The Planning Inspectorate

Report to Crawley Borough Council

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Inspectors appointed by the Secretary of State

Date: 6 September 2024

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Crawley Borough Local Plan 2024-2040

The Plan was submitted for examination on 31 July 2023

The examination hearings were held between 21-23 November 2023 and 9-16 January 2024

File Ref: PINS/Q3820/429/9

Contents

Abbreviations used in this report

DCO	Development Consent Order
DPA	Dwellings per annum
DtC	Duty to Cooperate
EGA	Economic Growth Assessment
ELAA	Employment Land Availability Assessment
FEMA	Functional Economic Market Area
HWNL	High Weald National Landscape[1]
GAL	Gatwick Airport Limited
GAMP	Gatwick Airport Master Plan
GTAA	Gypsy & Traveller Accommodation Assessment
IDS	Infrastructure Delivery Schedule
IP	Infrastructure Plan
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LPAB	Local Plan Airport Boundary
LPCVA	Local Plan & CIL Viability Assessment
MM	Main Modification
MPPA	Million Passengers Per Annum
MSA	Market Signals Assessment
MSCPs	Multi-Storey Car Parks
NPPF	National Planning Policy Framework
NRP	Northern Runway Project
OEMP	Operational Efficiency Master Plan
PD	Permitted Development
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
NWS	Northern West Sussex[2]
NWSEGA	Northern West Sussex Economic Growth Assessment
NWSHMA	Northern West Sussex Housing Market Assessment
RBBC	Reigate & Banstead Borough Council
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SHLAA	Strategic Housing Land Availability Assessment
SNWRZ	Sussex North Water Resource Zone
SPA	Special Protection Area
SPD	Supplementary Planning Document
SoCG	Statement of Common Ground
WSCC	West Sussex County Council

[1] On 22 November 2023 Areas of Outstanding Natural Beauty (AONBs) were re-termed "National Landscapes".

[2] We use this term as an umbrella for the authority areas of Crawley, Horsham and Mid Sussex

Non-Technical Summary

This report concludes that the Crawley Borough Local Plan 2024-2040 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications (MMs) are made to it. Crawley Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. In some cases, we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Clarification of the plan period (in effect extending it by one year) with associated amendments to the housing and employment land requirements and a revised stepped housing trajectory;
- Various amendments to the policy for the Gatwick Green strategic employment site to more positively provide for employment needs over the plan period and to ensure a comprehensive and coordinated development that complements any planned expansion at the adjacent Gatwick Airport;
- Clarifications on the type and scale of development to be supported within the area safeguarded for Gatwick Airport;
- Various amendments to improve the clarity and justification of planning obligations sought in relation to affordable housing and employment skills; and
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Crawley Borough Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021[3] (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.

2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Crawley Borough Local Plan 2024-2040, submitted in July 2023 is the basis for our examination. It is the same document as was published for further consultation in May 2023 following previous consultations under Regulation 19 in January 2020 and January 2021.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2** etc, and are set out in full in the Appendix.

4. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to consultation for six weeks. We have taken account of the consultation responses in coming to our conclusions in this report. We have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal/habitats regulations assessment that has been undertaken. Where necessary we have highlighted these amendments in the report.

[3] An updated version of the NPPF was published on 19 December 2023. Paragraph 230 of the 2023 NPPF is clear that plans submitted prior to 19 March 2024, should be examined against the 2021 NPPF, which was extant at the time of plan submission.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Crawley Local Plan Map as set out in document CBLP/M/01.

6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.

7. These further changes to the policies map were published for consultation alongside the MMs [Crawley Local Plan Map Modifications Consultation Version – February 2024 – document MC/CBLP/M/01]

8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Crawley Local Plan Map [CBLP/M/01] and Crawley Local Plan Map Modifications Consultation Version – February 2024 published alongside the MMs.

Context of the Plan

9. The Crawley Borough Local Plan 2024-2040 would supersede the Crawley Local Plan 2015 in full. The submitted plan is an amalgam of new policies and those updated, where necessary, from the 2015 Local Plan. The Plan set outs strategic policies for the Borough for the next 15 years, including a positive framework to support and deliver a revitalised town centre.

10. The Plan area is geographically small comprising the main built-up area of Crawley, Gatwick Airport and remaining open land between the town and the Airport. Crawley was designated a new town in 1947 and expanded on planned residential neighbourhoods each with their own facilities. The principal employment estate is at Manor Royal, which is a major employment hub of sub-regional significance. Ongoing development at Forge Wood represents a major new community for housing within the Borough during the Plan period. Elsewhere housing development at the edge of Crawley is occurring within either Horsham or Mid Sussex Districts, reflecting that land supply within the administrative boundary of the Borough is highly constrained.

11. Gatwick Airport exerts a strong influence over the Borough both as a major employer (directly and indirectly) and in terms of transport networks including bus services, rail and the M23. Land to south of the existing airport has been safeguarded for approximately the last twenty years to enable the option of a second wide-spaced runway at Gatwick Airport, if required.

12. To the south of the Borough is the High Weald National Landscape (HWNL). This verdant setting is complemented by extensive green infrastructure throughout the town. Large parts of the Borough are within the Sussex North Water Resource Zone (SNWRZ) where it is necessary to achieve water neutrality to avoid an adverse effect on qualifying features of the protected habitats of the Arun Valley Special Protection Area (SPA), Arun Valley Special Area of Conservation (SAC) and Arun Valley Ramsar[4] sites.

Public Sector Equality Duty

13. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the accommodation needs for gypsies and travellers, older persons accommodation, accessible and adaptable housing and access to community facilities. The Sustainability Appraisal (SA) of the Plan has iteratively considered the potential effects of the Plan on those with protected characteristics, such that the three aims expressed at S149 of the Equality Act have been appropriately taken into account in plan-making.

Assessment of Duty to Co-operate

14. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.

15. Crawley is geographically a small borough. Nearly all of the undeveloped land immediately to the north of the town has been safeguarded as part of the development plan since 2007 so as not to preclude the possibility of a second wide-spaced runway at Gatwick Airport. The previous 2015 Local Plan resulted in significant unmet housing and employment needs due to this constrained land availability. These were largely accommodated by neighbouring authorities as part of their subsequent plan-making[5].

16. The submitted Plan seeks to accommodate the proposed full employment land requirement over the Plan period. It is evident, including through statements of common ground (SoCG), that Crawley has engaged with neighbouring

[4] Ramsar Convention on Wetlands of International Importance (UNESCO) 1971
[5] Horsham, Mid Sussex and Reigate & Banstead

authorities on employment land matters, and this extended to various jointly prepared evidence base documents[6].

17. We are mindful that the Plan's employment land requirement is predicated to an appreciable degree on the reduced housing requirement. Accordingly, the SoCG with Horsham recognises that any strategic growth adjacent to Crawley in its Plan may not necessarily meet Crawley's unmet housing needs and therefore it would be anticipated that some employment needs arising from an urban extension may need to be met in Crawley (as the adjacent and dominant employment centre). Any remaining employment need arising from the development may be accommodated in the urban extension itself, or if necessary, accommodated elsewhere within neighbouring districts. This points to an element of unmet employment land needs should development West of Crawley be identified and allocated (in an adopted Plan) on the basis of meeting some of the Borough's unmet housing needs.

18. In light of the above, through the Duty to Cooperate (DtC) process, Northern West Sussex (NWS) authorities have signalled that they will ensure a sufficient supply and choice in employment floorspace through respective plan-making[7]. There is agreement that the latest Economic Growth Assessment work is appropriate for the wider NWS area, including the identification of at least 26.2ha of employment land for Crawley. There is also agreement within NWS on Crawley's approach to release a new strategic employment site. We deal with the soundness of this site later in this report but note here that at 44ha the proposed Gatwick Green site in this Plan could provide some headroom to accommodate needs arising from any urban extensions adjacent to Crawley that had capacity to meet some of the Borough's unmet housing needs. This would be addition to any potential capacity in Horsham District that may further assist any wider unmet employment land needs[8].

19. Because Crawley was seeking to meet its (labour demand) employment land needs in full, we do not consider it was necessary that the DtC process explored the consequences of not releasing a strategic employment site. This is not what Crawley were planning for. The outcomes of the DtC process demonstrate cross-boundary support from adjoining authorities (and others) for Crawley's proposed approach to releasing a new strategic employment site at Gatwick Green as part of the submitted Plan.

20. Under the standard method for calculating local housing need, the annual figure for the Borough has increased to 755 dwellings per annum (dpa), compared to the previous objectively assessed need of 675dpa. It was clear from an early stage of plan-making that Crawley would be unable to accommodate all its

[6] Northern West Sussex Economic Growth Assessment
[7] Paragraph 13 of Northern West Sussex SoCG July 2023 [Document SOCG/01]
[8] Horsham District Council Regulation 19 Representations 20 June 2023 page 2

housing need. This raises two strategic planning matters for the DtC. The first is the effort and extent of engagement from Crawley in securing an effective outcome, in terms of gaining potential commitments from others to assist in meeting the significant unmet housing need. The second, which is allied to this, is securing effective outcomes in terms of any wider planned housing growth adjacent to Crawley's administrative boundaries.

21. In respect of unmet housing needs, the scale of the issue is significant, with the submitted Plan seeking to accommodate less than half of the identified housing need. The issue was clearly identified by the Council, significantly in advance of Plan submission, through various forums, including regular meetings of the Northern West Sussex Housing Market Area (NWSHMA) authorities. In addition to regular dialogue, the Council issued formal requests to NWSHMA authorities, and beyond, seeking assistance in meeting the unmet housing needs in January 2020 and April 2023. The focus for accommodating the unmet housing need is inevitably on the NWSHMA authorities given the need to secure sustainable patterns of development.

22. Significant weight has been placed on the fact that during the last round of plan-making, Crawley's unmet housing needs were largely accommodated within the NWSHMA. Based on the evidence in both the SoCGs and representations from Horsham and Mid Sussex that cannot be assumed to occur again for this Plan. Neither authority have committed during the preparation of Crawley's Plan to accommodate any of the unmet housing need. Both Horsham and Mid Sussex are advancing reviews of their local plans. This is taking place in the context of an approximate 25% uplift in housing need, such that the cumulative need figure across the NWSHMA has increased from 2,201dpa under the existing adopted local plans to a figure of 2,756dpa based on the standard method outputs at the time of this examination. Whilst it will be for each authority to ultimately determine precisely how much housing development it can sustainably accommodate within the suitable land available, the cautiousness of NWSHMA authorities to assist addressing the unmet housing need does not represent a failure against the DtC on Crawley's part.

23. The NWSHMA SoCG, to which West Sussex County Council (WSCC) is also a signatory, is significant on this matter of unmet need. This clearly establishes an agreed hierarchical approach that should capacity arise then unmet needs within the Housing Market Area (HMA) would take priority over any other anticipated requests to accommodate unmet need. We are satisfied that at the time of the preparation of Crawley's Local Plan this is as far as the authorities can practicably go in establishing a strategy in respect of Crawley's unmet housing needs. This reflects the combination of significantly increased housing need and further environmental constraints, including water neutrality.

24. In respect of a greater effort in engaging beyond the NWSHMA, the formal requests, particularly in April 2023, have gone well beyond the immediate HMA authorities. There is no doubt that Crawley have cast a wide net and the various SoCGs with authorities in both Sussex and Surrey demonstrate the reasonable endeavours Crawley has undertaken to explore whether its unmet needs could be met elsewhere. Given the various constraints, including, Metropolitan Green Belt to the north in Surrey, Ashdown Forest SAC and SPA to the east, the HWNL and South Downs National Park to the south, it is perhaps unsurprising that Crawley's request for assistance from further afield has not elicited a positive response as part of the DtC.

25. Wider growth around Crawley has been considered as part of the regular engagement between the Borough and its neighbouring planning authorities. Options which would be, in spatial terms, strategic urban extensions to Crawley, have been consulted on as part of current plan preparation in both Horsham and Mid Sussex[9]. In the scenario that such development was to be allocated we are satisfied that neighbouring authorities are aware of Crawley's requirements, not least an acute affordable housing need and a secondary education capacity issue. Evidence, including the Joint Area Action Plan for West of Bewbush, the Planning Performance Agreement for West of Ifield and planning obligation negotiations in Mid Sussex, provides confidence that there would be effective, on-going joint working were major growth allocated adjacent to Crawley. We are also satisfied that the submitted Plan before us would not inhibit or preclude sustainable development adjacent to Crawley. This includes the positively prepared policy for an area of search for the Crawley Western Multi-Modal Link. This infrastructure is not technically required for the Plan's growth but would support strategic growth in Horsham District.

26. Whilst none of the prescribed bodies have asserted that Crawley has not met the DtC, there is a general concern regarding potential impacts arising from a lack of coordinated planning for growth around Crawley. Whilst the Gatwick Diamond Local Strategic Statement and West Sussex and Greater Brighton Local Strategic Statement provide a degree of strategic framework for plan preparation these are high-level, non-statutory documents. There is a cogent argument, in our view, that growth in and around Crawley would benefit from genuine strategic planning that could suitably consider growth options and infrastructure at an appropriate level and on a consistent evidence base.

27. Whilst jointly produced local plans can include strategic policies[10], there is no obligation to prepare such plans. The Local Development Scheme (LDS) identifies the potential of a Joint Plan[11], but plan-making within the NWSHMA has been staggered such that there is no obvious point at which plan review for

[9] West of Ifield in Horsham District and Crabbet Park in Mid Sussex District
[10] NPPF paragraph 17 a)
[11] Local Development Scheme January 2023 [CB/LDS/01] paragraphs 2.8-2.13

the respective authorities could reasonably coalesce around a timely joint strategic plan. In preparing individual Local Plans across NWS, it is better, in our view, that Crawley's Plan is examined and adopted ahead of Horsham and Mid Sussex in terms of providing certainty around the scale of unmet needs and any infrastructure requirements.

28. The LDS confirms that "joint working is a known priority". This has occurred on strategic cross boundary matters and is evidenced in the SoCGs with Horsham and Mid Sussex in accordance with the requirements set out in the PPG[12]. Through the various forums and groupings, including with WSCC, it is evident that effective consideration has been given to cross-boundary infrastructure implications[13]. For example, transport modelling for the submitted Plan, includes sensitivity testing, including allowances for West of Ifield (3,000 homes), were that option to come forward. Water Cycle Study work has also been undertaken on a wider 'Gatwick sub-region' basis including Mid Sussex, Horsham and Reigate & Banstead.

29. Importantly, water neutrality within the catchment of the Arun Valley has emerged as a significant strategic matter during the preparation of the Plan. We are satisfied, as demonstrated through the related SoCG, that the affected planning authorities, including Crawley, have engaged with Natural England, the Environment Agency and water utility companies to establish an effective policy approach to enable plans and projects to secure a positive appropriate assessment outcome under the Habitats Regulations. The collective approach to policy formulation[14] and consistency across the catchment and the cooperative approach to shared resources and solutions to enable development to come forward across the catchment demonstrates that the DtC on this matter has been met.

30. In conclusion, the plan preparation process for Crawley has generated a very significant unmet housing need. At the time of Plan submission there was no clear mechanism or agreement as to how the unmet need could be accommodated. We are satisfied that Crawley has made appropriate efforts to engage with others on the issue. It is evident, however, in an area where housing need figures are significantly increasing and the capacity to accommodate growth is subject to various policy and environmental considerations that a resolution to meeting Crawley's unmet needs was not going to be straightforward. The NWSHMA SoCG provides a constructive approach but ultimately the DtC does not extend as far as a duty to agree that some or all of Crawley's unmet housing need must be accommodated.

[12] PPG paragraphs 61-010-20190315 – 61-015-20190315
[13] SoCG/01 – Northern West Sussex (July 2023), Sections 4 & 5
[14] Including the Water Neutrality Study Part B In Combination Assessment 2022 [ES/SDC/06]

31. Overall, we are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Other Aspects of Legal Compliance

Sustainability Appraisal and Strategic Environmental Assessment

32. The Council carried out a sustainability appraisal (SA) of the Plan, prepared a report of the findings of the appraisal, and published the report along with the plan and other submission documents under regulation 19. The appraisal was updated to assess the MMs. The submitted SA report is comprehensive and addresses the requirements of Strategic Environmental Assessment (SEA).

33. As required, the SA report must identify, describe and evaluate the likely significant effects that would arise from implementing the Plan, including "reasonable alternatives", taking into account the objectives and geographical scope of the plan[15]. In terms of SA there will always be disagreements because the assessment process relies on judgments, which are inherently subjective. On the whole, we find the Council's judgements that have informed what are preferred options taken forward into the Plan and the explanation for discounting alternatives to be logical and clearly set out.

34. One of the principal reasons for discounting what may have otherwise been reasonable options for sustainable development is the conflict with the objective to safeguard land for Gatwick Airport. This is particularly the case in respect of options for employment land. The Council has made its assessment of those areas it considers critical for airport expansion and those that are non-essential (in accordance with NPPF paragraph 106c) in terms of land that should continue to be safeguarded.

35. Nonetheless, there is a methodological concern regarding how the SA has considered alternative options for employment land. The SA of discounted employment sites is comprehensive and has considered various potential sites collectively and on an individual basis. Whilst there may be disagreements on how sites have been assessed against the individual SA objectives, we find the Council's judgements in their assessment of sites to be reasonable. It is not explicit in the SA whether "rejected employment sites" are treated as reasonable alternatives to the proposed strategic Gatwick Green site but they are all presented in the same Appendix of the SA (Appendix H pages 396-441). Clearly, some of the sites are capable of being alternatives to Gatwick Green (in

[15] Environmental Assessment of Plans and Programmes Regulations 2004, Regulation 12(2).

terms of strategic size) and so it is reasonable to consider that they were assessed as alternative strategic site options.

36. The SA report explains why these sites have been discounted, including being in conflict with the continued, precautionary need to safeguard land for Gatwick. There is a suggestion that SA should have been 'policy blind' on all site options within the 2015 Local Plan safeguarded land but this would have been an ineffective exercise given the evidence on the location of a second wide spaced runway and the policy approach to retain safeguarding. In our view SA has appropriately sieved the options and discounted alternatives at the appropriate stage having regard to the baseline evidence for the SA, including the 2013 Aviation Policy Framework, the draft 2018 ANPS and the 2019 Airport Master Plan.

37. Gatwick Airport is clearly a significant and special consideration for land use planning in the Borough. This includes issues such as hotel and visitor accommodation and airport related parking. We address the soundness of the policies later in this report, noting that they are a continuation of 2015 Local Plan policies which were found sound in the context of the NPPF. In respect of the SA process, this has looked at reasonable options for both policy areas[16], including a 'do nothing' option. The SA process cogently explains why locally specific policies, that reflect the need for a specific sustainable pattern of development including Gatwick Airport, would form part of an appropriate strategy for Crawley.

38. Overall, we find no shortcomings in the SA of Policies EC7 and GAT3, including how the possible effects of the policy options have been assessed and the overall reasoning for selecting the preferred policy approach. SA is necessarily a high-level exercise, such that the options appraised should encompass identifiably separate policy approaches or objectives, rather than go into permutations that are not sufficiently distinctive. This matter was examined in the High Court[17] for the 2015 Local Plan in respect of Policy GAT3, such that the Council's approach in SA for this Plan remains reasonable in testing the two separate high-level policy options for airport related parking.

Habitats Regulations

39. The Crawley Local Plan Habitats Regulations Report (January 2023) sets out that a full appraisal has been undertaken where it has been identified that the Plan, alone and/or in combination with other plans and projects, is likely to have a negative impact on the qualifying features of Habitats sites which requires mitigation. The principal issues are firstly in relation to hydrological impacts

[16] Policy EC7 at pages 241-243 and Policy GAT3 at pages 252-254 of KD/SA/01
[17] Holiday Extras Ltd v. Crawley Borough Council [2016] EWHC 3247 (Admin)

(water quantity and quality), particularly for the Arun Valley SPA, SAC and Ramsar sites. The second issue is air quality in terms of the impact of atmospheric nitrogen deposition and acidification, including at the Ashdown Forest SAC and SPA.

40. The policy areas that have been screened in for appropriate assessment relate to employment development, town centre redevelopment and housing, together with the proposed policy approach on water neutrality. In respect of water, the first matter is water quality in the wider Thames River basin catchment to the north of the Borough including the River Mole. Generally, improvements to Wastewater Treatment Works are predicted to provide capacity to accommodate planned development without deterioration in receiving watercourses below the current Water Framework Directive classification, as evidenced in the Water Cycle Study[18].

41. In relation to water neutrality, it is evident without mitigation that levels of abstraction within the Sussex North Water Resource Zone serving the Arun Valley catchment needed to supply growth in the Local Plan would have an adverse impact on the integrity of the Arun Valley SAC, SPA and Ramsar sites and The Mens SAC site. The proposed approach is to secure stringent water efficiency measures (85 litres per person per day in housing and 3 credits within the water consumption category of BREEAM[19] standard for non-domestic buildings) and through appropriate off-setting to achieve water neutrality. This is set out in submitted Policy SDC4. Tangible progress is being made on implementing a local authority-led water off-setting scheme[20]. The HRA Report concludes that with this mitigation in place there would be no adverse impact in terms of water quantity impacts.

42. With regards to in-combination effects with other Plans and projects, the specific Water Neutrality SoCG demonstrates the significant co-operation and consistent approach being pursued by the relevant local planning authorities, together with WSCC, the Environment Agency and water utility providers. Natural England endorse the approach being taken and the conclusions of the HRA report. Overall, we find the mitigation in Policy SDC4 would be effective and so share the HRA report conclusions of ultimately no adverse impact on site integrity.

43. In relation to air quality, the Plan contains a number of policies aimed at maximising sustainable travel. These would be implemented in tandem with Crawley's Transport Strategy (which seeks to promote walking, cycling, public transport and electric car clubs) and the Local Cycling and Walking Infrastructure Plan. The HRA sets out in detail the outputs from air quality

[18] Gatwick Sub-Region Water Cycle Study 2020 and Crawley Addendum 2021 [ES/SDC/08&09]
[19] BREEAM – Building Research Establishment Environmental Assessment Method
[20] Progress Note July 2023 [DS/TP/00a] (with details of the Sussex North Offsetting Water Scheme (SNOWS)).

modelling for Ashdown Forest and Mole Gap to Reigate Escarpment and demonstrates in relation to baseline data, future trends and impact of Local Plan policy that there would be no adverse impact on site integrity.

Strategic Priorities and Climate Change

44. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. This includes submitted Policies SD1 and SD2. The first sets out Crawley's strategic objectives for development and how that would contribute to sustainable development in the Borough. The second singles out enabling healthy lifestyles and wellbeing as a particular strategic priority for the Borough, including a requirement for health impact assessments for major developments. Given the baseline evidence for the Borough[21] on aging population, childhood obesity and various other health inequalities we consider the approach in Policy SD2 to be soundly based, consistent with NPPF paragraphs 92 and 93. Elsewhere the Plan contains identified strategic policies which correlate to the strategic objectives in Policy SD1 and to the evidence that has informed the SA objectives for Crawley. The submitted Plan would also provide spatial alignment in contributing towards delivery of the Council's Corporate Plan Priorities 2023-27 [PS/DS/CBCCP/01].

45. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. This includes policies on sustainable design and construction addressing such matters as energy consumption, connectivity to district energy networks, tackling water stress and achieving water neutrality (Policies SDC1-4). There are also policies to prioritise modal shift through design (Policy CL3) and transport planning (Policy ST1), enhance green infrastructure and biodiversity and to ensure development is protected from, and does not exacerbate, flood risk[22].

Other Matters of Legal Compliance

46. The Plan has been prepared in accordance with the Council's Local Development Scheme (LDS).

[21] Including the West Sussex Joint Health and Wellbeing Strategy 2019-2024 & Sussex Health & care: Improving Lives Together – Our Ambition for a healthier future in Sussex (2022) [PS/DS/NHS/01]

[22] The plan is informed by Strategic Flood Risk Assessment including the latest climate change allowances (2023) [PS/ES/EP/17].

47. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.

48. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

49. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified 11 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Is the Plan's Spatial Strategy and approach to Safeguarding for Gatwick Airport based on robust evidence and is it justified, effective and consistent with national planning policy?

Spatial Strategy

50. In large part, due to the size and nature of the Borough, there are few genuine spatial options for accommodating the full development needs over the plan period. SA has assessed three high-level scenarios to inform an appropriate strategy. In terms of accommodating development needs further afield, the DtC process has identified at a strategic level that this is not presently feasible. Even if it were, we have strong reservations about a strategy that would involve the dispersal of a proportion of Crawley's growth well beyond the NWSHMA, including to locations where connectivity to Crawley and Gatwick Airport for work would be weak and largely reliant on the private car. Accordingly, plan preparation was justified in not seeking a wider dispersal of growth far beyond the Borough boundaries.

51. It therefore follows that a key spatial strategy matter is the extent to which development needs could be accommodated within the Borough. This would be intertwined with any approach to safeguarding for Gatwick Airport.

52. The submitted plan seeks to accommodate employment land requirements within the Borough, having determined the extent of land critical for safeguarding. We set out separately below under Issue 3, concluding at paragraph 127 that the minimum employment land requirement in the Plan is soundly based. At a strategic level having sought to accommodate the

employment land requirement, the spatial choices for doing so are limited. At a high level, there is insufficient capacity through remaining land parcels and any redevelopment opportunities on existing employment land, including Manor Royal, to accommodate the full employment land requirement. Some consolidation and reconfiguration on existing employment estates, through town centre redevelopment and at the Horley Business Park site, adjacent in Reigate and Banstead (RBBC), would meet some of the needs but there would remain a significant residual requirement for new land. This would be particularly the case for warehousing and logistics sectors, including those seeking large footplates. We are satisfied that the evidence in the Employment Land Availability Assessment (ELAA) and the SA demonstrates that plan-making has considered reasonable spatial options within the Borough for providing employment land.

53. Whilst extending Manor Royal would represent a logical choice for a sustainable pattern of employment development, this location has been discounted due to the continued safeguarding for Gatwick Airport. By reference to the Airport's 2019 Master Plan, the area of land between Manor Royal and the existing airport is clearly critical for physically implementing a second wide spaced runway, including necessary peripheral infrastructure, land for a safety buffer and essential realigned highways and watercourses.

54. The Plan's spatial strategy proposes to release land for employment at Gatwick Green in the north east of the Borough. The location is reasonably related to Manor Royal and to Gatwick Airport. The quantum of land proposed for allocation is sufficient to establish a new strategic employment site. It would complement rather than compete with Manor Royal or other strategic employment areas in the wider Functional Economic Market Area (FEMA). The Gatwick Green location requires land that has been previously safeguarded for Gatwick Airport and we address the soundness of this below. Nonetheless, in considering an appropriate spatial strategy for employment needs we are satisfied that the Plan has assessed reasonable spatial options.

55. In terms of the potential to accommodate housing within the Borough we are satisfied that the only reasonable spatial option is to optimise delivery within the existing built-up area of Crawley and to build out the remaining greenfield allocations from the 2015 Local Plan (Forge Wood). When taking into account the combination of safeguarding for the airport, acceptable living conditions due to noise and the need to safeguard environmental assets, there are effectively no reasonable options for further peripheral greenfield housing in this Plan. The SA has dealt with this appropriately.

56. Regarding development potential in Crawley, the Plan is evidenced by a comprehensive assessment of available sites in the Strategic Housing Land Availability Assessment (SHLAA). This includes potential sources of supply within the town centre, including various high-profile opportunity sites that are

positively identified as part of the coordinated revitalisation of the town centre as a central neighbourhood. It also includes sites that justify the town centre being appropriately considered as part of a longer-term broad location for further housing. Additionally, the Plan takes a positively prepared, character-led approach to suitably optimising windfall capacity within the town as evidenced in the Crawley Compact Residential Development Study 2023 [WC/CLD/01], and suite of Housing Typology Policies under the umbrella of submitted Policy H3. This includes estate regeneration, infill opportunities, town centre regeneration and upward extensions. There is no persuasive evidence that obvious sites or opportunities within the town for housing have been omitted.

57. It is asserted, that additional capacity could be derived from a more positive approach to estate regeneration and town centre redevelopment. On the former, there are no funded plans for comprehensive estate regeneration, which would be challenging to implement given the varying degrees of right to buy and the planned character of these areas. Recognisable sites or deliverable redevelopment opportunities within the neighbourhoods are positively factored into the Plan. Whilst there may be a perception of overt capacity within the town centre, a number of high-profile sites are already identified and accounted for. The Plan is predicated on an ambitious but realistic strategy to create a larger residential community within the town centre, as evidenced by various recently implemented redevelopment schemes. An alternative spatial strategy that sought to significantly optimise town centre capacity in addition to that already identified in the Plan would not be justified and without consideration of important factors such as heritage (listed buildings and conservation areas) and the need to retain and provide other land uses in the town centre. Overall, we are satisfied that there is no reasonable or deliverable alternative spatial strategy that could deliver significantly more development within the existing built-up area of the Borough than assumed in the Plan.

58. At a strategic level, we consider it is justified that the Plan is predicated on a strategy of optimising development in Crawley and then seeking to see development needs accommodated as close to Crawley as possible. We accept, as part of the latter, the Council would be reliant on neighbouring planning authorities. This, however, is not unreasonable given previous plan-making and the indications that both Horsham and Mid Sussex are contemplating strategic urban extensions to Crawley as part of their current plan-making[23]. Accordingly, we consider the Plan is justified in setting out the position of Crawley Borough Council, as a local planning authority, with regards to development 'At Crawley'. Prudently, the Council recognises that it cannot set policy in its Plan to materially affect what would be a decision for another local planning authority. However, given any strategic growth on the edge of Crawley would give rise to impacts on Crawley it is justified that the submitted Plan sets

[23] As articulated by both Horsham and Mid Sussex at the duty to cooperate and spatial strategy hearing sessions and subsequently confirmed in their Regulation 19 Plans.

out content on "Urban Extensions at Crawley" including Crawley-centric considerations.

59. These considerations are set out at paragraph 12.23 of the submitted Plan. As submitted the Plan articulates what would be required for Crawley to support adjacent growth proposals, that is not the same as setting policy requirements. Nonetheless, they comprise reasonable expectations for sustainable development given the immediate impact of wider growth 'At Crawley', particularly on matters such as character and infrastructure, would be keenly experienced by communities in Crawley. On this issue, we find the Plan's approach to likely peripheral growth in neighbouring authorities to be sound.

Safeguarding for Gatwick Airport

Existing Airport and Northern Runway Project (NRP)

60. The number of flights and passenger numbers at Gatwick Airport is not restricted by any extant planning permission. Nonetheless, the Airport has entered into a Section 106 (S106) agreement in terms of commitments to environmental and other matters. The latest S106 was updated and signed in May 2022 with the Council and WSCC. As such the airport can continue to maximise the existing single runway airport to increase passenger numbers, principally through operational changes and the scope of permitted development (PD) rights. Accordingly, Policy GAT1 would provide a justified and effective mechanism to enable the Council to carefully assess proposals when consulted on as part of PD process and for those proposals that would require planning permission.

61. The Examination for the proposed Development Consent Order (DCO) for the NRP was completed in August 2024, with the outcome awaited in 2025. Justifiably, the Local Plan does not assume an expanded airport on the basis of a non-concluded DCO process. Nonetheless, Policy GAT1 judiciously recognises the potential of the NRP. Additionally, transport modelling work has prudently incorporated sensitivity testing for the NRP alongside the growth in the Plan. We consider plan preparation and content has appropriately considered the DCO proposal insofar as it reasonably can. If the DCO process is consented in whatever form, that may trigger a need to consider reviewing the Plan policies for Gatwick. Critically, it would not affect the overall spatial strategy in this Plan including any area required for safeguarding or otherwise. The evidence to this examination is that NRP would be operational by 2029 at the earliest, ratcheting up to its full potential by 2047.

Context and Principle of Safeguarding at Gatwick

62. The National Aviation Framework 2013 states at paragraph 5.9 the following. "Land outside existing airports that may be required for airport development in the future needs to be protected against incompatible development until the

Government has established any relevant policies and proposals in response to the findings of the Airports Commission, which is due to report in Summer 2015." The Airports Commission reported in July 2015, concluding that an additional runway at Heathrow presented the strongest option to meet the need for additional airport capacity in the South East.

63. The 'Airports National Policy Statement (ANPS): new runway capacity and infrastructure at airports in the South East of England' was finalised in 2018. This confirmed a need to increase capacity in the South East by constructing one runway, with Heathrow identified as the government's preferred scheme. As resolved at the Supreme Court in 2020, the decision to support a third runway at Heathrow remains lawful and the ANPS remains valid.

64. Parallel to this, the government produced in 2018, the document 'Beyond the horizon: The future of UK aviation: Making best use of existing runways'. This identified that recent aviation forecasts were exceeding the growth taken into account by the Airports Commission work. A draft aviation strategy was published at the end of 2018 "Aviation 2050: the Future of UK Aviation." This draft document stated that forecast aviation demand to 2030 could be best met through expansion at Heathrow and by other airports making best use of their existing runways subject to environmental issues being addressed. In addressing long term need (the case for further runways beyond 2030) the document states that the Government proposes to ask the National Infrastructure Commission to include airport capacity in future national infrastructure assessments. The draft Strategy confirmed that it was prudent to continue with a safeguarding policy to maintain a supply of land for future national requirements and to ensure that inappropriate developments do not hinder sustainable aviation growth.

65. In May 2022 the Government published 'Flightpath to the future', to enable consideration of wider changes to aviation as a result of Covid-19 and Brexit. It supports airport growth where justified and clarifies that the ANPS and "Beyond the Horizon" provide the most up to date policy on planning for airport development.

66. The Gatwick Airport Master Plan (GAMP) was published in July 2019. It presents various scenarios for growth including optimising capacity on the existing single runway, bringing into operational use the existing standby runway and continuing to safeguard land for a second wide spaced runway to the south of the airport. The second scenario is currently progressing as the NRP through the DCO process. If successful the DCO would enable capacity of the airport to increase to over 75 million passengers per annum (mppa) by 2038, stepping up to around 80 mppa by 2047.

67. Land was first safeguarded for Gatwick in the 2007 Core Strategy following the 2003 Aviation White Paper. As such there is an understandable frustration that significant parts of the Borough's potential land supply have long been held in

abeyance. Whilst the GAMP states that Gatwick is no longer actively pursuing plans for an additional southern runway it nonetheless confirms that there remains a possibility that the airport may wish to implement one in the future. The GAMP does not rule out the possibility. Accordingly, it seeks a continuation of land being safeguarded in accordance with a boundary identified at Plan 21 in the document.

68. Whilst there have been more recent policy documents and statements on aviation, the audit trail stretches back to the 2013 National Aviation Framework as the key source requiring safeguarding for future runways as well as and the 2018 draft aviation strategy. The National Infrastructure Commission has not yet included airport capacity due to the current uncertainty around the future demand for air travel and the approach to expanding runway capacity in the South East. Overall, there is appreciable uncertainty in national policy regarding the requirement for safeguarding. In this context we consider the Plan has taken a suitably precautionary approach in retaining the vast majority of safeguarded land whilst seeking to allocate land to address the Borough's economic needs.

69. We deal with Plan Review under Matter 11 of this Report but emphasise here that any changes to national aviation policy affecting the Plan's approach to Gatwick would likely trigger a plan review. At this time, it is appropriate that the authority gets a new Local Plan in place in terms of the positive policy framework for the town centre, water neutrality and employment provision and to provide some certainty for other authorities within the NWSHMA. There is no persuasive reason to delay plan adoption in Crawley for further deliberations on where or how future aviation policy may evolve.

70. The rationale for continuing to safeguard is that the draft national Aviation Strategy (Aviation 2050) still supports the principle of safeguarding land for airports, when looking at the longer-term picture. As such removing safeguarding of land likely to be critical to delivering a second wide spaced runway in this Plan could constrain longer term national policy decisions on aviation requirements. NPPF paragraph 106c on protecting sites is phrased as "could be" critical where there is robust evidence.

71. What comprises robust evidence is a matter of judgment and the combination of current national aviation policy, and the GAMP, would meet the threshold in our assessment. We are, however, of a firm view, that perpetuating this circa 20-year situation is not without harm given the scarcity of developable land in the Borough, the pressing need for development and the wider objective to foster sustainable patterns of development in both the FEMA and NWSHMA. If there is no firm movement, in respect of updated government policy on longer term aviation needs, to indicate additional wide-spaced runway capacity is required in the South-East, then the Plan review should, in our view, revisit this matter.

72. Whilst the principle of safeguarding for airport expansion is a national policy for aviation, whether land is safeguarded for a specific airport and the subsequent

delineation of any safeguarded area is squarely an issue for local level plan-making in accordance with NPPF paragraph 106(c). Whilst the Aviation Policy Framework (2013) requires airports to provide Master Plans (and supports the identification and protection of land that should be safeguarded) there is nothing before us in terms of national aviation policy that says land at Gatwick Airport must be safeguarded and that this must be in rigorous accordance with the Airport's latest masterplan. Given the criticality of Gatwick in the Borough, to the sub-regional economy, and to the transport infrastructure of the country, the GAMP is among the chief evidence documents that should inform plan preparation. That does not mean the Council is required to slavishly reflect the Masterplan in the Local Plan, including the ultimate action of safeguarding land. Indeed, on the evidence before us, safeguarding for airports is not commonplace, although we recognise that some Local Plans have positively reflected airport masterplans within their policy framework[24].

73. Land has been safeguarded at Gatwick for the past circa 20 years. With no positive indication at a national level that a second wide-spaced runway at Gatwick will be greenlighted it is entirely understandable that the Council has sought to carefully consider as part of this Plan whether reaffirming the significant extent of land previously safeguarded in the 2015 Plan would remain justified in accordance with NPPF paragraph 106c. In terms of the parameters for determining the extent of safeguarded land we find that such land should be focussed to those areas that are critical and demonstrated to be such by an airport master plan. As such we do not consider that safeguarding should include land that is not essential to the implementation of future expansion.

74. Moreover, the Council has a duty in the wider public interest to balance the objectives for the Airport against the over-arching obligation of the Plan to contribute to the achievement of sustainable development. This means promoting a sustainable pattern of development that should aim to meet, as a minimum, the assessed needs for housing and other uses. On the other hand, regard must also be given to the fact that the area of largely undeveloped land to the south of the current airport is the only practicable option for a second wide spaced runway, if required.

75. Safeguarding the full extent of land identified in the GAMP would mean that minimum housing and employment needs could not be met within the Borough. This would be significant because as the preceding DtC section in this report illustrates, accommodating displaced housing and employment needs from Crawley would not be straightforward. We accept that not safeguarding land for the airport does not necessarily mean that housing needs could be met in full

[24] As set out in GALs response to the proposed main modifications.

because of existing environmental conditions (aircraft noise) on land proximate to the existing airport. The same would not apply for employment.

76. Therefore, we are concerned that not meeting employment needs within the Borough would be especially negative on two dimensions. Firstly, in terms of maintaining a strong and competitive economy in the Borough, consistent with the evidence that Crawley is the major employment centre within the FEMA. Secondly, the potential to generate commuting patterns at odds with otherwise reducing the need to travel. Dispersing economic development away from the Borough is something which would only be sound when shown to be demonstrably necessary. It is therefore entirely justified as part of plan-making that the Council reconsidered whether safeguarding land for a second wide-spaced runway and the various associated land uses remained a sound approach based on the available evidence.

77. As part of the plan preparation process, the Council promoted the concept of a North Crawley Area Action Plan to look at the justification for safeguarding at Gatwick and the scope to accommodate strategic employment development. The Council has considered the alternative option of a more flexible approach through an area action plan mechanism as part of the SA (including in relation to employment land provision). The SA sets out cogent reasoning as to why the option has not been taken forward as part of an appropriate strategy for this Plan. As set out elsewhere, if circumstances change on the need to safeguard land that would be a matter for a plan review.

The extent of safeguarded land

78. In determining the extent of safeguarded land in the Plan, the GAMP is an important consideration. Much will hinge on the basis, age and quality of the evidence informing the masterplan. Guidance at Annex B of the 2013 Aviation Policy Framework says that airport masterplans are to "be given due consideration in local planning processes" (paragraph 4.11). Accordingly, the GAMP is not binding on the extent of safeguarded land.

79. The fundamental and clear test for plan-makers is at NPPF paragraph 106c and it requires consideration of whether there is robust evidence to identify and protect sites that would be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development. Rather than simply rolling forward safeguarding because it was considered appropriate in 2007 and subsequently in 2015, we consider the test is now heightened in respect of Gatwick for those areas of land where it is questionable as to whether the intended land use in the latest master plan would be "critical" to the development. Consequently, and given the circumstances described above (in terms of the pressures on land resources and the need to secure sustainable development more widely), it was entirely appropriate that the Council scrutinised the latest 2019 airport master plan and the evidence behind it.

80. Clearly land required for the second-wide spaced runway, aircraft manoeuvre and passenger facilities, safety buffers and essential highway and watercourse diversions, would be critical, and so warrants being protected. The area proposed for safeguarding in the Plan would protect those areas identified in Plan 20 of the GAMP covering these critical elements. The main issue is the extent to which land needs to be safeguarded to the east of the existing airport as shown in the GAMP. This area is shown for long stay surface car parking.

81. We are cognisant of the Airport's recent and significant measures to promote modal shift (for example the multi £million upgrade of Gatwick train station) and for this to continue during the plan period through the iterative Airport Surface Access Strategy and S106 processes. Nonetheless, we agree with the Airport that, notwithstanding good progress on modal shift, car borne passenger numbers are likely to remain significant and should be catered for. As such additional car parking will be critical to an expanded airport.

82. It is confirmed that the GAMP draws on evidence for car parking provision from 2014 to the Airports Commission. This includes at Appendix A5 an Operational Efficiency Master Plan (OEMP). The OEMP shows at Figure 4.6.6.1 the proposed Gatwick Green site within long stay surface parking (labelled No.6 in the legend). Section 3.7 of this document summarises what is described "Eastern area developments". This is the area to the east of the railway line. It states the area "has been designated to accommodate a consolidated surface car parking zone which feeds all terminal buildings as well as providing a safeguard for commercial developments should these be required."

83. We have strong reservations about the continuing validity of this evidence, which appears to be, until this examination, the kernel of the robust evidence relied upon by the Airport for potentially safeguarding approximately 138ha of land to the east of the airport for car parking (including in the 2021 Arup update note). Table 3.7.1 of the OEMP identifies a requirement for some 95,750 parking spaces to support the expanded airport operating at 95mppa. There is relatively little detail before us to explain how these figures were arrived at in terms of either demand or design solutions. Given this lack of evidence, the increasing use of alternative modes of surface access and the emerging alternatives to traditional surface car parking, it is questionable whether all of the land east of the airport would be critical to the delivery of an additional wide-spaced southern runway. As such the Council was justified in scrutinising the robustness of the GAMP evidence as required by NPPF paragraph 106c.

84. Moreover, GAL in response to the York Aviation Paper (during the examination) have updated their assessment of parking to support the implementation of the GAMP which results in a parking demand of 76,315 spaces of which 68,015 would be long stay or staff spaces. It is not our role to determine precisely what amount of car parking would be needed to support a second wide spaced runway (due to reach the 95mppa within 20-25 years from opening) but the

examination hearings reasonably coalesced around a figure of circa 68,000-70,000 spaces.

85. Whilst GAL maintain that they still require the full 138ha to be safeguarded to deliver this quantum of parking, there is not the robust evidence to support this. Taking a figure of 69,000 parking spaces, at an average surface car parking space density of 20sqm (including circulation space), would equate precisely to 138ha. However, the trend for airport parking, at Gatwick and elsewhere, has been to advance more efficient ways of parking such as blocked parking, automated (robotic) parking models, decking and multi-storey car park (MSCP) provision. This trend for efficient parking is likely to continue and intensify during the plan period as technology advances. The full use of the 138ha for car parking, including potentially elements of surface parking, would not be an efficient use of land in a highly constrained Borough.

86. Whilst we understand GAL wishes to offer consumer choice for those desiring larger surface parking spaces, we are nonetheless satisfied that various options exist to secure more efficient parking including MSCPs, decked provision and block parking including robotic or mechanical solutions. There is very little to indicate that the cost of such options would not be viable. Recent growth in car parking demand at Gatwick has been consistently met on-airport though a mixture of decking and multi-storey parking solutions onsite. This indicates such forms of parking provision are likely to be viable. Whilst the NRP DCO is not yet determined, it nonetheless shows that more efficient parking could be secured at Gatwick (parking spaces per million passengers) compared to the 2014 work. Indeed, block parking at Gatwick (45%) is already in excess of that forecast around the time of the 2014 work (33%).

87. Of the 138ha of land shown in the GAMP to the east of the airport, 94ha would be safeguarded in the Plan once 44ha is removed for the Gatwick Green allocation. There is very little to demonstrate that this 94ha, or even a reduced area of 81ha[25], could not accommodate the long-term car parking needs associated with an airport operating at c.95mppa. To some extent the onus is on the airport to provide to the Council (and to us as examiners) the robust evidence that these residual areas could not provide critical amounts of car parking and so demonstrate that the full 138ha should be protected. That has not happened and instead we have largely been presented with assertions on consumer choice and the practicalities and impacts of decked and MSCP provision in this part of the Borough.

88. There are MSCPs at Gatwick relatively close to the existing runway. Subject to location there is no compelling evidence that additional MSCP provision would not be feasible having regard to aerodrome safeguarding. In terms of character, there are already existing bulky buildings associated with the airport. Subject to

[25] Deducting circa 13ha which, as submitted by GAL, may not be operationally suitable for car parking.

layout, design and landscaping there are no reasons why additional large-scale development for parking associated with the operation of the airport would be incompatible with the character to the east of the airport. If the Gatwick Green allocation is delivered, MSCP and decked provision would likely occur close to large logistics units. The submitted spatial strategy anticipates significant change in the character in this part of the Borough, a location that is already divorced from the wider countryside by the existing airport, the M23 and the M23 spur road. GAL's concerns that MSCPs or decked provision would not be supported on land east of the airport are overstated and speculative.

89. In conclusion on this matter, we find that parking demand (per million passengers) is likely to be lower than when envisaged at the time of the 2014 work for the Airports Commission. This is consistent with the ongoing and sustained efforts of the Airport to support modal shift for passengers and staff, such that we consider that the number of parking spaces determined through the 2014 work would represent a significant overprovision. There is ample scope with more efficient parking formats and methods to accommodate the likely parking demand within the extent of the 94ha of safeguarded land proposed. As such there is not the robust evidence required to safeguard the full extent of land east of the airport as shown in the GAMP.

90. We understand land to the east of the airport is an optimum location to consolidate parking provision, forming part of the planned, incremental growth for the airport. However, a very significant area of safeguarded land would remain to enable this. Whilst the shape and location of the Gatwick Green site would intrude into the safeguarded area, we are nonetheless satisfied most of the residual areas could logically come forward for parking. The worst-case scenario leaves 81ha but we consider that a very pessimistic situation given the size of the land remaining between the Gatwick Green site and the M23 could accommodate an appreciable number of parking spaces. Whilst this location would feel slightly detached from the remainder of the airport, due to the intervening Gatwick Green site, it would not be that remote (it would be closer than a number of existing off-airport parking sites). Moreover, masterplanning of the Gatwick Green site would have regard to inter-relationships to this area, including the extent to which connectivity to safeguarded land east of the site could be secured through and around it.

91. We note the previous examination into the 2015 Local Plan was not particularly positive regarding the extent of land safeguarded to the east of the airport, with the Inspector describing that a large area of land for surface car parking represented a sub-optimal use given the general scarcity of land in the Borough. Nonetheless, safeguarding in this location was found sound on a precautionary basis and the need for some flexibility to implement a major infrastructure project. Matters have now moved on such that the balance of evidence on both the land required for car parking to support an expanded airport and the need for employment land tips firmly in favour of the submitted Plan's reasonable approach to modestly amend the overall extent of safeguarded land to facilitate

a new strategic employment site. It would do so in a location that would not fundamentally prejudice the ability to implement a second wide-spaced runway.

92. Continuing to safeguard the full extent of this peripheral area primarily for surface car parking would be a profligate approach given the scarcity of land and the competing demands for it, particularly in terms of securing wider sustainable patterns of development in the Borough. We do not consider it has been sufficiently demonstrated that alternative, and more land efficient, forms of parking provision would be unviable, unattractive and otherwise detrimental to the successful implementation of an enlarged airport operation based on a second wide spaced runway. Accordingly, we consider the approach to safeguarding based on removing part of the area for surface car parking and focusing on protecting the core but extensive areas for the second wide-spaced runway to be an effective and justified approach, and entirely consistent with NPPF paragraph 106c.

93. Section 3.7 of the OEMP also refers to 35ha of land that may be needed to relocate commercial uses displaced from the southern runway. Ultimately, safeguarded land is for critical infrastructure. The 35ha relates to notional businesses that may still exist in the affected area by the time the second wide spaced runway is to be implemented. Relocated employment land is not critical infrastructure as it would be principally compensatory provision, likely to fall outwith any DCO for a Nationally Significant Infrastructure Project in terms of the legal powers to secure land for relocating uses.

94. Bringing this all together, we find the over-arching approach to continue safeguarding land that would be critical for an expanded Gatwick Airport to be justified. The proposed extent of the area to be safeguarded in the Plan appropriately reflects this. Excluding the proposed Gatwick Green site from safeguarded land would be part of an appropriate strategy that can sustainably meet the Borough's employment needs without fundamentally inhibiting those areas necessary for critical infrastructure for the airport's potential expansion for a second wide-spaced runway.

Plan Period

95. The Plan as submitted is titled the Borough Local Plan 2024-2040. The Plan was submitted for examination in July 2023 and contains housing and employment land trajectories with a base date of 31 March 2023. To ensure clarity and consistency with the evidence base, the Plan period should be clearly identified as 1 April 2023 to 31 March 2040. In accordance with NPPF paragraph 22, on adoption in 2024, the strategic policies of the Plan would look ahead over a minimum 15-year period. **MM1** would clarify the Plan period in various parts of the Plan and we recommend it for effectiveness and so that the Plan would be justified.

Conclusion

96. Subject to the MMs identified above the Plan's Spatial Strategy and approach to safeguarding for Gatwick Airport is based on robust evidence and would be justified, effective and consistent with national planning policy.

Issue 2 – Whether the housing need for Crawley is soundly based and the supply-based housing requirement justified and positively prepared?

Housing Need

97. The housing need for the Borough has been established using the standard method. It applies the 2022 work placed-based affordability ratio (published in March 2023) and average annual net changes in households from the 2014-based projections in accordance with the methodology set out in the PPG. Having regard to the PPG[26], and considering the ongoing, but yet to be determined NRP at Gatwick, it would not be necessary for soundness to plan for a higher housing need figure than the standard method indicates. Accordingly, the minimum housing need for Crawley of 755dpa is soundly based.

98. In light of the findings above on the Plan period (extending from 16 years to 17 years), the overall housing need for the Borough should be adjusted upwards from 12,080 to 12,835 homes. **MM4** would make the required changes and we recommend it for effectiveness and so that the Plan is positively prepared.

Principle of a supply-based housing requirement

99. As set out above under our consideration of the DtC, the Borough is a geographically small area, and as such it is widely recognised that it is not possible to accommodate the full extent of the Borough's housing need. Given the influence of Gatwick Airport on remaining greenfield land to the north of the Borough (by virtue of safeguarding and noise), land supply for housing is focussed within the existing urban area of Crawley and at the remaining capacity at the Forge Wood allocation from the 2015 Local Plan. At submission, it was assessed that the Plan could accommodate only 42% of its housing need.

100. The NPPF at paragraph 11b) states that strategic policies should, as a minimum, provide for objectively assessed needs for housing. Given the geographical limitations of the Borough and the need to safeguard land for Gatwick Airport, there is little dispute that land supply in the Borough for new

[26] PPG Paragraph 2a-010-20201216

housing is limited. As such there are strong and practicable reasons why the overall scale of housing development in the plan area would be restricted.

101. We are mindful, however, that given the significant sustainability benefits of delivering homes in Crawley, that the Plan should nonetheless set an ambitious but realistic housing requirement. There are relatively few new housing sites allocated in the plan. Given the grain and character of a largely planned new town it is logical that are relatively few sites that remain clearly anticipated for development. Those that are identified in Policy H2 and on the Policies Map have been appropriately identified and assessed through the SHLAA and SA processes following various calls for sites and assessments of publicly owned land. There are no obvious omission sites that should be additionally allocated to increase the supply and in turn the housing requirement.

102. In terms of the capacity of sites identified as part of the 2015 Local Plan we are satisfied that the latest housing trajectory [PS/H/HD/14] has increased them where sustainable to do so and this has been accounted for (a net gain of some 1,170 dwellings)[27]. For the small number of allocated sites under Policy H2, we find the capacities of these sites and their anticipated timeframes for delivery to be robustly considered through the SHLAA and housing trajectory processes. This includes a more positive re-assessment of the Desmond Anderson site at Tilgate (increased from 100 in the 2015 Local Plan to an indicative capacity of 205 homes) and at Breezehurst Drive (moderately increased from 65 to 85 dwellings).

103. One of the principal housing allocations in the Plan is the Tinsley Lane site, which was previously allocated in the 2015 Local Plan, with an indicative capacity for at least 120 homes. The site is subject to a development brief published in 2017. Whilst there is local concern regarding existing football pitch provision at the site, Policy H2 sets out what is required of the development, including replacement provision and additional publicly accessible green space. Whilst the land budget at the Tinsley Lane site would need to be carefully overseen, there is no persuasive evidence before us that the site cannot sustainably accommodate the mix of uses for which it has been allocated, including improvements to sport pitch provision such as 3G artificial grass pitch provision. The Council has sought to make some changes to the policy in terms of expressing the various open space and green infrastructure elements as "at least" and to clarify the 3G pitch provision. Whilst that may add clarity to the policy, they are not changes that we need to recommend for plan soundness.

104. The submitted policy for the site requires allotment provision (compared to previously seeking "consideration should also be given to the provision of

[27] Paragraph 3.4.1 of Topic Paper 4

allotments.”). We are not advocating that the policy should be modified for soundness given the development brief for the site identifies a deficiency in allotment provision in this part of the Borough. We note that progress in developing outline schemes for the site has not been able to accommodate allotment provision due to asserted viability issues within the tight land budget available. However, that does not persuade us that the ambition to secure some form of allotment provision should be dropped from the policy given there may be some flexibility to balance competing policy requirements.

105. Land is allocated at East of Balcombe Road/Street Hill, Pound Hill for a maximum of 15 dwellings. This site was allocated in the 2015 Local Plan notwithstanding the site being then a Site of Nature Conservation Importance (now a Local Wildlife Site) for meadow grassland habitat. The site has not been maintained and is currently predominantly scrub and young trees, which in themselves will have biodiversity value. Whilst the Council have prepared a draft Supplementary Planning Brief for the site [PS/H/HD/16] this has not been adopted. As such, there has not been a concerted effort to deliver the existing allocation. Nonetheless, given the acute housing need in the Borough and the opportunity to achieve an appropriate balance between a modest amount of additional housing and securing an appropriate long-term biodiversity management regimen for most of the site, we conclude that the allocation of the site (as a mixed use site for ‘Housing, Biodiversity and Heritage’) is justified, consistent with national planning policy and therefore sound. Given the constraints, it is also justified that Policy H2 expresses the site allocation capacity as a maximum figure.

106. From the evidence before us, including the Crawley Compact Residential Development Study 2023, we find that the submitted plan has set a policy framework in Policies H3a-f and CL4 that carefully consider character areas and provide a positively prepared basis for optimising windfall delivery. The capacity work is consistent with the findings of the SHMA in terms of the housing mix required in the Borough. The submitted plan roughly doubles the windfall allowance from 55 to 100[28]. We consider this in more detail under Issue 7 below but find for this issue that windfall has been realistically and appropriately factored into a supply-led housing requirement.

107. The plan has taken a positive approach to identified town centre redevelopment opportunities, including around the railway station, and this is reflected in key opportunity sites and the town centre being identified as a ‘broad location’ for additional housing. The Plan also contains a policy framework to support a significant increase in the residential population of the town centre. From the evidence before us we are satisfied that town centre capacity has not been under-estimated, including the cumulative indicative capacity of Town Centre key opportunity sites at 1,500 dwellings over the plan period. Reference is made

[28] As detailed in the Windfall Statement 2023 [document H/HD/06]

to 'estate regeneration' being an underestimated source of capacity but there are no large-scale regeneration initiatives or schemes being contemplated that could justifiably feed into the Local Plan as a 'broad location' in accordance with NPPF paragraph 68b.

108. As a purposefully planned New Town there is a clear demarcation between residential and the main employment areas. Consequently, mixed use developments within the main employment areas are not an option for increasing the housing capacity within the Borough. Notwithstanding the need to maintain the provision of employment land and premises[29], the incursion of housing into main employment areas would create challenging issues for living conditions and the 'Agent of Change' principle[30]. Several main employment areas are subject to Article 4 directions restricting PD, including Class MA.

109. Overall, we consider that the Plan has sought to accommodate as much of the housing need as reasonably practicable and that no stone has been left unturned. The Plan takes a positively prepared approach to town centre redevelopment and to windfall capacity such that we are satisfied that it is justified and effective that the housing requirement in the Plan reflects the likely supply.

110. As a consequence of clarifying the plan period it would be necessary to extrapolate the housing requirement by an additional year to increase the overall minimum requirement from 5,030 to 5,330 dwellings. **MM2** and **MM24** would do this, and we recommend them so that the Plan would be effective. Allied to this, the extent of unmet housing need would increase from 7,050 to 7,505 dwellings. **MM5** and **MM26** would clarify this figure within the Plan and again we recommend them for effectiveness.

Conclusion

111. Subject to the MMs identified above the housing need would be soundly based and the supply-based housing requirement would be justified and positively prepared.

Issue 3 – Does the Plan positively and proactively encourage sustainable economic growth through its policies and the identification of Gatwick Green as a strategic employment location, to flexibly meet anticipated needs over the plan period?

[29] As assessed in the review of existing employment stock and premises in the EGA
[30] NPPF paragraph 187

Employment Land Requirement

112. In terms of the context for determining the employment land requirement, the NPPF at paragraph 81 states that planning policies should help create the conditions in which businesses can invest, expand and adapt. Account should be taken of local business needs and wider opportunities for development. In assessing business needs, PPG paragraph 2a-026-20190220 advises that strategic policy making authorities will need to liaise closely with the business community and take account of the Local Industrial Strategy.

113. Crawley, because of the sub-regional significance of the Manor Royal employment estate and the presence of Gatwick Airport, is a key part of the Northern West Sussex Functional Economic Market Area (FEMA). Consequently, the Coast to Capital LEP Gatwick 360 Strategic Economic Plan 2018-2030 [DS/LEP/01] and the Gatwick Diamond Local Strategic Statement 2016 [DS/GD/01], both of which are documents produced within the local business community, identify Crawley as a key location for economic growth, including new sites. Proximity to Gatwick Airport is clearly a key factor.

114. At a more local level, the Borough Council's 'One Town Crawley Economic Recovery Plan' (2021) [PS/EGSM/EG/11] reflects local intelligence and knowledge, identifying what needs to be done to support the Borough's post-Covid economic recovery. The Recovery Plan includes delivering sufficient suitable land for new sites to both support various economic sectors and enhance the Borough's economic resilience to changes in circumstances.

115. Overall, from our assessment, four things are very clear from the various economic plans and strategies. Firstly, Crawley currently is, and will continue to be regarded over the plan period, by the LEP and others, as the largest and one of the most significant economic centres in the sub-region. Secondly, a lack of land supply is consistently recognised as one of the key risks and inhibitors to the expansion of existing businesses and securing inward investment. Thirdly, Crawley has significant locational strengths including proximity to Gatwick Airport, rail connections to London and the M23 and nearby M25. Fourthly, whilst there is some variability in the quality of existing employment land and premises in Crawley, they are highly utilised, reflected in strong market demand, high rents and limited vacant properties[31]. Underpinning this, it is evident that Crawley is not immune from wider re-structuring in the economy that is seeing increasing demand for industrial and logistics floorspace, typically through large hub buildings that can facilitate strategic storage. Accordingly, and as a starting point, we are satisfied that submitted Policy EC1, as the strategic policy on

[31] The exception is the trend of office space lost to residential under recent PD rights.

sustainable economic growth, is consistent with economic priorities for the LEP and Gatwick Diamond.

116. Plan preparation has been informed, amongst other things, by the Northern West Sussex Economic Growth Assessment (January 2020) (NWSEGA) which considered employment and economic development needs over the period to 2036 across a wider FEMA. Whilst this evidence has provided a consistent baseline for plan preparation in this part of Sussex, it is nonetheless justified that various supplementary updates of the Economic Growth Assessment (EGA) specific to Crawley were prepared in September 2020 and January 2023 [EGSM/EG/05]. This approach has ensured that the submitted Plan is accompanied by up-to-date evidence, not least in respect of circumstances which have had a particular bearing on the local economy including the impact of the Covid-19 pandemic and the degree of recovery[32]. The updates, including the estimates of floorspace requirements, are in broad conformity with the initial wider NWSEGA methodology, allowing for the plan period to 2040. As part of the examination further submissions have been provided by the NWSEGA authors on market signals for industrial and warehousing needs.

117. In headline terms the EGA process has considered a range of economic growth forecasts for the Borough. This approach is in accordance with the PPG at paragraph 2a-027-20190220. These forecasts produce a broad range of net employment land requirements extending from 21.4 hectares (ha) to 69ha.

118. The advised forecast in the EGA is the Experian baseline labour demand projections in terms of meeting labour demand, which derives a minimum employment land requirement of 26.2ha over the period to 2040. The Experian outlook, particularly with regards to transportation and storage more closely reflects recent circumstances in the Borough and so it is appropriate that this has been used to inform a labour demand figure.

119. These outputs are closely aligned to the labour supply approach utilising the supply-led housing growth in the Plan (modelled at 314dpa) which generates a requirement of 26.1ha. The labour demand forecast generates a minimum requirement for 113,390sqm new floorspace for business purposes over the period to 2040. This is predominantly in the warehouse and distribution and manufacturing sectors. At least 26.2ha of land would be required to deliver the minimum floorspace. This is supported by market feedback and analysis[33], including within the wider FEMA, which indicates a strong demand being experienced in the industrial and logistics sectors to locate in Crawley, but this is being frustrated by a lack of land supply particularly for larger footplates. Whilst the Council's monitoring evidence reveals a supply of mid-size

[32] Not least the significance of Gatwick Airport, both directly and indirectly, on the Borough's economy
[33] NWSEGA [EGSM/EG/07] and Manor Royal Economic Impact Study 2018 [EGSM/EG/09]

warehouse units are coming forward in Manor Royal, it is evident that typical plot sizes at this location will constrain the ability to deliver larger units on the estate. As such existing employment areas will not meet the needs for modern warehousing and logistics developments.

120. The EGA identifies a modest need for additional office and research and development uses at 3.3ha. There is an existing quantitative land supply to meet this need although it is recognised that new development may seek qualitative alternatives to Crawley's existing offer. In this regard, the sub-regional Horley Strategic Business Park site in adjacent RBBC would assist in accommodating Class E(g)(i) and (ii) development within this part of the FEMA close to Crawley and Gatwick. As such Crawley's employment land requirements fundamentally relate to accommodating "industrial" space, in particular storage and distribution uses. This is consistently reflected in the labour demand, labour supply and past development rate scenarios.

121. The 26.2ha broadly aligns with historic take-up trends[34] and projections on this basis (32ha). We recognise past take up in the Borough has been influenced by the extent of land safeguarded for Gatwick Airport and to a degree by the impact of Covid-19 towards the end of the assessment period. As such there may have been some suppression such that past take-up rates, whilst useful, should be treated with some caution in Crawley. Nonetheless, the PPG confirms that past development rates (amongst other things) are reflective of market signals. In our view, the past trends evidence for Crawley, reaffirms that the 26.2ha to accommodate labour demand should be firmly treated as a minimum figure.

122. The historically constrained employment land supply in the Borough is reflected in the market signals evidence which indicates that there is a significant unmet demand for logistics floorspace at Crawley. Whilst some sites have been reconfigured on the Manor Royal estate to provide for storage and distribution uses, we share the Council's concern that without a new strategic employment site for warehouse and distribution uses, there is a risk that the mixed-use nature of Manor Royal, as a reasonably high density employment area, could be detrimentally unbalanced by further churn and redevelopment of sites.

123. The market signals for warehouse and distribution uses clearly exceeds the scale identified under the labour demand scenario in the EGA. Submissions to the examination seek to quantify the figure for these uses over the plan period as being somewhere between 48ha to 118ha. To assist matters the Council commissioned a separate Market Signals Assessment (MSA) for Industrial and Warehousing Needs (November 2023)[35]. The methodology has looked at net

[34] In the period 2011-2021
[35] Prepared by Lichfields [PS/EGSM/EG/12]

take-up over time (floorspace occupied and vacated) and latent demand (factoring in a vacancy rate) to generate a market signals requirement for Crawley. Such a methodology is not embedded within national policy or guidance, albeit PPG paragraph 2a-031-20190722 deals separately with the need for space for logistics and this can be informed by, amongst other things, an analysis of market signals, including trends in take up and the availability of logistics land and floorspace across the relevant market areas. As such we have treated the MSA as a further sensitivity test of the EGA work. The MSA identifies a total land requirement for industrial/warehousing uses of 48.7ha. This is within the range of the outputs in the EGA. In our assessment it reaffirms that the 26.2ha figure would be sound subject to being presented as a minimum figure. Additionally, land releases moderately above this figure are likely to align with market signals whilst remaining reasonably related to the likely workforce arising from the planned scale of housing growth at Crawley.

124. In broad terms, across the wider sub-region, the Coast to Capital LEP Strategic Economic Plan identifies that demand for new business land outstrips available supply. Whilst new employment sites are planned within the Gatwick Diamond, these are primarily aimed at office, research and development and incubation/starter premises[36]. These sites would not meet the identified need for additional storage and distribution uses in Crawley.

125. We recognise that the economy in Crawley was particularly affected by the Covid-19 pandemic, due to the significance of the aviation sector. However, that was 3 years ago such that there has been a period for stabilisation and the start of recalibrating the local economy on a more diverse footing. In support of this the Council has produced an Economic Recovery Plan 2022-2037, which seeks, amongst other things, to renew Crawley as a diverse and resilient economic centre. As set out elsewhere in this report, market signals evidence points to a strong, latent demand for new floorspaces for growing sectors such as logistics and warehousing, in part due to the past constrained land supply. As such we are not persuaded that a more cautious approach, applying the more restrained Oxford Econometrics forecast, which anticipates a slower recovery from Covid and more modest economic growth thereafter (61 jobs per annum), would be an appropriate strategy for employment needs over the plan period. Such an approach would, in our view, harmfully suppress the economic potential of both the Borough and the wider Gatwick Diamond area over the 15 year plan period. It would also be contrary to the need for a clear economic vision and strategy at NPPF paragraphs 81 and 82a as well as the flexibility advocated in the NPPF at paragraph 82d. The identified employment land requirement would be consistent with the need to create conditions in which businesses can invest, expand and adapt, in particular, allowing areas to build on their strengths. Given the proximity to Gatwick and the strategic road

[36] Horley, Burgess Hill & North Horsham/Novartis [SA Report, page 440]

network[37], there is a clear demand and attractiveness for storage and distribution at Crawley.

126. Positively planning for storage and distribution uses at Crawley would also be consistent with NPPF paragraph 83 in terms of recognising and addressing specific locational requirements of different sectors, including specifically for storage and distribution operations at a variety of scales and in suitably accessible locations. It would also reflect the One Town Crawley Economic Recovery Plan 2021 which seeks to diversify the Borough's economy and curb its reliance on the aviation sectors. Failing to provide sufficient land for industrial and logistics uses would, in our view, result in dispersal of provision, potentially to sub-optimal locations.

127. Overall, we find applying a labour demand scenario would comprise part of an appropriate strategy for the Borough. The 26.2ha factors in a modest allowance at 10% buffer, based on a general lag period between any permission and implementation. There is little before us on the scale of lost (non-replaced stock) as a trend and projecting this forward to provide sufficient flexibility in the land requirement. The evidence is generally mixed (high demand for existing employment areas versus loss of office floorspace to other uses, including residential). For this Plan we accept the 10% allowance as providing a reasonable degree of headroom within a minimum land requirement in accordance with NPPF paragraph 82d), but future monitoring may inform an alternative figure.

128. In adopting the labour demand forecasts we are satisfied that the existing pipeline of supply (principally within the Manor Royal Estate) is likely to meet most needs for manufacturing and light industrial uses over the plan period. Additionally, a combination of Manor Royal, opportunity sites within the town centre and at the Horley Strategic Business Park allocation in RBBC would meet quantitative needs for additional office floorspace to support Crawley's economy. As such, we find that when the existing supply of available employment land is accounted for, the need for new land release would be principally for warehouse and distribution uses.

129. Whilst opportunities within Manor Royal may enable some additional warehouse and distribution floorspace to come forward this would not in itself be sufficient to meet the minimum quantitative need or provide the qualitative offer for larger footplate demands. As such plan preparation was justified in considering options for new strategic employment locations. When subtracting the available land supply for industrial/storage and distribution uses, there remains a net need for a minimum additional supply of 17.93ha over the plan period.

[37] Described in the "One Town" Economic Recovery Plan as being "hyper-connected"

130. In contrast to the previous Local Plan, the submitted Plan seeks to meet employment needs in full. These would be met in part by the protection and positive policy framework for existing main employment areas. This is particularly the case for Manor Royal where policies (supported by the Manor Royal SPD) will allow for investment and flexibility at this location without harmfully diluting its core mixed used business function. However, Manor Royal, including any minor peripheral areas not covered by safeguarding for Gatwick will not be sufficient to meet employment land needs over the plan period.

131. In using the labour demand scenario to forecast employment land, this is in the context of the Plan only meeting 42% of its housing need and therefore suppressing population growth within the Borough that would otherwise occur and generate demand for employment. The EGA has considered a higher labour supply figure factoring in wider 'At Crawley' housing growth at 544dpa for potential urban extensions to the town in Horsham and Mid Sussex. This scenario generates a significantly higher employment land requirement for 69ha. Whilst it remains to be seen whether urban extensions would be allocated and found sound 'At Crawley' (including potentially some employment related land/uses), we do not consider it necessary for soundness that this Plan contains an employment land requirement above that needed for the labour demand scenario associated with the Plan's housing growth. There remains appreciable uncertainty around wider growth 'At Crawley'. Through the DtC process neither Horsham nor Mid Sussex are confirming that any planned growth adjacent to Crawley would be meeting Crawley's unmet housing need. Nonetheless, the higher labour supply figure reaffirms in our minds that the 26.2ha employment land requirement in the submitted Plan should be treated as a firm minimum, so as to potentially provide some flexibility to meet employment needs which may arise and to do so as part of a wider pattern of sustainable growth 'At Crawley'. We return to this matter when considering the extent to which the 44ha allocated at the proposed Gatwick Green site is available in this plan period to meet employment needs.

132. Furthermore, the DtC process has established that other than the Horley Business Park site, there are limited signals that unmet employment land associated with Crawley's full local housing need of 755dpa (potentially up to 113ha) could be accommodated in adjoining authority areas. As such, were the Plan not to release new strategic employment land, we consider there would be a significant risk of employment needs not being met, with significant harm to the sub-regional economy and Crawley's vital role within it.

133. In addition to the EGA and ELAA evidence, matters relating to employment land provision have been appropriately considered as part of the SA process. This includes three alternatives for Policy EC1[38]: (1) do nothing and rely on the NPPF; (2) seek to accommodate growth in existing employment areas and in

[38] Submission SA May 2023 [KD/SA/01] pages 230-233

neighbouring authority areas; and (3) plan positively for growth through a combination of existing employment areas and a new strategic allocation to meet industrial and warehouse requirements. The assessment and rationale contained in the SA for selecting the preferred approach to employment land as an appropriate strategy for the Borough is cogently set out.

134. The SA has also specifically assessed the option of a strategy that does not allocate new strategic employment land in the Borough (effectively the 'do nothing option' for SEA purposes (and a continuation of the 2015 Local Plan))[39]. We concur with the analysis in the SA that not releasing additional land for storage and distribution uses as part of this Plan would have a significant negative impact on the economies of Crawley and the wider Gatwick Diamond for the reasons given above.

135. On the issue of the employment land requirement, we find the proposed minimum net requirement of 26.2ha, principally for storage and distribution uses, and the objective of seeking to positively accommodate this within the Borough, as set out in submitted Policy EC1, to be an appropriate strategy.

136. As submitted the Plan would not appropriately reflect the employment land trajectory as of 31 March 2023. As a consequence of further monitoring, the available employment land supply is less than as identified in the submitted Plan and so the minimum residual need for employment land over the plan period would need to be increased from 13.73ha to 17.93ha. **MM3, MM13** and **MM14** would do this in respect of the spatial strategy, the relevant parts of the economic growth section of the Plan and Policy EC1 respectively. As such we recommend them so that the Plan would be justified and positively prepared.

Main Employment Areas

137. As submitted the Plan identifies 11 main employment areas of varying scale and character. However, this broad-brush approach would not appropriately make a necessary distinction between four employment areas of strategic significance and the other areas. These four areas including Manor Royal, Gatwick Airport, the town centre and the proposed strategic employment site at Gatwick Green would provide for a variety of employment and land uses which are recognised in location-specific policies elsewhere in the Plan. As such Policy EC2 as submitted could result in undesirable internal tensions in decision-making and so be ineffective. Accordingly, we recommend that the Policy makes an appropriate distinction between the four strategic employment locations and other main employment areas. **MM15** would do this, and we recommend it for effectiveness.

[39] Submission SA/SEA May 2023 pages 439-441

138. The principal established employment area in Crawley is the Manor Royal estate. We are satisfied that submitted Policy EC3, in combination with the Manor Royal Design Guide SPD, provides an appropriately protective but flexible approach in ensuring the economic vitality and viability of this sub-regionally significant employment location. This includes a justifiable balance between protecting the area from an incursion of non-business uses likely to erode the principal employment function of the area whilst allowing ancillary uses likely to support the area including the needs of employees. We recognise there are concerns regarding flexibility within Use Class E and potential impacts this may have on the character and mix of employment uses at Manor Royal. However, such flexibility within Class E is purposefully deemed not to comprise a change of use and so it would not be justified to amend Policy EC3 to set a more restrictive approach.

Gatwick Green – Proposed Strategic Employment Site

139. As set out elsewhere in this report, the Plan's over-arching approach to safeguarded land is sound. As such the area proposed to be allocated for strategic employment land at Gatwick Green would not fundamentally prevent the implementation of the core elements of 2019 Airport Masterplan including areas critical to delivering a second wide spaced runway. In the context of the circa 523ha land safeguarded in the 2015 Local Plan, the proposed Gatwick Green site at 44ha would represent just over 8% of this land.

140. The Gatwick Green site has been suitably assessed as part of both the SA[40] and ELAA processes. These documents provide an appropriately high-level assessment that the proposed allocation would be both deliverable and capable of meeting employment land requirements in the Borough during the plan period. This includes the borough's need for large-format warehouse and distribution uses and other industrial uses. There are limited alternatives for such provision within the borough. Allied to this, as set out above, there is a clear market demand for larger-scale warehousing units, which cannot be accommodated within the existing employment sites including Manor Royal. Accordingly, a new, unconstrained strategic greenfield site of a sufficient scale would accommodate a market that currently struggles to find suitable provision within the FEMA.

141. The proposed shape of the Gatwick Green allocation is distinctive, reflecting the land promoted. Nonetheless, we are satisfied that the extent and configuration of the proposed 44ha could come forward as a coherent employment site, in accordance with the requirements set out in the site allocation policy, without relying on any additional adjacent land. This includes the land at 'Fernlands' which was promoted as either an alternative to or a consolidation of the Gatwick Green site. As set out elsewhere there would be no strict need in quantitative

[40] Document KD/SA/01 Appendix H pages 397-399

terms to allocate additional employment land beyond the Gatwick Green site as part of this Plan to meet identified minimum land requirements. SA of the Fernlands site assesses the site at 8.8ha such that on its own it would not be of sufficient scale to meet strategic employment land requirements. Additionally, the Fernlands site is adjacent to operational land at Gatwick Airport and so it is justified that the area remains safeguarded as part of this Plan. Overall, it would not be necessary for the soundness of this plan to extend or amend the proposed Gatwick Green allocation to include the Fernlands site.

142. Land around the Gatwick Green allocation would remain safeguarded for Gatwick Airport including areas of land between the allocation and the M23 and the M23 spur road. This is land identified within the 2019 Airport masterplan. We accept that the Gatwick Green allocation would limit the practical use of these small residual areas close to the M23, although we do not consider it necessary for soundness that safeguarding is removed from these areas of land. Whilst hypothetical alternative propositions have been presented, which the Airport considers would be a more efficient land arrangement, the land that has been allocated for employment would be deliverable. There is not the persuasive evidence that the Gatwick Green allocation should be reconfigured to include alternative land. Overall, we are satisfied that the proposed Gatwick Green allocation accords with the requirements in the PPG at paragraph 3-001-20190722 for employment land to be suitable, available and achievable.

143. The alternatives for strategic employment land provision within the Borough, have been appropriately assessed as part of the ELAA and SA[41]. This includes land at the edge of the Manor Royal main employment area at Rowley Farm, Jersey Farm and Hydehurst Lane. We recognise that consolidating the sub-regional role of Manor Royal through adjacent land releases would align with local industrial strategies and bring significant economic benefits contributing to sustainable development in the Borough. However, having found the principle of safeguarding to remain sound, all of these alternative sites have been appropriately discounted due to being within an area that is required to be safeguarded for the physical land take of a second wide-spaced runway and essential highway diversions, amongst other reasons. This is demonstrated by reference to the work to the Airports Commission in 2014, and the OEMP [PS/EGSM/GA/16] (Appendix A5) which sets out operational requirements for a southern runway including safety distances from the runway and noise attenuation infrastructure. Consequently, we are not persuaded there are reasonable options to narrow the extent of safeguarded area adjacent to the proposed second wide-spaced runway thus potentially releasing land for employment adjacent to Manor Royal and/or at County Oak.

144. In terms of alternative options that would avoid the area previously safeguarded for Gatwick Airport there are few in the Borough. Most are generally small in

[41] Document KD/SA/01, pages 400-438

scale, such that they would not in themselves be of a sufficient size to meet the identified employment land requirements. Potentially disaggregating supply across multiple smaller sites would not meet the identified need for larger warehousing premises. The largest single alternative site outside of current safeguarded land is Land East of Brighton Road, to the south of the town, adjacent to the A23. The site has been considered as part of the SA and reasonably discounted due to various issues, not least ancient woodland, biodiversity, and disconnection from Manor Royal and Gatwick Airport. Accordingly, plan preparation has not overlooked or irrationally discounted a better performing alternative to the Gatwick Green site.

145. As submitted the Plan seeks to allocate a wider strategic site of 44ha but to then make a distinction within the site allocation policy between the land required to meet the minimum net employment land requirement for the plan period and the remainder of the site. In respect of any development for employment floorspace beyond 13.73ha (modified to 17.93ha) Policy EC4 as submitted requires it to be justified. In light of the evidence that the employment land requirement (based on the constrained housing requirement) is lower than past development rates and other forecasting scenarios and the Council's emphasis that the Gatwick Green site provides flexibility[42], we find this distinction is neither justified or positively prepared and therefore would not be sound.

146. It is clear, that the whole site at 44ha is proposed to be allocated in the Plan. The balance of the site is not described or identified as a reserve site. Moreover, the Council's latest market signals evidence on warehousing and distribution, together with the potential for wider housing growth 'At Crawley', points to a quantum of employment land slightly higher than 44ha potentially being required over the plan period. Whilst we do not consider it necessary for soundness to modify the minimum 26.2ha employment land requirement in submitted Policy EC1, taking a more positive approach to the Gatwick Green allocation, in terms of its full 44ha capacity would provide a more flexible approach in response to wider market signals amongst other things.

147. Accordingly, we recommend **MM16** which would clarify that in light of the updated employment trajectory and residual land supply over the plan period, the minimum amount of employment land required at the site would be 17.93ha. This would ensure that the policy would be justified. Furthermore, we recommend through **MM16** the deletion of that part of the policy requiring any additional floorspace beyond this amount to be demonstrated as being necessary through appropriate evidence. This would ensure the policy is effective in light of market signals evidence of a stronger demand for logistics and warehouse development above the jobs demand forecast used and

[42] CBC Matter 4 statement, response to MIQs 4.1, 4.4 and 4.5

providing headroom for any jobs demand arising from planned housing growth immediately adjacent to Crawley.

148. Notwithstanding its location in the north-east corner of the Borough, the Gatwick Green site would be sustainably located. It can be served by bus from Crawley and Horley including enhancements to existing services already on Balcombe Road. The site would also be accessible by modes of active travel, being within easy cycle distances of most of Crawley and nearby communities such as Horley. In this regard the site would benefit from identified routes in the Crawley Local Cycling and Walking Infrastructure Plan 2021, aimed at improving links from Crawley north to Gatwick Airport. Additionally, should the NRP DCO come to fruition, this would provide improved connectivity from Balcombe Road to Gatwick train station, further improving accessibility to Gatwick Green. Initial evidence, including an Outline Transport and Access Appraisal[43] shows positive signs of a collaborative outlook with WSCC, National Highways and Metrobus (current operators of the Fastway network) that the site could be sustainably brought forward.

149. Transport modelling for the Plan considered an area of 24.1ha (equivalent to 77,000sqm). We recognise that the potential impacts associated with the full 44ha have not been directly modelled, albeit the indication is that the net site area would be closer to 30ha once other site requirements are accounted for[44]. That said, the principle of allocating the 44ha site is established through this Plan. In doing so, both National Highways and WSCC are cognisant of the allocation, including the additional modelling sensitivity testing work for trip generation comparisons at Gatwick Green. Neither has requested additional modelling work (including in response to the proposed main modifications). Proposed policy content in respect of securing modal shift would reflect the principles of vison-led transport planning embedded in Dft Circular 01/22 ('Vision and Validate'), which is supported by National Highways.

150. Subject to the relevant criteria in the allocation policy and strategic transport policy in the submitted Plan, we are satisfied that the Gatwick Green allocation would come forward in accordance with the objective of accelerating the shift to more sustainable patterns of development as set out in Dft Circular 01/22 and the West Sussex Transport Plan 2022. The general 'monitor and manage' approach is supported by National Highways and WSCC as set out in the latest SoCGs.

151. The transport modelling work for the Local Plan, overseen by WSCC, is based on types and amounts of employment use, which vary in terms of traffic generation. Depending on the future detailed development of Gatwick Green, in

[43] Appendix 2 to Gatwick Green Limited Regulation 19 representations REP055(2023).
[44] Gatwick Green Limited Matter 4 Statement in response to MIQ4.22

terms of precise types of development and floorspace, further analysis would be required as part of any detailed transport assessment. To mitigate impacts, the policy for the site appropriately details that HGV traffic would not be permitted to enter or exit the site to the north.

152. The transport assessment work for the Plan (Scenario 2) does not identify the need for significant (strategic) highway mitigation arising from the Gatwick Green proposal, such that off-site highway mitigation measures are likely to be only relatively minor in scale. Highways access to the site would be from the B2036 Balcombe Road. A new link connection from the B2036 to the A2011 (and then the M23) is committed to and funded as part of the Forge Wood development and expected to be completed in 2025/26 as identified in the Infrastructure Delivery Schedule (IDS) [CBC/KD/IP/07, page 4]. The IDS also identifies known mitigations relating to the merge/diverge at M23 Junctions 10 and 11 to support growth in the North East Sector of the Borough. The site allocation policy requires contributions to off-site highway mitigation where required. We consider this a sound approach and that industrial and warehousing development at Gatwick Green could be safely and adequately accessed from the M23 strategic road network.

153. Delivery and earliest completions at Gatwick Green are anticipated in 2026/27 following delivery of the link road at Forge Wood and associated improvements at M23 Junction 10. As such we are satisfied that the Gatwick Green site could deliver in line with the overall employment trajectory [EGSM/EG/01] and that the minimum land requirement is capable of being met within the plan period. In respect of any changes in the circumstances to the off-site highway works identified above and the transport consequences of positively allocating the balance of the site above the 17.93ha minimum, the policy requires further transport work at various early stages.

154. Concern is raised by GAL regarding the impact of Gatwick Green on the ability to deliver future surface access improvements for the Airport. From the evidence before us[45] we are satisfied that the allocation has been devised so as to enable the re-alignment of the A23 and the re-routing of the Balcombe Road. The extent of the allocation would not preclude the provision of new slip roads to the M23 Spur Road. There will need to be close alignment between the details of how the Gatwick Green proposal comes forward and the Airport's future operations. In this regard and following consultation on the proposed MMs, we recommend various refinements below to the proposed MMs to ensure a genuinely coordinated approach.

155. To ensure that the detailed planning of Gatwick Green secures effective outcomes in relation to sustainable transport, we consider the policy as

[45] Including Appendix 1 to the SoCG between GGL and CBC [PS/CBC/SoCG/20 – January 2024]

submitted would not be sound in ensuring a necessary sequence of activity. This approach has become more important in light of DfT Circular 01/22 and the scope to set a robust transport vision for the development to secure modal shift rather than the increasingly uncertain approach of predict and provide transport planning. As such we recommend **MM16** which would require a vison-led approach to transport planning as part of the master planning for the site. We also recommend through **MM16** additional policy content requiring a Construction Management and Phasing Plan to be submitted to ensure that impacts on the local and strategic road networks are taken into account and where necessary mitigated during the construction phase(s). This would ensure the policy would be effective for what would be a major development.

156. In terms of sequencing and implementation, we consider the policy is justified in requiring both a master plan and a mobility strategy prior to the submission of a planning application. It is not necessary that a full transport assessment is required at the master planning stage. The mobility strategy, encompassing the modified requirement for a vision-led approach to transport, would be sufficient at the early stages of developing the details for the Gatwick Green site. Processes around the Local Plan and the concurrent DCO process for the NRP have already to some extent considered the inter-relationship between plans for the airport and the Gatwick Green site. We are not persuaded that there are any fundamental conflicts but accept that matters of detail will be important to ensure that the precise layout and highway arrangements for Gatwick Green dovetail with the ability to deliver potential growth at the airport. As such the policy remains justified in requiring the detailed Transport Assessment at the planning application stage when there is more certainty on mix of uses and scale and layout of development.

157. As a consequence of the consultation process on the proposed MMs we have amended the structure and wording of Policy EC4 in **MM16** so that it is clear that the mobility strategy is to be prepared first and that a transport assessment is submitted as part of the initial outline planning application. This would aid the effectiveness of the policy. It would not fundamentally alter the policy as previously consulted on. We do agree, however, that it should be clarified that the early Mobility Strategy is prepared in consultation with Gatwick Airport and transport stakeholders including National Highways, WSCC, public transport operators and accessibility groups. This would ensure the complementary development of major employment growth and airport expansion in this part of the Borough. Again, we consider no one would be prejudiced by this further clarification, which does not alter the substance of the policy.

158. Finally, in respect of the sequencing of policy requirements for the site, in light of the responses to the MM consultation, we consider additional text in the final paragraph of the policy would be necessary to clarify how the master plan will be prepared, who will be engaged in its preparation and its status. Accordingly,

we have modified the text as part of **MM16** and again these changes aid the effectiveness of the policy rather than change its substance. In respect of the status of the master plan, we do not consider it necessary for soundness that this must be approved by the Planning Committee prior to the submission of any planning application. The requirements more generally for masterplans, including the need for consultation, are set out in other policies of the Plan such that, as for other strategic sites in the Plan, delegated agreement would be appropriate.

159. On submission, the Plan anticipated that the Gatwick Green site would be built out over the latter part of the plan period to 2040. Given the likely pent-up demand for warehousing and logistics uses and the evidence from the site promoter on its anticipated timeframe for delivery, the timeframe in the policy and trajectory for the site is not sound. As such we recommend **MM17** which would make clear that the site is likely to come forward sooner rather than later within the plan period.

160. Overall, there would be no significant adverse impact on accessibility for current plans for the airport (DCO NRP and in the long-term the southern runway). With the various MMs recommend above, as modified, the policy framework for a strategic employment site at Gatwick Green would be sound.

Employment Uses at Gatwick Airport

161. Policy GAT4 would provide a flexible approach for employment floorspace at Gatwick Airport enabling the re-use of vacant or surplus airport-related floorspace within the airport boundary. It would also allow for new non-airport related employment floorspace within the airport boundary provided it would be compatible with the long-term plans for the airport and not have an unacceptable impact on the role and function of other main employment areas and town centres within the Borough and beyond its boundaries. We consider this to be a pragmatic approach considering the declining demand for airline related office accommodation and increasing efficiencies for other airport related operations within the airport boundary. It would not be sustainable to allow existing buildings and sites at the Airport to not be in active use. Accordingly, it would not be justified to impose a restrictive policy. Similar to hotel accommodation and retail, the policy framework of the Plan should positively respond to the particular circumstances of Gatwick as a significant centre within the Borough.

Employment Policies

162. Policy EC5 requires major developments to contribute towards the most up-to-date Crawley Employment and Skills Programme [PS/EGSM/EG/13]. The intention is that this would comprise a proportionate financial contribution, with

the details of how that would be calculated set out in the Planning Obligations Annex. There is a clear disparity between the qualifications of the resident workforce and those in-commuting to Crawley which is reflected in the fact that the Borough ranks as one of the lowest local authority areas for social mobility (304 out of 324). Enabling local residents to attain qualifications and access higher skilled (and higher paid) employment is a key priority reflected in local economic strategies for the LEP area and Gatwick Diamond. As such the principle of a policy seeking contributions for enhancing employment and skills is justified and consistent with NPPF paragraphs 57 and 81.

163. In terms of the contributions sought these are set out in the Planning Obligations Annex to the Plan. In accordance with NPPF paragraph 58 this has been considered as part of the Plan-wide viability assessment. As submitted, the intended implementation of the policy would not flexibly allow for other mechanisms, which could secure greater benefits than a financial contribution, for example, a bespoke skills programme as part of a particular major development. As such we do not find the sole focus on financial contributions would be effective in securing skills and employment opportunities for Crawley residents that would arise through new developments taking place in the Borough. **MM18** would introduce necessary flexibility to the reasoned justification of Policy EC5 to clarify that measures in lieu of a financial contribution that would demonstrably secure greater skills and employment benefits would be supported. **MM39** would make corresponding changes within the Planning Obligations Annex where it relates to implementing Policy EC5. Accordingly, we recommend these modifications so that the Plan would be effective.

164. The Planning Obligations Annex sets out a formula for calculating a contribution towards employment and skills. Given the Council's aim is to target the share of workers at a major development who live in Crawley, it is the employment self-containment rate that should be used, not the resident self-containment rate. This should be the definition of "c" in Box 5 of the Planning Obligations Annex, which based on the latest 2021 Census data would be 52% (not the 65.7% resident self-containment rate submitted). **MM40** would update the Annex accordingly and we recommend it for effectiveness.

Conclusion

165. Subject to the MMs identified above the Plan would positively and proactively encourage sustainable economic growth through its policies and the identification of Gatwick Green as a strategic employment location, to flexibly meet anticipated needs over the plan period.

Issue 4 – Is the Plan's policy framework for Gatwick Airport, including within the safeguarded area, justified and effective?

Gatwick Airport

166. The Plan identifies a 'Local Plan Airport Boundary' (LPAB). This is not intended to define operational land[46] or the extent of GAL's ownership. It is a planning policy designation identifying where airport related uses should be located, and where specific Gatwick Airport policies in the Plan would apply. The boundary is drawn relatively tightly to include land which is clearly identifiable as part of the existing airport. On this basis it is justified that areas included in the LPAB in the 2015 Local Plan which are not essential to the operation of the airport because they are not in airport related uses are excluded from the proposed LPAB in the submitted Plan. We recognise that the change for some sites from previously being within the LPAB to now being in safeguarded land for the airport would result in a potentially more restrictive approach. However, the Plan's policy framework within the LPAB still requires compatibility with the safe, secure and efficient operation of the airport, such that wholesale redevelopment and intensification of sites within the LPAB could not be assumed. The general policy framework in the Plan would support the continued use of sites that were previously in the LPAB including the scope for some changes of use and adaptation and refurbishment.

167. Alternative approaches to defining a boundary have been appropriately considered and discounted in the SA on wider sustainability grounds. It is not necessary for soundness that the boundary should be consistent with the 'airport boundary' in the GAMP (at Plan 4) which would entail wider areas of land in GAL's ownership, including areas of countryside close to the airport. A wider LPAB would potentially dilute necessary focus for efficient and sustainable on-airport development. If matters change in terms of the configuration of the airport, either through the NRP DCO or positive movement to implement a second wide spaced runway, then plan review would provide an appropriate mechanism to revisit the delineation of the planning policy boundary.

168. Policy GAT1 is necessarily a strategic policy for development of the Airport. The policy addresses the Airport in terms of its current single runway operation. Whilst the Airport is concurrently pursuing the NRP to create additional capacity, the DCO application was accepted shortly after the Plan was submitted for examination. The DCO process remains to be determined with the Examination period taking place from February to August 2024. Accordingly, the submitted Plan is justified in setting out a policy framework on the basis of a single

[46] As per the 2019 Lowfield Heath Inquiry APP/Q3820/W/17/3173443 [PS/EGSM/GA/24]

runway, two terminal airport and to provide some contingent flexibility that the criteria in Policy GAT1 would similarly apply to the DCO proposal. If circumstances change, and the DCO is approved (in whatever form), that would be a matter for Plan review.

169. The airport operator benefits from various permitted development rights but nonetheless the principle of Policy GAT1 is justified in ensuring that where development does require planning permission and in responding to prior approval consultations, the development plan seeks to secure an appropriate balance between minimising and mitigating impacts and maximising opportunities. This is entirely consistent with national planning policy (including NPPF paragraphs 106e) and 185) and wider national aviation policy.

170. Criterion iii) of Policy GAT1 supports proposals at the Airport that would provide for biodiversity net gain and then sets out a sequential approach where this cannot be secured ensuring impacts are mitigated and then, as a last resort, compensated. As submitted the Plan seeks compensation on a "like for like" basis. This may not be practicable, and compensation is not expressed as such at paragraph 180a of the NPPF. As such the approach to securing compensation would not be sound. **MM19** would remedy this by stating that equivalent or greater value for biodiversity compensation would be secured and we recommend this for effectiveness and consistency with national planning policy.

Development within the safeguarded area

171. Development would not be precluded within the safeguarded area but necessarily there needs to be an appropriate balance between ensuring the area remains as unfettered as possible to enable the implementation of a second wide-spaced runway, if required. There is also the sustainability of constructing development that may well need to be demolished short of a reasonable building lifespan. Policy GAT2 would allow for small-scale development within the safeguarded area. As submitted, the Policy lacks clarity on what would comprise 'small-scale' and paragraph 10.19 would not provide sufficient clarity on proposals that would refurbish or seek to improve existing employment sites within the safeguarded area. As such we find the overall approach to enabling appropriate small-scale development within the safeguarded area would not be effective.

172. **MM20** would clarify in Policy GAT2 that small-scale would comprise, but not be limited to, changes of use, minor building works and residential extensions. It would widen the policy to confirm that improvements to existing employment buildings would also be acceptable by way of small-scale extensions and refurbishment provided it would not lead to a significant intensification or increase in scale of development. This would require decision-makers to

exercise judgements on what would amount to "significant" but this is a commonplace practice that should not impede effective or timely decision-making. Additionally, the proposed modification would helpfully clarify that temporary planning permissions may be appropriate. To reflect these recommended changes to the Policy, **MM21** would provide corresponding amendments to paragraph 10.19 of the Plan in terms of what may comprise minor building works and in the case of employment uses what may constitute small-scale improvements. In recommending **MM20** and **MM21** we consider the Plan would be effective in terms of the balance needed between avoiding undue constraints to implementing a second wide-spaced runway whilst enabling appropriate investment in existing employment sites and premises within the area.

173. There are multiple existing employment areas and uses within the safeguarding area proposed within this Plan, including the main employment area at Lowfield Heath. These areas are currently within the safeguarded area in the 2015 Local Plan. There is no compelling evidence that safeguarding has been detrimental to the vitality of existing employment uses and areas proximate to the airport or inhibited the continued occupation of employment buildings or land. As such there is no soundness issue in identifying Lowfield Heath as a main employment area subject to the provisions of Policy GAT2 (as modified), which would still allow for proportionate investment in the employment stock at this location.

Hotel Accommodation and Airport related car parking

174. Hotels are a main town centre use as defined in the NPPF and so should be ordinarily subject to a sequential test of town centre locations first, and then edge of site, and only if suitable sites are not available should out of centre sites be considered. The situation in Crawley is strongly influenced by the presence of a major international airport, which generates significant demand for hotel accommodation for both passengers and aircrew. The airport already has existing hotels that can be readily accessed from the terminals and by those arriving by train, coach and car.

175. As such there is a locally specific logic that the Airport be identified, together with the town centre, as a starting point for locating proposals for additional hotel accommodation in the Borough. Policy EC7 would also enable the long-term operational needs of the airport to be assessed when looking at individual accommodation proposals at the airport. Importantly, the policy would enable a consistent approach that any car parking provided either at on-airport hotel developments or at sequentially acceptable hotel and visitor accommodation proposals outside of the town centre or Gatwick Airport accords with the need to

control the amount of airport related parking. This would encourage modal shift[47] and to necessarily restrict unsustainably located off-site parking provision.

176. Policy GAT3 in relation to Gatwick Airport Related Parking is fundamentally a continuation of the restrictive policy approach found sound for the 2015 Local Plan, with the Inspector concluding the airport was the most sustainable location for parking provision and there was "obvious logic" to providing car parking as close as possible to the airport terminals. Latest 2023 monitoring outputs[48] show appreciable levels of existing authorised and unauthorised off-airport parking within the Borough and neighbouring local authority areas. Given the scale of existing off-airport provision we consider this should represent something closer to a high tide mark rather than a foundation from which to further disperse parking provision. Various appeal decisions in the Borough, including at Inquiry, have upheld the approach of focusing airport related parking at the airport as an appropriate strategy. The policy has been amended since the 2015 Local Plan to insert the word 'and' to clarify that both limbs of the policy need to be satisfied. This necessarily clarifies matters following the 2016 High Court challenge and 2019 Lowfield Heath inquiry and would ensure the submitted Policy would be effective.

177. We have been referred to various decisions in support of the sustainability of off-site parking for airports and providing consumer choice. These decisions generally date back to 2012/13, predating the policies of the 2015 Local Plan, and are therefore of very limited applicability. In terms of the general effectiveness of the policy requiring airport related parking to be justified by a demonstrable need within the wider context of achieving a sustainable approach to surface transport access to the airport, we consider this a reasonable and valid approach in avoiding a harmful dispersal of parking provision and securing the bold modal shift targets sought for the airport.

178. In terms of the effectiveness of the policy we recognise that much of the land within the LPAB will be operational land where the airport operator benefits from PD rights including for their car parking. It is important to note that the rights only apply to the '*relevant airport operator*' and not third parties such as hotel operators at the airport. Additionally, PD rights would not apply to any land within the LPAB which was not '*operational land*'. Accordingly, and having regard to the evidence of how parking proposals have been assessed by way of "demonstrable need" in the context of the 2015 Local Plan, we do not consider the second limb of Policy GAT3 would be ineffective. This matter was comprehensively dealt with as part of the Lowfield Heath inquiry in 2019[49] and we share the conclusions of that Inspector that enforcing Policy GAT3 is a

[47] As per targets set out in the Airport Surface Access Strategy
[48] Document PS/EGSM/GA/26
[49] APP/Q3280/W/17/3173443 Appeal by Holiday Extras Ltd [document PS/EGSM/GA/24]

matter for the LPA "in a manner they consider appropriate"[50]. The overall approach in Policy GAT3 would enable a greater share of airport car parking within the LPAB so as to necessarily secure sustainable patterns of parking proximate to the airport.

179. We are not persuaded that circumstances have changed in the Borough to indicate that an alternative, more permissive approach to off-airport parking provision is necessary as part of an appropriate strategy for the Borough. On the contrary, the latest Airport Surface Access Strategy of 2022 requires the Airport operator to manage how passengers and staff access the airport, including an ambitious target of 52% of passenger journeys by public transport by 2030. Moreover, the latest S106 agreement with the Airport (2022)[51] requires 'sufficient but no more on-airport car parking spaces than necessary to achieve a combined on- and off-airport supply that is proportionate to 48% of non-transfer passengers choosing to use public transport for their journeys to and from the airport by end of 2024'. Accordingly, we find that the principle of the policy approach of carefully controlling the location and amount of airport related parking is justified.

180. We accept that additional parking at the airport may well require shuttle transport to get passengers and baggage to the terminals. However, consolidation of parking around the airport would provide scope for a more efficient, reliable and sustainable shuttle services as opposed to alternative meet and greet or park and ride services ferrying passengers to and from dispersed sites, over likely longer distances. This is notwithstanding more innovative technology and business models (for example ride-sharing and ride-hailing services, electric vehicles and connected and autonomous vehicles). These general concerns with the sustainability of off-site airport parking provision have been echoed in a recent Bristol Airport appeal decision[52] and similarly apply to Gatwick. As such focusing, long stay parking provision at the airport, in our view, presents the best option for meeting important modal split targets and avoiding the potential for the harmful over-provision of car parking.

Other Matters

181. Noise related to Gatwick Airport, including under the scenario were a second wide spaced runway implemented, is a significant environmental issue for the Borough. The Plan largely addresses it under Environmental Protection policies and so we address noise principally at Issue 9 below and further in relation to gypsy and traveller accommodation in Issue 5.

[50] Paragraph 14 of the decision, citing the judgment in 2016 EWHC 3246 admin
[51] Document EGSM/GA/05 – Obligation 5.6
[52] APP/D0121/W/22/3293919 – [document PS.EGSM.GA.25]

182. The Plan introduces Policy DD5 on Aerodrome Safeguarding to ensure that the safe operation of Gatwick is taken into account in the design of development. This also includes minimising risk of death or injury in the event of an aircraft accident on take-off or landing. As submitted the policy is sound and consistent with evidence[53] that Aerodrome Safeguarding should be embedded within Local Plan policy rather than applied ad hoc through DfT Circular 01/2003 at the development management stage.

Conclusion

183. Subject to the MMs identified above the Plan's policy framework for Gatwick Airport, including within the safeguarded area, would be justified and effective.

Issue 5 – Is the Plan justified and effective in its approach to meeting the housing needs for different groups in the community, including provision for affordable housing and the accommodation needs of gypsies and travellers?

Affordable Housing

184. There is a pressing need for affordable housing for the Borough, with the 2019 SHMA [H/HN/01] identifying a need for 739 affordable homes a year. In addition to the Council's active programme to deliver affordable homes on land that it owns it is justified that the Plan sets out a demanding but pragmatic policy approach to securing affordable housing as part of new residential developments. Consequently, all new residential development is required to contribute to the delivery of affordable housing. The Plan Wide Viability Assessment shows that 40% provision would not harm the delivery of the Plan in combination with other policy costs and CIL across most of the Borough. The exception is the town centre where higher development costs associated with sites, a need for denser development and a nascent market justifies the application of a lower headline requirement of 25% affordable housing. To aid delivery the Plan also justifiably varies affordable housing tenure by these two locations by reducing social rented and increasing intermediate provision at the town centre.

185. On this basis, the Council calculates that across all sites, including small sites and windfalls, approximately 15% of the affordable housing need would be met through the anticipated housing supply during the plan period. As such there would remain a severe unmet need for affordable housing. The SA process has considered a number of alternative policy options (blends of thresholds and mixes) but none are to be reasonably preferred to the submitted policy. It would be challenging on viability grounds to increase the Borough 40% requirement

[53] Safely Landed. Is the Current Aerodrome Safeguarding Process fit for purpose? Lichfields 2018

and town centre 25% requirement without denting overall housing delivery. Increasing the Borough's housing requirement to meet affordable housing needs as a proportion of new development (it would take 1,848dpa to deliver the 739 affordable dpa at 40%) would be ineffective in our view, given the DtC process has already identified the significant unmet housing need for Crawley (based on the LHN of 755dpa) is unlikely to be accommodated by neighbouring authorities. That said, we consider the evidence of an acute unmet affordable housing need supports the case that any strategic housing growth at the edge of Crawley should seek to positively respond to this issue if growth 'At Crawley' is to be genuinely sustainable for the town and its immediate hinterland.

186. Policy H5 as submitted seeks affordable housing on all residential developments resulting in a net increase of at least one dwelling with a general presumption of financial contributions for sites of 10 dwellings or less. Given the acute scale of the affordable housing need in the Borough and the significance of smaller sites to the overall delivery of housing in a land constrained Borough we consider the policy is justified and effective notwithstanding NPPF paragraph 64. The policy would be a continuation of 2015 Local Plan policy found sound in the context of the NPPF and subsequently upheld in various appeal decisions.

187. In terms of the practical application, the policy needs to be clearer that on site provision is the default expectation, with off-site contributions in lieu to be considered in exceptional circumstances. **MM30** would address this for effectiveness, and we return to this below. For smaller schemes of 10 dwellings or less, the policy recognises that a financial contribution would be the more practical approach. The Plan appropriately recognises that there is a need to avoid placing a disproportionate burden on smaller sites such that a tapered approach on sites of 1-10 dwellings is fairly applied. This has been viability tested in accordance with NPPF paragraph 58.

Self-Build and Custom Housing, Housing for older persons and Build to rent

188. Policy H4 sets out a housing mix test for major residential developments. This is supported by a recommended mix for market and affordable tenures for the town centre and the rest of the Borough. The evidence in the SHMA and through annual monitoring of recent completions shows that there has been an over-provision of smaller properties (especially 1 bed) and a shortfall of larger units (3 & 4 beds). Consequently, the Plan is justified in seeking larger units (3 beds) as part of town centre and flatted developments. Whilst some in the market appear resistant to this, the Plan Wide viability assessment of residential typologies has nonetheless demonstrated that such provision would be viable. In the context of the current over-provision of smaller 1 bed and studio flats (which may well be meeting (in part) a wider housing need outside of the Borough), we do not consider that a moderate re-balancing to include a greater element of family sized accommodation, including in the town centre, would be

detrimental to the housing market or affordability for younger households forming in the Borough.

189. It is recognised that the Plan would result in unmet needs for those seeking to self-build or custom-build their own homes. In a Borough where land supply is severely limited, required for other forms of housing (particularly affordable housing) and otherwise in town centre locations where there is a sustainability imperative for higher density development, this is perhaps unsurprising. The Council has identified the unmet need in self-build through the DtC process. Consequently, it would be reasonable that authorities within the wider housing market area consider the potential to meet this element of Crawley's unmet housing need, particularly in any greenfield urban extensions to Crawley.

190. There is clear evidence in the SHMA of a significant need for specialist housing for older persons, including sheltered and extra care housing and care bedspaces. Two sites are purposefully identified in the Plan at Policy H2 for older persons housing (Oakhurst Grange and the St Catherine's Hospice site). For similar reasons as for self-build, the constrained nature of land supply in the Borough severely limits the scope to allocate sites for older persons housing. As such we are satisfied that the Plan is justified and positively prepared in identifying two specific sites. Having regard to the SHLAA, we note that there are consented proposals that include provision for older persons accommodation which gives us confidence that there is likely to be further windfall provision for older persons housing over the plan period, including through the change of use and adaptation of existing buildings. We do not consider a specific policy on older persons housing would be necessary for soundness that would meaningfully add to the policy framework in the Plan that generally supports housing delivery where proposals would comprise sustainable development.

191. Policy H5 on affordable housing specifically addresses provision in relation to older persons' housing and accommodation. This includes both housing schemes likely to comprise residential use (Class C3) including sheltered housing and extra care housing where there is a degree of self-containment and in respect of what the Plan describes as "traditional care homes", which are likely to be more institutional facilities (Class C2). As submitted the policy requires 40% and 25% affordable provision for the wider Borough and town centre respectively for older persons' accommodation.

192. With regards to an older persons' development that is likely to comprise a residential use (Class C3), as the recent Rectory Homes judgment [PS/H/HN/10] and the PPG advises at paragraph 63-014, matters are not straightforward and so it will largely be left to the judgement of the Local Planning Authority, dependent on the specifics of the proposed development. As such we do not consider the policy requires modification to contain

prescription on what schemes would comprise a C3 use or to specifically exclude forms of specialist older persons' housing. There is wide variation in the types of schemes that come forward, including blends of provision on larger proposals. It is not for the policy to countenance all conceivable development scenarios or for these to be individually viability tested. Accordingly, as a starting point, the policy should remain flexibly worded as submitted to enable assessment on all older persons' housing proposals.

193. In terms of seeking affordable housing provision on older persons' schemes including retirement living, sheltered housing and extra care housing where there is a degree of independent living, the Plan-wide viability assessment has assessed this. This includes in relation to the St Catherine's Hospice allocation and more generally to sheltered flats and extra care flats typologies (assessed at Appendix IIIa of the Local Plan & CIL Viability Assessment (LPCVA)). The plan-wide evidence shows that viability is likely to be variable resulting in a more frequent use of viability review and negotiation [LPCVA para 3.7.21, p76]. To devise a policy that sought to deal with the wide variation in the nature of such schemes would result in an overly complex approach. As such it remains justified that the policy starts from a position of seeking a requirement with the provision that in exceptional circumstances, on a case-by-case basis, this could be relaxed.

194. In terms of the principle of seeking an element of affordable care provision within care/nursing homes schemes, this is justified by the circumstances in the Borough. This includes the evidence in the SHMA that confirmed a significantly higher proportion of older households in Crawley in tenures other than owner occupation. Accordingly, a significant proportion of the need for care home accommodation arising from Crawley is from households that do not have existing equity to fund their care.

195. The Plan seeks affordable care provision in terms of an equivalent percentage in affordable care beds. The viability and practicality of delivering this within the Borough has been contested by the sector. We note that the Plan wide viability assessment has tested a nursing home scheme as a commercial typology (at Appendix IIIc) with broad ranging outcomes reflecting that care home developments in the Borough are likely to come forward on previously developed sites with varying existing use values. Whilst the assessment did not specifically factor in the requirements and likely costs of Policy H5 we nonetheless note the residual land value when compared with likely benchmark values creates a potential viability 'headroom'. Additionally, the LPCVA in respect of sheltered and extra care schemes has factored in the costs of CIL, which would not apply in the case of schemes that fell squarely into the C2 use

class. In this regard we share the Council's assessment[54] that a likely cost using the commuted sums calculator could be accommodated within this buffer.

196. In terms of aiding viability, an approach of basing the requirement on the net sales area and excluding communal areas is likely to result in beneficial outcomes, particularly for care/nursing home schemes. We see no serious difficulties in implementing this, with communal areas being distinct from individual room provision. The practical application of a net sales area through the commuted sum calculator is likely to result in a significant reduction on the respective 40% or 25% requirements sought by policy[55]. The starting point for such provision should be on-site in the form of affordable care beds and Policy H5 and the Obligations Annex need to be modified to reflect this to ensure that the policy is effective. That does not preclude financial contributions as set out elsewhere in the policy, where justified as an exception. The submitted Plan needs to be modified to introduce necessary clarity on the net sales area approach. **MM31** would do this in terms of supporting text to Policy H5 and **MM41** would make the required changes to the Planning Obligations Annex. We recommend both MMs for effectiveness.

197. On-site provision for affordable bed space capacity or financial contributions generated for 'affordable care' would meet the necessary tests. Similar to other forms of affordable accommodation where there is no local authority (WSCC) acceptance to the spaces available, private occupancy would be the fallback and a commuted sum payment sought. The commuted sum payment would need to be used for capital rather than revenue expenditure. In determining the formula for a capital contribution this would reflect the cost to the development had affordable housing been provided on site in the form of a floorspace levy to be applied to the net sale area of the gross internal area. The amount of the levy would vary dependent on the location, with a lower levy reflecting viability issues within the town centre.

198. Bringing together the various issues on Policy H5 and 'affordable care' we consider the Policy requires modifying to provide a clearer approach and additional assurance that it can be implemented viably in order for the policy to be sound. As such, various modifications are needed for Policy H5 and the related parts of the Planning Obligations Annex. This includes improving the structure of the policy to remove unnecessary repetition. The policy also needs to be amended to clarify that financial contributions for off-site provision would be determined using the Commuted Sums Calculator for the town centre and outside of town centre zones, and this would be formulated on net sales areas excluding communal areas. Finally, additional content is required in the Plan regarding on-site provision of affordable care, including the role of West Sussex County Council in supporting any package and whether that would inform

[54] Further explained in response to our post MM consultation correspondence
[55] Illustrated in examples presented in CBC Matter 6 Statement, response to MIQ6.17

exceptional circumstances for a commuted sum, with any such sum being tapered on sites of 10 or less. **MM30**, **MM31** and **MM41** would make the necessary changes to address these matters and so we recommend them so that the Plan would be justified and effective.

199. The Plan positively addresses the emerging Build to Rent sector in accordance with the PPG and as defined in the NPPF. There are already some sizeable schemes built in the town centre. Policy H6 sets out specific requirements in relation to affordable private rent provision by location (town centre/rest of Borough) which is appropriately supported by the Plan wide viability assessment. Overall, the Plan's approach to Build to Rent is sound.

Gypsies and Travellers

200. On submission the Plan was not accompanied by an up-to-date Gypsy & Traveller Accommodation Assessment (GTAA). The final GTAA was provided in November 2023 and as such various parts of the Plan as they relate to gypsies and travellers are no longer justified or effective in light of the latest evidence. The national Planning Policy for Traveller Sites (PPTS) was also updated in December 2023.

201. Whilst we have some reservations about the GTAA in terms of the extent to which there has been engagement with those households in bricks and mortar, we do not consider that this necessitates further examination or potential delays in adopting this Plan. Whilst the situation regarding households in bricks and mortar is not conclusive and would benefit from further face-to-face survey work, the evidence from other indicators does not point to a pressing need for forms of culturally appropriate accommodation from households within bricks and mortar in the short term. As with the previous 2015 Local Plan, which applied an assumed growth calculator, if a need does materialise from within bricks and mortar, a reserve allocation would provide an appropriate option during the plan period.

202. We note the other methodological concerns that the GTAA may have potentially under-estimated existing need in the Borough, as well as potential in-migration from elsewhere in the south-east from public to private sites. There is no evidence through the DtC statements that neighbouring authorities are looking to Crawley to assist in accommodating any unmet needs for gypsy and traveller accommodation. Given the proposed Broadfield Kennels allocation we do not consider that the Plan needs to identify or allocate additional sites for plan soundness. Further private site provision can continue to be managed through the application of submitted Policy H8. Following the latest GTAA evidence post plan submission, various parts of the Plan would need to be updated to reflect its findings. **MM28** and **MM29** would do this, and we recommend them so that the Plan would be justified and effective.

203. Whilst the GTAA does not identify a short-term need for pitch provision within the first five years, should that arise we are satisfied that Policy H8 provides a positive basis for assessing individual proposals, subject to the MMs recommended below. In line with the latest PPTS Policy H8 does not limit itself by reference to the previous 'planning definition' and so would apply to those seeking culturally appropriate accommodation. Ultimately, the allocated site at Broadfield Kennels could generously accommodate up to 10 pitches including potential needs from existing Traveller households in the Borough, together with any need to relocate from sites within the safeguarded area for Gatwick Airport during the plan period, should that requirement materialise.

204. The Broadfield Kennels allocation was previously found sound as part of the 2015 Local Plan against a similar national planning policy framework. It is a sustainably located site, where, notwithstanding its position in the HWNL, the principle of the allocation is established, including with the nearby settled community. The site is owned by the Borough Council who have the control to bring it forward. The site is not in use and so is available. Works are required to improve access from the A264 in terms of upgrading the current layout. There are no detailed costs on this, but it is recognised that they would be significant. There is nothing at this stage to substantiate that such works are insurmountable (noting the highway authority did not object to the allocation). The Borough Council has indicated that it would seek grant support from national funding for gypsy and traveller site delivery, which we consider to be a reasonable approach. Overall, given the tightly constrained nature of the Borough, we find that the Broadfield Kennels site to be soundly allocated as a developable site for the period 2029-2040 and to have been appropriately assessed against the reasonable alternatives as part of the SA/SEA process.

205. Private individual site provision has focused on land between the northern edge of Crawley and Gatwick Airport, nearly all of which is covered by safeguarding for the airport. As such it is justified that temporary planning permission may be appropriate until such time that there is certainty regarding the second wide-spaced runway. Criterion f) of the Policy H8 requires proposals to meet an identified local need. We are mindful that paragraph 24 e) of the PPTS states that Local Planning Authorities should determine applications for sites from any travellers and not just those with local connections. Nonetheless, physical land supply in Crawley is highly constrained and so it is justified that the policy refers to meeting local need, which would include those households on existing sites in the Borough and any concealed need within bricks and mortar.

206. The evidence, similar to the 2015 Local Plan, demonstrates that caravan accommodation offers a notably lower level of acoustic attenuation compared to bricks and mortar. As such a precautionary approach is justified, including retaining the protection of a lower Unacceptable Adverse Effect Level for aviation noise and gypsy and traveller accommodation, as was found sound as

part of the 2015 Local Plan. The evidence is clear that sustained and frequent exposure beyond the 57 decibels threshold would be detrimental to day-to-day well-being, as well as child development and various long-term health conditions. There is little before us to demonstrate that caravan and other forms of culturally appropriate accommodation can be appropriately mitigated against the levels of noise associated with the intensity of operations at Gatwick Airport. Whilst the 57 decibels threshold may result in a more restrictive approach, the alternative of a more flexible policy approach (i.e. on a case-by-case basis or sequentially if no alternative sites are available beyond the 57decibels contour) could result in Gypsy, Traveller and Travelling Showpeople households experiencing environmental conditions that would otherwise be unacceptable, contrary to paragraph 13e) of the PPTS and the high standard of amenity sought at NPPF paragraph 130 f).

207. Consequently, for permanent sites (including those granted on a temporary basis within the safeguarded area) a noise level applied at the 57 decibel contour is justified in order to protect the health and wellbeing of traveller residents. For temporary and transit sites, higher levels of noise exposure would be acceptable strictly on the basis of the time-limited nature of residential occupation, so as to avoid long-term health impacts. The proposed approach of 60 decibel contour for longer term temporary sites and 66 decibel contour for overnight sites (potentially for up to just a few days) would be justified as set out in Appendix F in the GTAA. This is consistent with and supported by the technical evidence set out in the latest Topic Paper 7: Development and Noise Technical Appendix [PS/DS/TP/07b].

208. A recent planning appeal has illustrated difficulties regarding the terminology in the predecessor[56] to Policy H8 over temporary stay periods on the issue of noise (as opposed to temporary for the issue of airport safeguarding). **MM32** would provide necessary clarification on the distinction between permanent, long-term temporary and overnight and short-term temporary in respect of noise exposure. The distinction and gradation in levels of noise exposure is justified by the evidence and would be in accordance with paragraph 13e) of the PPTS. Accordingly, we recommend **MM32** to ensure the Plan would be effective.

Conclusion

209. In conclusion, subject to the MMs, the Plan would be justified and effective in its approach to meeting the housing needs for different groups in the community, including provision for affordable housing and the accommodation needs of gypsies and travellers.

[56] Policy H5 of the 2015 Borough Local Plan

Issue 6 – Does the Plan take a positive approach to the growth, management and adaptation of the town centre, including a justified and effective approach to opportunity sites?

Policy framework for the town centre

210. As set out elsewhere in this report, the submitted Plan sets out a positive framework to bolster and invigorate the town centre as a vibrant retail and visitor destination but also as a dynamic sustainable business growth hub and as a growing residential quarter. This approach aligns with and takes forward the existing programme of regeneration in the town centre which has been secured through a combination of significant funding (including from the Towns Fund and the LEP) and proactive Council work. Existing and committed schemes, reflected in the Crawley 'One Town' Economic Recovery Plan and Crawley Growth Programme, will see further investment in strengthening and diversifying the town centre. The submitted Plan will support the objectives of these plans and identified interventions, whilst providing a necessary degree of confidence to enable sustainable long term decision-making and investment, particularly for a number of high-profile, significant sites around the town centre.

211. There is a balance to be struck between the ambition to optimise the potential of the town centre whilst preserving its character, including heritage assets such as listed buildings and conservation areas (recently extended at Queens Square & The Broadway). We are satisfied that the plan's preparation and the policy framework for higher density development, including in Policy TC3, has taken appropriate account of the town centre character and that the scale of development envisaged in the Plan would be deliverable.

212. The Plan's 'town centre first' approach to development is justified and in line with national policy. We recognise the challenges of retaining the town centre's vitality in current and predicted market conditions and consider the approach taken in Policy TC5, which sets a 500 square metres threshold for requiring an impact assessment for competing uses outside the town centre is appropriate. This lower threshold, compared with the national default threshold of 2,500 square metres, is based on sound research of centres with similar characteristics to Crawley and will not unreasonably restrict suitable development from taking place in out-of-centre locations within the borough. Accordingly, we find the threshold to be justified and consistent with national planning policy at NPPF paragraph 90 in terms of identifying an appropriate locally set threshold.

213. The complementary measures set out within the town centre Policies are necessary to ensuring the town centre remains the primary focus for retail and commercial activity within the borough. These include the appropriately defined extent of primary and secondary shopping frontages together with appropriate

development restrictions and the encouragement of residential development on appropriate sites, to a reasonably high density.

214. The introduction of Use Class 'E' has occurred since the Plan's initial consultation and extends the range of permitted development changes of use for town centre uses. This potentially undermines the Plan's town centre first approach, and to this end the additional reasoned justification for Policy TC5, as set out in **MM23**, is necessary for effectiveness.

Town Centre Opportunity sites

215. Key opportunity sites are set out within Policy TC3 and whilst the majority of new town centre development is envisaged on these deliverable and developable sites, other development is not restricted, which would be accounted for within the Plan's windfall figure for residential use.

216. The Crawley College site is of strategic importance, being one of the largest developable sites and with unique challenges that include maintaining educational use accommodation during any redevelopment. Other constraints include flood risk and heritage considerations. Given the site's size and likely phased redevelopment, the requirement for a masterplanned approach will contribute to the optimisation of the site, in line with the Framework's guidance on such development. **MM22** ensures that this approach is included within the Plan and we recommend it for effectiveness and consistency with national planning policy.

Conclusion

217. Subject to the MMs identified above, the Plan's approach to development, including changes of use within the town centre and the 'town centre first' approach, is soundly based, justified and positively prepared.

Issue 7 – Would the Plan provide for a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement and a developable supply thereafter for the remainder of the plan period?

Housing Trajectory and application of a 10% buffer

218. On submission of the Plan, the Council's correspondence of 31 July 2023 confirmed that the authority was seeking to confirm, through the examination of this Local Plan, a five-year supply of deliverable housing sites under paragraph 74 of the NPPF. This was also made clear in the latest Regulation 19 consultation (May/June 2023). We have examined the Plan on this basis.

219. As submitted the Plan contained a stepped housing trajectory reflecting stronger delivery within the first five years of the plan period before stepping down moderately in years 6-10 and then further in years 10 onwards as the supply becomes more constrained and reliant on windfall provision. In principle, we consider such a stepped approach is justified by the SHLAA and housing trajectory evidence. However, in light of clarifying a 17-year plan period and the increased housing requirement, together with the latest monitoring data for 2022/2023, the housing trajectory as submitted would not be justified and would require amendment in order to be sound. **MM25** would prudently reprofile the trajectory so as to anticipate an average 386dpa being delivered over years 1-10, before reducing to 210dpa in years 11-17. On this basis the minimum 5,330 dwelling housing requirement would be met over the plan period. As such we recommend the MM for effectiveness.

220. In terms of the components of the trajectory, the clarified plan period does not affect the pipeline of supply from existing consents or from the small number of housing allocations identified in Policy H2. In the short term, housing delivery would be largely sustained on the remaining phases of the Forge Wood development and the adjacent Steers Lane site, together with various major housing developments in and around the town centre where there has been a resolution to grant planning permission subject to a mechanism to secure planning obligations (Crawley Station – 308 units; wider Town Hall redevelopment scheme – 182 units; Telford Place – 285 units; and Longley House – 121 units). We are also satisfied that proposed allocations in Policy H2 at Tinsley Lane and Breezehurst Drive are also included within the deliverable supply given the advances to secure planning permission on both sites in tandem to the Local Plan process.

221. In accordance with NPPF paragraph 69, at least 10% of the housing requirement would be met on sites no larger than one hectare. The reality in Crawley is that the confined housing land supply contains a significant proportion of small to medium sized sites.

222. Having regard to the SHLAA evidence and the Five-Year Housing Supply Statement, and the likely contributions from windfall, we are satisfied that the updated trajectory[57] would reflect the delivery of 2,381 net additional homes in the years 2023/24 to 2027/28. We are mindful that water neutrality has affected housing delivery rates in the Borough in the last few years, but we are satisfied that the housing trajectory has appropriately profiled site delivery to take account of this and the impact of offsetting. In applying the revised stepped trajectory and a 10% buffer, as sought on Plan submission in accordance with NPPF paragraph 74b, we are able to conclude that there would be a 5.6 years

[57] Document PS/H/HD/14

deliverable housing land supply on Plan adoption on a base date of 1 April 2023.

223. Given the nature of the land supply in the Borough, housing delivery in the mid and latter part of the plan period would be dependent to an appreciable degree on town centre opportunity sites and windfall provision. Approximately 750 units are forecast to be delivered on town centre opportunity sites in the mid part of the Plan period. These are identified as 'developable' sites in Policy H2 and have been appropriately assessed as such in the SHLAA. The sites generally comprise high profile locations at the edge of the town centre where redevelopment would be compatible with the surrounding character of the locality and would reflect the trend of recent residential developments, which have sought to appropriately optimise the use of previously developed sites in and around the town centre. The developable town centre opportunity sites are identified in the growth programme for Crawley Town Centre, which provides further confidence that they will be brought forward as part of the wider efforts to deliver sustainable growth in the town centre over the plan period.

224. The windfall allowance is generally 100 dwellings per annum from year three of the trajectory onwards. Whilst the SHLAA has sought to examine sites down to a relatively low threshold (five or more dwellings), there will inevitably be additional supply that cannot be specifically identified in the SHLAA including changes of use and in some parts of the Borough appreciable scales of development on relatively small site footprints. In recent years windfall delivery has been significantly higher than the anticipated 55dpa in the 2015 Local Plan, in large part due to permitted development rights (particularly office to residential)[58]. To de-risk any future under-estimation of windfall the Council has comprehensively looked at the matter in its 2023 Windfall Statement [document H/HD/06].

225. In setting a new windfall allowance the Council has appropriately set the small sites threshold at four dwellings to align with the fact the SHLAA has looked at sites of five dwellings or more. Additionally, the approach has been revised to ensure that prior approval sites of five or more dwellings are treated consistently with other specific sites. Recent windfall consents and delivery have also been investigated together with an analysis of the likely future trend from office conversions (excluding Gatwick Airport and Manor Royal) applying an updated and reasonable ratio of office floorspace lost and new dwellings built (factoring in the Nationally Described Space Standards). Furthermore, appropriate consideration has been given to the evidence in the 2023 Compact Residential Development Study in terms of properly optimising yields on different site typologies as set out in submitted Plan at Policy H3 and H3a)-f). Bringing this altogether the significant uplift in windfall from 55dpa to 100dpa would be

[58] 746 dwellings delivered on prior approval schemes 2015-22, compared to 145 dwelling forecast for five-year period 2015-20 (para 5.1 of the 2023 Windfall Statement)

realistic and therefore justified. In accordance with NPPF paragraph 71, the 2023 Windfall Statement is the compelling evidence that there would be a reliable supply of windfall as forecast within the housing trajectory.

226. Whilst there are no recommended modifications to Policy H2 on key housing sites, the reasoned justification to the policy would need to be updated to ensure consistency on delivery over the clarified plan period and in the context of the amended housing requirement. **MM27** would make the necessary changes and we recommend it for effectiveness.

Conclusion

227. In conclusion, subject to the above-mentioned MMs, the Plan would provide for a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement and a developable supply thereafter for the remainder of the plan period.

Issue 8 – Is the Plan's policy framework for matters of character, design and heritage justified, effective and consistent with national policy?

Character, Landscape and Development Form

228. The plan supports a sustainable approach to development, specifying higher density ranges in appropriate locations, in recognition of the compact nature of the borough and its built-up area. The proposed densities would optimise site capacity whilst respecting the character of established areas and allow for the creation of spaces in which people will want to live and interact, also taking advantage of proximity to the town centre and good transport links, where appropriate, and movement networks. The borough's 2009 Area Character Assessments remain relevant. Appropriate parking standards would be applied across the borough in line with the approach adopted by West Sussex County Council.

229. In considering whether the proposed requirements of development applications would be fair when applied across all forms and sizes of schemes, the Council has specified various submission requirements. **MM6** would enable this by ensuring that whilst all proposals would adhere to the overall design principles of the Plan, larger schemes would be required to clearly demonstrate compliance with a design vision and available opportunities. We recommend this MM for the effectiveness and soundness of the plan.

230. Similarly, through the inclusion of **MM7**, major development would be required to consider movement networks within, as well as outside, sites. Masterplans

are recommended for larger sites with design codes to be included where relevant. The alteration of Policy CL5 through **MM8** would ensure that these would be proportionate to the size of the scheme, and we recommend both MMs for the Plan's effectiveness and soundness.

231. Other character policies such as those pertaining to local and wider views and landscaping have been tested and found appropriate. Although the possibility of a tall buildings policy was considered, this is unnecessary as the other policies of the Plan would allow for proportionate development on appropriate sites. Policy CL8 for development outside built-up areas, and Policy CL9 would effectively protect the borough's National Landscape area and protect land outside the built-up area from inappropriate development. Policy CL8 considers the protection of various areas rather than individual sites, whilst allowing sympathetic forms of development that take account of their rural fringe location and particular characteristics.

Design

232. The design and development requirements policies would provide more specific requirements for detailed design matters. Policies pertaining to localised urban design, inclusive design, aerodrome safeguarding, vehicular crossover provision and advertising are straightforward and relatively uncontroversial, and our examination has not resulted in any significant suggested alterations. The application of the Nationally Described Space Standard to new housing developments as set out in Policy DD3 is augmented by additional suggested standards for homes in larger schemes, including consideration of the needs of families living in flatted buildings. The policy is necessary to ensure that such development is attractive to a mix of residents, which in turn would contribute to balanced and vibrant areas and improve market choice.

233. Policy DD4 is no longer a strategic policy, as specified by **MM9**. Strategic landscape matters are covered by other policies in the Plan, and we recommend it for effectiveness.

Heritage

234. No MMs relevant to heritage are considered necessary for soundness. The strategic approach to the management of heritage assets is sound, together with the Council's treatment of statutory and archaeological assets. The Plan also sets out a detailed approach to the management of non-designated heritage assets, in its identification of areas of special local character, locally significant buildings, and historic parks and gardens. These designations are appropriate, having regard to assets that are important to local heritage but do not meet the criteria for statutory designation, nor benefit from the same level of protection as designated assets in terms of national policy.

Conclusion

235. In conclusion, subject to inclusion of the aforementioned MMs, the Plan would be justified and effective in its guiding of the overarching design and form of all new development and its relationship with existing character, approach to detailed development matters, and management of heritage assets.

Issue 9 – Is the Plan's policy framework for the environment, water resources and green infrastructure justified, effective and consistent with national policy, including in relation to water neutrality?

Green Infrastructure

236. No modifications are proposed to policies for open space, biodiversity and nature conservation, sport and recreation, including the provision of open space and recreational facilities, and the management of rights of way and access to the countryside. The Plan's approach to these matters is sound.

Water resources, water neutrality and flood risk.

237. Most of the built-up area within the borough lies within the Sussex North Water Resource Zone (SNWRZ), which is within a designated area of serious water stress. Plan Policy SDC3 sets standards for water use in areas outside the WRZ, which are generally on the northern and eastern fringes of the borough and includes Gatwick Airport. For development outside of the SNWRZ, the policy aligns levels for residential development with the Building Regulations optional requirement for tighter water efficiency (at 110 litres of mains-supplied water per person per day), and non-residential development to be designed to achieve BREEAM[59] 'excellent' as a minimum standard within the water use category. No MMs are proposed for this policy. The policy is necessary for reasons of environmental sustainability and so is soundly based.

238. Policy SDC4 would apply to development within the SNWRZ. This proposes the limitation of water use in residential development to a significantly lower rate than that set by national standards, including the level set in SDC3, together with stringent targets for other uses. Eventually it is intended that similarly restrictive targets will be adopted by other authorities within the SNWRZ. Given the environmental constraints facing development in the region, we consider that the standards set out within SDC4 are justified.

239. Within the SNWRZ, new residential development would be expected to utilise no more than 85 litres of mains-supplied water per person per day. New non-

[59] British Research Establishment Environmental Assessment Methodology

domestic buildings would also be expected to restrict water use. In addition, an offsetting scheme is to be applied across the region. We are satisfied that these standards have been properly tested by the Council and its partners regarding potential alternatives for more or less restrictive limits, and that any risk to economic viability[60] is balanced by the minimisation of additional harm to natural resources. Importantly, achieving neutrality through the proposed water efficiency targets, in combination with appropriate offsetting, will 'unblock' the development pipeline and enable the continued growth of the Borough and achievement of the aims of the Plan.

240. To this end, **MM33** proposes that Policy SDC4 be made a strategic policy. The policy text would be reordered, and additions made to the reasoned justification text to provide certainty in the development management process. Also necessary is the insertion of an additional criterion within the Policy text, to allow for the possibility of loosened restrictions in the event that a strategic solution to water neutrality is secured through forthcoming water resource improvements, and the need to demonstrate neutrality no longer required. Other minor changes within the policy are proposed for clarity, including the necessity to make the distinction between the constituent local authorities and the separate entity of the South Downs National Park Authority. This MM is necessary for effectiveness and consistency with national planning policy.

241. There is some concern that the onus on achieving water neutrality in the short to medium term rests with the development industry by constructing in accordance with development plan policy, rather than water neutrality being wholly the responsibility of the abstracting water companies. The issue of water neutrality in the Arun catchment first arose in 2020, when this Plan was already in preparation. Whilst longer term water resource management planning should establish a strategic solution to the issue, it is imperative that a policy framework is established in this Plan that will enable and facilitate growth in the short to medium term rather than development being held in a moratorium. Ultimately, the policy approach needs to ensure that there would be no harm on the qualifying features of the protected hydrological sites in order to be lawful under the Habitats Regulations. As such, the proposed policy approach of water efficient design and offsetting is necessary, and this has been endorsed by Natural England in terms of navigating the Habitats Regulations.

242. Part C of the Water Neutrality Study states that offsetting must be in place before water demand is generated. We are assured by the evidence before us of progress being made on a local authority-led water offsetting scheme[61]. A particular factor for Crawley is the ongoing progress in retrofitting existing housing stock in the Borough with flow regulators to help create the water

[60] Costs identified through the Part C Water Neutrality Study and considered in the Plan Wide Viability Assessment
[61] Including October 2023 Update [Document PS.DS.TP.001c]

demand headroom to facilitate some additional development within the SNWRZ part of the Borough. This gives us confidence that some development would still proceed in the Borough in the event that a more strategic offsetting scheme is delayed. Notably, the Gatwick Green site is not within the SNWRZ. **MM33** would introduce further clarifications on the timing of securing offsetting, that the commitment needs to be obtained through the development management process. We recommend this part of the MM so that the Plan would be effective.

Flood Risk

243. The Council's Strategic Flood Risk Assessment was updated during the examination. Plan Policies EP1 and EP2 follow national guidance in avoiding flood risk to development, and **MM34** proposes alterations for clarification and additions in line with the borough's water neutrality aspirations. This MM is justified for the soundness of the Plan.

244. During the MM consultation period, the Environment Agency requested additional changes to the policy, in respect of the Water Framework Directive mitigation measures, together with the inclusion of a new appendix to the Plan which would set out specific projects along watercourses in the borough. The Council was offered the opportunity to comment and suggested additional text within Policy EP1 together with inclusion of the appendix. These alterations are not required for soundness or legal compliance.

Noise

245. The Plan proposes to recognise the upper equivalent sound level of the Significant Observed Adverse Effect Level (SOAEL) for aviation noise as 60 decibels (dB LAeq.16hr), with an unacceptable adverse effect above this level. We recognise that the SOAEL is significantly below the 66db in the previous Plan. However, we consider this level to be appropriate in light of various research within the evidence base identifying noise constraints for development, including the design and use of outdoor spaces, the general nature of aviation noise, and circumstances specific to the operation of Gatwick Airport and its surrounding land.

246. The alternative of not having suggested levels and a bespoke approach to determining the appropriateness of applications for development would affect plan soundness. We consider the inclusion of the levels in Policy EP4 (and carried into Policy H8) provides clarity and certainty for decision-making.

247. Changes to noise levels above 60 dB LAeq.16hr are significant, with each additional 3 dB LAeq.16hr representing the noise equivalent of a doubling of aircraft movements. The Council's evidence advised that mitigation against

noise within residential development, and particularly in outdoor spaces, can result in poor design with limited attenuation opportunities, and have a significant impact on lifestyle.

248. Guidance and advice on setting noise contours for aircraft noise within the plan-making process, and its effects, has been published by various bodies including the Government and World Health Organisation. Research continues to be published indicating a direction of travel in which noise contours would set lower noise levels as aircraft fleets are renewed with modern, quieter vehicles. Taking account of the specific characteristics of Gatwick Airport, such as its setting within rural land and the operation of night flights, the lower levels proposed by the Plan, in comparison with the 2015 Plan, represent a balanced approach between various matters and interests including airport viability, health and the local economy. They do not unreasonably restrict sites allocated for development within the Plan and would continue to provide scope for appropriate development within the SOAEL. We note the collaboration of the Council with surrounding local planning areas in which similar levels are expected to be included in Plans as they are reviewed.

249. In this regard, **MM35** clarifies development parameters within the SOAEL as part of Plan Policy EP4. **MM43** and **MM44** set out changes to the Plan's Noise Annex to align with the Policy and reflect the revised noise contours. We recommend these clarifications as being necessary so that the Plan would be justified and effective and therefore sound.

Other Environmental Sustainability Policies

250. No MMs relevant to other environmental sustainability policies are required for soundness. These include air quality, land and water quality, and external lighting policies, all of which are sound.

Conclusion

251. In conclusion, subject to inclusion of the aforementioned MMs, the Plan's policy framework for the environment, water resources and green infrastructure would be justified, effective and consistent with national policy, including in relation to water neutrality.

Issue 10 – Is the Plan effective and justified in relation to Transport and Infrastructure?

Transport

252. As set out elsewhere in this report, the Plan has taken account of and positively responds to the New Directions for Crawley and the Local Cycling and Walking

Infrastructure Plan. The Borough benefits from a good bus network, rail stations in the town centre, Gatwick, Three Bridges and Ifield and an expanding network of safe cycle routes and parking. The policies of the Plan support further modal shift, consistent with NPPF paragraphs 105, 106 and 152. A key element of this will be the coordinated plans to strengthen the town centre as a focus for the Borough, including as a vibrant residential community.

253. In terms of understanding the highways impacts of the Plan, including in combination with other anticipated growth (Gatwick DCO and west of Crawley), transport modelling work has been undertaken. The approach and outputs of the final transport modelling study (2022) are agreed through statements of common ground with WSCC and National Highways. On the whole, we find the modelling work to be robust and to appropriately reflect the likely impacts arising from the Plan's policies and proposals, in the context of wider background traffic growth. A number of interventions are identified for the highway network, and these are reflected in the latest IDS. Most of the junctions identified where overcapacity is predicted to occur are signal controlled. Various solutions to optimise the performance of these junctions are identified and would be relatively low-cost. There is nothing in the transport modelling work which demonstrates a highways-related 'showstopper' that would impede the delivery of the spatial strategy.

254. Additionally, existing consented growth (largely from the 2015 Local Plan) is required to deliver various highway improvements, including in the early part of this Plan period. The IP also reflects this, including timescales and costs where known.

255. As submitted the Plan contains detailed parking standards, required by Policy ST2 with the detail set out in an annex. In light of the recent amendments to Part S of the Building Regulations it would not be justified or effective for the Plan to prescribe separate local standards for electric vehicle charging infrastructure. **MM36** would amend Policy ST2 and **MM42** would remove unnecessary detail from the Parking Standards Annex and insert new text seeking accordance with the latest Building Regulations. Both modifications would be necessary for effectiveness.

Crawley Western Multi-Modal Transport Link

256. Transport modelling of the Plan's growth, in combination with potential expansion at Gatwick[62] and a prospective >3,000 home strategic urban extension to the west of the town in Horsham District[63] shows that the road

[62] Additional sensitivity testing to factor in the NRP DCO in document ES/ST/01w
[63] Document ES/ST/01a – 3,750 homes West of Ifield and an additional 1,546 homes west of Kilnwood Vale, plus 50,000sqm of employment.

network within the Borough would experience capacity issues. Some junction improvements are identified in the IP during the plan period which would mitigate impacts arising from growth in traffic associated with the Plan's proposals but a longer-term strategic transport solution, in the form of a potential Western Multi-Modal Transport Link is being contemplated. The principle of the road (including shared transport and active travel facilities) is identified in the West Sussex Transport Plan 2022-2036 as a medium term priority for both Crawley and Horsham.

257. The issue of a western multi-modal link comes into particular focus should strategic growth be allocated to the west of the town in Horsham District. Without a strategic transport solution connecting the A23 to the north of Crawley with the A264 near Kilnwood Vale, growth around Crawley would be restricted. The benefits of delivering a strategic multi-modal link are positively identified in the DtC SoCGs with WSCC and Horsham District Council. The long-term potential to reduce demand on Junctions 10 and 11 of the M23 has National Highways' support. Importantly, the link also offers the potential to improve and prioritise other modes of transport around and within Crawley.

258. The Plan does not delineate a specific route alignment and only goes so far to identify an area of search and set out the criteria which the design and route of any link should have regard to from a Crawley Borough perspective. Having regard to NPPF paragraph 106 we consider this to be a reasonable and justified approach in advance of growth being established in other Local Plans. In the interim, Policy ST4 and the associated area of search on the Policies Map is as reasonably far as this Plan can progress the matter at this stage. This is positively reflected in the DtC SoCGs with WSCC and Horsham District. The issue of delivering a multi-modal link to the west of Crawley, across administrative boundaries with attendant improvements for walking, cycling and public transport connectivity on the western side of the town is clearly a strategic matter as per NPPF paragraph 20. As such we recommend that part of **MM37** which would identify Policy ST4 as a strategic policy. This would be necessary for consistency with national planning policy.

259. In terms of the area of search for the link this partially overlaps with land safeguarded for Gatwick. It should be stressed that the area of search is just that, further assessment work would be required dependent on plans for West of Crawley in Horsham District. Initial route assessments are to be regarded as indicative only. Optioneering of route alignments to date has had regard to the need to minimise any encroachment into the safeguarding area, including the potential of avoiding the safeguarded area altogether, should this be necessary. Matters are complex at the eastern end of the area of search at the A23 at County Oak. This location may necessitate an alternative area of search for the interim period until the second wide-spaced runway is pursued by Gatwick. This

interim option requires further assessment, but we consider it justified that it remains an option within the Area of Search in the Plan.

260. The further assessment of the northern section of the link (Systra [ESS/ST/02a]) has examined options to minimise encroachment into safeguarded land to that which would be unavoidable. Again, we have looked at the Systra work as part of the justification for an Area of Search rather than determining a specific route, given Policy ST4 does not seek to safeguard land for a specific route option. The Systra work is clearly a step towards further detailed work and assessment, which would largely be required to support growth outside of Crawley.

261. In identifying interim options (ES3 and ES3a) in land safeguarded for a southern runway we consider these remain reasonable options to explore. Whilst we accept the door has not closed on the possibility of a second wide spaced runway, there is the potential of the NRP accommodating additional capacity (if approved) such that implementation of a southern runway (if required) could be a very long-term prospect. The Plan as submitted (at paragraph 17.30) recognises that interim options are not straightforward, and that agreement would be required with GAL on any solution. On this basis, we consider the Plan would provide a justified and effective approach in attempting to secure the strategic benefits of a western multi-modal link.

262. However, the Plan policy as currently submitted would not appropriately recognise the potential tensions between delivering a western link and the extent of safeguarding for a potential second wide-spaced runway and associated safety buffers and perimeters. As such we consider it necessary that an additional criterion is added to the policy requiring account to be taken of safeguarded land. We therefore recommend that part of **MM37** as being necessary for effectiveness.

263. The area of search within the Borough for the link largely goes through countryside and crosses the River Mole including, potentially or proximate to, protected sites and habitats[64]. This is not reflected in the Policy as one of the factors which the design and route of the link should take into account. To remedy this omission, **MM37** would insert a new criterion into the policy and **MM38** would include new supporting text to the policy related to the new criterion. Accordingly, we recommend both modifications for effectiveness and consistency with NPPF paragraphs 174 and 179.

[64] River Mole floodplain, ancient woodland, biodiversity opportunity areas, local nature reserves and local wildlife sites.

Infrastructure

264. Policy IN1 of the submitted Plan requires, amongst other things, that development is supported by necessary infrastructure and provides for mitigation where there would be impacts on existing infrastructure and services. The Borough is a CIL charging authority and in terms of site-specific contributions for infrastructure, the Plan contains a detailed Planning Obligations Annex to set out how certain contributions would be calculated.

265. The Plan is accompanied by a comprehensive Infrastructure Delivery Schedule (IDS), as part of the overall Infrastructure Plan (IP), which identifies various infrastructure projects to support the delivery of sustainable growth over the plan period, including in relation to transport. Whilst it is not necessary for soundness to transpose the details from the IDS, as a living document, into the Plan, the lack of a reference to the IDS in Policy IN1, as the key infrastructure policy, may result in a potential disconnect in the formulation of development proposals, including in accompanying transport assessments, and the infrastructure necessary to make the development acceptable in planning terms. As such the Plan as submitted would not be effective. Accordingly, we recommend that part of **MM10** would which identify the IDS at Policy IN1 and in the reasoned justification. Similarly, **MM12** would add a necessary cross-reference to the IDS in Policy IN2 in respect of the provision of new infrastructure, which we recommend for effectiveness.

266. Additionally, the IDS has been developed at time when matters in relation to the strategic road network are now subject to DfT Circular 01/22. This introduces a move away from 'predict and provide' on mitigatory interventions to a 'monitor and manage' process in relation to travel demand. As such, the extent and timing of highways infrastructure identified in the IDS may change. Consequently, we recommend that part of **MM10** which would provide a caveat in relation to the 'monitor and manage' process in relation to the need and timing for improved transport infrastructure. Overall, the various changes in **MM10** would make Policy IN1 effective.

267. We are satisfied that the highway modelling underpinning the Plan is robust, including the further sensitivity testing. The impact arising from growth in the Plan compared to wider background traffic growth is relatively modest although we recognise that certain road junctions, including M23 junctions 10 and 11 are identified as requiring capacity improvements during the plan period, in part because of the envisaged growth in Crawley. To support delivery of the Plan and to coordinate funding and additional evidence, including as part of the ongoing 'monitor and manage' process, the Borough Council intends to convene a Transport and Infrastructure Management Group, which would include WSCC and National Highways. It would not be necessary for soundness to set a policy requirement to establish the group. However, we do consider that the Plan should identify that the Group will be established, and that part of its

role will be to inform updates to the IP and IDS in terms of the deliverability and phasing of transport infrastructure. **MM11** would provide additional content to the Plan in this regard, and we recommend it for effectiveness.

Conclusion

268. Subject to the MMs identified above the Plan would be effective and justified in relation to transport and infrastructure.

Issue 11 – Monitoring and Review

Monitoring

269. The Plan is accompanied by a Monitoring and Implementation Framework [CBC/MC/KD/MIF/01] which contains various indicators to measure the implementation of the Local Plan. These monitoring indicators clearly have synergy with indicators identified in the SA report for assessing performance against the SA objectives that have underpinned plan preparation. It prudently identifies key indicators on critical elements of the plan (economic growth, housing delivery, climate change and water resources) where unsatisfactory performance would stimulate intervention, including potentially policy review. Overall, we find the Monitoring and Implementation Framework would be effective in meeting the Council's regulatory requirements to monitor the implementation of the Local Plan objectives and policies as part of a required annual monitoring report.

Plan Review

270. As set out above we see no cogent basis as to why it would be necessary for plan soundness to include a policy or mechanism requiring plan review within a specific time period or for a review to be triggered by a particular factor known at this time. There are issues that could well evolve in a relatively short time frame, such as an outcome to Gatwick Airport's Northern Runway Project or progress on a strategic solution to water resources as part of the next round of water utility company asset management planning, for example. In large part, we consider the submitted Plan contains necessary flexibility and foresight, for example at Policy GAT1, to deal with potential changes in circumstance in the short term. Overall, we consider the legal requirement on the Council to consider whether to review the plan[65] on a whole or partial basis within the required five year period, as part of ongoing monitoring on the up-to-datedness and effectiveness of the plan, would be effective in responding to changing circumstances.

[65] Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Conclusion

271. In conclusion, the Plan's approach to monitoring and review is sound and so no MMs are required.

Overall Conclusion and Recommendation

272. The Plan has various deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

273. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the Crawley Borough Local Plan 2024-2040 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

274. We conclude that if adopted promptly (with the recommended MMs) the Plan establishes a five-year supply of deliverable housing sites on 1 April 2023. Accordingly, we recommend that in these circumstances the LPA will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF.

Glen Rollings *David Spencer*

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.