for Policy H8: Gypsy, Traveller and Travelling Showpeople Sites | To Correct an Omission Error from adopted Local Plan |
| Update references to Environment Act and Biodiversity Net Gain | To update to reflect enactment of the Environment Bill to the Environment Act 2021 and to reflect the current national guidance and position of the Biodiversity Metric. |
| Restructure supporting text for Biodiversity Sites | For Clarification |
| Insert reference to Biodiversity Metric, and measurements into Biodiversity Net Gain Policy | For Clarification |
| Insert reference to requirement to Urban Greening Factor into Biodiversity Net Gain Policy | For Clarification and to address concerns relating to urban sites with low or no existing Biodiversity value |
| Insert requirement for findings to be submitted to the Sussex Biodiversity Record Centre | For Clarification and to support future monitoring across Sussex |
| Restructure supporting text for Biodiversity and Net Gain | For Clarification and to reflect new additions to Policy |
| Update data relating to Crawley's greenhouse gas emissions | To Reflect Current Position |
| Insert New Sub-Section within Sustainable Construction and Design Policy SDC1 relating to renewable and low carbon energy developments | To Correct an Omission Error |
| Update Supporting Text and Policy on Water Efficiency | To Address the Requirements of the Habitats Regulations |
| Add New Policy to reflect new Water Neutrality Requirement | To Address the Requirements of the Habitats Regulations |
| Update Flood Risk Policy EP1 and supporting text | To Reflect Updates in National Policy |
| Amend reference to when Figure 1 of the Noise Annex will be updated | To reflect fact that CAA no longer "approve" noise contours and legal advice |
| Adjustment to noise metrics, adjustments responding to updated evidence, clarification to assist in policy interpretation for Policy EP4 Development and Noise. | To Reflect updated Technical Evidence |

| Change | Reason |
|---|---|
| Detailed updates to the supporting text for Air Quality | Factual: To Reflect Current Position |
| Updates to criteria in External Lighting Policy to include impact on wildlife | To Reflect representations received and technical advice from stakeholders |
| Add reference to Bus Back Better National Bus Strategy | To Reflect Updates in National Policy |
| To Update Crawley Western Link Multi-Modal Transport Corridor Policy and Search Area on the Local Plan Map | To Reflect New Evidence to partially address WSCC and GAL objections and Legal Advice |
| Add references to the Crawley Western Link Multi-Modal Transport Corridor from the adopted West Sussex Transport Plan, and Transport for the South East Draft Investment Plan | To Reflect Updates to County and Regional Transport Policy |
| Updates to Glossary, Supporting Guidance and Background Documents | To Reflect Changes to Local Plan and New Publications |
| Updates to Planning Obligations Annex to include Requirements for Offsetting Water Contribution | To Address the Requirements of the Habitats Regulations |
| Updates to the Parking Standard references to Use Classes | To Reflect National Changes to the Use Classes Order |
| Correlating Updates to the Local Plan Map | To reflect the changes to Policies and evidence above and factual changes |

APPENDIX C: LOCAL PLAN EVIDENCE DOCUMENTS

| Evidence Document | Status |
|--|--|
| Habitats Regulations Assessment | January 2023 |
| Strategic Housing Market Assessment | Published: November 2019 |
| Strategic Housing Land Availability Assessment | Published: September 2020 Updated – January 2023 |
| Housing Trajectory | Base date 30 September 2022 |
| Crawley Windfall Statement | Published: January 2021 To be Updated – January 2023 |
| Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment Review | Draft Published: January 2021 To be Updated: January – May 2023 |
| Economic Growth Assessment | Published: January 2020 |
| Economic Growth Assessment Update | Published: September 2020 |
| Economic Growth Focused Update | Draft Received December 2022; final report anticipated January 2023 |
| Employment Land Availability Assessment | Published: January 2021 To be Updated: January 2023 |
| Employment Land Trajectory | Base date 30 September 2022 |
| Retail, Commercial Leisure and Town Centre Neighbourhood Needs Assessment | Published: January 2020 |
| Eco-Serv Report | Published: January 2020 |
| Water Cycle Study | Published: August 2020 |
| Water Cycle Study Addendum | Published: January 2021 |
| Strategic Flood Risk Assessment | Published: September 2020 To be Updated: January – May 2023 |
| Densification Study | Draft Report Published: January 2021 Final Report Anticipated February – May 2023 |
| Open Space, Sport and Recreation Assessment | Published: December 2020 |
| Indoor Sports Facilities Assessment | Published: January 2021 |
| Playing Pitch Strategy | Published: March 2021 |
| Heritage Assets Review | Published: January 2021 |
| Transport Modelling | Published: June 2022 |
| Crawley Western Link Study | Draft Report: December 2022 Final Report: January 2023 |
| Water Neutrality Study Part A | Published: July 2021 |
| Water Neutrality Study Part B | Published: April 2022 |
| Water Neutrality Study Part C | Published: November 2022 |
| Water Neutrality Implementation Scheme | To Be Prepared: to be agreed before adoption of the Local Plan |
| Viability Study | Published: March 2021 |
| Viability Update | Draft Report: Anticipated December 2022; Final Report: Anticipated January 2023 |