



Crawley Borough Council
Local Plan Examination

Matter 1 Hearing Statements

November 2023



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MATTER 1: LEGAL COMPLIANCE AND GENERAL PLAN MAKING

Issue 2: Duty to Co-operate

Q1.6 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?

- 1.1.1 No. Whilst evidence has been presented that shows engagement between authorities, this engagement does not demonstrate effective cooperation, to secure sustainable patterns of development and ensure that the housing needs of the area are met in full. For cooperation to be able to demonstrate it has been effective cooperation, positive outcomes addressing identified issues are required. As it currently stands significant levels of housing will continue to be unmet in the period up to 2040 drawing in to question the effectiveness of the cooperation.
- 1.1.2 The Statements of Common Ground (SoCG) and Duty to Cooperate (DtC) statements outline that no authority can or are willing to help to accommodate unmet housing needs arising from Crawley. While this is not necessarily for Crawley to provide an answer for, Horsham have withdrawn their offer to accommodate unmet housing needs in the previous iteration of their Local Plan due to water neutrality issues. However, this is not a positive or proactive approach to plan-making and neighbours should have outlined their ability to accommodate housing needs subject to mitigation solutions being secured to water neutrality. Indeed, Crawley should have actively pursued and challenged their neighbours in this regard to ensure that their identified housing needs could be delivered. Further detail is set out in response to question 1.7.
- 1.1.3 Based upon Page 6 of the Northern West Sussex Housing Market Area Statement of Common Ground: Housing Need July 2023, the reason effective outcomes have not been achieved can be attributed to the process that was undertaken. In the four-stage process undertaken, environmental and infrastructure constraints should have been the fourth stage in the process. Instead, they have been applied too early in the

determining of capacity to address unmet needs and limited the effectiveness the apportionment could have ever achieved.

- 1.1.4 Relying on the water neutrality issue conflicts Planning Practice Guidance which states that:

'Effective cooperation enables strategic policy-making authorities and infrastructure providers to establish whether additional strategic cross-boundary infrastructure is required.'

- 1.1.5 It then goes on to state:

'Authorities which agree to take additional housing from other areas may in turn require investment in infrastructure provision to support this. Where effective cross-boundary working can be demonstrated in the statement of common ground, this could be used as evidence when trying to secure grants for infrastructure where effective joint working forms part of the assessment criteria.'

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- 1.1.6 With an expectation that the environmental issue can be addressed within the plan period, agreeing the apportionment of unmet housing now would ensure that the authorities can present the case for funding of any necessary infrastructure now, rather than simply deferring the issue.

Q1.7 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?

- 1.1.7 This is primarily for the Council to answer. However, it appears that there has been limited consideration of the wider housing needs, supply or strategy across the Housing Market Area (HMA) and particularly ensuring that housing needs can be addressed following the notice of Water Neutrality issues arising. The evidence

¹ Paragraph: 016 Reference ID: 61-016-20190315

presented in Topic Papers 3 and 4 outlines no consideration of housing needs and supply beyond Crawley,

- 1.1.8 Crawley and the other HMA authorities should have proactively prepared a joint evidence base, including a SHLAA, to fully understand the position of meeting housing needs across the region to ensure that their housing needs over the emerging plan period can be met in full, particularly following the identification of the water neutrality issues. This approach has been undertaken previously by CBC, Mid Sussex and Horsham Councils in the form of the 'At Crawley Study (2009)', 'New Market Town Study (2010)' and 'West Sussex Bio City (2010)'.
- 1.1.9 If the identified housing needs cannot be met in full now, a solution and strategy to ensure these houses are delivered over future years must be provided. Crawley should have also sought to engage with authorities outside of the North West Sussex HMA and explored every avenue to deliver their identified housing needs in full.

Q1.8 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"?

- 1.1.10 The Statement of Common Ground (SOCG) does not meet the guidance with PPG paragraph 61-022-20190315 and the authorities within the HMA should have directed every effort to ensure that the housing needs of the area could be met.
- 1.1.11 The latest SOCG (July 2023) refers to housing need and supply evidence from 2018 and does not acknowledge the emerging Local Plans of any of the LPAs. Furthermore, the SOCG does not acknowledge that Southern Water's draft Water Resource Management Plan WRMP 2024 which notes that Southern Water is planning to address the supply-demand balance in SNZ as quickly as possible and that the Littlehampton Water Recycling Scheme could from 2027–28 create sufficient supply-demand headroom to stop any reliance on the Pulborough groundwater source; in addition to the capacity generated by the emerging WRZ Offsetting Scheme.

- 1.1.12 Although this is primarily for Horsham District Council (HDC) to answer, it is unclear why HDC have outright rejected the ability to accommodate unmet housing needs arising from Crawley due to the water neutrality issues, despite previously outlining their ability to accommodate 150 dwellings per year. As justification, their Duty to Cooperate (DtC) statement dated 19th April 2023 outlines, "...the current water neutrality evidence indicates that we could deliver a Local Plan that averages 800 homes per year when accounting for development elsewhere in the Sussex North Water Resource Zone, including within Crawley Borough", which is lower than their Local Housing Need figure.
- 1.1.13 Firstly, it is unclear where this evidence arises from as it does not align with the Water Neutrality Assessment reports, nor does it account for the Southern Water's WRMP proposals. Authorities across the HMA should be confirming their ability to meet identified housing needs with caveats outlining that deliverability of the supply is subject to meeting neutrality requirements.

Q1.9 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?

- 1.1.14 This is primarily for the Council and other HMA authorities to answer, however given the evidence presented within the SOCGs and DtC statements and the recent publication of HDC's updated Local Development Scheme which identifies that a Regulation 19 consultation will take place in 2024, it does not appear that there has been any discussion or consideration of aligning plan making across the HMA.
- 1.1.15 Awaiting further clarity from HDC in their plan-making preparation and evidence would have provided a greater understanding in the ability of HMA authorities to accommodate unmet housing needs, particularly given the West Of Crawley site in Horsham, promoted by Homes England, and its functional relationship to Crawley Borough.

- 1.1.16 Although it is usually not advisable to delay plan-making, given that clarity on the timescales for an operational offsetting scheme are anticipated in the next few months, which would enable more accurate forecasting in relation to the deliverability of residential development. Crawley should have looked to align plan-making with Horsham and the progression of the offsetting scheme to ensure effectiveness of the plan.

