Elizabeth Brigden Planning Policy Manager Crawley Borough Council

31 January 2024

Dear Elizabeth Brigden

Crawley Borough Local Plan 2040 - Post Hearings Advice

- 1. As discussed at the hearing session on 16 January 2024 we are setting out in this letter our initial preliminary findings on a number of strategic soundness matters. This letter does not address every issue raised through our matters, issues and questions document and our report will provide a more comprehensive assessment of overall plan soundness. In this letter and in the attached appendix we seek to clarify the proposed main modifications that would be necessary for plan soundness.
- 2. As a starting point, we are satisfied that the preparation of the submitted Plan has met the legal requirements of the Duty to Cooperate. We will set out our reasoning on this in full in our report. Consequently, this letter focuses on key matters of plan soundness only.

Plan Period

3. The end date of the submitted plan is sound and would provide the required 15 year horizon for strategic policies on plan adoption as required by NPPF paragraph 22. As discussed at the hearings, we recommend that the base date of the Plan is clarified as 1 April 2023, so that the plan period is clearly 2023/24 to 2039/40. This would align with the submitted evidence base and would be supported by the revised housing land and employment land trajectories. The ramifications of this would be to address an additional (755dpa) with corresponding updates to Policy H1 in terms of both housing need and the supply-led housing requirement. Following the Part 1 hearings the Council has reflected on this and in general terms we consider that the relevant changes that the Council has proposed would be necessary for plan soundness.

Housing Requirement and Land Supply

4. Given the clear constraints facing the Borough, the submitted approach of presenting the housing requirement as a supply-led figure

Gatwick Airport

9. Overall, we find the general approach to Gatwick Airport to be sound, albeit matters of detail will need to be addressed. On the fundamental issue of the need to safeguard land to deliver an additional wide-spaced runway we consider the combination of the 2019 Airport Masterplan and the ongoing process of clarifying the need for additional

safeguarded land identified the submitted Plan. Reference has also been made to the need for potentially some 35ha to relocate existing employment uses that may be displaced by a second wide-spaced runway. Again, we will address this in our report

- that some development may need to be permitted on a temporary basis.

17. The examination has received and heard appreciable submissions regarding Policy GAT3 (Airport related car parking), Policy GAT4 (employment uses at Gatwick) and the definition of the Airport boundary. We are not recommending any main modifications would be necessary for plan soundness on these matters and we will set out our reasoning for this in full in our final report.

Gatwick Green

- 18. In summary, having found the approach to safeguarded land sound, we find the principle of a strategic employment land allocation at Gatwick Green to be soundly based. We will set out more detail in our report, including the benefits of meeting employment needs within the Borough, why Gatwick Green would be an appropriate strategy compared to alternative options.
- 19. The land extent of the proposed allocation at Gatwick Green amounts to some 44ha. As set out above, the minimum residual employment land requirement would need to increase from 13.73ha to 17.93ha as a matter of soundness. Policy EC4 as submitted differentiates between accommodating the balance of the remaining minimum employment requirement and for the justification of any further industrial floorspace beyond this amount. From everything we have read and heard there is little dispute that the full 44ha site has been allocated in the submitted Plan. The site would need to be comprehensively master-planned such that the ultimate net developable area would be less than 44ha but more than 17.93ha. As such there would be capacity and flexibility at the Gatwick Green site to respond to changes in economic circumstances as per NPPF paragraph 82 d). Accordingly, we recommend for soundness that the second part of criterion a) is deleted so that the site is straightforwardly required to provide as a minimum the 17.93ha residual industrial land and for this to be predominantly for B8 storage and distribution use. We are satisfied that criterion b) in terms of ancillary uses at the site is sound.
- 20. We understand that transport implications have been assessed on permutations of floorspace figures depending on the transport intensity of end-users. We do not consider that further transport modelling would be required for plan soundness in light of our recommended modification to criterion (a). We agree that Policy EC4 should be amended so that the required Mobility Strategy will set out how a master-plan level vision for movement will be achieved (as per endorsed in DfT Circular 01/22). This would link to ongoing work through the emerging Transport Infrastructure Management Group in terms of the Infrastructure Delivery Schedule and understanding when anticipated transport mitigations may be required. Moreover, in addition to

transport modelling already undertaken in support of the submitted Plan³, criterion c) of Policy EC4 requires a

recommend the proposed wording to Policy H8 put forward by the Council in Schedule 7e as a main modification. This would provide further clarity on what would be meant by

by reference to the higher 60db and 66db noise exposure levels respectively.

Allocated housing Sites (Policy H2)

- 25. Although the Plan does not include detailed individual housing site allocation policies, it does identify specific sites within Policy H2. Many of these are the subject of recent approvals or are at an advanced stage in the planning process. Overall, ability to be delivered and/or developed to be appropriate. We are also satisfied that they have sufficient regard to the most recent Strategic Flood Risk Assessment.
- 26. The site at Tinsley Lane would provide sufficient facilities for Oakwood Football Club. We do not wish to provide any comment on matters within the extant outline application for planning permission. However, the possibility of provision for allotments within the site should remain in the policy in line with the adopted development brief, as we do not consider there to be sufficient justification for its removal.
- 27. We support the retention of Land to the east of Balcombe Road as a site allocated within Policy H2, as this provides the most deliverable option for rehabilitation and future management of the Local Wildlife Site.

30. The Plan supports a sustainable approach to development, specifying higher density ranges in appropriate locations, in recognition of the compact nature of the built-up area. Commensurate parking standards would also be applied across the borough in line with the approach adopted by West Sussex County Council. A flexible approach to open space provision specifies appropriate provision for various types of development and resists the loss of any space. Tall buildings are generally restricted by local aviation policy. Provision for access is also appropriate. Overall, we consider that the proposed policies would provide a suitable flates given for (ce) sages for the consideration of the compact for the compact for the compact flates for the consideration for the compact flates flates for the compact flates flates flates for the compact flates flat

- 36. Although the proposed link has not been included in previous plans, it has been a long-held aspiration of the Council and its partners to provide for future growth to the west of the Borough. Policy ST4 along with the Policies Map identifies the area of search which includes land within the area safeguarded for a potential future southern runway at Gatwick Airport.
- 37. This policy is intended to act as a high-level statement of intent to develop the link and to identify the area of search as shown on the Policy Map. It does not contain detail on the exact route, which is reserved for further study. Nonetheless, we find the policy, at a strategic, high-level to be sound. Whilst it does not specifically prevent development within the area of search, its non-inclusion in this Plan could result in development that inhibits a logical route from being constructed in future years.
- 38. For these reasons, we recommend that Policy ST4 is identified as a strategic policy. It has a cross-boundary dimension and relates to high-level infrastructure for transport (Framework paragraphs 21 and 20b, respectively).
- 39. The area of search is sufficiently flexible to take account of the various constraints identified within the evidence base and reasoned justification. Incursion within the Gatwick safeguarded area or on any other site does not necessarily mean that the route would prevent future development, given the further scoping and viability exercises that would need to be undertaken prior to any committed narrowing of the search area and detailed planning.
- 40. We support, and therefore recommend, main modifications proposed by various parties to strengthen the environmental considerations of the policy.

Next Steps - Finalising the Schedule of Main Modifications and consultation.

- 41. In general, because the submitted plan incorporates various policies that were found sound against the then NPPF in 2015, and the Council has undertaken three Regulation 19 exercises with attendant amendments at each stage, there are relatively few main modifications we would need to recommend for plan soundness, having found that many of the key components of the Plan (identified above) would be essentially sound. Various main modifications were discussed at the hearings, and we set out in the appendix to this letter those we consider would be necessary for us to recommend. As confirmed by the Council on plan submission in July 2023, a request for us to recommend main modifications has already been provided in accordance with Section 20(7) of the 2004 Planning & Compulsory Purchase Act.
- 42. We now invite the Council to finalise the schedule of proposed main modifications. Where there are a number of component changes to an individual policy (for example Policy EC4) we recommend that these are presented as one single composite main modification to the policy, rather

than a series of individually referenced modifications. As already provided in

Plan (all references are to the Policy or paragraph number in the May 2023 proposed submission Plan)	Summary of Main Modification	Soundness Reason
Plan Period Paragraph 1.34 Paragraph 2.47 Paragraph 9.6	Clarification it would be 2023/4 to 2039/40	Effectiveness Justified
Plan Vision	Amend number of new homes to be built over plan period to 5,330	Effectiveness

Paragraph 2.19

Policy IN2 Location and Provision of New Infrastructure

Insert reference to
Infrastructure Delivery
Schedule and amend for
accessibility for major
facilities by reference to
public transport and/or
active travel routes.

Effectiveness

	will be considered in respect of employment and skills development (Policy EC5)	
Policy GAT1	Amend criterion (iii) re. biodiversity compensation	Effectiveness
Policy GAT2	Additional clarification on what is meant by	Effectiveness

	environmental	
	constraints.	
Planning Obligations Anne	X	
Page 282	Clarifications re part (ii) of Policy EC5	Effectiveness
Page 284	Amendment to calculation	Effectiveness
Pages 285-6	Clarifications for affordable housing to align with modifications to Policy H5	Effectiveness
Parking Standards Annex		
Page 298	Amend Electric Vehicle Charging Infrastructure requirements	Justified
Noise Standards Annex		
Pages 307-312	Various changes in relation to the SOAEL and Unacceptable Adverse Effect levels including the insertion of figure 2.	Justified

Whilst it is not our role to examine the Policies Map, the following modifications to the Policies Map should be presented in a separate schedule alongside the proposed main modifications:

Policies Map Modification:	
Addition of the Brick Clay Resource	Consistency with West Sussex Joint
Consultation Area (including buffer	Minerals Local Plan 2018 (Partial
zone)	Review 2021).
Deletion of Safeguarded Railhead	Mapping clarity.
Buffer Zone	
Corrections to the views sinte. Deliev	

Corrections to the viewpoints Policy CL7