

# Crawley

Local Plan

## Crawley Borough Local Plan Examination

Crawley Borough Council Response to Inspectors' Matters, Issues and Questions

### Matter 1: Legal Compliance and General Plan-making

November 2023



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## Issue 1: Plan-Making

- 1.1 Question 1.1: Has preparation of the plan complied with the Local Development Scheme, Statement of Community Involvement and the requirements of the 2012 Local Planning Regulations?
- 1.1.1 As set out in the Local Plan PAS Toolkit Part 3: Local Plan Process (July 2023), submitted alongside the Crawley Borough Local Plan, Crawley Borough Council (CBC) (Submission Document Reference: KD/CBC/TK/02) confirms the preparation of the Crawley Borough Local Plan has complied with the:
- Local Development Scheme (LDS);
  - Statement of Community Involvement (SCI); and
  - 2012 Local Planning Regulations.

### Local Development Scheme

- 1.1.2 The current published Local Development Scheme 2023 – 2025, January 2023 (Submission Document Reference: CB/LDS/01) was agreed by the council ahead of the Crawley Borough Local Plan being considered by Full Council (22 February 2023) for its publication and submission. Regulation 19 Publication Consultation took place during May – June 2023, in line with the expectations of the published LDS, and it was submitted on 31 July 2023, in accordance with the LDS's July 2023 Date for Submission.
- 1.1.3 Whilst the Local Plan has been subject to unforeseen delays in its timetable, an updated LDS has been prepared and maintained at each appropriate stage following the adoption of the Crawley Borough Local Plan 2015 – 2030 and throughout the Local Plan Review process (Submission Document References: CB/LDS/02 – CB/LDS/06). Progress against the current LDS has been monitored and reported annually in the Authority's Monitoring Reports, Part 2 (Submission Document References: CB/AMR/01 – CB/AMR/07).

### Statement of Community Involvement

- 1.1.4 The Crawley Statement of Community Involvement, June 2020 (Submission Document Reference CB/SCI/01) confirms the process by which engagement and consultation on the Local Plan Review would be carried out.
- 1.1.5 The Consultation Statement, July 2023 (Submission Document References: KD/CS/01a – KD/CS/01j; CBC/KD/CS/01k) sets out in more detail how the requirements of the SCI have been met in the preparation of the Crawley Borough Local Plan (see particularly paragraphs 1.3 and 1.4 and Chapters 2 – 5 of the Consultation Statement Main Report (Submission Document Reference: KD/CS/01a).

### 2012 Local Planning Regulations

- 1.1.6 The preparation of the Crawley Borough Local Plan has conformed to the requirements of the 2012 Local Planning Regulations.
- 1.1.7 In addition to the steps taken, set out above, to meet the council's Local Development Scheme and Statement of Community Involvement (thereby meeting the requirements mirrored from the 2012 Local Planning Regulations). The Local Plan was subject to the council's approval procedures for each stage of its preparation, engagement and publishing. This included it being considered ahead of each Regulation 19 Publication Consultation (December 2019, December 2020 and

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February 2023) by Full Council and securing formal Full Council approval for Publication and Submission. All of the details from the Council and Cabinet meetings can be accessed from the council's website.

- 1.1.8 In response to the formal public consultations carried out on the emerging Local Plan, in accordance with Regulation 22, the Crawley Consultation Statement (Submission Document Reference: KD/CS/01a) set out which bodies and persons the local planning authority invited to make representations under Regulation 18 (i); how those bodies and persons were invited to make representations under Regulation 18 (ii); a summary of the main issues raised by the representations made pursuant to Regulation 18 (iii); how any representations made pursuant to Regulation 18 were taken into account (iv); the number of representations made in response to Regulation 19 (v); and a summary of the main issues raised in those representations (vi).
- 1.2 Question 1.2: Is it clear which development plan policies (2015 Crawley Local Plan) would be superseded on adoption of the submitted Plan? [Regulation 8(5) of the 2012 Local Plan Regulations requires that superseded policies must be identified]. Are there any development plan document policies that are intended to be 'saved' on adoption of the Crawley Borough Local Plan 2024 – 2040?
  - 1.2.1 Paragraph 1.3, page 9, of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) confirms that once adopted the Local Plan 2024 – 2040 will replace the Crawley Borough Local Plan (2015 – 2030).
  - 1.2.2 This will replace the 2015 Crawley Local Plan in its entirety. There are no current development plan document policies which are intended to be 'saved' on adoption of the Crawley Borough Local Plan 2024 – 2040.
  - 1.2.3 Paragraph 1.8, page 10, of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) explains that the document is a review of the existing adopted Local Plan. It did not seek to start from a blank page. A review of the adopted Local Plan was undertaken and approved at Full Council which confirmed the principles and policies of the Crawley Borough Local Plan 2015 remain up-to-date and sound (Post-Submission Document References: CBC/CBLP/08a and CBC/BLP/08b). Therefore, in some cases the policies have not changed or only changed very little from the adopted Local Plan. However, for the sake of clarity and consistency all of these policies have been incorporated into the single updated Local Plan document, and have been subject to consultation and scrutiny throughout the Local Plan Review process on an equal basis to completely new policies and modified policies.
  - 1.2.4 Figure 3.1 in the Sustainability Appraisal/Strategic Environmental Impact Assessment, page 22 (Submission Document Reference: KD/SA/01) shows the relationship between the Local Plan and other documents. This confirms that the Crawley Borough Local Plan provides the Strategic Planning Policies, Non-Strategic Planning Policies and the Local Plan Map for the borough. In addition, the West of Bewbush Joint Area Action Plan, 2009 (adopted by both Crawley Borough Council and Horsham District Council) is retained as a separate Development Plan Document, sitting alongside the Crawley Borough Local Plan, specifically for the

development of Kilnwood Vale neighbourhood, predominately within Horsham District, but with some aspects, particularly in relation to infrastructure connections, falling within Crawley borough.

1.3 Question 1.3: For the purposes of strategic planning and any subsequent neighbourhood plan preparation does the submitted plan clearly identify which policies would be ‘strategic policies’? Is the identification of strategic policies justified and consistent with NPPF paragraph 20? For example, is it justified the Policy DD4 (Tree Replacement Standards) is labelled a strategic policy? Should policies on matters such as water resources (SDC4 for example) be identified as strategic policies?

1.3.1 Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) contains 20 strategic policies. These are clearly identified within the document as “Strategic Policy”.

1.3.2 The National Planning Policy Framework (NPPF), 2021, paragraph 20, page 9 (Post-Submission Document Reference: PS/DS/NPPF/01) confirms that strategic policies should set out an overall strategy for the pattern, scale and design quality of places. Strategic Policies need to make sufficient provision for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development – Crawley Borough Local Plan Strategic Policies: SD1; CL1; CL2; DD1; EC1; EC4; GAT1; TC1; H1; H4; H5;

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat) – Crawley Borough Local Plan Strategic Policies: SD1; DD1; IN1; GAT1; ST1;

c) community facilities (such as health, education and cultural infrastructure) – Crawley Borough Local Plan Strategic Policies: SD1; SD2; CL1; DD1; IN1; GI4; and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation – Crawley Borough Local Plan Strategic Policies: SD1; SD2; CL1; CL2; DD1; DD4; HA1; GAT1; GI1; GI2; GI4; SDC1.

#### Tree Replacement Policy

1.3.3 Policy DD4: Tree Replacement Standards is considered to support the intention required by NPPF paragraph 20d). Crawley Borough Council (CBC) believes that Policy DD4 could be justified as a strategic policy as it relates to one of the defining components of Crawley’s identify: that of been a New Town set within as much retained wooded and structural landscape setting as possible. This is a character attribute clearly defined and outlined in the Crawley Baseline Character Assessments, 2009 (Submission Document Reference: WC/CLD/02).

1.3.4 However, it is acknowledged that this policy is similar in structure and content to other policies within the Local Plan which are not identified as Strategic Policies. On this basis, the council is suggesting a Modification which would remove the reference to Policy DD4 as a Strategic Policy (Local Plan Schedule of Suggested Modifications, November 2023, Examination Document Reference: CBC/CBLP/07b).



Water Neutrality Policy

- 1.3.5 Policy SDC4: Water Neutrality is considered to be a Strategic Policy. The Policy is required in order for the Local Plan, and new development, to be in legal compliance with the Habitat Regulations. The importance of the joint approach is vital to ensure “in-combination” impacts are assessed and the implementation of a successful and viable offsetting scheme.
- 1.3.6 On this basis, the council is suggesting a Modification which would insert the reference to Policy SDC4 as a Strategic Policy (Local Plan Schedule of Suggested Modifications, November 2023, Examination Document Reference: CBC/CBLP/07b).
- 1.4 Question 1.4: How have issues of equality been addressed in the Local Plan? In what way does the Plan seek to ensure that due regard is had to the three aims<sup>1</sup> expressed in Section 149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?
- 1.4.1 Consideration of equality issues have been an iterative part of the Crawley Local Plan preparations. The Sustainability Appraisal process has considered the potential effects of the Plan on people in respect of disability, gender and racial equality impacts, in light of the Equalities Act 2010 and the requirement for an Equalities Impact Assessment. This is confirmed in paragraph 1.22 of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) and paragraphs 4 of the non-technical summary and 1.2 of the main report in the Crawley Sustainability Appraisal (SA/SEA), May 2023 (Submission Document Reference: KD/SA/01).
- 1.4.2 Topic Area G of the SA/SEA relates to the Population, Community Facilities and Open Spaces, Crime and Health of the Community. The scope of the topic included consideration of the demographics of the borough, the provision of educational establishments, community halls, open space, sport and recreation provision (Table 4.1, page 28 & Appendix E, pages 179-187).
- 1.4.3 A key Sustainability Objective (SA Objective 9) identified a need to:
- promote healthy, active, cohesive and socially sustainable communities;
  - ensure all benefit from a good quality of life; and
  - ensure everyone has the opportunity to participate in sport and to encourage active lifestyles.
- The baseline data, plans and programmes highlighted Sustainability Issues concerning ethnic diversity, young population, ageing population, street community and homeless and health (Table 4.2, page 31).
- 1.4.4 The Local Plan has had due regard to the three aims expressed in Section 149 of the Equality Act 2010 (eliminate discrimination; advance equality of opportunity; and foster good relations). These have been taken into account through the strategy and policy assessment process of the SA/SEA.
- 1.4.5 Topic Area C of the SA/SEA relates to Housing, and includes the scope of housing need, aspirations, strategic development location (Table 4.1, page 27 & Appendix E, pages 139-144). Topic Area D of the SA/SEA relates to the Economy, including

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<sup>1</sup> At Section 149(1) of the Equality Act 2010 – (1) eliminate discrimination; (2) advance equality of opportunity; and (3) foster good relations.

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economic growth and social mobility, maximising benefits of Gatwick Airport and a revitalised and vibrant town centre (Table 4.1, page 27 & Appendix E, pages 145-159). Topic Area F relates to Transport and Infrastructure, including roads, rail, public transport, walking, cycling, Gatwick Airport and infrastructure (Table 4.1, page 27 & Appendix E, pages 139-144). All of these topics are known to have particular importance and impacts on those with protected characteristics.

- 1.4.6 The overall strategy approach: a combination of the sub-regional focus and Crawley borough focus (Appendix F, pages 192-193) confirmed that careful planning and ensuring developments constitute sustainable development may allow for positive impacts for SA Objective 9.
- 1.4.7 Through the Draft Consultation Local Plan Policies Options and Appraisal (Appendix G, pages 196-301), 32 policies were identified to have a significant positive impact on SA Objective 9. A further 42 Policies were identified to have a positive impact on SA Objective 9. Four policies were identified to have possible positive impacts.
- 1.4.8 Three Local Plan Policies seek to directly address issues of equality – Policy SD2: Enabling Healthy Lifestyles and Wellbeing (which introduces a requirement for Health Impact Assessment as part of planning application submissions); Policy DD2: Inclusive Design and Policy H8: Gypsy, Traveller and Travelling Showpeople Sites. In addition, Policy H2: Key Housing Sites; Policy H4: Future Housing Mix; Policy H5: Affordable Housing; Policy H6: Build to Rent (which includes affordable rent requirements); and Policy H9: Houses in Multiple Occupation (which is accepted to provide affordable and convenient accommodation including for those requiring care in the community) look to meet the housing needs of specific groups in society. Policy EC5: Employment and Skills Development seeks to address the identified concerns regarding social mobility within the borough.
- 1.4.9 Out of all of the Policies within the Local Plan, only one was identified to have a negative effect on SA Objective 9 – Policy ST4: Area of Search for a Crawley Western Multi-Modal Transport Link. The conclusions of the assessment of this policy and the mitigation measures of the negative impacts are set out in Appendix G: Draft Consultation Local Plan Policies Options and Appraisal, pages 299-301).
- 1.5 [Question 1.5: What is the intended base date of the plan and the plan period? Is the base date 1 April 2023 and the plan period 2023/4 to 2039/40?](#)
- 1.5.1 The Housing Trajectory included within the Crawley Borough Submission Local Plan, May 2023, pages 313-316 (Submission Document Reference: CBLP/01) establishes the Local Plan Base Year as 2023/24.
- 1.5.2 Year 1 of the Plan is from adoption which is anticipated to be 2024/25 subject to its successful examination. On this basis, the Local Plan has been prepared to cover a 16 year post-adoption period from 2024/25 to 2039/40.

## Issue 2: Duty to Co-operate

- 1.6 Question 1.6: What mechanisms have been established between authorities on cross-boundary strategic matters? Do the signed statements of common ground demonstrate effective and on-going joint working, as per NPPF paragraphs 26 and 27 and PPG paragraphs 61-009-20190315 to 61-017-20190315?
- 1.6.1 The Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) acknowledges the importance of effective cooperation with neighbouring authorities for Crawley (paragraph 1.32, page 15). In light of this, Crawley Borough Council (CBC) has positively, proactively and constructively engaged in strategic and cross-boundary matters. The Crawley Duty to Cooperate Statement, July 2023 (Submission Document References: KD/DtC/01a – KD/DtC/01b and CBC/KD/DtC/01c) provides more detail on the approach to Duty to Cooperate, the outcomes of joint working and the series of Statements of Common Ground, and the influence of cooperation on the Crawley Local Plan Review.
- 1.6.2 Paragraph 1.30, page 14, of the Crawley Borough Submission Local Plan confirms the strategic issues relating to the future development of Crawley over the Local Plan period. These are expanded upon in the Duty to Cooperate Statement (paragraph 2.1.3, page 15 and Chapter 3: Strategic Issues, pages 23-51).
- 1.6.3 Paragraph 1.31, pages 14-15, of the Crawley Borough Submission Local Plan summarises the mechanisms through which the strategic issues are discussed beyond the borough's administration. This highlights the extensive and responsive nature of the joint and partnership working in relation to the different issues. Table 1.1 (pages 7-10) of the Duty to Cooperate Statement provides details in relation to the framework for cooperation, setting out the main groups and mechanisms in which CBC is an active member in addressing strategic needs. For each of the Strategic Issues, summaries are provided regarding the nature of cooperation and the outcomes (Chapter 3, pages 23-51). Appendix C, pages 61-90, comprehensively details the strategic joint working mechanisms, providing:
- The level of cooperation;
  - The Group;
  - Membership;
  - Key issues covered;
  - Dates of meetings; and
  - Outcomes.
- 1.6.4 The Statements of Common Ground (SoCG) (Submission Document References: SoCG/01 – SoCG16) demonstrate effective and on-going joint working. These are each published in their own right to the council's webpages and also provided within the Duty to Cooperate Statement Appendix L.
- 1.6.5 The SoCGs have been agreed on a variety of different scales and geographies. They have been prepared to reflect the most appropriate approach, in terms of scope and partners, for the relevant matters and issues affecting Crawley's Local Plan, in order to ensure consistency and avoid unnecessary duplication. They cover:

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- Strategic Geographic Context (County-wide and Housing Market Area): Northern West Sussex Statement of Common Ground (SoCG/01); Northern West Sussex Housing Needs Statement of Common Ground (SoCG/02); West Sussex Statement of Common Ground (SoCG/04); and Northern West Sussex Statement of Common Ground, May 2020 (SoCG/14).
- Issue/Topic Matters (Water Neutrality, Ashdown Forest and Transport): Water Neutrality Statement of Common Ground (SoCG/03); Ashdown Forest Statement of Common Ground (SoCG/05); Crawley Borough Council and National Highways Statement of Common Ground (SoCG/015a); and Crawley Borough Council and West Sussex County Council Statement of Common Ground (SoCG/016).
- Cross-Boundary 1:1 Local Authority (including development needs and unmet development needs, strategic sites and infrastructure): Crawley Borough Council and Horsham District Council Statement of Common Ground (SoCG/07); Crawley Borough Council and Mid Sussex District Council Statement of Common Ground (SoCG/08); Crawley Borough Council and Reigate and Banstead Borough Council Statement of Common Ground (SoCG/09); Crawley Borough Council and Mole Valley District Council Statement of Common Ground (SoCG/10); and Crawley Borough Council and Tandridge District Council Statement of Common Ground (SoCG/13).
- Further wider-strategic 1:1 Local Authorities (covering strategic/county-wide matters): Adur and Worthing Councils and Crawley Borough Council Statement of Common Ground (SoCG/06); Crawley Borough Council and Arun District Council Statement of Common Ground (SoCG/11); and Crawley Borough Council and Worthing Borough Council Statement of Common Ground, May 2021 (SoCG/12).

1.6.6 In addition to the Statements of Common Ground, in 2016, the Gatwick Diamond Local Authorities (Surrey County Council, West Sussex County Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead Borough Council and Tandridge District Council) updated the Local Strategic Statement (Submission Document References: DS/GD/01 and DS/GD/02). This provided the strategic context upon which the Crawley Borough Local Plan Review commenced.

1.6.7 Significant joint evidence has been produced, and outcomes of evidence has been shared as it has emerged, through the various meetings and groupings which have taken place throughout the Local Plan Review process. The Joint Evidence Base Documents are set out in Appendix F of the Duty to Cooperate Statement (Submission Document References: KD/DtC/01a), summarising which authorities were involved in the commission and the scope of the studies. This approach of commissioning joint evidence has ensured:

- full understanding of Crawley's unmet housing need: whereby the other authorities within the Housing Market Area (Horsham and Mid Sussex District Councils) have confirmed they will seek to meet as much of Crawley's unmet housing needs within their emerging Plans, subject to sustainable, viable and deliverable levels of development being agreed through their own evidence and Examination processes;

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- joint water neutrality local plan policy: the joint evidence prepared has also resulted in an agreed joint Water Neutrality Policy, which is essential for the consistent approach to be delivered across the Water Resource Zone;
- area of search for a Crawley Western Link to adjoin the boundary in Horsham District in order to serve potential strategic development coming forward within Horsham District's boundaries.

1.7 Question 1.7: Given past unmet needs arising in Crawley and the fact that significant unmet needs have again arisen for this Plan, has any consideration been given to a wider planning strategy or joint evidence base within the Housing Market Area (HMA) as a mechanism to collaboratively test the extent to which housing needs (and associated infrastructure issues) within the wider HMA could be addressed across administrative boundaries to secure a sustainable pattern of development?

1.7.1 The Crawley Local Development Scheme 2023 – 2025 (Submission Document Reference: CB/LDS/01), paragraphs 2.8 – 2.13, pages 7-8, explain the consideration Crawley Borough Council gave to the option of preparing a Joint Plan. It was concluded that it was not possible to prepare a joint plan due to the different stages the councils were at, at the point of Crawley commencing its Local Plan Review.

1.7.2 However, the Crawley Borough Local Plan 2024 – 2040 has been prepared within the wider context through:

- the commissioning of the Gatwick Diamond Local Strategic Statement update 2016 (Submission Document References: DS/GD/01 and DS/GD/02);
- close joint working with the other authorities within the Northern West Sussex Housing Market Area and West Sussex County Council;
- joint commissioning of evidence, including the joint Strategic Housing Market Assessment (SHMA) (Submission Document Reference: H/HN/01);
- support from the same officers at West Sussex County Council on Transport Modelling ensuring Modelling results could be compared and scenario tests prepared to consider each Plans' transport implications (see, for example, Post-Submission Document Reference: PS/ES/ST/01x);
- sharing of emerging evidence and Local Plan preparation progress in meetings throughout; and
- the preparation, where appropriate, of joint policy drafting (for example, Policy SDC4: Water Neutrality).

Crawley's neighbouring authorities have similarly shared their emerging evidence with Crawley Borough Council and invited comments as part of their own Local Plan preparations.

1.7.3 The Northern West Sussex Statement of Common Ground and Northern West Sussex Housing Needs Statement of Common Ground (Submission Document References: SoCG/01 and SoCG/02) highlight the agreements and joint approaches between Crawley Borough Council (CBC) and the other authorities within the same Housing Market Area (Northern West Sussex Housing Market Area: NWS HMA). This includes the agreement for the site selection principles for the assessment of housing supply options (pages 11-14, SoCG/02).

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- 1.7.4 This approach is based on an evolution of the successful approach taken by the three NWS authorities for the previous Local Plans (as currently adopted) which did result in the full housing need for the HMA being met through the Plans at the point of the adoption of the Mid Sussex District Plan 2014-2031, adopted 2018 (Section 4, second and third paragraphs and Table 1, page 8, SoCG/02). Previous to this, the Core Strategies between CBC and HDC also took a similarly aligned approach which resulted in the Joint Area Action Plan for the strategic site at West of Bewbush (now Kilnwood Vale neighbourhood) prepared jointly and adopted by Crawley Borough and Horsham District Councils.
- 1.8 Question 1.8: Should the Statement of Common Ground with Northern West Sussex Housing Market Area authorities be interpreted as a strategy for addressing the unmet need? Can that only go as far as anticipating (hoping) that neighbouring authority plan reviews can accommodate as much of Crawley's unmet housing need as possible? Is that compatible with PPG paragraph 61-022-20190315 which in the context of unmet needs refers to making "every effort to secure necessary cooperation"?
- 1.8.1 The Northern West Sussex Statement of Common Ground and Northern West Sussex Housing Needs Statement of Common Ground (Submission Document References: SoCG/01 and SoCG/02) have been prepared and agreed in the context of the Local Plan Reviews for the three authority areas (along with West Sussex County Council). The Statement of Common Ground has been a continually evolving and regularly updated agreed position, dating back to the early preparation of the adopted Local Plans (originally agreed in 2013, and updated at appropriate occasions following that).
- 1.8.2 The Northern West Sussex Housing Needs Statement of Common Ground (Submission Document Reference: SoCG02) confirms that, subject to meeting individual housing needs and establishing that there is potential to assist other authorities with unmet need, the NWS HMA is the first priority for providing assistance to meet unmet needs arising (page 7). However, it is clear that the approach to determining the extent to which housing needs are met within the district/borough is a matter for each individual Local Plan (pages 7 and 10).
- 1.8.3 Crawley Borough Council (CBC) has taken, and continues to take, every effort possible to secure necessary cooperation. CBC has not relied on the unmet needs arising from the borough to be met within the NWS HMA. In 2020 and 2023, the council wrote to local planning authorities across a wider area than just those within the HMA or those with adjoining administrative boundaries to determine whether any would be able to meet Crawley's unmet development needs. The full list of authorities contacted on each occasion is set out respectively in Appendix H and Appendix J of the Duty to Cooperate Statement (Submission Document References: KD/DtC/01a). This included other authorities within the Coast to Capital LEP area, including coastal West Sussex & Greater Brighton, East Sussex, Surrey, London Boroughs. The responses from these requests are provided in Appendix I and Appendix K of the Duty to Cooperate Statement (Submission Document References: KD/DtC/01a).



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- 1.8.4 Responses received from the other local authorities clearly indicate an inability for Crawley's unmet needs to be met elsewhere, and a support for the approach for needs to be met within the NWS HMA. The response from Horsham District Council confirmed its continued engagement in working across the HMA to look at meeting development needs where these constitute sustainable development.
- 1.8.5 It should be noted that CBC has engaged positively with its neighbouring authorities in relation to significant strategic development proposed on Crawley's boundaries. This has included over 1,200 new dwellings in recent development taken place since adoption of the Crawley Borough Local Plan, December 2015 (Submission Document Reference: CBLP/02) – as set out paragraph 3.1.9 of Topic Paper 1: Unmet Needs and Duty to Cooperate, July 2023 (Submission Document Reference: DS/TP/01). In addition, paragraphs 3.1.10 and 3.1.11 highlight further strategic scale development being promoted on Crawley's administrative boundaries in both Horsham district (West of Ifield – 3,000 dwellings) and Mid Sussex district (Crabbet Park, at least 2,300 dwellings). Even if the neighbouring plans do not meet Crawley unmet needs in numerical terms, the housing is being provided immediately adjacent to Crawley and will in practical terms meet Crawley's needs. This is supported by the advice in the SHMA, paragraphs 5.86-5.89, pages 58-59. Critically, in relation to the existing schemes coming forward this has included agreements to share nomination rights for the affordable housing between the two authorities (particularly at Kilnwood Vale and Pease Pottage), which means these are also available to those on the Crawley Housing Register. This positive approach to shared nomination rights for affordable housing is one which is understood will continue through similar agreements between the authorities in relation to any new developments coming forward.
- 1.9 Question 1.9: Under the approach of sequentially prioritising unmet housing need within the HMA, has there been any discussion on synchronising the timeframes for plan reviews within the HMA as far as practicably possible so that examination of Crawley's Local Plan could take place in context of increased certainty as to the extent to which other plans in the HMA were (or were not) capable of meeting unmet needs?
- 1.9.1 Crawley Borough Council (CBC) believes that the current approach being taken by the authorities in relation to the timing of the Local Plans' progression makes the most sense as it will enable the level of unmet needs arising from the borough to be determined prior to these needs being considered by the other Local Plans within the HMA.
- 1.9.2 The preparation of the Crawley Borough Submission Local Plan (Submission Document Reference: CBLP/01) has firstly set the overall housing need arising from the borough through fixing the Standard Method at a point in time and, secondly, exploring the extent to which this need can be met through sites and densification opportunities within the borough's administrative boundaries. Without this, it wouldn't be possible to confirm the level of unmet needs remaining outstanding.
- 1.9.3 The timetables for Mid Sussex and Horsham District Councils' Local Plans are understood to be following shortly after the Crawley Borough Local Plan, on similar timeframes to each other. However, each authority is subject to different pressures

and political processes and it was agreed it would be impractical for any one authority to delay the progression of its Local Plan due to circumstances affecting another. As can be seen from the Northern West Sussex Statement of Common Ground, July 2023, Section 6, page 8 (Submission Document Reference: SoCG/01), even at the point of the submission of the Crawley Borough Local Plan for its independent Examination, the timetable for the Horsham District Local Plan, particularly, was still uncertain and unset.

- 1.9.4 Notwithstanding this, the Crawley Borough Local Plan seeks to do all it can to establish the housing need to be met across the Housing Market Area. The table under paragraph 2.29, page 25, highlights the total Standard Method housing need, based on the calculation at the time of submission of the Crawley Borough Local Plan.
- 1.10 Question 1.10: What mechanisms will Crawley Borough Council have in shaping neighbouring plan reviews, particularly any sustainable options 'At Crawley' where maximising delivery could, potentially, assist in meeting the Borough's unmet housing needs?
- 1.10.1 Crawley Borough Council (CBC) works closely with the neighbouring authorities as a statutory consultee in both Plan-Making and Decision-Taking.
- 1.10.2 CBC has taken a proactive approach to shaping neighbouring plan reviews. The mechanisms being used includes:
- Joint and complementary evidence base;
  - The updating and continual review of the agreed Statements of Common Ground;
  - Formal responses to the statutory stages of consultation on the Local Plan, including specific responses on detailed Strategic Site policies particularly concerning mitigation of impacts on Crawley and the need to maximise site capacities;
  - Regular and productive meetings at every level from technical officer (policy and development management), Head of Service, Chief Executive and Members (including Portfolio Holders and Leaders).
- 1.10.3 CBC has regular, three-weekly, bilateral policy officer meetings and regular six-weekly strategic, Head of Service, meetings with Horsham District Council, to discuss Local Plan progress and details including strategic development options. In addition, in relation to strategic development proposals being promoted to the west of Crawley, CBC is a signatory to the Planning Performance Agreement with regard to pre-application discussions.
- 1.10.4 The Duty to Cooperate Statement Section 3.1, paragraphs 3.1.10-3.1.23, summarise the ongoing Cooperation in relation to Strategic Sites at Crawley. Table 3.2, pages 27-30, of the Duty to Cooperate Statement summarises the key methods and outputs which have been progressed in relation to meeting the Duty to Cooperate in preparing the Submission draft Local Plan Review in relation to housing needs, and the outstanding issues and ongoing cooperation actions are set out on pages 30-31. Appendix C comprehensively details the strategic joint working mechanisms: pages 75-79 detail the 1:1 meetings carried out between Crawley Borough Council and



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Horsham District Council, and Crawley Borough Council and Mid Sussex District Council in relation to strategic development 'at Crawley'.

- 1.10.5 The Crawley Borough Submission Local Plan (Submission Document Reference: CBLP/01) is clear where it can be in relation to the approach CBC will take in considering proposals for strategic development on, or close to, its boundaries (paragraphs 2.30-2.33, pages 25-26; paragraphs 12.17-12.23, pages 158-161, and Policy H1, third and seventh paragraphs, page 163, Reasoned Justification, paragraphs 12.39-12.40, page 164).
- 1.10.6 Additional information is provided below in relation to work ongoing in respect of specific sites, in response to Question 1.11. This involves extensive meetings with the neighbouring authorities, West Sussex County Council, and the site promoters/developers on a wide range of planning matters at both planning policy and pre-application levels, from technical officer to senior officer/chief executive and Member levels, in addition to the open and transparent sharing of emerging draft evidence.
- 1.11 Question 1.11: The evidence before this examination includes initial stages of plan-making in Horsham and Mid Sussex that are considering strategic growth proposals 'At Crawley' in respect of West of Ifield (Homes England) and Crabbet Park (Wates) respectively. Has the duty to cooperate process explored the potential of such growth to have strategic implications for infrastructure within Crawley Borough - for example on the strategic road network (see representations from National Highways), secondary education and wastewater treatment capacity? Is there a risk that the submitted Plan for Crawley to 2040 could impede future sustainable patterns of growth 'At Crawley' or does the submitted Plan sufficiently countenance this (for example the area of search for the Crawley Western Multi-Modal Link)?
  - 1.11.1 The Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) has been prepared in the context of the emerging proposals for strategic developments 'at Crawley' on the administrative boundaries both to the east and west of the borough.
  - 1.11.2 Whilst it is for the Local Plans of the neighbouring authorities to ensure the impacts of the strategic development, including impacts on Crawley, are appropriately and adequately mitigated in the allocations of these sites, substantial evidence has been prepared within the context of cross-boundary working and implications. Joint evidence commissioned is set out in Appendix F, page 112, of the Duty to Cooperate Statement, July 2023 (Submission Document Reference: KD/DtC/01). Evidence commissioned by CBC as part of the Local Plan Review which includes consideration of impacts from additional development immediately adjacent to Crawley is set out in paragraph 2.53 in the CBC Written Statement in response to the Inspectors' Matter 2: Spatial Strategy, Question 2.5.
  - 1.11.3 The Crawley Borough Local Plan has taken into account the potential for strategic development close to the borough's administrative boundaries as far as practically possible. The Sustainability Appraisal/Strategic Environmental Assessment Report (SA/SEA) paragraphs 2.19-2.22, pages 19-20 (Submission Document Reference:

KD/SA/01) confirms that whilst the Plan Area is Crawley borough, the baseline information and assessments undertaken for this SA report could be applied to areas beyond the boundary of Crawley during the life of the Plan (whilst the SA/SEA undertaken for such developments would be the responsibility of the relevant Planning Authority in which the site is located). This acknowledges that further growth to meet Crawley's needs within neighbouring authority areas cannot be ruled out at this stage if this is required and determined by neighbouring authorities. This approach fits with the overall Spatial Strategy considered to be appropriate through the SA/SEA (a combination of Scenario 2: A Sub Regional Focus and Scenario 3: A Crawley Borough Focus, set out in SA/SEA Chapter 5 and Appendix F).

- 1.11.4 As evidenced in the Duty to Cooperate Statement, Appendix C, the Northern West Sussex authorities (including West Sussex County Council) carry out regular eight-weekly technical planning policy officer meetings to discuss strategic implications of planning proposals. This includes discussions relating to the impacts on existing infrastructure within Crawley of development "at" Crawley. This is clearly set out in the Northern West Sussex Statement of Common Ground (Submission Document Reference: SoCG/01) as well as the individual Statements of Common Ground between Crawley Borough Council and Horsham District Council and Mid Sussex District Council (Submission Document Reference: SoCG/07 and SoCG/08 respectively).
- 1.11.5 Crawley Borough Council (CBC) has formally responded to the Horsham District Local Plan Review Regulation 18 Consultation (2020) and the Mid Sussex District Plan Review Regulation 18 Consultation (2022) highlighting the cross-boundary and infrastructure implications of strategic scale development on Crawley's boundaries and requesting joint working should those proposals be progressed to formal allocations.
- 1.11.6 In addition, CBC takes part in bilateral discussions with Horsham and Mid Sussex District Councils, including with developers promoting sites and with West Sussex County Council, with regard to strategic sites adjacent to Crawley, to ensure impacts on Crawley are understood. This is consistent with paragraph 2.32 of the Crawley Borough Local Plan.
- 1.11.7 The Crawley 2035: draft Local Plan, pages 159-162 (Submission Document Reference: CBLP/05) introduced a housing typology policy to establish the policy basis upon which CBC would respond to proposals for urban extensions, Policy H3g: Urban Extensions. However, it is acknowledged that the Local Plan is unable to plan for land outside the borough's administrative boundaries so the policy has been taken out. Instead, paragraphs 12.17-12.23 of the Crawley Borough Local Plan maintain the principles which are considered of strategic cross-boundary importance to the borough. These paragraphs offer neighbouring authorities and site promoters a consistent message in relation to strategic and cross-boundary matters, based on evidence gathered through the Local Plan Review.

#### Transport Impacts

- 1.11.8 The Transport Modelling (Submission Document Reference: ES/ST/01) undertaken for the Crawley Borough Local Plan has identified a number of junctions within the borough which are already at capacity or require mitigation following new

development. This is based on the growth proposals of the Crawley Borough Local Plan and the existing Local Plans for neighbouring authorities (the adopted Horsham District Planning Framework, Mid Sussex District Plan and the Reigate and Banstead Core Strategy and Development Management Plan). Further cumulative impacts from additional development close to Crawley will exacerbate existing capacity issues on roads within Crawley.

- 1.11.9 Scenario 3 in the Crawley Transport Modelling Study, June 2022 (Submission Document Reference: ES/ST/01) sought to consider further growth at Crawley, up to meeting the full Standard Method housing need from within the borough (at the time: 751 dwellings per annum) – for the purposes of the study the additional growth was located West of Ifield (3,750 dwellings) and West of Kilnwood Vale (1,546 dwellings).
- 1.11.10 Whilst the Crawley Transport Modelling scenario 3 included strategic development in the location to the west of Crawley, it is for the transport modelling for the respective Local Plans in the districts which are promoting the developments on the borough's boundaries to fully consider the impacts of the proposals on the network in combination with the other developments. This is set out in paragraphs 17.21 and 17.23 of the Crawley Borough Local Plan.
- 1.11.11 West Sussex County Council has supported all three authorities in preparing the Transport Modelling for each Local Plan to ensure consistency in approach and in-combination development and impacts are taken into account for all of the studies. For Crawley and Horsham, the same consultants have undertaken the studies.
- 1.11.12 The Crawley Local Plan seeks to address potential impacts from strategic development outside the administrative boundary. In particular, the Local Plan Policy ST4: Area of Search for the Crawley Western Multi-Modal Link is proposed to support further work to be carried out in the future by the appropriate body responsible for delivery of the route in order to address significant development to the west of Crawley. The Transport Modelling Study also provided a sensitivity testing in the case of a Crawley Western Link Road (Chapter 9, pages 113-116).

#### Education

- 1.11.13 West Sussex County Council Local Education Authority advises the three Northern West Sussex authorities in relation to educational needs. This advice is reflected in the Crawley Infrastructure Plan, page 22 (Submission Document Reference: KD/IP/01), and in the Northern West Sussex Statement of Common Ground, July 2023, pages 6-7.
- 1.11.14 In particular, opportunities for Crawley's secondary education needs to be addressed through neighbouring development has formed a key part of the discussions relating to strategic development 'at Crawley', as set out in the Infrastructure Plan, page 22.

#### Waste Water Treatment

- 1.11.15 The Duty to Cooperate Statement, Issue G (section 3.7, pages 44-47) confirm the joint working undertaken in relation to waste water treatment. This has included joint meetings across the Northern West Sussex Authorities with Thames Water, the waste water infrastructure provider for Crawley, and the joint commissioning of the

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Water Cycle Study evidence document, August 2020 (Submission Document Reference: ES/SDC/09).

- 1.11.16 The outstanding issue and ongoing cooperation action for this matter (Duty to Cooperate Statement, page 47) is identified as requiring continued liaison to understand sewage treatment capacity and its timetable for upgrades at Crawley Wastewater Treatment Works particularly in relation to longer term strategic development proposals 'at Crawley'.

### At Crawley

- 1.11.17 CBC does not believe that the Crawley Borough Local Plan would impede future sustainable patterns of growth 'at Crawley'. The Local Plan has acknowledged that potential extensions to Crawley may include extensions to the east and/or west of the borough boundary (paragraph 2.32). The Sustainability Appraisal has been undertaken in this context.
- 1.11.18 Indeed, the Local Plan has been prepared within the framework of proposals coming forward for strategic development adjacent to Crawley being promoted through the Local Plans of the neighbouring authorities. The introductory text to the Housing Chapter (paragraphs 12.17-12.23) clearly sets out the context in which the Local Plan has been prepared in respect of urban extensions 'at Crawley'.
- 1.11.19 The Local Plan Review evidence has sought to understand the implications of emerging proposals in combination with the growth proposed within the borough by the Crawley Borough Local Plan.
- 1.11.20 The Local Plan Policies reflect a position which would be a sound and robust, appropriate strategy for Crawley in the event of strategic development coming forward on its boundaries. In particular, this has considered where development connections would result in infrastructure impacts within the borough (such as Policy ST4).

## Issue 3: Habitat Regulations Assessment

- 1.12 Question 1.12: Is the Habitats Regulation Assessment (HRA) – January 2023 (Document KD.HRA.01) robust in concluding, after carrying out an appropriate assessment, that the policies and proposals in the plan (alone or in combination with other plans/projects) would not have an adverse effect on the integrity of proximate protected sites?
- 1.12.1 Crawley Borough Council (CBC) confirms that the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01), alone and in combination with other plans/projects, would not have an adverse effect on the integrity of proximate protected sites. This is established by the conclusions of the Habitats Regulations Assessment (HRA), 2023 (Submission Document Reference: KD/HRA/01).
- 1.12.2 CBC commissioned Lepus Consulting Ltd. to undertake the Habitats Regulations Assessment. This involved both the screening and appropriate assessment processes. The screening process did not include any measures intended to avoid or reduce the harmful effects on a European site. The appropriate assessment considered the potential impacts on the qualifying features of the European sites

and took into consideration mitigation measures which are secured through policies proposed in the Crawley Borough Submission Local Plan. This concluded that the Crawley Local Plan will have no adverse impacts on the integrity of any European sites either alone or in-combination.

- 1.12.3 This has been confirmed through an additional note, set out in Appendix A to this Written Statement, provided by Lepus Consulting in response to Question 1.12 and 1.13.
- 1.12.4 Natural England was consulted on the Habitats Regulations Assessment, both as part of the final preparations of the Report ahead of the Full Council decision and as part of the Regulation 19 Consultation. They formally confirmed they concur with the conclusions of the Crawley Borough 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 (REP/113, 2023).
- 1.13 Question 1.13: Is there sufficient certainty with regards to protected habitats in the Arun Valley that potentially adverse effects on the qualifying features of these habitats arising from policies and proposals in the Plan (in combination with other plans and projects) with regards to water neutrality can be avoided through effective mitigation? Is there sufficient evidence, for example from pilot projects or modelling, to inform the appropriate assessment's analysis that proposed mitigation would be effective? Can a positive conclusion under the Habitats Regulations be arrived at when the details of implementing an offsetting scheme are presently being worked on?
  - 1.13.1 In September 2021, Natural England provided a position statement to Local Planning Authorities (LPAs) regarding potential applications within the Sussex North WRZ and their impact on a number of designated sites including Amberley Wild Brooks Site of Special Scientific Interest (SSSI) and Pulborough Brooks SSSI. These SSSIs form part of Arun Valley SPA, Arun Valley SAC and Arun Valley Ramsar sites. The position note was followed up in February 2022 by Natural England with an advice note regarding water neutrality (Post-Submission Document Reference: PS/ES/SDC/14). It cannot be ruled out that further development within the Sussex North WRZ would not result in an adverse impact upon the Arun Valley SPA, Arun Valley SAC and Arun Valley Ramsar sites. Natural England's 2022 advice note identified water neutrality as an option to ensure that future development can proceed in a manner that does not further adversely affect these European sites.
  - 1.13.2 The appropriate assessment provided an assessment of the impact of new development set out in the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) upon the site integrity of these designations in terms of water abstraction, both alone and in-combination with other development in the WRZ area. Without mitigation, adverse impacts were identified in the 2023 HRA Report. Mitigation was therefore required to demonstrate water neutrality for all development within the Sussex North WRZ (alone and in-combination).
  - 1.13.3 The detailed joint working carried out with the other affected authorities to find a solution to this matter is set out in the Joint Water Neutrality Topic Paper, May 2023

and July 2023 Update (Submission Document References: DS/TP/00a and DS/TP/00b).

- 1.13.4 The approach agreed through Sustainability Appraisal/Strategic Environmental Assessment (Submission Document Reference: KD/SA/01), Habitats Regulations Assessment, technical evidence and viability testing is set out in the Local Plan Policy SDC4: Water Neutrality. This policy requires all new development within the Sussex North WRZ to be water neutral. This is to be achieved by ensuring development is as water efficient as possible, requiring no more than 85 litres per person per day for new residential development and for non-domestic buildings to achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard. The remaining water use needs to be offset from current water use elsewhere within the Water Resource Zone. The Policy also allows for developers to use alternative water supplies outside the Water Resource Zone can also be used.
- 1.13.5 Based on the Crawley Homes pilot scheme it can be concluded with certainty that offsetting will deliver appropriate water neutrality mitigation for Local Plan development. The modelling set out in the Part C Study, December 2022 (Submission Document Reference: ES/SDC/05) confirms that there are sufficient deliverable opportunities for offsetting within the Water Resource Zone to enable in-combination development to come forward over time. This includes the implementation of the authorities joint offsetting scheme but the Policy also allows developers to source their own offsets, or alternative water supplies. This mitigation is secured through Policy SDC4: Water Neutrality. The appropriate assessment therefore concluded no adverse impact on the site integrity of the Arun Valley SAC, Arun Valley SPA or Arun Valley Ramsar site alone or in-combination.
- 1.13.6 Natural England has confirmed their endorsement of the Statement of Common Ground (Submission Document Reference: SoCG/03) and the Strategic Approach to achieving water neutrality (Post-Submission Document Reference: PS/ES/SDC/16).

## Issue 4: Climate Change

- 1.14 Question 1.14: Has the Council had regard to Section 19 of the 2004 Planning & Compulsory Purchase Act (As amended) requiring development plan documents to include 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? Which are the policies and how will they be monitored for their effectiveness?
  - 1.14.1 Section 19 (1A) of the 2004 Planning & Compulsory Purchase Act (As amended) sets out that 'Development plan documents must (taken as a whole) include 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.'
  - 1.14.2 The Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) has been prepared in accordance with this provision.
  - 1.14.3 The policies which are designed to secure that development and use of land contributes to the mitigation of, and adaptation to, climate change are detailed in



Topic Paper 6: Climate Change, July 2023, paragraph 1.1, page 5 (Submission Document Reference: DS/TP/06) as follows:

- SD1: Presumption in Favour of Sustainable Development
- CL4: Compact Development – Layout, Scale and Appearance
- CL6: Structural Landscaping
- DD4: Tree Replacement Standards
- GI1: Green Infrastructure
- GI2: Biodiversity Sites
- GI3: Biodiversity and Net Gain
- SDC1: Sustainable Design and Construction
- SDC2: District Energy Networks
- SDC3: Tackling Water Stress
- SDC4: Water Neutrality
- EP1: Development and Flood Risk
- EP2: Flood Risk Guidance for Householder Development and Minor Non-Residential Extensions
- EP5: Air Quality
- ST1: Development and Requirements for Sustainable Transport
- ST2: Car and Cycle Parking Standards
- ST3: Improving Rail Stations

1.14.4 Topic Paper 6 sets out in detail how these Policies are designed to mitigate and adapt to climate change, including through the following means:

- Efficient use of land and the direction of development to sustainable locations served by transport infrastructure and local facilities;
- Reduction of greenhouse gas emissions caused by the operation of new development, and by the development process;
- Support for low/zero carbon energy generation;
- Ensuring that the location and design of new development will protect new and existing communities from flood risk and overheating;
- Protection and enhancement of biodiversity and green infrastructure.

1.14.5 The policies in the Plan (including those referred to above) are informed by key Sustainability Objectives which are identified in the Crawley Submission Sustainability Appraisal, May 2023, pages 32-34 (Submission Document Reference: KD/SA/01). Among these the following are particularly concerned with climate change mitigation and adaptation:

1. To mitigate climate change, by taking actions to reduce the concentration of greenhouse gases in the atmosphere.
2. To adapt to the effects of climate change by reducing the negative consequences of changes in the climate on people and the environment, or by achieving a positive outcome from the effects of climate change.
6. To conserve and enhance the biodiversity habitats, key landscape features, fauna and flora within the borough and minimise harm to those outside Crawley's administrative boundaries from activity within the borough.

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7. To reduce car journeys and promote sustainable and alternative methods of transport, whilst ensuring sufficient transport infrastructure is delivered to meet the requirements of the borough.

1.14.6 The proposed approach for monitoring the Local Plan, including the Policies and Sustainability Objectives referred to above, is set out in the Crawley Local Plan Monitoring and Implementation Framework, May 2023 (Submission Document Reference: KD/MIF/01). Indicators linked to the Sustainability Objectives referred to above are set out in the table below. Bold text indicates a proposed ‘critical’ indicator which will be monitored on an annual basis through the council’s Authority Monitoring Report, while the remaining indicators may be reported on over longer intervals:

<b>Indicator</b>	<b>Policies</b>	<b>Sustainability Objective</b>
Amount of new development which achieves moderate and high density levels meeting the requirements of Compact development, providing the potential to create efficiencies in the use of other resources, including energy supply, services and transportation.	CL1, CL2, CL3, CL4, CL5	1. To mitigate climate change
Proportion of new development with appropriate layout of pathways to encourage walking and cycling.	CL3, ST1	7. Reduce car journeys and promote sustainable transport
Amount of trees with Tree Preservation Orders lost per annum.	DD1, DD4	6. Conserve and enhance biodiversity & landscape
Number of trees and soft landscaping secured on site or through S106 contributions.	DD1, DD4, GI3	6. Conserve and enhance biodiversity & landscape
Proportion of new dwellings with single aspect windows facing within 45 degrees of east, west and south.	DD3, SDC1	2. To adapt to the effects of climate change
Amount and type of open space, sport and recreational spaces lost/gained per annum.	OS1, OS2	6. Conserve and enhance biodiversity & landscape
Number of passengers and staff using Gatwick Airport per annum and percentage arriving by public transport.	GAT3, ST1, ST3	7. Reduce car journeys and promote sustainable transport
Amount and type of development within areas designated for their nature importance.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Hectares/percentage of land in Crawley identified as Local Wildlife Sites.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Hectares/percentage of land in Crawley identified as Ancient Woodland.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Number of goals within a Management Plan met in a specified time period (five years).	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Number of Management Plans renewed in a five year cycle.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Change in areas of biodiversity importance.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Improved Local Biodiversity – proportion of Local Sites where positive conservation has been or is being implemented.	GI1, GI2	6. Conserve and enhance biodiversity & landscape
Number of trees and soft landscaping secured on site or through S106 contributions.	GI1, GI3	6. Conserve and enhance biodiversity & landscape
Percentage of Biodiversity Net Gain secured from new developments.	GI1, GI3	6. Conserve and enhance biodiversity & landscape
CO2 reduction from Local Authority activities.	SD1, SDC1, SDC2, EP5	1. To mitigate climate change



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Indicator	Policies	Sustainability Objective
<b>Per capita greenhouse gas and total emissions in the local authority area, including the breakdown for domestic buildings; industry; transport; and land use, land-use change, and forestry.</b>	<b>SD1, SDC1, ST1</b>	<b>1. To mitigate climate change</b>
Quantity of Residual household waste collected per household.	SD1, SD2	1. To mitigate climate change
Proportion of household waste recycled or composted.	SD1, SD2	1. To mitigate climate change
<b>Per capita water consumption.</b>	<b>SDC3, SDC4</b>	<b>2. To adapt to the effects of climate change</b>
<b>Net change in water demand within the part of Crawley which falls within the Sussex North Water Resource Zone.</b>	<b>SDC4</b>	<b>6. Conserve and enhance biodiversity &amp; landscape</b>
Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds.	EP1, EP2	2. To adapt to the effects of climate change
Number of planning permissions where Thames Water request a drainage planning condition.	EP1, EP2	2. To adapt to the effects of climate change
Number and Type of new noise sensitive uses in areas currently and potentially affected by unacceptable noise.	EP4	2. To adapt to the effects of climate change
Trends in annual mean NO2.	SD1, SDC1, SDC2, EP5	2. To adapt to the effects of climate change
Trends in annual mean PM10 concentrations.	SD1, SDC1, SDC2, EP5	2. To adapt to the effects of climate change
Proportion of significant scale developments which are high or moderate density and provide appropriate public transport accessibility.	ST1	7. Reduce car journeys and promote sustainable transport
Access to services and facilities by public transport, walking and cycling: The proportion of housing delivered on major developments which achieves the appropriate minimum densities.	ST1, ST2	7. Reduce car journeys and promote sustainable transport
Children travelling to school – mode of transport usually used.	ST1, ST2	7. Reduce car journeys and promote sustainable transport
Proportion of adults who do any walking or cycling, for any purpose.	ST1, ST2	7. Reduce car journeys and promote sustainable transport
Quantity or extent of development where a contribution is required to fund or part-fund the delivery/improvement or expansion of sustainable transport infrastructure, and particularly in relation to significant developments.	ST1	7. Reduce car journeys and promote sustainable transport
Number of people killed or seriously injured in road traffic accidents per 100,000.	DD1, ST1	7. Reduce car journeys and promote sustainable transport
Change in number of publicly available Electric Vehicle Charging Points within the borough.	ST2	7. Reduce car journeys and promote sustainable transport
Per capita and CO2 emissions from transport.	SDC1, EP5, ST1, ST2, ST3	7. Reduce car journeys and promote sustainable transport

1.14.7 Monitoring of the indicators will be undertaken with reference to baseline information provided in the Crawley Submission Sustainability Appraisal, Appendix E, pages 118-187.

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- 1.15 Question 1.15: Is the plan's approach to flood risk, including the site selection process, consistent with national policy and suitably precautionary, including modelling for the long term, to take account of the effects of climate change? Will the update to the Strategic Flood Risk Assessment (due mid November 2023) appropriately conclude the evidence required on this matter?
- 1.15.1 Crawley Borough Council (CBC) is of the view that the Crawley Borough Submission Local Plan's approach to flood risk, including site selection, is consistent with national policy and is suitably precautionary.
- 1.15.2 The original SFRA was published in September 2020. This was prior to the Environment Agency (EA) updating climate change allowances in May 2022, and updates to the Planning Practice Guidance (PPG) made August 2022, which included the functional floodplain (Flood Zone 3b) starting definition changing from a 5% Annual Exceedance Probability (AEP) event to a 3.3% AEP event, and the design flood now including the 1% AEP surface water flood (plus climate change).
- 1.15.3 CBC has worked with the EA to agree specific updates required to ensure the Strategic Flood Risk Assessment (SFRA) is in conformity with updated national policy. Through this joint working, the EA considered the SFRA 2020 (Submission Document Reference: ES/EP/02a-o) as fit for purpose, though advised that a re-running of the model to determine the 3.3% AEP extents would offer an outline for the suggested functional floodplain as set out in the August 2022 PPG update. Through the course of updating the SFRA, it was found that the hydrology associated with the Upper Mole flood model was outdated, meaning that new hydrology and a re-run of all other events may be required. Through discussion with the EA, it was agreed that a full re-run of the model would not be proportionate. As an alternative, the EA agreed with an approach whereby the 2% AEP outputs are used to derive Flood Zone 3b (1 in 50yr), providing a more precautionary approach to identifying the functional floodplain than is required by policy. In this regard, the EA advised that: *"we would not insist that significant amount of work were carried out by Crawley Borough Council to determine the 3.3% AEP extent if a suitable alternative that safeguarded areas at the greatest risk to flooding was available...It is reasonable to consider that the modelled 2% AEP event would also offer an extent that would be the same as, or in most areas, greater than a modelled 3.3% AEP extent. Therefore, we consider the use of the modelled 2% AEP extent as setting out a conservative approach to determining the functional floodplain for the Crawley Borough Council area and is a reasonable alternative in the absence of a modelled 3.3% AEP event"*.
- 1.15.4 The updated SFRA, to be submitted to the Examination by 10 November 2023 in accordance with the CBC Response to the Inspectors' Initial Note (Examination Document Reference: CBC/01), considers the impact of climate change using the Environment Agency climate change guidance (updated in May 2022). This shows that for watercourses in the Mole Management catchment, 12%, 20%, and 40% allowances should be considered for the 2080's epoch.
- 1.15.5 In relation to specific allocation sites, the SFRA update at 2% AEP (and allowing for climate change) has not significantly impacted upon Local Plan allocation sites. For Land adjacent to Desmond Anderson, the SFRA update brings a greater part of the site into Flood Zone 3b, but with around 78% of the site falling within Flood Zone 1 it

is possible to develop the site in a way that avoids built development within the floodplain. The position is similar at Forge Wood, where areas adjacent to the watercourse are already constrained by the presence of Flood Zone 3a, and remaining land parcels for development are situated outside the areas of greatest risk. For Land East of Balcombe Road/Street Hill, 98% of the site falls within Flood Zone 1.

- 1.15.6 As such, CBC considers the updated SFRA 2023 will appropriately conclude the evidence on this matter.

## Issue 5: Sustainability Appraisal (including Strategic Environmental Assessment)

- 1.16 Question 1.16: Does the Sustainability Appraisal (SA) (Document KD.SA.01) adequately and reasonably assess the likely effects of the policies and proposals of the Plan against the SA objectives (issues) and test the preferred / selected policy approach against any reasonable alternatives?
- 1.16.1 The Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) May 2023 (Submission Document Reference: KD/SA/01) assesses the likely effects of the policies and proposals of the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) against the Sustainability Appraisal (SA) objectives.
- 1.16.2 The SA objectives are set out in Table 4.2, following detailed assessment of the Baseline Information. Appendix E provides the Baseline Information, Trends, Plans, Policies and Programmes for each of the SA Topic Areas. This considers the issue, what the likely evolution would be without the Local Plan and the scope of what the Local Plan can and can't do.
- 1.16.3 For the strategy and each policy area, a series of options have been identified. The range of identified options for the strategy and each individual Local Plan policy were then considered against each of the SA objectives to determine which is the most sustainable approach. These are set out in Appendices F and G to the SA/SEA Report (pages 188-301).
- 1.16.4 The chosen option was identified through this process, and each policy has been tested against the reasonable alternatives considered by the council.
- 1.16.5 The council believes it has considered the reasonable alternatives for each policy. The SA and options appraisal was iterative with the preparation of the Local Plan and not considered to be a static position. The draft SA/SEA has been published at each stage of the Local Plan public consultations (Regulation 18 in 2019, Initial Regulation 19 in 2020, Additional Regulation 19 in 2021, and Further Regulation 19 in 2023). Section 3 of the SA (pages 21-25) explains the relationship between the SA and the Local Plan process. Figure 3.2 (page 25) illustrates the SA and HRA production with the Local Plan.
- 1.16.6 Appendices B-D of the SA/SEA (pages 55-117) provide the responses received from each of the consultations held in 2019, 2020 and 2021. All representations received to each Local Plan consultation in relation to the SA/SEA and the council's responses are set out in the CBC Officer Responses to Formal Consultation Representations

(Examination Document Reference: CBC/KD/CS/01k): Initial Regulation 19 Publication Consultation, 2020, pages 32-33; Additional Regulation 19 Publication Consultation, 2021, page 63; and Further Regulation 19 Publication Consultation, 2023, pages 104-105. Where additional alternative options were suggested through the consultations, the council considered whether these formed reasonable alternatives and whether they were substantially different to those already covered by the options considered.

1.17 [Question 1.17: Does SA adequately record why alternative options have been discounted?](#)

1.17.1 Appendices F and G to the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Report, May 2023, pages 188-301 (Submission Document Reference: KD/SA/01) provide extensive tables detailing the full assessment of policy options. The tables set out which is the chosen option and the explanation as to why it was taken. For each option, the analysis against each of the SA Objectives is set out showing the conclusions of the possible impacts. More detailed commentary is provided under each assessment for every option in relation to the reasons behind the assessment of the impacts.

1.17.2 On this basis, Crawley Borough Council believes that the SA adequately records why alternative options have been discounted and why the chosen option has been taken for all of the reasonable alternatives identified and considered by the council.

1.18 [Question 1.18: Does the SA \(including SEA\) adequately address the issue of water neutrality \(noting that both Natural England and the Environment Agency have both confirmed at Regulation 19 that they have no concerns regarding the SA/SEA for the Plan\)?](#)

1.18.1 The Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) May 2023 (Submission Document Reference: KD/SA/01) comprehensively and adequately addresses the issue of water neutrality. It is covered within the document in a number of key places:

- Chapter 6 (pages 37-44) explains the issue of water neutrality in relation to the Local Plan and the SA/SEA.
- More detail is provided in relation to the Baseline Information:
  - in Topic Area A: Climate Change, Sustainability, Sustainable Design and Construction (paragraphs A17-A36, and Monitoring Indicator A6, pages 125-130); and
  - in Topic Area E: Natural Environment (paragraphs E5-E13, pages 161-164).
- The Local Plan water neutrality policy (Policy SDC4) was subject to detailed policy assessment against reasonable alternative options, set out in Appendix G (pages 289-290).

1.18.2 As confirmed in the Water Neutrality Statement of Common Ground (Submission Document Reference: SoCG/03), paragraphs 4.6-4.7, pages 3-4, it has been agreed to progress a joint policy approach. The Water Neutrality Topic Paper, May 2023, paragraph 4.6, page 20 (Submission Document Reference: DS/TP/00) confirms that

the authorities have worked together to consider the effects of different policy options before appraising them through their individual sustainability framework. Individually and collectively it was found that the policy approach within the respective Local Plans was the preferred option.

- 1.18.3 Paragraphs 6.34-6.37 (page 44) of the SA/SEA (Submission Document Reference: KD/SA/01) explains the joint approach to the assessment of reasonable alternatives. Paragraphs 6.23-6.25 (page 41) reference discounted options and paragraph 6.26 (page 41) concludes the options considered reasonable alternatives to assess.
- 1.18.4 The SA/SEA was subject to public consultation alongside the Local Plan Further Publication Consultation (May – June 2023) and was subject to scrutiny by the Statutory Stakeholders. In particular, in relation to the topic of Water Neutrality, Natural England and Environment Agency confirmed they had no concerns with the SA/SEA. Natural England and Environment Agency both confirmed their endorsement of the approach as set out in the Water Neutrality Statement of Common Ground, July 2023 (Submission Document Reference: SoCG/03).
- 1.19 Question 1.19: Ultimately, does the SA report demonstrate that the submitted plan is justified, in that it comprises an appropriate strategy, having assessed any reasonable alternatives?
- 1.19.1 Crawley Borough Council (CBC) strongly believes that the SA/SEA Report, May 2023 (Submission Document Reference: KD/SA/01) demonstrates that the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) is justified.
- 1.19.2 It is an appropriate strategy for the borough having been assessed against reasonable alternatives.
- 1.19.3 It has been subject to public scrutiny at each stage of formal public consultation as part of the Local Plan Review process. It has been available for consultation as a document in its own right to the Statutory Consultees and for any other interested stakeholder.
- 1.19.4 It has formed an iterative part of the Local Plan Review process, being updated alongside the Local Plan and the assessment of policies and options has been refreshed at each stage (Submission Document References: KD/SA/01 – KD/SA/04).
- 1.19.5 Table 2.1 (page 16) of the SA/SEA Report confirms where the document is in conformity with SEA Directives.

## Issue 6: Policies Map

- 1.20 Question 1.20: Would it be necessary on plan adoption to modify or update the submitted Policies Map to (a) amend the buffer zone around the safeguarded minerals railhead; and (b) to show the brick clay safeguarding area in the West Sussex Joint Minerals Plan 2018 (Partial Review 2021)?
  - (a) Safeguarded Minerals Railhead Buffer Zone
  - 1.20.1 West Sussex County Council (WSCC), in its role as Minerals and Waste authority, advises that it is not necessary to display the buffer zone around the safeguarded mineral railhead. Crawley Borough Council (CBC) considers it is appropriate to make

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this change, and it is proposed that the buffer zone around the railhead is removed, as set out in the Local Plan Schedule of Suggested Modifications (Submission Document Reference: CBLP/07).

### **(b) Brick Clay Safeguarding Area**

1.20.2 WSCC has advised that it is a requirement under Paragraph 05 (Reference ID: 27-005-20140306) that district councils should show Mineral Safeguarding Areas on their policy maps. Although Crawley is a borough rather than district council, based on the WSCC representation we understand it is applicable to a borough council. Therefore, CBC considers it is appropriate to make the change WSCC suggests, and the council proposes to add the brick clay safeguarding area as set out in the Local Plan Schedule of Suggested Modifications (Submission Document Reference: CBLP/07).

Appendix A: Crawley HRA Technical Note, Lepus Consulting