

Crawley Borough Council

Report to Overview and Scrutiny Commission 30 September 2024

Report to Cabinet 2 October 2024

Crawley Borough Local Plan 2023-2040

Report of the Head of Economy and Planning – PES/459

1. Purpose

- 1.1 The purpose of this report is to seek Cabinet agreement to request that Full Council approves the adoption of the new Crawley Borough Local Plan 2023-2040 (Appendix A) and the Local Plan Map (Appendix D), which, once adopted, will replace the current Crawley Borough Local Plan 2015-2030 as the council's Local Plan.
- 1.2 The Crawley Local Plan Review has been undertaken to ensure the borough's Local Plan remains up-to-date. The new Local Plan sets the strategic development and land-use priorities for the borough over the Plan period, between 2023 and 2040, and includes the primary planning policies against which development management decisions within the borough will be made.
- 1.3 The Crawley Borough Local Plan 2023-2040 is supported by a number of statutory documents (including the Local Plan Map, a Sustainability Appraisal (Appendix E), a Habitats Regulations Assessment, a Consultation Statement and Statements of Common Ground) and a substantial technical evidence base.
- 1.4 The new Crawley Borough Local Plan has been prepared based on the outcomes of monitoring the implementation of the 2015 adopted Local Plan, feedback from formal public consultations, updating the evidence base and Duty to Cooperate discussions.
- 1.5 Cabinet is asked to recommend to Full Council that it approves the Crawley Borough Local Plan 2023-2040 (Appendix A) for its adoption, in accordance with the recommendations, and subject to the Main Modifications necessary for soundness, set out in the Inspectors' Final Report (Appendix B).

2. Recommendations

2.1. To the Overview and Scrutiny Commission:

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

2.2. To the Cabinet

That the Cabinet is recommended to request to Full Council:

That the submitted Crawley Borough Local Plan 2023-2040 (May 2023) and Local Plan Map, amended to include all the Main Modifications recommended by the Planning Inspectors to make the Plan 'sound', together with other consequential and minor amendments as additional modifications, be adopted and published in accordance with Regulation 26 of the

Town and Country Planning (Local Planning) (England) Regulation 2012 and Section 23(2) and (3) of the Planning and Compulsory Purchase Act 2004 (as amended by s112(3) of the Localism Act 2011).

3. Reasons for the Recommendations

- 3.1. 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.
- 3.2. 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.
- 3.3. Substantial 'early engagement', a detailed technical evidence base undertaken throughout the Local Plan's preparation, three periods of formal statutory consultation, and scrutiny through an independent Examination, has shaped a justifiable, robust and practical framework against which future development decisions can be made.
- 3.4. Planning legislation¹ requires local planning authorities to submit every development plan document, including Local Plans, to the Secretary of State for independent examination. Section 23 of the 2004 Act² establishes the legislation pertinent to the adoption of local development documents. This confirms that where the person appointed to carry out the examination recommends modifications to make the Plan sound, the authority may adopt the document with main modifications and any additional modifications the authority considers necessary which would not materially affect the document; s23(4) confirms that the authority must not adopt a development plan document unless it is done in accordance with this clause. In order to become the council's statutory Local Plan, it must be adopted by way of a Full Council Decision.
- 3.5. The Inspectors' Final Report was received by the council on 6 September 2024. This has been published on the council's website and has been attached as an Appendix to this Cabinet Report (Appendix B). The Inspectors have found the Crawley Borough Local Plan 2024-2040 to be legally compliant and sound subject to a number of Main Modifications which are set out in the Final Inspectors' Report. These Main Modifications have been made to the final version of the Crawley Borough Local Plan 2023-2040 (October 2024) which is to be considered alongside this Cabinet Report (Appendix A). Minor additional modifications have also been incorporated to ensure the Local Plan is up to date, factually correct and internally consistent. These are set out in a schedule (Appendix C). These are in addition to those which were published by the council alongside the Main Modifications consultation³.

4. Background

- 4.1. The review of the Local Plan commenced in 2018 and has been extensive over a significant period. It has been subject to each of the statutory stages required, with additional Publication consultations necessitated by changes to government aviation policy and advice from the Planning Inspectorate, and Water Neutrality requirements. The timetable of the previous stages of the Local Plan's preparation is set out in Table 1 below.

¹ s20(1) of the Planning and Compulsory Purchase Act 2004 as amended.

² amended by s112 of the Localism Act 2011

³ [Crawley borough Local Plan schedule of additional modifications, February 2024](#) and [Crawley borough Local Plan map schedule of modifications, February 2024](#)

Table 1: Crawley Borough Local Plan Review Key Milestones

Stage	Date
Early Engagement consultation	15 July 2019 – 16 September 2019
Full Council	16 December 2019
Publication (Submission) consultation	20 January – 2 March 2020
Full Council	16 December 2020
Additional Publication (Submission) consultation	6 January – 30 June 2021
Full Council	22 February 2023
Further Publication (Submission) consultation	9 May – 20 June 2023
Submission	31 July 2023
Submission of Written Statements to Inspectors' Matters, Issues and Questions – Stage 1	3 November 2023
Examination in Public: Hearing Sessions Part 1	21-23 November 2023
Submission of Written Statements to Inspectors' Matters, Issues and Questions – Stage 2	15 December 2023
Examination in Public: Hearing Sessions Part 2	9-11 January 2024 16 January 2024
Receipt of Inspectors' Post-Hearing Letter	31 January 2024
Modifications Consultation	12 February 2024 – 25 March 2024
Receipt of Inspectors' Post-Main Modifications Consultation Letter	9 May 2024
Council Response to Inspectors' Main Modifications Consultation Letter	16 May 2024
Receipt of Inspectors' Further Correspondence Letter	24 May 2024
Receipt of Inspectors' Final Report	6 September 2024

- 4.2. Following Full Council, held on 22 February 2023, which approved the Draft Local Plan for Publication and Submission⁴, the final formal public consultation took place between May and June 2023⁵.
- 4.3. The draft Local Plan⁶ was Submitted to the Secretary of State for its independent Examination on 31 July 2023⁷. Two Inspectors were appointed to carry out the Examination of the Plan.
- 4.4. Examination Hearing Sessions were carried out in two parts, held during November 2023 and January 2024⁸. Following the discussions at the Hearings, the Inspectors issued a post-hearing letter, dated 31 January 2024⁹.
- 4.5. The council published Main Modifications to the Local Plan¹⁰, arising from the Inspectors' letter, for a formal six-week public consultation between February and March 2024. All representations received¹¹ were sent in their entirety to the Planning Inspectors for their consideration as part of the Local Plan Examination.
- 4.6. Following this, the council received the Inspectors' Post-Main Modifications Consultation letter in early May. This highlighted a small number of areas where they invited the Borough Council to further assist the examination. The council responded to this letter on 16 May 2024. This was followed by a subsequent letter received from the Inspectors, dated 24 May 2024, which confirmed they didn't need anything further from the council to write their report.

⁴ [Agenda for Full Council on Wednesday, 22nd February, 2023, 7.30 pm - Crawley Borough Council](#)

⁵ [Local Plan publication further consultation 2023 | Crawley GOV](#)

⁶ [1. Submission Crawley Borough Local Plan 2024-2040 May 2023.pdf](#)

⁷ [Examination of Crawley Borough Council's Local Plan - notice of independent examination hearing | Crawley GOV](#)

⁸ [Local Plan 2024 to 2040 examination | Crawley GOV](#)

⁹ [ID-026 Post Hearings Letter 31 Jan 2024.pdf \(crawley.gov.uk\)](#)

¹⁰ [Crawley borough Local Plan schedule of main modifications_1.pdf](#)

¹¹ [Local Plan Main Modifications consultation 2024 | Crawley GOV](#)

However, this correspondence also confirmed they would not be issuing their report during the Pre-Election Period for the General Election.

- 4.7. The Inspectors' Final Report into the legal compliance and soundness of the Crawley Borough Local Plan was received on 6 September 2024. It has been published on the council's Local Plan Examination webpages. A summary of the Inspector Final Report is provided below in Section 6 and the Annex to this report.
- 4.8. The timetable for progressing the Local Plan to its adoption is set out in Table 2 below.

Table 2: Local Plan Timetable to Adoption

Stage	Date
Overview and Scrutiny Commission	30 September 2024
Cabinet	2 October 2024
Full Council	16 October 2024
Period for Judicial Review	17 October – 27 November 2024

5. Description of Issue to be Resolved

- 5.1. To retain local control over development within the borough it is essential that the Local Plan is progressed in a timely manner.
- 5.2. Planning law 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 management decision making.
- 5.3. 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. This would significantly increase the risk of unplanned and potentially inappropriate development, which does not reflect local needs. Adoption of the Local Plan is the mechanism to achieve suitable control, including setting the housing delivery requirement, affordable housing targets, including for small sites and care homes, local design and sustainability standards and environmental designations. It also supports contributions towards essential infrastructure and the Community Infrastructure Levy and sets the council's expectations for development at Gatwick Airport and on Crawley's administrative boundaries.

6. Information & Analysis Supporting Recommendation

- 6.1. The Local Plan is a key policy document for the borough as a whole and, therefore, impacts on every ward. Local Plan Working Group meetings throughout the Local Plan Review, considering the programme, evidence base and evolving Local Plan policies and site allocations and designations, have been open to all members to attend. Several All Members' Seminars have also been held on the Local Plan process, key policy areas including Water Neutrality, duty to cooperate matters and the National Planning Reforms.
- 6.2. The Local Plan was subject to Full Council approval in December 2019, December 2020 and February 2023 for publication and submission for Examination.
- 6.3. The council can only adopt a Plan considered sound by the Inspectors. Therefore, it can only be adopted in accordance with their findings, and with the Main Modifications proposed by the Inspectors included within it.

Summary of Inspectors' Report

- 6.4. The Inspectors' Final Report confirms that the Crawley Borough Local Plan 2023-2040 is an appropriate basis for the planning of the borough, provided a number of Main Modifications are made to it.
- 6.5. The report confirms that the Local Plan is legally compliant, meeting the Public Sector Equality Duty and the Duty to Cooperate, finding the council had engaged constructively, actively and on an ongoing basis. The report finds the Sustainability Appraisal to be comprehensive and

addresses the requirements of Strategic Environmental Assessment (SEA). It also concludes that the Plan, taken as a whole, includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change.

6.6. The report then considers matters of ‘soundness’. It does not respond to every point or issue raised by representors, nor does it refer to every policy, policy criterion or allocation. A few headline conclusions from the report are set out below:

- **Spatial Strategy and Safeguarding for Gatwick:** The report concludes that the overarching approach to continue safeguarding land that would be critical for an expanded Gatwick Airport with a southern wide-spaced runway is justified, but causes harm and should be reviewed in the next Local Plan if national aviation policy is not clarified. The report also states that excluding the proposed Gatwick Green employment site from safeguarded land would be part of an appropriate strategy that can sustainably meet the borough’s employment needs without fundamentally inhibiting the critical infrastructure necessary for the airport’s potential future expansion.
- **Housing:** The report states that the minimum housing need for Crawley of 755 dwellings per annum (12,835 over the Plan period) is soundly based but recognises that there are strong and practicable reasons why the overall scale of housing development in the borough would be restricted. It considers that the Local Plan has sought to accommodate as much of the housing need as reasonably practicable and that no stone has been left unturned. A supply-led housing requirement of a minimum of 5,330 dwellings is supported with the unmet housing need recognised as 7,505 dwellings.

The report recognises the acute affordable housing need in the borough, supporting the 40% requirement (25% town centre) for affordable housing contribution on all housing sites, including small sites and concluding this is justified and effective notwithstanding national policy. It also concludes that the acute affordable housing need supports the case that any strategic housing growth at the edge of Crawley should seek to positively respond to this issue.

- **Character, Design and Heritage:** The Plan would be justified and effective in its guiding of the overarching design and form of all new development and its relationship with existing character, approach to detailed development matters, and management of heritage assets. It supports a sustainable approach to development, specifying higher density ranges in appropriate locations, in recognition of the compact nature of the borough and its built-up area. The proposed densities would optimise site capacity whilst respecting the character of established areas and allow for the creation of spaces in which people will want to live and interact, also taking advantage of proximity to the town centre and good transport links, where appropriate, and movement networks.
- **Water Resources and Water Neutrality:** The report recognises that restrictions on water use are necessary for environmental sustainability and that achieving neutrality through the proposed water efficiency targets, in combination with appropriate offsetting, will ‘unblock’ the development pipeline and enable the continued growth of the borough and achievement of the aims of the Local Plan. It states that it is imperative that a policy framework is established that will enable and facilitate growth in the short to medium term rather than development being held in a moratorium.
- **Monitoring and Review:** The report considers the Local Plan contains necessary flexibility and foresight to deal with issues that could evolve in a relatively short time frame, such as an outcome to Gatwick Airport’s Northern Runway Project or progress on a strategic solution to water resources, and that the legal requirement on the council to consider whether to review the plan within the required five year period would be effective in responding to changing circumstances.

- 6.7. The full Final Report is available on the council's webpages and is provided as Appendix B to this Report. A summary of the Inspectors' key findings on all of the main issues which the Inspectors' identified to be critical to the soundness of the Crawley Borough Local Plan 2023-2040 is provided in the Annex to this Cabinet Report.

Summary of the Main Modifications

- 6.8. The Main Modifications recommended by the Inspectors are necessary to enable the Local Plan to be adopted. These are set out in a separate Schedule of Main Modifications which is provided as an appendix to the Final Inspectors' Report. The Main Modifications required include:
- Amending the Plan period to commence in 2023, rather than 2024, effectively extending it by one year from the start. This has associated housing and employment land requirement amendments and a revised stepped housing trajectory.
 - Amendments to Policy EC4: Strategic Employment Site to positively provide for employment needs and ensure development complements potential expansion at Gatwick Airport.
 - Amendments to clarify planning obligations in relation to affordable housing and employment skills.
 - Modifications to other policies to ensure they are positively prepared, justified, effective and consistent with national policy.

Further Additional Modifications

- 6.9. Following the close of the Main Modifications consultation, further additional modifications have been identified as necessary to ensure the Local Plan is factually correct and clear. These are set out in the attached schedule of additional modifications (Appendix C). These are in addition to those published alongside the Main Modifications consultation in February 2024.

7. Implications

- 7.1. Following adoption (which takes effect immediately on the resolution of Council), the Local Plan and Local Plan Map, along with an 'adoption statement' and the sustainability appraisal report, must be published and made available for inspection. Parties involved in the process will also be notified. There will be a period of six weeks for legal challenge, although the Local Plan would remain in effect pending the outcome of any challenge.
- 7.2. The newly adopted Local Plan will have the status as the Development Plan immediately following adoption. All decisions on applications and appeals (notwithstanding when an application or appeal was submitted) will need to be in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The new Local Plan, once adopted, will replace the current Crawley Borough Local Plan 2015-2030 (December 2015).
- 7.3. There is no legal requirement for the council to adopt the Local Plan. However, local planning authorities are expected to have up-to-date Local Plans for their areas. If this Local Plan is not adopted, there will be a further delay before a new Local Plan could be brought forward under a reformed plan-making system, leaving the council without an up-to-date Local Plan. There are significant risks in not having an up-to-date Local Plan (as set out in paragraph 5.3) and a considerable amount of resources have been expended on the process to date. The allocated Local Plan budget has covered the costs of preparing the Local Plan. There are no significant resource implications arising from the adoption of the Plan.

Habitats Regulations Assessment Integrity Test

- 7.4. A Habitats Regulations Assessment (HRA) has been carried out to accompany the Local Plan. 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. 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. The HRA was reviewed against the Main Modifications and published alongside the Local Plan consultation.

- 7.5. Natural England submitted formal representations as part of the Regulation 19: Further Publication Consultation. This confirmed that they “*concur with the conclusions of the local plan’s HRA and appropriate assessment insofar that the proposed local plan will have no adverse effects on the integrity of any internationally designated sites, either alone or in-combination*”.
- 7.6. Natural England further submitted formal representations as part of the Main Modifications consultation. This confirmed that:
- “*We note that the HRA dated February 2024 concludes that there will be no new Likely Significant Effects (LSEs) upon any habitat site as a result of the proposed modifications and that the main modifications will not change the findings of the 2023 HRA report.*
- “*We concur with these conclusions of Main Modification’s HRA and appropriate assessment insofar that the proposed Local Plan will have no adverse effects on the integrity of any internationally designated sites, either alone or in-combination*”.
- 7.7. The Inspectors’ Final Report concludes that the Inspectors find the Local Plan to be legally compliant against the Habitats Regulations.
- 7.8. As the competent authority, Crawley Borough Council must undertake an Integrity Test to confirm that the Local Plan would have no adverse effect on the integrity of any Habitats site either alone or in combination with any other Plans or Projects. The Integrity Test is set out in Appendix F to this Cabinet Report to be considered by the council in its decision whether to adopt the Local Plan.

8. Background Papers

- Appendix A: Crawley Borough Local Plan 2023-2040 (October 2024): [Appendix A Crawley Borough Local Plan 2023 to 2040 0.pdf](#)
- Appendix B: Inspectors’ Final Report on the Examination of the Crawley Borough Local Plan 2024-2040 (September 2024): [Crawley Borough Local Plan 2023 to 2040 inspectors report - final 0.pdf](#)
Inspectors’ Final Report on the Examination of the Crawley Borough Local Plan 2024-2040 – Schedule of Main Modifications Appendix: [Crawley Borough Local Plan 2023 to 2040 main modifications appendix – final.pdf](#)
- Appendix C: Schedule of further additional modifications (September 2024): [Appendix C Schedule of Additional Modifications for adoption September 2024 0.pdf \(crawley.gov.uk\)](#)
- Appendix D: Local Plan Map (October 2024): [Appendix D Local Plan Map 2023 to 2040 final A0 0.pdf \(crawley.gov.uk\)](#) (PDF version) [Local Plan Map 2023-2040 \(arcgis.com\)](#) (interactive version)
- Appendix E: Final Environmental Report (October 2024)
Sustainability Appraisal/Strategic Environmental Assessment and Environmental Report (October 2024): [Appendix E Sustainability Appraisal final report October 2024 0.pdf \(crawley.gov.uk\)](#)
- Appendix F: Habitats Regulations Integrity Test (September 2024): [Appendix F Habitats Regulations Assessment Integrity Test.pdf \(crawley.gov.uk\)](#)
Habitats Regulations Assessment (January 2023): https://crawley.gov.uk/sites/default/files/2023-01/Habitats%20Regulations%20Assessment%20report%20January%202023_0.pdf
Habitats Regulations Assessment Local Plan Main Modifications (February 2024): [Crawley Borough Local Plan Main Modifications Habitats Regulations assessment report February 2024.pdf](#)

- Local Development Scheme (January 2023): [Local Development Scheme | Crawley GOV](#)
- Statement of Community Involvement: [Statement of Community Involvement | Crawley GOV](#)
- Consultation Statement Main Report (February 2024): [Consultation statement Modifications February 2024.pdf \(crawley.gov.uk\)](#)
- Consultation Statement Appendices 1-8:
 - [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 consultation materials.pdf \(crawley.gov.uk\)](#)
 - [Consultation statement appendix 6 - additional consultation representations.pdf \(crawley.gov.uk\)](#)
 - [Consultation statement appendix 7 - further publication consultation materials.pdf \(crawley.gov.uk\)](#)
 - [Consultation statement appendix 8 - further publication consultation representations.pdf \(crawley.gov.uk\)](#)
- Infrastructure Plan (July 2023): [Infrastructure plan July 2023.pdf \(crawley.gov.uk\)](#)
- Duty to Cooperate Statement (July 2023): [Duty to cooperate statement July 2023.pdf \(crawley.gov.uk\)](#)

Evidence Documents: available on the council's Local Plan Review webpage: [Local Plan Review evidence base overview | Crawley GOV](#)

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Annex 1: Local Plan Inspectors' Report Key Messages

Key Messages:

- The Local Plan is legally compliant.
- Subject to Main Modifications it provides an appropriate basis for planning within Crawley.
- Plan period to be amended to 2023 to 2040 (extended a year at the start).
- Associated housing and economic land figures to be updated accordingly.
- The Plan's approach on the following key areas is soundly based, justified and positively prepared:
 - Spatial strategy;
 - Safeguarding for Gatwick Airport;
 - Meeting economic needs and allocation of strategic employment site;
 - Overall housing need, and principle of a supply-based housing requirement;
 - Gatwick Airport and Airport related parking;
 - Affordable housing, housing mix, housing for older people and meeting the needs of gypsies and travellers;
 - Town centre and retail;
 - Character, design and heritage;
 - Green infrastructure, biodiversity, open space and recreation;
 - Water resources, water neutrality and flooding;
 - Noise;
 - Transport and Infrastructure.

Detailed Main Modifications are needed on a number of policies and topic areas throughout the Plan. These ensure the Plan will be justified, effective and in conformity with national policy.

In the following sections, paragraph numbers relate to paragraphs in the full Inspectors' Report, provided as Appendix B to this report.

Legal Compliance

Public Sector Equalities Duty

The three aims expressed at s149 of the Equality Act have been appropriately taken into account in plan-making (paragraph 13).

Duty to Cooperate

The council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and the Duty to Cooperate (DtC) has been met (paragraph 31).

Some key messages include:

- *"...the cautiousness of Northern West Sussex Housing Market Area authorities to assist addressing the unmet housing need does not represent a failure against the DtC on Crawley's part" (paragraph 22);*
- *"This clearly establishes an agreed hierarchical approach that should capacity arise then unmet needs within the Housing Market Area (HMA) would take priority over any other anticipated requests to accommodate unmet need" (paragraph 23);*
- *"We are satisfied that at the time of the preparation of Crawley's Local Plan this is as far as the authorities can practicably go in establishing a strategy in respect of Crawley's unmet housing needs (paragraph 23);*
- *"There is no doubt that Crawley have cast a wide net and the various Statements of Common Ground (SoCGs) with authorities in both Sussex and Surrey demonstrate the reasonable endeavours Crawley has undertaken to explore whether its unmet needs could be met elsewhere" (paragraph 24);*
- *"...we are satisfied that neighbouring authorities are aware of Crawley's requirements, not least an acute affordable housing need and a secondary education capacity issue" (paragraph 25);*
- *"...growth in and around Crawley would benefit from genuine strategic planning" (paragraph 26);*

- *“In preparing individual Local Plans across NWS, it is better, in our view, that Crawley’s Plan is examined and adopted ahead of Horsham and Mid Sussex in terms of providing certainty around the scale of unmet needs and any infrastructure requirements” (paragraph 27).*

Sustainability Appraisal (SA)

The submitted SA report is comprehensive and addresses the requirements of Strategic Environmental Assessment (SEA) (paragraph 32).

Key messages include:

- *“On the whole, we find the Council’s judgements that have informed what are preferred options taken forward into the Plan and the explanation for discounting alternatives to be logical and clearly set out (paragraph 33);*
- *“In our view SA has appropriately sieved the options and discounted alternatives at the appropriate stage having regard to the baseline evidence for the SA, including the 2013 Aviation Policy Framework, the draft 2018 ANPS and the 2019 Airport Master Plan” (paragraph 36).*

Habitats Regulations Assessment (HRA)

The mitigation in Policy SDC4 would be effective and so share the HRA report conclusions of ultimately no adverse impact on site integrity (paragraph 42).

The HRA sets out in detail the outputs from air quality modelling for Ashdown Forest and Mole Gap to Reigate Escarpment and demonstrates in relation to baseline data, future trends and impact of Local Plan policy that there would be no adverse impact on site integrity (paragraph 43).

Climate Change

The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.

This includes policies on sustainable design and construction addressing such matters as energy consumption, connectivity to district energy networks, tackling water stress and achieving water neutrality (Policies SDC1-4). There are also policies to prioritise modal shift through design (Policy CL3) and transport planning (Policy ST1), enhance green infrastructure and biodiversity and to ensure development is protected from, and does not exacerbate, flood risk (paragraph 45).

Issue 1: Spatial Strategy & Safeguarded Land

Spatial Strategy

The Plan’s Spatial Strategy is based on robust evidence and justified, effective and consistent with national planning policy.

Key messages include:

- *We are satisfied that the evidence in the Employment Land Availability Assessment (ELAA) and the SA demonstrates that plan-making has considered reasonable spatial options within the Borough for providing employment land (paragraph 52);*
- *“there are effectively no reasonable options for further peripheral greenfield housing in this Plan” (paragraph 55);*
- *“...satisfied there is no reasonable or deliverable alternative spatial strategy that could deliver significantly more development within the existing built up area than assumed in the Plan” (paragraph 57);*
- *“...considerations...” “set out in paragraph 12.23 of the submitted Plan...” “comprise reasonable expectations for sustainable development given the immediate impact of wider growth ‘At Crawley’, particularly on matters such as character and infrastructure, would be keenly experienced by communities in Crawley”. “...not the same as setting policy requirements” (paragraph 59).*

Safeguarding for Gatwick Airport

The over-arching approach to continue safeguarding land that would be critical for an expanded Gatwick Airport is justified. The proposed extent of the area to be safeguarded in the Plan appropriately reflects this.

Excluding the proposed Gatwick Green site from safeguarded land would be part of an appropriate strategy that can sustainably meet the Borough's employment needs without fundamentally inhibiting those areas necessary for critical infrastructure for the airport's potential expansion for a second wide-spaced runway (paragraph 94).

Key messages include:

- *"...of a firm view that perpetuating this circa 20-year situation [safeguarding] is not without harm given the scarcity of developable land in the borough.... If there is no firm movement, in respect of updated government policy on longer term aviation needs... then the Plan review should, in our view, revisit this matter" (paragraph 71);*
- *"Whilst the principle of safeguarding for airport expansion is a national policy for aviation... delineation of any safeguarded area is squarely an issue for local level plan-making..." (paragraph 72);*
- *"The Gatwick Airport Masterplan is among the chief evidence documents that should inform plan making. That does not mean the council is required to slavishly reflect the Masterplan in the Local Plan...." (paragraph 72);*
- *"...the balance of evidence on both the land required for car parking to support an expanded airport and the need for employment land tips firmly in favour of the submitted Plan's reasonable approach to modestly amend the overall extent of safeguarded land to facilitate a new strategic employment site" (paragraph 91)*

Plan Period

The Plan period should be clearly identified as 1 April 2023 to 31 March 2040 (paragraph 95).

Issue 2: Housing Need & Housing Requirement

Housing Need

The minimum housing need for Crawley of 755 dwellings per annum is soundly based (paragraph 97).

The overall housing need for the borough should be adjusted upwards from 12,080 to 12,835 homes due to the change in the Plan period (paragraph 98).

Principle of a supply-based housing requirement

Subject to the Main Modifications being made, the supply-based housing requirement would be justified and positively prepared (paragraph 111).

Due to the additional year for the Plan period, the unmet housing need increases from 7,050 dwellings to 7,505 dwellings.

Key messages include:

- *"...it is widely recognised that it is not possible to accommodate the full extent of the Borough's housing need" (paragraph 99);*
- *"...there are strong and practicable reasons why the overall scale of housing development in the plan area would be restricted" (paragraph 100);*
- *"...the Plan should nonetheless set an ambitious but realistic housing requirement" (paragraph 101);*
- *"There are no obvious omission sites that should be additionally allocated to increase the supply and in turn the housing requirement" (paragraph 101);*
- *"...satisfied that town centre capacity has not been under-estimated" (paragraph 107);*
- *"...consider that the Plan has sought to accommodate as much of the housing need as reasonably practicable and that no stone has been left unturned" (paragraph 109);*

Issue 3: Economic Growth & Gatwick Green

Employment Land Requirements

The proposed minimum net requirement of 26.2ha, principally for storage and distribution uses, and the objective of seeking to positively accommodate this within the Borough is an appropriate strategy (paragraph 135).

The minimum residual need for employment land over the Plan period would need to be increased from 13.73ha to 17.93ha (paragraph 136).

Key messages include:

- *“...we are satisfied that submitted Policy EC1, as the strategic policy on sustainable economic growth, is consistent with economic priorities for the LEP and the Gatwick Diamond (paragraph 115);*
- *“.....we share the council’s concern that without a new strategic employment site for warehouse and distribution uses, there is a risk that the mixed-use nature of Manor Royal, as a reasonably high density employment area, could be detrimentally unbalanced by further churn and redevelopment of sites” (paragraph 122);*
- *“....market signals evidence points to a strong, latent demand for new floorspaces for growing sectors such as logistics and warehousing, in part due to the past constrained land supply.....The identified employment land requirement would be consistent with the need to create conditions in which businesses can invest, expand and adapt.” (paragraph 125);*
- *“Positively planning for storage and distribution uses at Crawley would also be consistent with NPPF paragraph 83 in terms of recognising and addressing specific locational requirements of different sectors, including specifically for storage and distribution operations at a variety of scale and in suitably accessible locations. It would also reflect the One Town Crawley Economic Recovery Plan 2021 which seeks to diversity the Borough’s economy and curb its reliance on the aviation sectors” (paragraph 126);*
- *“We concur with the analysis in the SA that not releasing additional land for storage and distribution uses as part of this Plan would have a significant negative impact on the economies of Crawley and the wider Gatwick Diamond....” (paragraph 134).*

Main Employment Areas

Main Modification is required to ensure that the Policy makes an appropriate distinction between the four strategic employment locations and other main employment areas (paragraph 137).

Policy EC3, in combination with the Manor Royal Design Guide SPD, provides an appropriately protective but flexible approach in ensuring the economic vitality and viability of this sub-regionally significant employment location (paragraph 138).

Gatwick Green – Proposed Strategic Employment Site

There would be no significant adverse impact on accessibility for current plans for the airport (DCO NRP and in the long-term the southern runway). Subject to the Main Modifications, the policy framework for a strategic employment site at Gatwick Green would be sound (paragraph 160).

Modifications are required to Policy EC4 to secure a vision-led approach to transport planning, with a mobility strategy to be prepared in consultation with Gatwick Airport and transport stakeholders. Modifications also require a Construction Management and Phasing Plan to be prepared and clarify how the masterplan for the site will be prepared.

Key messages include:

- *“...the proposed allocation would be both deliverable and capable of meeting employment land requirements in the Borough during the plan period. This includes the borough’s need for large-format warehouse and distribution uses and other industrial uses.” (paragraph 140);*
- *“Subject to the relevant criteria in the allocation policy and strategic transport policy in the submitted Plan, we are satisfied that the Gatwick Green allocation would come forward in accordance with the objective of accelerating the shift to more sustainable forms of development... (paragraph 150).*

Employment Policies

The principle of a policy seeing contributions for enhancing employment and skills is justified and consistent with national policy (paragraph 162).

The Plan would positively and proactively encourage sustainable economic growth through its policies (paragraph 165).

Issue 4: Gatwick Airport

Gatwick Airport

Policy GAT1 is necessarily a strategic policy for development of the Airport.

The submitted Plan is justified in setting out a policy framework on the basis of a single runway, two terminal airport and to provide some contingent flexibility that the criteria in Policy would similarly apply to the DCO proposal (paragraph 168).

Development within the safeguarded area

Subject to Main Modifications, the Plan would be effective in terms of the balance needed between avoiding undue constraints to implementing a second wide spaced runway whilst enabling appropriate investment in existing employment sites and premises within the area (paragraph 172).

Hotel Accommodation and Airport Related Car Parking

The principle of the policy approach of carefully controlling the location and amount of airport related parking is justified (paragraph 179).

Other Matters

The Aerodrome Safeguarding Policy is sound and consistent with evidence that Aerodrome Safeguarding should be embedded within Local Plan policy rather than applied ad hoc through DfT Circular 01/2003 at the development management stage (paragraph 182).

Issue 5: Meeting Housing Needs

Subject to Main Modifications, the Plan is justified and effective in its approach to meeting the housing needs for different groups in the community, including provision for affordable housing and the accommodation needs of gypsies and travellers (paragraph 209).

Affordable Housing

Key messages include:

- *“Increasing the Borough’s housing requirement to meet affordable housing needs as a proportion of new development (it would take 1,848 dwellings per annum (dpa) to deliver the 739 affordable dpa at 40%) would be ineffective in our view, given the DtC process has already identified the significant unmet housing need for Crawley (based on the Local Housing Need of 755dpa) is unlikely to be accommodated by neighbouring authorities” (paragraph 185);*
- *“...the evidence of an acute unmet affordable housing need supports the case that any strategic housing growth at the edge of Crawley should seek to positively respond to this issue if growth ‘At Crawley’ is to be genuinely sustainable for the town and its immediate hinterland” (paragraph 185);*
- *“Given the acute scale of the affordable housing need in the Borough and the significance of smaller sites to the overall delivery of housing in a land constrained Borough we consider the policy is justified and effective”... in seeking “affordable housing on all residential developments*

resulting in a net increase of at least one dwelling with a general presumption of financial contributions for sites of 10 dwellings or less” (paragraph 186).

Self-Build & Custom Housing, Housing for Older People and Build to Rent

Key messages include:

- “...the Plan is justified in seeking larger units (3 beds) as part of town centre and flatted developments” (paragraph 188);
- “In the context of the current over-provision of smaller 1 bed and studio flats (which may well be meeting (in part) a wider housing need outside of the Borough), we do not consider that a moderate re-balancing to include a greater element of family sized accommodation, including in the town centre, would be detrimental to the housing market or affordability for younger households forming in the Borough” (paragraph 188);
- “...it would be reasonable that authorities within the wider housing market area consider the potential to meet this element of Crawley’s unmet housing need, particularly in any greenfield urban extensions to Crawley (paragraph 189);
- “Policy H5 on affordable housing specifically addresses provision in relation to older persons’ housing and accommodation. This includes both housing schemes likely to comprise residential use (Class C3) including sheltered housing and extra care housing where there is a degree of self-containment and in respect of what the Plan describes as “traditional care homes”, which are likely to be more institutional facilities (Class C2)” (paragraph 191);
- “In terms of the principle of seeking an element of affordable care provision within care/nursing homes schemes, this is justified by the circumstances in the Borough” (paragraph 194);
- “On-site provision for affordable bed space capacity or financial contributions generated for ‘affordable care’ would meet the necessary tests” (paragraph 197);
- “The Plan positively addresses the emerging Build to Rent sector”... “...the Plan’s approach to Build to Rent is sound” (paragraph 199).

Gypsies & Travellers

Key messages include:

- “Given the proposed Broadfield Kennels allocation we do not consider that the Plan needs to identify or allocate additional sites for plan soundness. Further private site provision can continue to be managed through the application of submitted Policy H8” (paragraph 202);
- “...we find the Broadfield Kennels site to be soundly allocated as a developable site for the period 2029-2040...” (paragraph 204);
- “Private individual site provision has focused on land between the northern edge of Crawley and Gatwick Airport, nearly all of which is covered by safeguarding for the airport”... “...it is justified that temporary planning permission may be appropriate until such time that there is certainty regarding the second wide-spaced runway” (paragraph 205);
- “...physical land supply in Crawley is highly constrained and so it is justified that the policy refers to meeting local need...” (paragraph 205);
- “The evidence is clear that sustained and frequent exposure beyond the 57 decibels threshold would be detrimental to day-to-day well-being, as well as child development and various long-term health conditions” (paragraph 206);
- “...for permanent sites (including those granted on a temporary basis within the safeguarded area) a noise level applied at the 57 decibel contour is justified in order to protect the health and wellbeing of traveller residents. For temporary and transit sites, higher levels of noise exposure would be acceptable strictly on the basis of the time-limited nature of residential occupation, so as to avoid long-term health impacts. The proposed approach of 60 decibel contour for longer term temporary sites and 66 decibel contour for overnight sites (potentially for up to just a few days) would be justified...” (paragraph 207).

Issue 6: Town Centre

The Plan's approach to development, including changes of use within the town centre and the 'town centre first' approach is soundly based, justified and positively prepared (paragraph 217).

Key messages include:

- *"...the submitted Plan sets out a positive framework to bolster and invigorate the town centre as a vibrant retail and visitor destination but also as a dynamic sustainable business growth hub and as a growing residential quarter" (paragraph 210);*
- *"...the plan's preparation and the policy framework for higher density development, including in Policy TC3, has taken appropriate account of the town centre character and that the scale of development envisaged in the Plan would be deliverable" (paragraph 211);*
- *"The Plan's 'town centre first' approach to development is justified and in line with national policy" (paragraph 212);*
- *"...consider that the approach taken in Policy TC5, which sets a 500 square metres threshold for requiring an impact assessment for competing uses outside the town centre is appropriate. This lower threshold, compared with the national default threshold of 2,500 square metres, is based on sound research of centres with similar characteristics to Crawley and will not unreasonably restrict suitable development from taking place in out-of-centre locations within the borough"...
"...we find the threshold to be justified and consistent with national planning policy at NPPF paragraph 90 in terms of identifying an appropriate locally set threshold" (paragraph 212);*
- *"The introduction of Use Class 'E' has occurred since the Plan's initial consultation and extends the range of permitted development changes of use for town centre uses. This potentially undermines the Plan's town centre first approach, and to this end the additional reasoned justification for Policy TC5... is necessary for effectiveness" (paragraph 214).*

Issue 7: Five Year Housing Land Supply

The Plan would provide for a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement and a developable supply thereafter for the remainder of the Plan period (paragraph 227).

Issue 8: Character, Design & Heritage

Subject to Main Modifications, the Plan would be justified and effective in its guiding of the overarching design and form of all new development and its relationship with existing character, approach to detailed development matters, and management of heritage assets (paragraph 235).

Key messages include:

- *"The plan supports a sustainable approach to development, specifying higher density ranges in appropriate locations, in recognition of the compact nature of the borough and its built-up area. The proposed densities would optimise site capacity whilst respecting the character of established areas and allow for the creation of spaces in which people will want to live and interact, also taking advantage of proximity to the town centre and good transport links, where appropriate, and movement networks" (paragraph 228);*
- *"Policy CL8 for development outside built-up areas, and Policy CL9 would effectively protect the borough's National Landscape area and protect land outside the built-up area from inappropriate development" (paragraph 231);*
- *"The application of the Nationally Described Space Standard to new housing developments as set out in Policy DD3 is augmented by additional suggested standards for homes in larger schemes, including consideration of the needs of families living in flatted buildings. The policy is necessary to ensure that such development is attractive to a mix of residents, which in turn would contribute to balanced and vibrant areas and improve market choice" (paragraph 232);*
- *"The strategic approach to the management of heritage assets is sound, together with the Council's treatment of statutory and archaeological assets" (paragraph 234).*

Issue 9: Environment & Green Infrastructure

Green Infrastructure

The Plan's approach to the matters of open space, biodiversity and nature conservation, sport and recreation, including the provision of open space and recreational facilities, and the management of rights of way and access to the countryside is sound (paragraph 236).

Water Resources, Water Neutrality & Flood Risk

Key messages include:

- *“Plan Policy SDC3 sets standards for water use in areas outside the Water Resource Zone”... “The policy is necessary for reasons of environmental sustainability and so is soundly based” (paragraph 237);*
- *“Policy SDC4 would apply to development within the Sussex North Water Resource Zone (SNWRZ)”... “Given the environmental constraints facing development in the region, we consider that the standards set out within SDC4 are justified” (paragraph 238);*
- *“...satisfied that these standards have been properly tested by the Council and its partners regarding potential alternatives for more or less restrictive limits, and that any risk to economic viability is balanced by the minimisation of additional harm to natural resources” (paragraph 239);*
- *“...achieving neutrality through the proposed water efficiency targets, in combination with appropriate offsetting, will ‘unblock’ the development pipeline and enable the continued growth of the Borough and achievement of the aims of the Plan” (paragraph 239);*
- *“Whilst longer term water resource management planning should establish a strategic solution to the issue, it is imperative that a policy framework is established in this Plan that will enable and facilitate growth in the short to medium term rather than development being held in a moratorium. Ultimately, the policy approach needs to ensure that there would be no harm on the qualifying features of the protected hydrological sites in order to be lawful under the Habitats Regulations. As such, the proposed policy approach of water efficient design and offsetting is necessary, and this has been endorsed by Natural England in terms of navigating the Habitats Regulations” (paragraph 241);*
- *“We are assured by the evidence before us of progress being made on a local authority-led water offsetting scheme. A particular factor for Crawley is the ongoing progress in retrofitting existing housing stock in the Borough with flow regulators to help create the water demand headroom to facilitate some additional development within the SNWRZ part of the Borough. This gives us confidence that some development would still proceed in the Borough in the event that a more strategic offsetting scheme is delayed” (paragraph 242).*

Noise

Key messages include:

- *“We consider the inclusion of the levels in Policy EP4 (and carried into Policy H8) provides clarity and certainty for decision-making” (paragraph 246);*
- *“Taking account of the specific characteristics of Gatwick Airport, such as its setting within rural land and the operation of night flights, the lower levels proposed by the Plan, in comparison with the 2015 Plan, represent a balanced approach between various matters and interests including airport viability, health and the local economy. They do not unreasonably restrict sites allocated for development within the Plan and would continue to provide scope for appropriate development within the Significant Observed Adverse Effect Level (SOAEL)” (paragraph 248);*
- *“We note the collaboration of the Council with surrounding local planning areas in which similar levels are expected to be included in Plans as they are reviewed” (paragraph 248).*

Issue 10: Transport and Infrastructure

Subject to Main Modifications, the Plan would be effective and justified in relation to transport and infrastructure (paragraph 268).

Transport

Key messages include:

- *“...the Plan has taken account of and positively responds to the New Directions for Crawley and the Local Cycling and Walking Infrastructure Plan” (paragraph 252);*
- *“There is nothing in the transport modelling work which demonstrates a highways-related ‘showstopper’ that would impede the delivery of the spatial strategy” (paragraph 253);*
- *“existing consented growth (largely from the 2015 Local Plan) is required to deliver various highway improvements, including in the early part of this Plan period. The IP also reflects this, including timescales and costs where known” (paragraph 254);*
- *“We are satisfied that the highway modelling underpinning the Plan is robust, including the further sensitivity testing” (paragraph 267);*
- *“To support delivery of the Plan and to coordinate funding and additional evidence, including as part of the ongoing ‘monitor and manage’ process, the Borough Council intends to convene a Transport and Infrastructure Management Group, which would include WSCC and National Highways. It would not be necessary for soundness to set a policy requirement to establish the group” (paragraph 267);*
- *“...consider that the Plan should identify that the Group will be established...” (paragraph 267).*

Crawley Western Multi-Modal Transport Link

Key messages include:

- *“Transport modelling of the Plan’s growth, in combination with potential expansion at Gatwick and a prospective >3,000 home strategic urban extension to the west of the town in Horsham District shows that the road network within the Borough would experience capacity issues” (paragraph 256);*
- *“The benefits of delivering a strategic multi-modal link are positively identified in the DtC SoCGs with WSCC and Horsham District Council. The long-term potential to reduce demand on Junctions 10 and 11 of the M23 has National Highways’ support. Importantly, the link also offers the potential to improve and prioritise other modes of transport around and within Crawley” (paragraph 257);*
- *“The Plan does not delineate a specific route alignment and only goes so far to identify an area of search and set out the criteria which the design and route of any link should have regard to from a Crawley Borough perspective.” ... “...we consider this to be a reasonable and justified approach in advance of growth being established in other Local Plans” (paragraph 258);*
- *“ The issue of delivering a multi-modal link to the west of Crawley, across administrative boundaries with attendant improvements for walking, cycling and public transport connectivity on the western side of the town is clearly a strategic matter...” (paragraph 258);*
- *“In identifying interim options (ES3 and ES3a) in land safeguarded for a southern runway we consider these remain reasonable options to explore. Whilst we accept the door has not closed on the possibility of a second wide spaced runway, there is the potential of the NRP accommodating additional capacity (if approved) such that implementation of a southern runway (if required) could be a very long-term prospect” (paragraph 261).*

Infrastructure

Key messages include:

- *“Policy IN1 of the submitted Plan requires, amongst other things, that development is supported by necessary infrastructure and provides for mitigation where there would be impacts on existing infrastructure and services” (paragraph 264);*
- *“The Plan is accompanied by a comprehensive Infrastructure Delivery Schedule (IDS), as part of the overall Infrastructure Plan (IP), which identifies various infrastructure projects to support the delivery of sustainable growth over the plan period, including in relation to transport” (paragraph 265);*

- *“...the Plan would be effective and justified in relation to transport and infrastructure” (paragraph 267).*

Issue 11: Monitoring & Review

The Monitoring and Implementation Framework would be effective in meeting the Council’s regulatory requirements to monitor the implementation of the Local Plan objectives and policies as part of a required annual monitoring report (paragraph 269).

There is no cogent basis as to why it would be necessary for plan soundness to include a policy or mechanism requiring plan review within a specific time period or for a review to be triggered by a particular factor known at this time (paragraph 270).

Key messages include:

- *“There are issues that could well evolve in a relatively short time frame, such as an outcome to Gatwick Airport’s Northern Runway Project or progress on a strategic solution to water resources as part of the next round of water utility company asset management planning, for example. In large part, we consider the submitted Plan contains necessary flexibility and foresight, for example at Policy GAT1, to deal with potential changes in circumstance in the short term” (paragraph 270);*
- *“...consider the legal requirement on the Council to consider whether to review the plan on a whole or partial basis within the required five year period, as part of ongoing monitoring on the up-to-datedness and effectiveness of the plan, would be effective in responding to changing circumstances” (paragraph 270).*