

CRAWLEY BOROUGH LOCAL PLAN EXAMINATION

INSPECTOR'S NOTE – REVISION TO PLANNING PRACTICE GUIDANCE

1. On 31 July 2015 the Secretary of State for Communities and Local Government published an alteration to the Planning Obligations section of Planning Practice Guidance. A new paragraph 30 indicated that paragraphs 12-23 of the section, which set out national thresholds for affordable housing contributions, were to be removed; this has now been done. The alteration follows a High Court judgement¹ which determined that the Secretary of State's Written Ministerial Statement (WMS) of 28 November 2014, which introduced the thresholds, must not be treated as a material consideration in development management and development plan procedures and decisions.
2. Participants at the examination may recall that the Council proposed a Main Modification to the Submission version of Crawley Borough Local Plan (CBLP) policy H4 which introduced an affordable housing threshold (11 dwellings or more) in line with the WMS. The Council has now advised me that, following the High Court decision, it wishes to further modify the CBLP by reverting to the original policy and removing the threshold. It has provided a note which sets out its position (CBC/061), the newly modified policy H4 (CBC/062), and an Updated Viability Assessment (CBC/063). The High Court judgement has also been made available.
3. The Council rightly points out that it is proposing to revert to a policy that has already been subject to public consultation and Sustainability Appraisal prior to submission of the CBLP for examination. Nevertheless, the original Main Modification to policy H4 following the WMS meant that the applicability of the affordable housing policy to all housing development, rather than to schemes of 11 dwellings or more, was not discussed at the hearings. Consequently it is necessary to give all parties the opportunity to comment on the revision to PPG and the Council's further proposed modification.
4. Accordingly, if you wish to make a representation on the revision to Planning Practice Guidance and/or on the Council's proposed further Main Modification to CBLP policy H4, please submit your comments to the Programme Officer by 5.00pm on **Friday 18th September 2015**. This deadline relates to the receipt of both electronic and paper copies.
5. At this stage I believe it should be possible to deal with any comments in writing rather than having to reconvene the hearings. As with the representations made following the consultation on Main Modifications which

¹ West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin)

Crawley Borough Local Plan Examination

closed on 12 August 2015, I shall take all written comments into account when finalising my report.

Martin Pike

Inspector
17 August 2015