

**Home Builders Federation**

**Matter 1**

**Crawley Local Plan 2024-2040 Examination**

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

***Issue 2: Duty to Co-operate***

*1.6 What mechanisms have been established between authorities on cross-boundary strategic matters? Do the signed statements of common ground demonstrate effective and on-going joint working, as per NPPF paragraphs 26 and 27 and PPG paragraphs 61-009-20190315 to 61-017-20190315?*

The HBF welcomes the additional evidence has now been published by the Council with regard to the duty to co-operate. However, the HBF do not consider the statements of common ground (SoCG), in particular with the neighbouring Council’s to the north of Crawley (Mole Valley, Tandridge and Reigate and Banstead) shows that co-operation has been effective. The statements of common ground with those Local Planning Authorities provide no evidence of joint working that seeks in any way to address the issue of Crawley’s unmet housing needs, they merely state that no help can be provided and do not set out whether any real consideration as to the issue of Crawley’s unmet needs and how these could be addressed. Whilst appendix K provides evidence as to recent discussion there appears to have been no engagement with authorities that are not part of the North-West Sussex Housing Market Area (NWS HMA) to discuss Crawley’s unmet needs since the SoCGs were signed in 2021. Furthermore Table 3.2 in the duty to co-operate statement (KD/DtC/01a), which provides a provides summary of activities and engagement does not provide any indication of direct discussions with these authorities. The only engagement appears to have been written correspondence at the point of consultation on the local plan and not during the preparation of the plan itself.

Given that Section 110 of the Localism Act 2012 states that LPAs are required “*to engage constructively, actively and on an ongoing basis*” with regard to local plan preparation the HBF would question whether the duty to co-operate has been properly fulfilled by the Council in relation to its unmet housing needs. The mechanism for addressing unmet needs in neighbouring areas appear to have been applied solely to those authorities that are within the NWS HMA. Whilst this may have been sufficient for the previous plan where unmet needs were being addressed within the HMA this is not the case for this local plan and wider more in depth co-operation was required.

However, the HBF recognises that Crawley cannot force other LPAs to co-operate with them and even where joint working has been more consistent over the course of preparing this local plan it has failed to deliver any agreement with regard to Crawley’s unmet housing needs. Those LPAs neighbouring Crawley have clearly decided that they cannot help and are unwilling to work strategically to address the issue of unmet needs. As such the fault may not lie with Crawley but with its neighbours. However, moving forward the Council will need to be more robust in its challenge of its neighbouring LPAs and how they can increase supply to meet Crawley unmet housing needs. As such the statement in policy H1 that the Council will continue to work closely with its neighbours is too weak. The Council will not just need to work with its neighbours but to actively challenge them with regard to meeting their housing needs. The HBF would suggest that this is amended to state:

“*The Council will work to ensure that Crawley’s unmet housing needs are delivered within neighbouring areas. A particular focus will be given to meeting needs in the Northern West Sussex HMA but the Council will also challenge other neighbouring authorities with regard to addressing its unmet need for housing in full.”*

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

This is for the council to answer but a more concerted effort to consider the cross boundary issue of unmet housing needs could have resulted in a more positive outcome. The approach taken by all the Council’s in the area was minimal and never likely to be effective in addressing the issue of Crawley’s unmet housing needs.

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**Matter 3**

**Crawley Local Plan 2024-2040 Examination**

**Matter 3 – Housing Needs**

***Issue 1: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to housing need and the housing requirement.***

*3.1 Has the calculation of Local Housing Need (755 homes per annum) been undertaken appropriately using the standard method and correct inputs? Does it reflect up-to-date workplace-based affordability ratios?*

Yes. The HBF would agree that the LHNA is 755 dpa and uses the most recent workplace-based affordability ratio published by ONS in March 2023.

*3.2 Are there the circumstances in Crawley, having regard to PPG paragraphs 2a-002-20190220 and 2a-003-20190220, to indicate that an alternative level of housing need would be justified for the Borough thus resulting in a higher or lower housing requirement and associated consequences for any level of unmet housing need?*

No. The NPPF and PPG states that there must be exceptional circumstances to justify an alternative approach to assessing housing need to that set out in Planning Practice Guidance. The Council has not presented any such circumstances that would warrant an alternative figure and the HBF does not consider there to be any in Crawley.

*3.3 Given the scale of unmet need (7,050 homes) has plan preparation made every effort to optimise and increase housing delivery within the Borough as part of a spatial strategy that would deliver sustainable development?*

It will be essential for the council to identify all available options for development and leave no stone unturned in order to meet its needs. This is even more essential given that it looks unlikely that neighbouring authorities are not willing to help the Council address its unmet needs.

*3.4 It suggested in various representations that sources such as estate regeneration and further mixed use of employment areas could yield additional housing numbers, reducing the scale of unmet need. During the preparation of the plan, has every conceivable source of housing supply been robustly assessed and where necessary appropriately discounted?*

This is for the Council to answer. However, whilst the HBF considers it essential that the Council robustly assess its land supply it should not seek to include sources of supply that are not considered deliverable or developable in order to try and reduce the scale of the unmet needs. The Council has already included a windfall allowance within its land supply, and this is sufficient in terms of speculative sites that may come forward during the plan period.

*3.5 Does the policy framework of the Plan, for example Policies H3a-f (housing typologies) and TC3 (town centre key opportunity sites), provide a positively prepared and justified basis on which to make effective use of land within the Borough in order to support positive housing delivery?*

No comment

*3.6 Given the evidence in the Strategic Housing Land Availability Assessment, the Crawley Compact Residential Development Study and on plan-wide viability would potentially even higher densities, particularly in and around the town centre, be an appropriate strategy?*

It will be important to allocate all appropriate sites to help meet the housing needs of Crawley and ensure delivery is maximised on those sites. However, these sites will need to be developable and deliverable with levels of delivery on those sites realistic. The Council should not seek to inflate its supply unrealistically in a numerical attempt to reduce its unmet needs.

*3.7 Given the housing requirement for the plan is supply-led, has the assessment of land supply within the Borough, realistically and robustly profiled when deliverable and developable sites are likely to come forward and the capacity that is likely to be yielded? Is there a risk that the supply (the housing requirement) has been significantly under-calculated? Does evidence of recent over-delivery in the Borough against the Housing Delivery Test indicate a risk that the housing requirement could be too cautious (and so the level of unmet need reduced)?*

The HBF cannot comment the delivery profiles and capacities of the sites in Crawley housing land supply. However, with regard to the last question any over delivery does not indicate that there is a risk that the Council are over estimating the level of unmet needs across the plan period. Over delivery against current requirements indicates that the market in the area is strong and that there is demand for homes in Crawley. Potentially this may mean that the available supply will come forward more quickly than planned for, but it does not necessarily mean that more homes will be delivered in total.

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**Matter 8**

**Crawley Local Plan 2024-2040 Examination**

**Matter 8: Character, design, and heritage**

***Issue 2: Whether the plan’s approach to water neutrality and water stress is sound.***

*8.9 Is the proposed standard of water use in residential development of 85 litres/per person/per day justified and effective? Is the requirement viable in combination with the other policy requirements of the plan?*

The Viability Study includes a £2,000 allowance to take account of all the costs relating to water neutrality including the 85 lppd. It is recognised that this additional cost alongside others in the local plan will impact on the viability of some typologies, especially where these cannot achieve the highest value points identified in the study. As we set out in our representations the Council has responded by including a variable rate for affordable housing between the town centre and the rest of the Borough. However, there is still some uncertainty of the costs relating to water neutrality, and indeed other costs in the current economic climate, means that the Council will need to provide flexibility in other policies given that Council require water neutrality to be achieved if development is to be considered acceptable.

*8.10 The 85 l/p/d standard is a tighter efficiency standard than that contemplated in the optional technical standards in the PPG (para 56- 013-20150327). Is this standard the only realistic and reasonable solution to the water neutrality issue in the Sussex North Water Resource Zone? Have other options (standards) been assessed as part of the SA/SEA process?*

For council.

*8.11 Is it viable for industrial / commercial development to deliver a score of 3 credits within the water category of BREEAM in combination with mitigatory offsetting?*

No comment.

*8.12 Is it justified that the onus in the short to medium term (to c.2030) is on the development industry rather than the water utility company to demonstrate / achieve water neutrality?*

The HBF is concerned that the development industry is being made to bear the brunt for the failure of the water industry to ensure an adequate supply of water to the area without it impacting on protected areas. Water companies have a duty to provide a supply of water to meet the needs not just of existing residents but also to plan for growth and ensure supply to meet demand in the future over a minimum period of 25 years. To achieve this the water companies are required to prepare Water Resource Management Plans (WRMP) which establish how these will be met. These are prepared in consultation with stakeholders including statutory bodies such as the Environment Agency and Natural England and include an appropriate assessment considering the impact of the plan on protected sites. The WMRP covering Crawley and the Sussex North Water Resource Management Zone was adopted in 2019 establishing that water supply for the areas future needs could be met.

Whilst the HBF recognises that there has been a change in circumstance with regard to Natural England concerns relating to the impact of abstraction at the River Arun on protected sites in the Arun Valley it is still incumbent on the water company to meet demand in the area as per their statutory duty. How this is achieved should not be a consideration of the development industry but for the water company in partnership with the Environment Agency and other statutory bodies.

However, unless this position is challenged, or changed by Government, it is necessary to ensure that development can come forward. The mitigation strategy proposed by Crawley and the other affected LPAs provides a mechanism for planning applications to be considered and development to come forward. However, this should not be seen as a permanent strategy. The Draft WRMP 2024 notes that Southern Water is planning to address the supply-demand balance in SNZ as quickly as possible and that the Littlehampton Water Recycling Scheme could from 2027–28 create sufficient supply-demand headroom to stop any reliance on the Pulborough groundwater source. Should other sources of water supply be found during the plan period or the impacts on the Arun Valley SPA from abstraction found not be harmful then it must be made clear that this will lead to a review of the local plan and this policy.

*8.13 Noting that the Water Neutrality Part C Study cautions that offsetting must be in place before water demand is generated, when will the proposed offsetting scheme be operational and is this appropriately reflected in the housing delivery trajectory and employment trajectory? Is there any further update on delivery plan outlined at Appendix 1 to the Water Neutrality Progress Update (DS.TP.00b)?*

No comment.

*8.14 Is it that only development located within the Sussex North Water Resource Zone as shown on the Policies Map should provide details for offsetting? Do criteria 4 and 5 of Policy SDC4 apply to all development proposals and should criterion 4 come before criterion 5?*

For council.

*8.15 Is it necessary for soundness for Policy SDC4 to require offsetting to be in place prior to occupation of dwellings and commercial premises as set out in the Sussex North Water Neutrality Study Part C Mitigation Strategy Final Report, November 2022? Are the proposed amendments to paragraph 15.45 and Policy SDC4 presented in document CBLP07 sufficient to address the issue of timing of offsetting?*

No comment.

*8.16 Is it necessary for soundness to amend criterion 4 of Policy SDC4 to say there should be certainty that alternative water supplies can be secured?*

No comment.

*8.17 Various modifications are proposed to Policy SDC4 in document CBLP07. Are these changes necessary for plan soundness?*

No comment.

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