



Crawley Local Plan

<p>Ref No:</p> <p><i>Office use only</i></p>
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Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council.

Representations can be made via this form and emailed to strategic.planning@ Crawley.gov.uk or sent via post to: Local Plan Consultation, Strategic Planning, Crawley Borough Council, Town Hall, The Boulevard, Crawley, RH10 1UZ. Alternatively, representations can be made online using the [eform](#) which allows attachments of documents.

This form has two parts:

PART A – Personal details

By law, representations cannot be made anonymously. All representations will be published alongside your name, company name (if applicable), and your client’s name/company (if applicable). The Council will use the information you submit to assist with formulating planning policy.

Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018, for example, how to contact the Data Protection Officer, how long information is held or how we process your personal information can be found at www.crawley.gov.uk/privacy. Specific reference to the Local Plan and planning policy related public consultation can be found [here](#).

PART B – Your representation

Please fill in a separate sheet for each representation you wish to make. You may submit multiple “PART B” sections with a single “PART A” completed.

PART A – Personal details

Please ensure that you complete all fields in 1. If a planning agent is appointed, please enter the Title, Name and Organisation in 1, and complete the full contact details of the agent in 2.

	1. Personal details	2. Agent’s details
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Surname:	Plant	
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PART B – Your representation

3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

4. Which part of the Local Plan does this representation relate to?

Paragraph:

Policy: DD2 / H1 / H7

Other: Viability Assessment

5. Do you consider the Local Plan to be: (Please tick)

- 5.1. Legally compliant? Yes No
- 5.2. Sound? Yes No
- 5.3. Compliant with the duty to co-operate? Yes No

6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

Gladman refer to the corresponding representations for comments relating to the Regulation Local Plan.

If required, please continue your response on an additional piece of paper and securely attach it to this response

- 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.**

Gladman refer to the corresponding representations for comments relating to the Regulation Local Plan.

If required, please continue your response on an additional piece of paper and securely attach it to this response

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations. **After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues s/he identifies for examination.***

8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

Gladman reserve the right to revise this decision following the submission of the Local Plan for Examination.

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

If you would like to make a representation on another policy or part of the Local Plan then please complete a separate PART B section of the form or securely attach an additional piece of paper. Copies of the representation form can also be downloaded from the council's website at: www.crawley.gov.uk/localplanreview

Signature

Date



29.06.2021



Crawley Borough Council
Local Plan 2021-2037

**Regulation 19: Submission Publication
Consultation**

January – June 2021

June 2021



gladman.co.uk



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1 INTRODUCTION

1.1 Context

1.1.1 Gladman welcome the opportunity to comment on the Crawley Borough Council Local Plan Submission Publication consultation and request to be updated on future consultations and the progress of the Local Plan.

1.1.2 Gladman Developments Ltd specialise in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the development plan preparation process having made representations on numerous planning documents throughout the UK alongside participating in many Examinations in Public.

1.1.3 The Council will need to carefully consider its policy choice and ensure that the proposed approach positively responds to the revised National Planning Policy Framework (2019). There will also be a need to take consideration of changing circumstances associated with national planning policy and guidance over the course of the plan preparation period, including the Government's emerging proposals for the planning system, as set out in the Ministry for Housing, Communities and Local Government (MHCLG) consultations on "Changes to the Current Planning System, August 2020", "Planning for the Future, August 2020" and "National Planning Policy Framework and National Model Design Code: consultation proposals".

1.2 Plan Making

1.2.1 The National Planning Policy Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the plan should be an appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

2 LEGAL COMPLIANCE

2.1 Duty to Cooperate

2.1.1 The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues throughout the process of Plan preparation. As demonstrated through the outcome of the 2020 Sevenoaks District Council Local Plan examination and subsequent Judicial Review, if a Council fails to satisfactorily discharge its Duty to Cooperate, this cannot be rectified through modifications and an Inspector must recommend non-adoption of the Plan.

2.1.2 Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration, as set out in the Planning Practice Guidance (PPG) it is clear that it is intended to produce effective policies on cross-boundary strategic matters.

2.1.3 The revised Framework (2019) has introduced a number of significant changes to how local planning authorities are expected to cooperate including the preparation of Statement(s) of Common Ground (SoCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist. The revised Framework (2019) sets out that local planning authorities should produce, maintain, and update one or more Statement(s) of Common Ground (SoCG), throughout the plan making process¹. The PPG sets out further guidance of the information that a SoCG should contain, including that the distribution of needs in the area as agreed through the plan-making process, or the process of agreeing the distribution of need (including unmet need) across the area². In this regard, Gladman

¹ PPG Reference ID: 61-001-20180913

² Planning Practice Guidance Paragraph: 011 Reference ID: 61-011-20190315

believe it would be prudent for the Council to outline how the proposed number of unmet dwellings will be addressed across the Northern West Sussex (NWS) authorities. This would provide greater certainty regarding the delivery of the unmet housing needs across the HMA ahead of the submission of the Local Plan, which can then later be confirmed during the examination process.

2.2 Sustainability Appraisal

2.2.1 In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.

2.2.2 Crawley Borough Council should ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Crawley Local Plan's decision-making and scoring should be robust, justified and transparent.

3 NATIONAL PLANNING GUIDANCE

3.1 National Planning Policy Framework

3.1.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework which was subsequently updated in February 2019. These publications formed the first revisions of the Framework since 2012 and implemented changes that were informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft Revised Framework consultation.

3.1.2 The revised Framework (2019) introduced a number of major changes to national policy which provide further clarification to national planning policy as well as new measures on a range of matters. Crucially, the changes to national policy reaffirm the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, Paragraph 16 of the Revised Framework (2019) states that Plans should:

"a) Be prepared with the objective of contributing to the achievement of sustainable development;

b) Be prepared positively, in a way that is aspirational but deliverable;

c) Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;

d) Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and

f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)."

- 3.1.3 To support the Government's continued objective of significantly boosting the supply of homes, it is important that the Local Plan provides a sufficient amount and variety of land that can be brought forward, without delay, to meet housing needs.
- 3.1.4 In determining the minimum number of homes needed, strategic plans should be based upon a local housing needs assessment defined using the standard method, unless there are exceptional circumstances to justify an alternative approach.
- 3.1.5 Once the minimum number of homes that are required is identified, the strategic planning authority should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. In this regard, paragraph 67 sets out specific guidance that local planning authorities should take into account when identifying and meeting their housing needs. While Annex 2 of the Framework (2019) provides updated definitions for the terms "deliverable" and "developable.
- 3.1.6 Once a local planning authority has identified its housing needs, these needs should be met as a minimum, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so. This includes considering the application of policies such as those relating to Green Belt and giving consideration as to whether or not these provide a strong reason for restricting the overall scale, type and distribution of development (paragraph 11b)i.). Where it is found that full delivery of housing needs cannot be achieved (owing to conflict with specific policies of the NPPF), Local Authorities are required to engage with their neighbours to ensure that identified housing needs can be met in full (see Paragraph 35 of the NPPF 2019).

3.2 Planning Practice Guidance

- 3.2.1 The Planning Practice Guidance (PPG) was first published by the Government to provide clarity on how specific elements of the NPPF should be interpreted. The PPG has been updated to reflect the changes introduced by the revised NPPF to national

planning policy. The most significant changes to the PPG relate to defining housing need, housing supply and housing delivery performance.

- 3.2.2 The Standard Method was introduced by the Government to simplify the process of defining housing need, avoid significant delay in plan preparation and ultimately facilitate the Government's ambition to achieve 300,000 new homes annually.
- 3.2.3 Revisions to the PPG on the 20th February 2019 confirmed the need for local planning authorities to use the 2014-household projections as the starting point for the assessment of housing need under the standard method³.
- 3.2.4 It is also vital to consider the economic impact of COVID-19 and the long-term role that housing will play in supporting the recovery of the economy, both locally and nationally. With 218,000 homes predicted not to be built due to COVID-19 from now to 2024/25⁴, it is also imperative that Crawley Borough Council Local Plan identifies sufficient land to support the delivery of homes alongside ensuring that the unmet needs of the Borough are addressed.
- 3.2.5 In order for the housing needs for the whole plan period to be met, it will also be essential to provide sufficient headroom within the housing supply. In this regard, Gladman supports the Home Builders Federation's recommendation that local plan should seek to identify sufficient deliverable sites to provide a 20% buffer between the housing requirement and supply.

3.3 National Planning Policy Consultations

- 3.3.1 On the 6th August 2020, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to 'radically reform' the planning system. The proposals are seeking to streamline and modernise the planning process.

³ PPG Paragraph: 005 Reference ID: 2a-005-20190220

⁴ Shelter & Savills (2020). 'Over 80,000 new homes will be lost in one year due to COVID chaos'. Available at: https://england.shelter.org.uk/media/press_releases/articles/over_80,000_new_homes_will_be_lost_in_one_year_to_covid_chaos

- 3.3.2 Timescales remain uncertain, however subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes. In February 2021 a consultation on draft revisions to the NPPF and a new draft National Model Design Code were published with changes focussed on the impact and contribution of design, tree-lined streets and the use of Article 4 directions⁵. It will be important that the Council keeps abreast with the implementation of these changes to determine any potential implications for the Local Plan.
- 3.3.3 A further consultation on immediate changes to the current planning system closed on 01 October 2020⁶. Of significant note is a proposed revised standard method for calculating local housing need, which proposed to incorporate a percentage of existing stock as the baseline of the calculation.
- 3.3.4 In December 2020 the Government published their response to the 'Changes to the Current Planning System'. This document provides an overview of the consultation responses before highlighting that it has been deemed that the most appropriate approach is to retain the Standard Method in the current form with an additional 35% uplift to the 'post-cap number' for 20 local authorities. The Government's rationale behind this approach is to increase home-building in existing urban areas to make the most of previously developed brownfield land over and above that in the existing standard method.
- 3.3.5 The latest correspondence from Government regarding the revisions to the Standard Method for calculating local housing need will not affect the minimum local housing need which Crawley Borough Council should Plan for.

⁵ National Planning Policy Framework and National Model Design Code: consultation proposals: <https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals>

⁶ Ministry of Housing, Communities & Local Government: Changes to the Current Planning System Consultation <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

4 REGULATION 19: SUBMISSION CONSULTATION

4.1 Evidence Base

Viability Assessment

- 4.1.1 A Viability Assessment was published to the Local Plan Review evidence base on the 19th March 2021. This document did not form part of the publicly available evidence documents before this date or during the previous Local Plan consultation in March 2020.
- 4.1.2 The Council should have prepared the Viability Assessment to inform the preparation of the plan and to ensure that the cumulative impact of the proposed policies do not place such additional burdens on development which as a result render them unviable.

4.2 Design & Development Requirements

Policy DD2: Inclusive Design

- 4.2.1 Policy DD2 states that all new dwellings must be built to optional 'M4(2) Accessible and Adaptable' Building Standards. While Gladman support the principle of the approach to provide quality living environments for future generations, the Written Ministerial Statement makes clear that M4(2) and M4(3) are optional technical standards which local authorities may wish to introduce under the provision that any requirement seeking to adopt the higher optional technical standards is fully evidenced on an assessment of need and viability⁷.
- 4.2.2 The 2019 SHMA highlights the projected growth of the population of people aged 65+, alongside the increasing number of people with a limiting long-term health problem or disability, noting the appropriateness to deliver new housing that meets the optional accessible and adaptable standards⁸. No consideration is given to the

⁷ Written Ministerial Statement by Eric Pickles: Planning Update Statement made on 25 March 2015.

⁸ Northern West Sussex Strategic Housing Market Assessment - Icen Projects Limited on behalf of Crawley Borough Council and Horsham District Council November 2019

proportion of the current housing stock which could be converted to meet such building standards, nor does it appear to differentiate between delivering new homes that meet the optional building standards and specialist housing.

- 4.2.3 While Gladman do not object to the principle of the above policy, if the Council intends to continue its approach, then the evidence base will need to be updated to justify the strategy.

4.3 Housing Delivery

Strategic Policy H1: Housing Provision

- 4.3.1 Policy H1 highlights that the Local Plan makes provision for the development of a minimum of 5,320 net dwellings in the Borough between 2021 and 2037. It is proposed that the supply-led requirement will be stepped over the plan period, as follows:

- Years 1-5 (2021-26): 350 dwellings per annum (dpa)
- Years 6-10 (2026-31): 450dpa
- Years 11-16 (2031-37): 220dpa

- 4.3.2 Due to proposed stepped requirement, Policy H1 outlines that there will be a remaining unmet housing need of 6,680 dwellings against the identified housing need of 12,000 dwellings between 2021 and 2037.

Gladman welcome the publication of a Statement of Common Ground (SOCG) (May 2020) between CBC, Horsham District Council, Mid Sussex District Council and West Sussex County Council which evidences progress and co-operation between neighbouring planning authorities, particularly in relation to housing need. The SOCG sets out that 5,995 dwellings will not be met within Crawley Borough between 2020-2035 highlighting that the aforementioned authorities will work positively together to seek to address the housing needs of the Housing Market Area (HMA).

- 4.3.3 Nonetheless, the SOCG does not provide an indication of how Crawley's unmet need will be distributed across the Northern West Sussex authorities. In addition, since the publication of the SOCG, the proposed unmet need arising from Crawley Borough

has changed twice. Firstly, the unmet need figure increased to approximately 6,680 dwellings, as confirmed in Topic Paper 1⁹. Then in March 2021, the Council published a draft Duty to Cooperate Statement (DtC) which amends Crawley's housing requirement over the plan period on the basis of the latest Standard Method Local Housing Need figure following the publication of the 2021 House price to workplace-based earnings ratio.

- 4.3.4 As highlighted in Table 2.3 of the draft DtC, the updated Standard Method Local Housing Need figure stands at 718 dwellings per annum, 11,488 dwellings over the period 2021-2027. Subsequently, the amount of housing need that cannot be met within Crawley's boundaries has reduced from the figure quoted in Strategic Policy H1 of the submission draft Local Plan to 6,168 dwellings over the plan period.
- 4.3.5 At the same time Horsham District Council have progressed their plan preparation with a Regulation 19 consultation anticipated in Autumn 2021. This consultation follows the Regulation 18 Plan which tested options for overall level of growth and the amount of Crawley's unmet need to be met.
- 4.3.6 The Statement of Common Ground and draft Duty to Cooperate, alongside the emerging Horsham Local Plan demonstrate that ongoing engagement and cooperation is being undertaken in line with national planning guidance; yet, Gladman highlight that in line with the PPG a further SOCG update should outline the distribution of needs across the Northern West Sussex (NWS) authorities¹⁰. This would provide greater certainty and clear signposting on how Crawley's unmet need will be dealt with which can then be confirmed through the Local Plan examination process. Indeed, this would also clarify the approaches required for both Horsham and West Sussex in their emerging plan documents.
- 4.3.1 Finally, while the Council has opted to alter the housing requirement on the basis of the revised standard method figure published in March 2021 there must be

⁹ Crawley Borough Local Plan Topic Paper 1: Unmet Needs and Duty to Cooperate

¹⁰ Planning Practice Guidance Paragraph: 011 Reference ID: 61-011-20190315

consistency across the evidence base in relation to local housing needs figure. In this regard, Strategic Policy H1 and the evidence base must be updated to reflect the amended housing need figure of 11,488 dwellings (718dpa).

Policy H7: Self and Custom Build

- 4.3.2 Gladman highlight that any policy requirement for Self-Build and Custom-Build plots must be justified with robust evidence on demand and need for this type of housing. It may not be appropriate to apply a blanket requirement for the provision of self-build plots on major development sites as this does not respond to the differing needs across the region. Notwithstanding this, Gladman welcome the flexibility provides in exception criteria i) to iv), which accounts for Crawley's urban setting.
- 4.3.3 Policy H7 seeks to require all developments of 50 residential or more to provide up to 6% of the total plots as self-build. Gladman propose that this requirement is currently not justified through the evidence base.
- 4.3.4 Topic Paper 3 highlights that there are 102 individuals registered on the Council's Self-build and Custom Housebuilding Register, while only 80 individuals were recorded within Part 1 of the register, of which highlights demand in the local authority area¹¹. Other than a more detailed note highlights information on the register noted in Northern West Sussex Strategic Market Housing Assessment there is no further assessment of future need in relation to secondary sources or historic delivery of self-build homes in the district^{12, 13}. It should be noted that Gladman do not oppose to such a policy but highlight that further evidence should be made available within the evidence base to justify the proposed approach in Policy H7.

¹¹ Planning Practice Guidance Paragraph: 018 Reference ID: 57-018-20210208 Revision date: 08 02 2021

¹² Northern West Sussex Strategic Housing Market Assessment Final Report. Icen Projects Limited. (November 2019).

¹³ Planning Practice Guidance Paragraph: 011 Reference ID: 57-011-20210208

- 4.3.5 Furthermore, the Viability Assessment, published March 2021, does not provide evidential justification nor demonstrates that such a policy requirement is deliverable. The document states:
- “From DSP's experience of this type of development, we consider the provision of plots (serviced and ready for development) for custom-build has the potential to be sufficiently profitable so as not to provide a significant drag on viability.”¹⁴*
- 4.3.6 Indeed, the information and testing results set out in Appendices I to IV do not appear to have taken into account Self and Custom Build plots within the tested scenarios.
- 4.3.7 It should be noted that Gladman do not oppose to such a policy but highlight that further evidence should be made available within the evidence base to justify the proposed approach in Policy H7.
- 4.3.8 Notwithstanding the above, Gladman welcome flexibility within H7 whereby once a plot has been marketed for 12 months but failed to be sold for self-build, it will be considered by the Council to be built out as conventional market housing.

¹⁴ Page 50 - Crawley Borough Council – Local Plan Review and CIL Viability Assessment (March 2021)

5 CONCLUSIONS

5.1 Summary

- 5.1.1 Gladman welcomes the opportunity to comment on the Crawley Borough Council Regulation 19 consultation. These representations have been drafted with reference to the revised National Planning Policy Framework (NPPF2019) and the associated updates that were made to Planning Practice Guidance.
- 5.1.2 Gladman have provided comments on a number of the issues that have been identified in the Council's consultation material and recommend that the matters raised are carefully explored during the process of undertaking the new Local Plan. Notably, the Council's base does not include a Viability Assessment which should have prepared the Viability Assessment to inform the preparation of the plan, to ensure that the cumulative impact of the proposed policies do not place such additional burdens on development which as a result render them unviable.
- 5.1.3 Furthermore, while Gladman welcome the May 2020 SOCG which confirms cooperation between the Northern West Sussex Authorities in relation to plan-making and specifically Crawley's unmet housing need; it would be prudent to publish an updated SOCG which details current and up-to-date figures alongside how the unmet need will be addressed by Mid Sussex and Horsham District Councils, who are set to consult on their Regulation 19 Plan in Autumn 2021.
- 5.1.4 We hope you have found these representations informative and useful towards the preparation of the Crawley Borough Local Plan 2021-2037. Gladman wish to be kept informed of any further updates on progress towards the new Local Plan.

