

Crawley Borough Council

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

Expected Date of Decision 19 July 2023

Crawley Borough Council and Horsham District Council Statement of Common Ground (SoCG)

Report of the Head of Economy and Planning – PES/436

1. Purpose

- 1.1. National Planning Policy requires each Local Planning Authority to demonstrate effective and on-going joint working with its neighbouring authorities/other authorities in the sub-region and other prescribed bodies, through the preparation and maintenance of Statements of Common Ground (SoCG). These must be agreed by the point of Submission of each Local Plan for its independent Examination.
- 1.2. As part of the Crawley Borough Local Plan Review, substantial joint working with all of the neighbouring authorities and Prescribed Bodies has taken place and a number of SoCGs have already been agreed. This is set out in the Crawley Duty to Cooperate Statement (May 2023): <https://crawley.gov.uk/sites/default/files/2023-05/Duty%20to%20Cooperate%20Statement%20May%202023%20%28low%20res%29.pdf>
- 1.3. A new SoCG is being agreed between Crawley Borough Council and Horsham District Council in relation to the Crawley Borough Local Plan. This is being considered at the same time by Horsham District Council.
- 1.4. It should be noted that there is no legal requirement for this decision to be taken by the relevant Cabinet Member and, under the Council's delegation scheme, the Head of Service (HoS) has authority to take this decision. Should insufficient time be available to publish this decision and its associated documents in accordance with the Council's Access to Information Procedure Rules (regarding delegated decisions taken by a Cabinet Member) this decision will be taken by the HoS in consultation with the Cabinet Member. Should this be necessary this decision will be published as a Significant Operational Decision.

2. Recommendations

- 2.1. That the Cabinet Member for Planning and Economic Development agrees the Crawley Borough Council and Horsham District Council Statement of Common Ground (July 2023) (attached as Appendix A to this report).

3. Reasons for the Recommendations

- 3.1. The Crawley Borough Draft Local Plan was approved by the Full Council at its meeting on [22 February 2023](#) to go out to publication (Regulation 19) consultation and subsequently for submission to the Secretary of State for Examination.
- 3.2. The statutory consultation took place from 9 May 2023 and was open for six weeks, closing on 20 June 2023. Following the close of consultation, the Local Plan will be submitted to the Planning Inspectorate for its examination at the end of July. This is in accordance with our approved Local Development Scheme (LDS).
- 3.3. As part of the Local Plan preparations, the Council has engaged closely with its neighbouring authorities and other statutory and “Prescribed Bodies” in order to positively consider and address strategic and cross-boundary matters (set out in detail in the council’s Duty to Cooperate Statement).
- 3.4. It is a legal requirement for the Local Plan to demonstrate it has met the Duty to Cooperate at the point of Submission for Examination. Paragraph 27 of the National Planning Policy Framework (NPPF) confirms that *“in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency”*.
- 3.5. The draft Crawley Borough Local Plan has identified that the following matters are of strategic, cross-boundary importance:
 - Meeting housing needs
 - Economic growth
 - Gatwick Airport
 - Gypsy, Travellers and Travelling Showpeople
 - Key transport routes
 - High quality communications connectivity
 - Low carbon economy
 - Water resources
 - Flooding and flood risk
- 3.6. In particular, as a constrained authority which is only able to meet 42% of its identified housing needs, effective cooperation with neighbouring authorities is critical for Crawley. Equally, cooperation is essential because of its primary economic role in the sub-region and the wider economic and environmental implications relating to Gatwick Airport. On this basis, it is essential for CBC to clearly demonstrate it has met the Duty to Cooperate on critical strategic matters within and across the HMA with the other NWS LPAs.

4. Background

- 4.1. Crawley borough falls within the Northern West Sussex (NWS) Housing Market Area (HMA). It has a long history of positive joint and collaborative working with the other Local Planning Authorities (LPAs) within the HMA (Horsham District Council, Mid Sussex District Council and West Sussex County Council).
- 4.2. Crawley Borough Council and Horsham District Council have a have a strong track record of constructive joint working with effective outcomes. This includes the delivery of a new neighbourhood immediately adjacent to Crawley within Horsham District’s administrative area (Kilnwood Vale), which is now being built out, following the preparation and adoption

of the West of Bewbush Joint Area Action Plan Development Plan Document 2009 (JAAP DPD).

- 4.3. The authorities work effectively together across the Northern West Sussex Housing Market Area, which has secured continual updates of the Northern West Sussex Position Statement and Statement of Common Ground (CBC, HDC, Mid Sussex District Council and West Sussex District Council)¹. This achieved meeting in full the housing need for the Housing Market Area in the existing round of adopted Local Plans. The Northern West Sussex Statement of Common Ground is in the process of being updated, along with a separate Housing-specific related Statement of Common Ground agreed between the three district/borough authorities).
- 4.4. Work on specific strategic matters critical to the two parties (HDC and CBC) also includes detailed discussions at Member and Officer Level on key cross-boundary matters including how to address unmet housing need and consideration of the potential for strategic scale development.

5. Description of Issue to be Resolved

- 5.1. This Statement of Common Ground (SoCG) has been produced in preparation for the Submission of the Crawley Borough Local Plan Review and to support the Horsham District Local Plan. It is anticipated that this statement will be updated over time to relate to later stages of the Local Plans and changes in circumstance.
- 5.2. The matters dealt with in the SoCG are:
- Local Plan periods and governance
 - Housing need
 - Gypsy and Traveller Accommodation
 - Employment – strategy and sites
 - Settlement hierarchy
 - Homes England's Proposals for Strategic growth West of Crawley
 - Gatwick Airport
 - Education
- 5.3. In addition, other SoCGs have been and are being agreed which set out more detail in relation to specific strategic and cross boundary matters. These include:
- NWS SoCG & NWS Housing Needs SoCG
 - Bilateral SoCG with other individual authorities (including Adur and Worthing Councils, Arun District Council, Mole Valley District Council, Mid Sussex District Council, Reigate and Banstead Borough Council and Tandridge District Council)
 - Topic-specific SoCG (including a Water Neutrality SoCG covering the Sussex North Water Resource Zone)
- These do not form part of this Portfolio Holder Decision.

¹ Northern West Sussex Statement of Common Ground (May 2020) CBC, HDC, MSDC, WSCC:
<https://crawley.gov.uk/sites/default/files/2020-06/NWS%20SoCG%20May%202020%20final%20signed.pdf>

6. Information & Analysis Supporting Recommendation

- 6.1. To not agree the SoCG could risk the Local Plan not meeting the legal Duty to Cooperate at the point of Submission of the Examination. This would mean it would be rejected by the Planning Inspectorate at the first stage of the Examination. The only means of rectifying this would be withdrawal of the Local Plan and redoing the earlier stages of the Local Plan Review plan-making again (including further Regulation 19 Consultation). This would have substantial financial and planning implications.

7. Implications

- 7.1. The agreement of the SoCG does not commit the council's financial resources, beyond the time needed at officer and member level to meet the Duty to Cooperate as part of the Local Plan Review.

8. Background Papers

Crawley Borough Council and Horsham District Council – draft (July 2023): separate document

Draft Submission Crawley Borough Local Plan (May 2023):

<https://crawley.gov.uk/sites/default/files/2023-05/1.%20Submission%20Crawley%20Borough%20Local%20Plan%202024-2040%20May%202023.pdf>

Local Development Scheme (January 2023): <https://crawley.gov.uk/sites/default/files/2023-01/Local%20Development%20Scheme.pdf>

Crawley Duty to Cooperate Statement (May 2023):

<https://crawley.gov.uk/sites/default/files/2023-05/Duty%20to%20Cooperate%20Statement%20May%202023%20%28low%20res%29.pdf>

Northern West Sussex Statement of Common Ground (May 2020):

<https://crawley.gov.uk/sites/default/files/2020-06/NWS%20SoCG%20May%202020%20final%20signed.pdf>

Report author and contact officer:

Elizabeth Brigden (Planning Policy Manager)

elizabeth.brigden@crawley.gov.uk

01293 438624