

CRAWLEY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE - 29 February 2016

REPORT NO: PES/181

B

<u>ITEM</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>RECOMMEND</u>
001	CR/2015/0637/FUL	LAND OFF WORTH WAY (SOUTH OF SAXON ROAD), POUND HILL, CRAWLEY	PERMIT
002	CR/2015/0694/FUL	7 - 13 THE BROADWAY & 1 - 3 QUEENS SQUARE, NORTHGATE, CRAWLEY, RH10 1DX	APPROVE
003	CR/2015/0720/FUL	HOMEBASE, CRAWLEY AVENUE, WEST GREEN, CRAWLEY	PERMIT
004	CR/2016/0056/RG3	PLAYGROUND, WEST GREEN PARK, IFIELD AVENUE, WEST GREEN, CRAWLEY	PERMIT

REFERENCE NO: CR/2015/0637/FUL

LOCATION: LAND OFF WORTH WAY (SOUTH OF SAXON ROAD), POUND HILL, CRAWLEY
PROPOSAL: ERECTION OF A DETACHED TWO STOREY DWELLING WITH ATTACHED GARAGE
(AMENDED DESCRIPTION AND PLANS RECEIVED)

TARGET DECISION DATE: 18 November 2015

CASE OFFICER: Mr G. Kellett

APPLICANTS NAME: Mr Jes Chandler
AGENTS NAME: Tony Fullwood Associates

PLANS & DRAWINGS CONSIDERED:

7712 Topographical Survey, CBC 0001 Site Location Plan, 23365/06 Rev A Proposed Site Plan, 2335/04 Proposed Front & Rear Elevations, Proposed Floor Plans, 2335/05 Proposed Side Elevations & Roof Plan

INITIAL CONSULTEE RESPONSES:-

1. WSCC – Highways No objections subject to conditions and informatives.
2. Worth CAAC Objection – *“This additional development would be detrimental to the quality of the rural character and appearance of the open setting” and the environment around Worth Church*. *“The development will increase vehicular traffic on Church Road and Worth Way”*. *“There was also significant concern within the Committee at the “chipping away” at the remaining undeveloped land within the Conservation Area”*.
3. CBC – Urban Design Objection to two dwellings– *“The design of the development should be of very high standard, due to its location within a conservation area, as well as its setting within a beautiful tree covered site”*. No comment on single dwelling due to having left the Council.
4. CBC – Arboricultural Officer No objection subject to implementation in accordance with the Arboricultural report.
5. Archaeology Officer No objection subject to a programme of archaeological work to be submitted to the Local Planning Authority.
6. Ecology Officer Comment – No objection in principle.
7. Historic England Comment – The application should be determined in accordance with National and Local Policy guidance.
8. Sussex Building Control Partnership No comments received.

ADDITIONAL CONSULTEE RESPONSES RECEIVED:-

To be verbally updated at the committee meeting.

PUBLIC NOTICE:-

Four site notices were displayed on the 6/10/15 and additional notices displayed on the 5/2/16 following the submission of amended plans.

INITIAL RESPONSES RECEIVED:-

One representation has been received in support of the amended proposal on the following grounds:

- *An attractive property would enhance the area compared to an overgrown field.*
- *Comments about traffic are irrelevant compared to the traffic linked to the church;*
- *House building is progress for a growing population, better to have a sensible development now rather than an "estate application" in the future.*

Nine representations have been received in total to the original proposal for two dwellings:

Six individual objections objecting on the grounds:

- *"The development would set a precedent for further development"*
- *"Additional development would be detrimental to the quality of the rural character and appearance of the open setting" "Erosion of the rural character of the Conservation Area"*
- *"No development should be allowed in the Conservation Area"*
- *"Increase level of traffic"*
- *"Impact on various wildlife on the site"*
- *"The access road is not safe, too narrow and needs to be widen"*

Two representations in support, on the grounds:

- *"The development would be an appropriate infill development and the dwellings would be in keeping with the housing in the area".*
- *"The field is currently an eyesore and a couple of houses would not affect the Conservation Area considering it is so far away from the Church".*

One comment

- *"Any section 106 (Contributions) monies should be used to in improve the facilities in the Conservation Area".*

Non-related planning issues include

- Stop 'Holiday parking' on Street Hill & Church Road

ADDITIONAL RESPONSES RECEIVED:-

Other responses to be verbally updated at the committee meeting.

REASON FOR REPORTING TO COMMITTEE:-

Due to the number of objections received and objection from the Conservation Area Committee.

THE APPLICATION SITE:-

- 1.1 The application site comprises 0.49 hectares of a larger field in excess of 1 hectare, which was most recently utilised for rough grazing and was formerly in the ownership of occupiers of Fieldgate House to the west. The elements of the field not the subject of application are to the east. The site is generally flat.
- 1.2 The site of the proposed development is located within the Worth Conservation Area which was designated in 1987 in order to preserve and enhance the rural character and appearance of the open setting of the area around St. Nicholas Church.
- 1.3 The site has residential development to the west and north. The new housing on Saxon Road to the north of the site comprises a modern suburban development of detached houses in smaller plots.

The existing dwellings within the Conservation Area are characterised by predominantly larger detached individual houses in large plots.

- 1.4 There is substantial tree cover around the site with many mature trees forming the boundaries to the south, west and north. There is also with a small copse of trees to the immediate the east of the site within the field. The site is accessed from Church Road via Worth Way which is an un-adopted road. Worth Way is a shared surface 'Public Right Of Way' currently serving four dwellings and acts as a public footpath and bridleway.

BACKGROUND & THE PROPOSED DEVELOPMENT:-

- 2.1 The application initially related to two detached two storey dwellings on paddock land south of Saxon Road, north of Worth Way. The Local Planning Authority expressed concerns that the resultant form of development would have a significant suburbanisation of the site and be of poor architectural form and would harm the character of the Conservation Area
- 2.2 The application now seeks planning permission for the erection of one large detached five bedroom, two storey dwelling with attached double garage. The new dwelling-house would have a large footprint measuring 20.4metres in length by 13.5metres wide with a height of 13.3metres. The double bay garage would be attached to the main house a covered roof link and would measure 6.6metres in length by 6.6metres wide with a height of 6metres to the ridge.
- 2.3 The dwelling and garage would have plain tiled sloping roofs with chimneys and walls of facing brick and tile hanging. Windows and doors would be oak framed.

PLANNING HISTORY:-

- 3.1 There is no recent planning history for the site.

PLANNING POLICY:-

National Planning Policy Framework (2012):

- 4.1 The National Planning Policy Framework (NPPF) was adopted in March 2012. The core principles introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.
- 4.2 Paragraph 47 & 49 applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. There is a presumption against development in locations that cause harm to the character of the local area or the amenities of neighbouring properties.
- 4.3 Paragraph 32 'Promoting sustainable transport'. All developments that generate movement should provide safe and suitable access to the site and improve the opportunities for sustainable transport modes.
- 4.4 Paragraph 56 'Requiring good design'. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.5 Paragraph 129 'Conserving and enhancing the historic environment'. Requires local authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- 4.6 Paragraph 132 'Conserving and enhancing the historic environment'. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

- 4.7 Paragraph 137 'Conserving and enhancing the historic environment'. Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Crawley Borough Local Plan (2015-2030)

- 4.8 Policy CH1 'Neighbourhood Principle' states the neighbourhood principle will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features. Development within the neighbourhoods should mainly be residential, in-keeping with the existing neighbourhood.
- 4.9 Policy CH2 'Principles of Good Urban Design' seeks to assist in the creation, retention or enhancement of successful places in Crawley, with new development proposals required to: respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets.
- 4.10 Policy CH3 'Normal Requirements of All New Development' states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- 4.11 Policy CH5 'Standards for All New Dwellings' (including conversions) states all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents through the application of the Lifetime Homes Standards. The minimum size for each dwelling should be based on the National internal and Local external space standards.
- 4.12 Policy CH6 'Tree Planting' states where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies.
- 4.13 Policy CH9 'Development Outside the Built-Up Area' states to ensure that Crawley's compact nature and attractive setting is maintained, development should reflect local character and distinctiveness in terms of form, height, scale, plot shape and size, elevations, roofline and pitch, overall colour, texture and boundary treatment (walls, hedges, fences and gates).
- 4.14 Policy CH12 'Heritage Assets' states where a development affects a heritage asset or the setting of a heritage asset, a Heritage Impact Assessment will be required. This should describe the significance of any heritage assets affected and the contribution made by their setting, the impact of the development, and any measures adopted to ensure the heritage asset is respected, preserved or enhanced.
- 4.15 Policy CH13 'Conservation Areas' states all development within a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area.
- 4.16 Policy CH15 'Listed Buildings and Structures' states proposals will need to demonstrate how they protect the value of the listed building and its setting.
- 4.17 Policy ENV6 'Sustainable Design and Construction' states all new dwellings will be required to meet the strengthened on-site energy performance standards of Building Regulations, and any subsequent increased requirements.
- 4.18 Policy ENV9 'Tackling Water Stress' states new dwellings should where viable and technically feasible, meet the Building Regulations optional requirement for tighter water efficiency.

- 4.19 Policy IN4 (Car and Cycle Parking Standards) states development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards.

Supplementary Planning Guidance

- 4.20 Nationally Described Space Standards adopted on the 1st October 2015 and the Supplementary Planning Guidance (SPG) Note 4 'Private Outdoor Space' which outlines minimum standards of accommodation for development and private outdoor amenity space.
- 4.21 Planning Obligations and S106 Agreements which outlined the requirements for car parking and infrastructure contributions.

Worth Conservation Area Statement

- 4.22 The aim of the Conservation Area is to seek to preserve and enhance the rural character and appearance of the open setting of St Nicholas Church within the Worth Conservation Area. Conservation Area designation does not prohibit all future development. The acceptability of a proposal in a Conservation Area often depends upon the details of its siting, design, appearance, access and landscaping.

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations in the determination of this application are:

- Principle of development
- Design, appearance & layout of the proposal & the impact on the character of the Conservation Area
- Impact on the setting of the listed building
- The acceptability of the proposed development for future occupiers
- The impact on neighbouring properties amenities
- Parking & Access
- Other matters

Principle of development

- 5.2 The site is located within the Worth Conservation Area and outside the built up boundary as defined by the Local Plan Map. Policy CH13 of the Local Plan states all development within a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area; and policy CH9 states beyond the Built-Up Area Boundary development should reflect local character and distinctiveness. Therefore the principle of development in this area could therefore be acceptable subject to the detail of the proposal.

Design, appearance & layout of the proposal & the impact on the character of the Conservation Area

- 5.3 The proposal originally related to the erection of two detached two storey dwellings and concerns were expressed the development proposed by reason of its design and layout would result in a form of development would result in a significant suburbanisation of the site not in keeping with the character and aims of the Conservation Area. Following dialogue with the agent the proposal has been reduced to one large detached dwelling with garage to the side.
- 5.4 Whilst the dwelling would result in the development of a previously undeveloped field in a Conservation Area designated in order to protect the rural character of the area, it is considered that a larger detached dwelling within large grounds surrounded by mature trees could reflect the character of residential development within the immediate area.
- 5.5 It is acknowledged that this would be a substantial dwelling within a very large curtilage, resulting in the loss of a significant amount of the field/paddock. The curtilage would also be noticeably in access of surrounding dwelling within the Conservation Area, however, there is substantial mature

tree cover along the boundaries of the site which would assist screening the dwelling from public viewpoints especially from Worth Way.

- 5.6 It is considered that this individual dwelling has been designed to reflect the general form, scale and materials of the surrounding development with a plain tiled sloping roof, and chimney and walls of facing brick with the first floor tile hanging which is considered would reflect the character of development on Worth Way. An area of field would still be retained to the east, (although substantially reduced from its current size).
- 5.7 It is therefore considered on balance that the rural character of the Conservation Area would be retained and the development would therefore be in accordance with policy CH13 of the Local plan 2015-2030 and the NPPF in this regard.

Impact on the setting of the listed building

- 5.8 The site lies within the northwest corner of Worth Conservation Area. The closest listed building to the site is Street House 45metres to the south which is a Grade II Listed building. Further afield St Nicholas Church is 95metres to the south which is a Grade I Listed church. There are already a number of dwellings to the west and south of the site which are closer to these buildings than the dwelling proposed and the site is also currently screened from public viewpoints by trees. The impact on the settling of the listed buildings, and in particular the historic significance of St Nicholas's Church is therefore considered to be acceptable.

The acceptability of the proposed development for future occupiers

- 5.9 The proposal would comprise a detached five bedroom, ten bed space dwelling. The Nationally Described Space Standards are relevant and set out that the minimum size of accommodation for a ten bed space dwelling (over two storeys) requires 150sqm of gross internal floor area. The dwelling would have a floor area in excess of 380sqm and would accord with the requirements set out in the Nationally Described Space Standards. In addition the requirements of SPG Note 4 'Private Outdoor Space' would be met. The dwelling would be provided with outdoor amenity space of 4,900sqm well in excess of the 110sqm as outlined in SPG Note 4.
- 5.10 Therefore the internal accommodation space standards and private outdoor would be met and provide an acceptable standard of accommodation for future residents.

The impact on neighbouring properties amenities

- 5.11 The proposed dwelling would be located a distance of 50m from the front wall of the proposal to the front wall of Lodge Lane Cottage to the south; 45m from the rear wall of the proposal to the front wall of Fieldgate to the west and over 75m from the rear wall of the proposal to the rear walls of no.7 & no.9 Saxon Road to the north.
- 5.12 Given these large distances and extensive tree screening it is not considered the proposed dwelling would result in a harmful impact in terms of loss of privacy or loss of outlook to nearby occupiers. The only disruption to neighbouring properties may only be during the construction period where machinery would be required in site clearance however this would only for temporary period and the impact therefore would be limited.

Parking & Access

- 5.13 In terms of parking provision the dwelling would provide a double garage and hard standing area for a number of vehicles. The quantity of vehicle parking provision would be considered acceptable to meet the demands of a development of this size in this location.
- 5.14 The proposed dwelling would be accessed from Church Road via Worth Way which is an un-adopted road. Worth Way is a shared surface 'Public Right Of Way' currently serving four dwellings and acts as a public footpath and bridleway.

- 5.15 Worth Way is a short cul de sac, with a low volume of traffic with limited opportunity for on-street parking and due to its alignment with self-enforcing speed restrictions already in place it is not considered the addition of one dwelling in this area would have a significant harmful impact to highway safety.
- 5.16 West Sussex Highways have been consulted and indicated no objection stating the proposal for one dwelling in this location would not have a 'severe' impact on the operation of the highway network. A visibility splay has however been requested which would form part of a condition of the permission.

Other Matters

Archaeology

- 5.17 The Council's Archaeological adviser has indicated no objection subject to a programme of archaeological work to be submitted to the Local Planning Authority. This would form part of a condition of the permission.

Ecology

- 5.18 The Council's Ecology adviser has no objection in principle to the development.

Impact on Trees

- 5.19 The site is characterised by numerous trees which form the boundaries of the site with a small copse of trees to the immediate east of the site which forms the centre of the larger overall field.
- 5.20 The proposal would result in the loss of two semi-mature trees as indicated on the amended site plan. However four native species of trees would be planted and it is not therefore considered that the loss of two trees from the site would impact harmfully upon the area's amenity value.
- 5.21 A new native species hedgerow would also be proposed along the eastern boundary which over time would mature and provide further significant tree and hedge boundaries and screen the application site from the public domain and adjoining properties.
- 5.22 The new access drive will connect to Worth Way through an existing gate and will therefore not require the removal of boundary trees. The drive will encroach on the root protection areas of two adjoining trees and, in accordance with the Arboricultural Impact Assessment, this area of surfacing will need to be of a no-dig, permeable design with provision made to avoid localised compaction of the rooting medium (soil) post-implementation of the development.
- 5.23 The remaining trees on site would be protected as outlined in the Arboricultural Impact Assessment and the Council's Arboricultural Officer has indicated no objection on that basis.

Public Rights of Way

- 5.24 The granting of planning permission does not authorise obstruction of, interference to or moving of any PROW; this can only be done with the prior consent of West Sussex County Council's Rights of Way team.

Boundary Treatment

- 5.25 A 1.2metre high post and rail fence would be sited around the site boundary which is considered acceptable and not out of keeping with the character of the area.

Affordable Housing

- 5.26 Policy H4 of the local plan states 40% affordable housing will be required from all residential developments and for sites of 5 dwellings or less, or less than 0.2ha in size, a commuted sum towards off-site affordable housing provision would be sought.

- 5.27 The application was deemed valid on 23rd September 2015 and the new Local Plan was formally adopted on the 16th December 2015. There is no clear guidance yet into how the amount of monies are to be calculated and it is therefore considered unreasonable to seek monies in this instance.

Infrastructure contributions

- 5.28 The proposal would not be liable for infrastructure contributions and West Sussex Highways have not made any request for such contributions.

CONCLUSIONS:-

- 6.1 Due to the reasons above it is considered that on balance the revised design, appearance and siting of the proposal is acceptable and would not result in a harmful impact on the character and visual amenity of the Conservation Area; the setting of listed buildings or the residential amenities of neighbouring properties.
- 6.2 Therefore the proposal would accord with the policies outlined in the Local Plan 2015-2030, and it is recommended that this application be permitted subject to the following conditions.

RECOMMENDATION RE: CR/2015/0637/FUL

PERMIT - Subject to the following condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Prior to commencement of development a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roof of the proposed dwelling shall be submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy CH3 & CH13 of the Crawley Borough Local Plan 2015 – 2030.
4. Prior to their installation details of window and door joinery shall be submitted to and approved in writing by the Local Planning Authority including materials, method of opening and large scale plans showing sections through glazing bars (1:20 plans and 1:1 or 1:2 sections). The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy CH3 & CH13 of the Crawley Borough Local Plan 2015 – 2030.
5. No development shall take place unless and until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation have been submitted to and approved in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to ensure any archaeological discovered is preserved and recorded in accordance with policy CH12 of the Crawley Borough Local Plan 2015 – 2030.
6. No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority details showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with

the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

REASON: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy CH3 of the Crawley Borough Local Plan 2015 – 2030.

7. No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, hard and soft, which shall include details of the drive and indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
REASON: In the interests of amenity and of the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015 – 2030.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with policy CH7 of the Crawley Borough Local Plan 2015 – 2030.
9. The only trees to be removed shall be as outlined on the amended site plan drawing no. 2335/06. All remaining trees on the site shall be protected and retained throughout the construction period with tree protection fencing in accordance with the Arboricultural Impact Assessment.
REASON: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with policy CH6 of the Crawley Borough Local Plan 2015 – 2030.
10. The development shall not be occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Worth Way in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
REASON: In the interests of road safety in accordance with policy CH3 of the Crawley Borough Local Plan 2015 – 2030.
11. The development shall not be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.
REASON: To provide adequate on-site car parking and turning space for the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015 – 2030.
12. The development shall not be occupied until details have been submitted and approve by the Local Planning Authority to demonstrate that the development shall achieve a water efficiency standard, by consuming not more than 110 litres per person per day maximum water consumption.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with emerging policy ENV9 of the Crawley Borough Local Plan 2015-2030.
13. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 no gate, fence, wall or other means of enclosure (other than the 1.2metre high post and rail fencing approved on site plan drawing no.2335/06) shall be erected or constructed on the site unless permission is granted by the Local Planning Authority on an application in that behalf.
REASON: In order to safeguard the character and visual amenities of the locality in accordance with policy CH13 of the Crawley Borough Local Plan 2015 – 2030

INFORMATIVES

Water Efficiency

1. The water efficiency standard required under condition 12 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.

Access Works

2. The applicant is advised to contact the proprietor of Worth Way to obtain formal approval from the land owner to carry out the site access works.

Public Right of Way

3. Safe and convenient public access is to be available at all times across the full width of the Public Right of Way (PROW). The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.

Any alteration to or replacement of the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with West Sussex County Council's Rights of Way team to ensure the legal width of the path is maintained and there is no unlawful encroachment.

Access along the PROW by contractor's vehicles, deliveries or plant is only lawful if the applicant can prove they have a vehicular right. If the path surface is considered damaged as a result of the development then the applicant may be required to make good the surface to a standard satisfactory to West Sussex County Council's Rights of Way team.

NPPF STATEMENT

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:
 - Providing advice in a timely and manner through pre-application discussions/correspondence.
 - Liaising with the agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
 - Seeking amended plans and additional information to address identified issues during the course of the application.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.



Crawley Borough Council,
Town Hall,
The Boulevard,
Crawley,
West Sussex RH10 1UZ

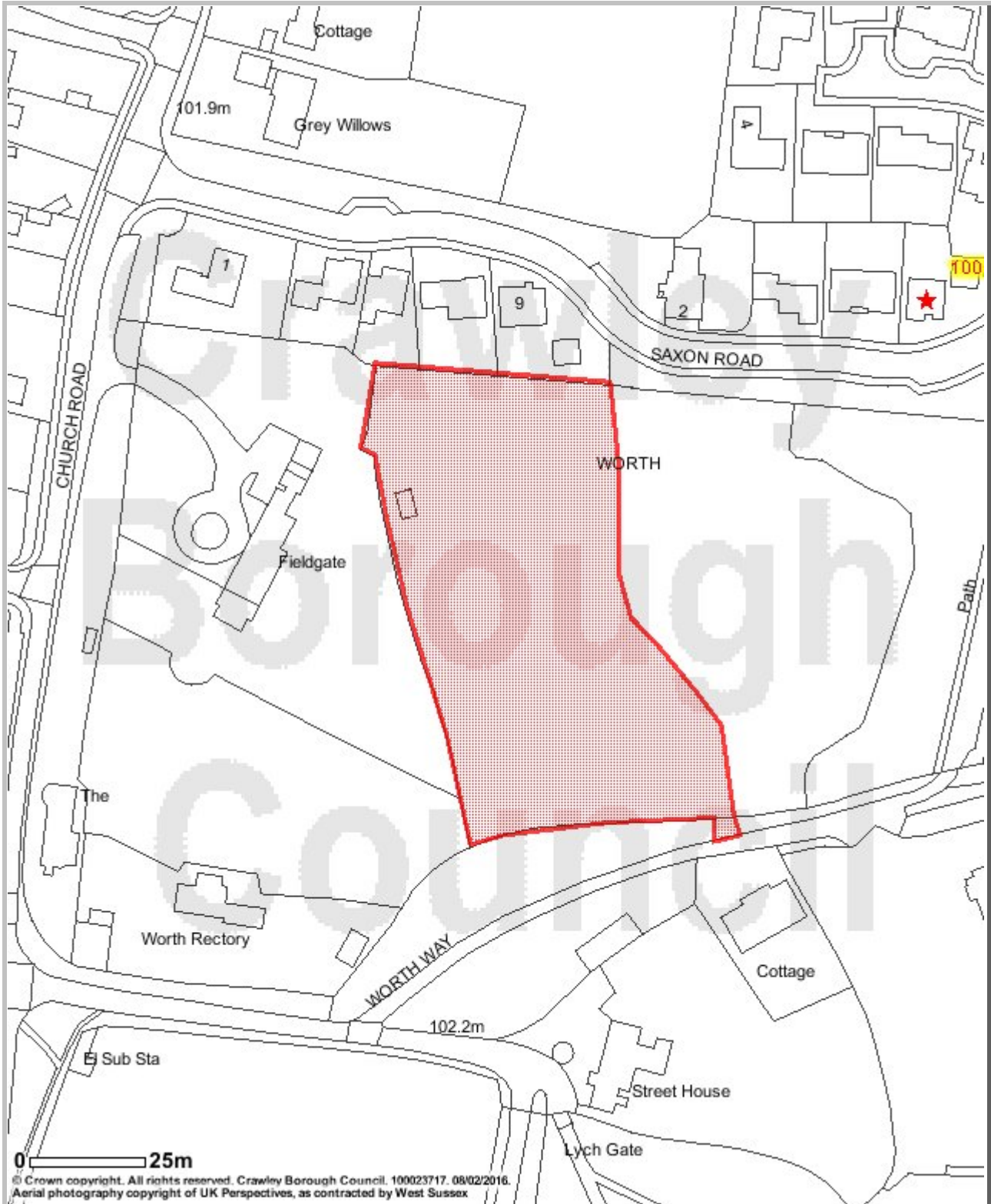
Tel: 01293 438000
Fax: 01293 438603

CR/2015/0637/FUL

Date 4 February 2016

Approx. Scale 1:1,250

LAND OFF WORTH WAY (SOUTH OF SAXON ROAD), POUND HILL, CRAWLEY



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REFERENCE NO: CR/2015/0694/FUL

LOCATION: 7 - 13 THE BROADWAY & 1 - 3 QUEENS SQUARE, NORTHGATE, CRAWLEY, RH10 1DX

PROPOSAL: CONVERSION OF & ALTERATION TO 1ST & 2ND FLOORS FROM ANCILLARY RETAIL (A1) & OFFICE (B1) TO RESIDENTIAL (C3) TO PROVIDE 18 FLATS (12 X 1 BED & 6 X 2 BED UNITS) & ERECTION OF ADDITIONAL FLOOR TO PROVIDE 7 FLATS (2 X 1 BED & 5 X 1 BED UNITS) TO GIVE A TOTAL OF 25 UNITS; & RETENTION & REFURBISHMENT OF EXISTING GROUND FLOOR RETAIL (A1) UNITS

TARGET DECISION DATE: 13 January 2016

CASE OFFICER: Mr M Edwards

APPLICANTS NAME: KSF Management Ltd

AGENTS NAME: CgMs Consulting

PLANS & DRAWINGS CONSIDERED:

001A Location Plan, 010A GFP Existing, 011A FFP Existing, 012A SFP Existing, 015A Elevations Existing, 016A Elevations Existing, 069_Vision_Splays, 070_Vision_Splays, 100D GFP Proposed, 102D SFP Proposed, 103D TFP Proposed, 120C Elevation Proposed_Col, 121B Elevation Proposed_Col, 130 Proposed Massing Views, Model Views_10062015_001, Model Views_10062015_002, Model Views_10062015_003, 101D FFP Proposed

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL - Aerodrome Safeguarding - No objection subject to condition and informatives
2. National Air Traffic Services (NATS) - No objection
3. Sussex Building Control Partnership - No comments received
4. Police- - No objection- Advice provided for Secure by Design
5. Cycle Forum - No response received
6. WSCC – Highways - No objection subject to conditions and Sec.106 contributions
7. Thames Water - No objection
8. CBC - Drainage Officer - No objection
9. UK Power Networks - No objection
10. CBC - Environmental Health - No objection subject to condition re enhanced ventilation
11. WSCC Flood Risk Management - No objection

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised by press notice and site notices.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

The application is a 'major' development

THE APPLICATION SITE:-

- 1.1 The site is located in Crawley Town Centre at the junction of The Broadway and Queens Square. The site has five retail units on the ground floor, and a mixture of ancillary retail use and office units on the first and second floor. The site is built in an 'L' shape and forms part of a continuous façade with the adjoining buildings.
- 1.2 The site is located within the Main Shopping Area of Crawley Town Centre, within the Town Centre North Area. 1-3 Queens Square is designated as Primary Shopping Frontage whilst 7-13 The Broadway is designated as Secondary Shopping Frontage.
- 1.3 The building's façade is comprised of grey cement render, red brick and steel framed windows, consistent with many developments in the area as part of the original Crawley new town development. The upper floors of the site are underutilised with the ancillary retail floorspace either unused or used as storage, whilst some of the office accommodation is currently vacant. The building is currently in a poor state of repair.
- 1.4 The surrounding area is an established commercial urban area. The adjoining buildings are primarily of 3 storeys with active ground floor uses and a mixture of office, retail and residential on the upper two floors. Directly opposite Maplin on the upper floors along Queens Square is a health and fitness facility in The Pavilion Building, operated by The Gym Group, which is open 24 hours each day.
- 1.5 The Broadway is only accessible for buses and pedestrians and Queens Square is only accessible on foot. There are several bus stops within a 350m radius of the site and approximately 450 metres walk south of the application site is Crawley train station. There are no parking facilities on site but there a number of long stay car parks in and around the town centre.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposed development is for a single storey roof extension and the change of use of the upper floors from ancillary retail (use class A1) and office (use class B1) to residential (use class C3) to create 25 residential units, comprised of 14 x one bed flats and 11 x two bed flats. It also includes the refurbishment of the ground floor retail units, including alterations to the ground floor elevations..
- 2.2 The proposed single storey roof extension would be set back from the 'Broadway façade' (No's 7-13) but would be flush with the 'Queens Square façade' (i.e. south and west elevations of No's 1-3 Queens Square). The remainder of the upper floors to The 'Broadway façade' would be largely unchanged albeit modernised, whereas on the ground floor two existing entrances to the upper floors would be removed. The Queens Square 'façade' would be altered to incorporate setback balconies on the street frontage on the 1st and 2nd floors. To the rear, lightweight cantilever balconies would be provided to all of the proposed flats. External materials proposed are a mixture of brick slips, with timber and concrete render panels, and metal double glazed windows. At the corner of Queens Square and The Broadway from 1st to 3rd floor, "saw toothed" timber clad oriel windows would be formed on each floor on the south facing elevation.
- 2.3 Following the changes the ground floor western frontage, the residential areas on the upper floors will be accessed from a single doorway off The Broadway, with a service entrance opening onto the existing rear service yard, to allow refuse collection.No on-site parking would be provided

PLANNING HISTORY:-

- 3.1 The site was first developed as part of the construction of the 'New Town' and designed with shops on the ground floor with associated storage and offices above.
- 3.2 There have been a number of minor applications on the site, (advertisements/shopfronts), but none directly relevant to the proposal under consideration.

PLANNING POLICY:-

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise. The current Development plan is the Crawley Borough Local Plan 2015-2030 which was adopted in December 2015 and is compliant with the NPPF.

National Planning Policy Framework

- 4.2 This document which sets out national planning policy and seeks to deliver sustainable development and ensure LPA's deliver development which accords with the Development Plan without delay. Within the core 12 overarching principles listed planning should:
- *“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs...”*
 - *“always seek to secure high quality design and good standard for amenity for all existing and future occupants of land and buildings”*
 - *“encourage the effective use of land by reusing land that has been previously developed (brownfield land).....”*
 - *“promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas...”*
 - *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be sustainable”*
- 4.3 In respect of employment uses the long term protection of sites allocated for this purpose must be reviewed and where there is no reasonable prospect of the site being used, alternative uses of land or buildings should be considered on their merits. (paragraph 22).
- 4.4 With regard to town centres paragraph 23 recognises that town centres are the heart of communities and policies should support their viability and vitality. Residential development is recognised as a town centre use that and can play an important role in ensuring the vitality of centres and should be encouraged on appropriate sites.
- 4.5 In respect of housing (paragraph 47) LPA's must identify deliverable housing sites to provide 5 years worth of housing against their requirements with additional 5% buffer to provide choice and competition. Paragraph 50 requires delivery of a choice of high quality homes based on factors such as housing need, size and tenure and where affordable housing is required, set policies to meet this need which should be sufficiently flexible to meet changing market conditions. Paragraph 51 encourages reuse of empty buildings and advises LPAs to approve applications for change of use to residential from commercial where there is an identified need for additional housing in the area (provided there are no strong economic reasons why such development would be inappropriate).
- 4.6 The NPPF attaches great importance to 'good design' for high quality buildings and spaces and supports innovative design which may raise the standard of design more generally in the area. (paragraphs 56 and 63). Measures to use renewable and low carbon sources, energy efficiency measures, green energy etc are all encouraged.

Crawley Borough Local Plan 2015-2030

- 4.7 This document has been adopted by Full Council at its meeting on the 16th December 2015. The document is therefore considered to have significant weight in the consideration of this application.
- 4.8 Policy SD1 sets out the 'Presumption in favour of sustainable development' in line with the strategic objectives of the NPPF.
- 4.9 Policy CH2 sets out the 'Principles of Good Urban Design' which requires development to amongst other things, create continuous frontages onto streets and spaces with clearly defined private and public areas, respond to and reinforce locally distinctive patterns of development, provide recognisable routes, intersections and landmarks to help people find their way around and provide

diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.

- 4.10 Policy CH3 sets out the 'Normal Requirements of All New Development' requiring development to be based on a thorough understanding of its context, be high quality in design and related sympathetically to its surroundings. Development should also provide a good standard of amenity for future occupants, demonstrate how secure by design has been included into the design, ensure the development meets its operational needs such as for access, parking, refuse storage and demonstrate building for life 12 Criteria taken into account.
- 4.11 Policy CH4 seeks to ensure efficient use of land and comprehensive development.
- 4.12 Policy CH5 sets out the 'Standards for All New Dwellings' in terms of minimum internal floorspace which must meet the Nationally Described Space Standards (introduced October 2015).
- 4.13 The site is within the Town Centre main employment area and policy EC1 seeks to ensure that such areas are the focus for Sustainable Economic Growth. Policy EC2 sets out that a net loss of employment space floorspace in Crawley Town Centre will only be permitted where it can be demonstrated that; i). the site is no longer suitable, viable or appropriate for employment purposes and; ii) the loss of any floorspace will result in wider social, environmental or economic benefits to the town; and iii) there is no adverse impact on the economic role or function of the main employment area and wider economic function of Crawley.
- 4.14 Policy EC4 seeks to ensure that where residential development is proposed within or adjacent to Main Employment Areas that the economic function of the area is not constrained.
- 4.15 The site is within the Town Centre Boundary, Primary Shopping area and Secondary Shopping Area and policy EC5 states that ground floor proposals for all the 'A' use classes (retail, financial and professional, restaurant, drinking establishment and hot food take-away) will normally be permitted. Such uses will be considered against the prominence and dominance of non-retail uses with the retail frontage and consideration of amenity (noise and disturbance).
- 4.16 Policy EC6 encourages mixed use development (economic and housing) to promote town centre vitality and viability.
- 4.17 Policy H1 makes provision for the development of a minimum of 5,100 net dwellings in the Borough between 2015 and 2030, the application site is allocated in policy H2 as a deliverable housing site (estimated to accommodate around 57 dwellings within the next 5 years). Policy H3 seeks to ensure development provides a mix of dwelling types and sizes to address local need and market demand and a current need for affordable 1 and 2 bedroom units. Policy H4 seeks 40% affordable housing from all residential developments with a minimum 70% of units to be affordable rent and up to 30% intermediate tenure. In addition, on schemes of 15 dwellings or more 10 % low cost housing will be sought. Any exceptions to these targets have to be demonstrated via a comprehensive viability assessment.
- 4.18 Policy ENV6 requires all development to demonstrate sustainable design and construction to reduce energy consumption and carbon emissions, utilise green technology where appropriate and deal with the long term effects of climate change.
- 4.19 The site is located within a Priority Area for District Energy Networks, policy ENV7 requires proposals to demonstrate how they have considered incorporating this technology. Policy ENV9 requires new dwellings to be water efficient.
- 4.20 Policy ENV11 seeks to protect occupiers from unacceptable noise impacts, for residential uses development must demonstrate that residents would not be exposed to unacceptable noise disturbance and where applicable applications should be accompanied by a noise impact assessment and propose suitable mitigation if required.
- 4.21 Policy IN1 supports development where the necessary on and off site infrastructure can be provided or any impacts can be appropriately mitigated. Policy IN3 requires development to be concentrated

in locations where sustainable patterns of travel can be achieved and development does not have an unacceptable increase in traffic congestion or highway safety. Policy IN4 requires development to provide the appropriate amount of car and cycle parking to meet its needs. Car parking standards for residential development are based on the accessibility of the area, levels of car ownership and the size of any new dwellings.

PLANNING CONSIDERATIONS:-

- 5.1 The key planning considerations in respect of this application are:
- The principle of change of use from office to residential;
 - Design and appearance of the development and the impact on the street scene / townscape;
 - Adequacy of the accommodation provided (size layout, noise issues)
 - Impact on neighbouring properties;
 - Impact on highways / access / parking / access.
 - Sustainability
 - Scheme Viability - Affordable housing
 - Other.

Principle of Change of use from Office to Residential

- 5.2 The site occupies a sustainable location in the town centre- (Town Centre North). Residential use is also encouraged in town centre locations in the NPPF, and Policies EC5 and H1 and of the CBLP identifies this location as suitable where it the proposal is consistent with the other policies in the Local Plan and the principle of sustainable development.
- 5.3 It is recognised that much of the upper floor space in the town centre is of a poor quality, which does not meet the requirements of modern business for purpose built accommodation, and cannot be readily adapted to do so. The applicant has submitted supporting marketing information which confirms the high availability of upper floor office accommodation in the town centre and the lack of market interest in this type of premises. Although some of the units are in use, it is accepted that there is a current over supply of this type of accommodation in the town centre.
- 5.4 There are other examples on The Boulevard and elsewhere in the Town Centre where disused upper floor units have been converted to residential use, and the improvement of the units in this part of the town centre would help to deliver wider social, environmental and economic benefits it is considered that the criteria of Policy EC2 are satisfied, and therefore there is no objection to the proposal in principle.

Design and appearance of the development and the Impact on the street scene / townscape

- 5.5 The proposal is for the refurbishment of the existing buildings and the addition of a 3rd floor extension. The extended building would have a more modern design and it considered to be well detailed and articulated along its two principal elevations. It is considered that the overall scale and massing and design approach of the proposal would represent a positive contribution to the town centre.
- 5.6 The proposed building would be 4 storey within an area of predominantly 3 storey buildings, However, approaching the buildings along The Broadway the top floor extension would be set back by the 1.5m and this, combined with the fact that the height and prominence of the surrounding buildings increase towards the corner/junction with Queens Square, means that the extra storey would not appear out of keeping with surrounding buildings. Further along the Broadway to the south the landmark Pavilion building would still appear as the dominant feature in the street scene.
- 5.7 Approaching the building along Queens Square the street is narrower and the extended building would be viewed against the backdrop of the large two/three storey high premises currently occupied by Wilko and the larger Pavilion building on the opposite side of the street. In this environment the proposed building would also not be out of keeping within the street scene.

- 5.8 In terms of detailing, the extension to The Broadway façade is set back by 1.5m at 3rd floor level and as a result, although higher, respects the neighbouring buildings. On the Queens Square elevation the extension is not set back, but the introduction of recessed balconies to this facade gives articulation and interest to the development. The design on the upper floors of the front elevations, (south and west), with the contrasting brick, timber and rendered panelling together with the fenestration pattern and balcony design integrates well with the retail units below. The buildings' impact from the rear is considered an improvement to the existing appearance with the addition of balconies and new windows adding interest to this bland and predominantly featureless utilitarian brick elevation. Overall, the building detailing is considered appropriate to its surroundings.
- 5.9 At the corner of Queens Square and The Broadway on the 1st to 3rd floors, 'saw toothed' timber clad oriel windows, (with horizontal banding at each level) would be formed in order to mitigate potential overlooking from neighbouring buildings but also provides a distinctive architectural feature to the building as it turns the corner into Queens Square. In design terms it is considered that such a feature on this elevation, would constitute a distinctive architectural feature on an important and prominent building marking the entrance to Queens Square, and that such treatment of prominent buildings is consistent with good urban design principles. It is therefore considered that it would represent a positive feature in the street scene.

Adequacy of the residential accommodation provided

- 5.10 The building as designed complies with the floorspace standards set out in Policy CH5 and in all other respects- storage, floorspace and room size the development meets the standards. All but 4 of the flats would have a balcony providing amenity space, but given the fact that the proposal is for the conversion of an existing town centre building, the public area of Queens Square is close by and the Memorial Gardens is within 200m of the site, it is considered that the provision made for amenity space is acceptable for future occupants.
- 5.11 The proposed flats are single aspect and the majority would benefit from east-west orientation. A daylight/sunlight assessment was submitted by the applicant in support of the application, using the industry standard BRE Guidance for Site Layout Planning. Two of the flats facing north (rear) in the existing Queens Square Buildings, at 1st and 2nd floor level would fail the daylight/sunlight tests. As well as the obvious consequence of their northern aspect, the report states that this is due to the presence of the balcony/amenity areas outside and above the windows to these rooms. However, it is generally accepted that the guidance was written for new build low rise suburban development, and there will be circumstances where the BRE Guidance should be applied flexibility for example to take account of higher buildings/conversions or locations where housing density is normally higher, such as town centres. Overall, it is considered that the layout of the proposed flats is acceptable.
- 5.12 An acoustic report was submitted by the applicant in support of the proposals and has been assessed by the Environmental Health Division. The report confirms that this is a busy and noisy corner at the centre of Crawley Town Centre. Therefore, alternative additional ventilation (over and above the requirement of Building Regulations) will be required to ensure that residents have an alternative form of ventilation to opening windows. This can be secured by an appropriate condition. Subject to the approval of details, and its implementation strictly in accordance with the agreed specifications, it is considered that the proposal would be acceptable.
- 5.13 With specific reference to the proposed flats on the south facing 'Queens Square facade', windows to these dwellings would directly face a window to a gym on the upper floors of the Pavilion Building opposite, at a distance of 7m. Such separation distances are not uncommon in a town centre environment. However, in order to maintain satisfactory levels of privacy for the future occupiers of these flats, oriel windows are proposed for the three corner flats which would completely prevent any overlooking and a loss of privacy, and for the remaining three flats 'obscure glazing film' would be fixed to parts of the facing bedroom windows at first and second floor level, with an obscure glazed balustrade to the 3rd floor flat balcony, (See Drawing Ref 14168 070). For the flats at 1st and 2nd floor level the recessed balconies would still allow views from east facing bedroom windows through clear glazed windows towards Queens Square. It is considered that, subject to a condition maintaining this arrangement, this would provide a satisfactory level of privacy for these occupiers,

especially given the typical inter-relationships between buildings in a town centre location such as this.

Impact on neighbouring properties

- 5.14 The building although extended vertically has an unaltered footprint at ground floor level and there are not considered to be any adverse impact from the design of the building on any neighbouring occupiers. The building would not impact on rights of access or any loss of light to any key windows. The western elevation of the building would be a minimum of 23m from the neighbouring buildings on the opposite side of The Broadway. The flats in the northern and eastern elevations would overlook the service yard to the rear where there are no issues with overlooking and loss of privacy as the surrounding buildings facing onto the service are predominantly in commercial uses. As noted above the southern elevation of the extended building also faces commercial premises and no loss of outlook or privacy would result. Therefore the proposal would not be considered to have any adverse impact on its neighbouring properties

Impact on highways / access / parking / servicing

- 5.15 The site occupies a highly sustainable central location within Crawley Town Centre within easy reach of public transport and accessible to a full range of amenities. WSCC comment that this location has excellent accessibility, and due to on-street parking restrictions and parking charges overspill parking is unlikely and would be a deterrent to car ownership. WSCC also state a residential travel plan (to be secured by condition) would be an essential element of the scheme to encourage sustainable transport modes and promote access to car clubs, and that the rear servicing arrangements for the building remain as existing and are acceptable.
- 5.16 It is considered that while the proposed development has no designated parking spaces, this lack of provision is acceptable as it accords with the adopted parking standards required by Policy INV4, and set out in SPD1. The guidance in SPD1 sets maximum standards and acknowledges that standards for residential development are based on the accessibility of the area, the availability of alternative transport modes and the type of accommodation which all have an impact on the level of car ownership. In this instance the site is a very sustainable location and future occupants would be aware that the units would have no parking. Designated parking for occupiers is not considered necessary in this case due to the accessibility of the site to a full range of services and alternative transport options. It should be noted that the principle of car free residential development was accepted for the recently approved development at 15-29 The Broadway (Ref CR/2015/0609/FUL) and that currently the existing block has no designated parking.
- 5.17 The application proposes provision for 39 cycle spaces, with 8 visitor spaces on the highway outside the retail units. Subject to the imposition of an appropriate condition, and the requirement to complete a Section 278 agreement for works on the highway WSCC would have no objections to the proposed development.

Sustainability

- 5.18 The proposal would allow the retention and re-use of the existing building, which in itself is a more sustainable option than demolition and rebuild. The new flats would be refurbished and constructed in accordance with current Building Regulations. The existing windows would be replaced with new double glazed units that would greatly improve both the thermal and acoustic performance of the building fabric. As a conversion to an existing building and given the viability issues discussed below there is little scope for enhanced measures normally sought via Policies ENV6, 7, 8 and 9. Overall the proposal is considered acceptable on sustainability grounds.
- 5.19 WSCC as Lead Flood Authority have considered the development and advise it is in a low risk area for flooding and raise no objection having checked the local constraints and given that the site is previously developed land.

Scheme Viability/ Affordable Housing

- 5.20. Policies TC5 and H5 require that 40% affordable housing provision on any site of over 15 units should be affordable unless it can be demonstrated that this would not be viable and that there is a proven need for the development. CBLP policy H4 also seeks 40% affordable housing unless an exception can be demonstrated via a comprehensive viability assessment. In this case, the applicants have provided such an appraisal which has been independently scrutinised by DVS (District Valuer Services).
- 5.21 It has been clearly demonstrated that the development would not be able to deliver a policy compliant scheme, either in terms of providing affordable housing, or indeed any other contributions normally sought in accordance with the Council's SPD on Planning Obligations and Section 106 Agreements.
- 5.22 Due to the commercially sensitive nature of the viability report, should Members wish to scrutinise this conclusion in further detail, the meeting will need to move to Part B (Exempt item) where the report can be discussed in further detail.

Other

- 5.23 Detailed design comments in respect of security and other matters relating to the design of the building were received from Sussex Police. Many of the items such as lighting, locks and the management of the building and communal spaces are matters that cannot be controlled via planning condition. The proposed refuse facilities are considered acceptable.

CONCLUSION:-

- 6.1 Town centre residential development is a key objective of the NPPF, and the Local Plan for Crawley. The proposal would enhance the vitality of the town centre, and helps address housing need. The choice of alternative modes of transport and accessibility of local facilities means this site is an ideal location for a car free development and the principle has been accepted on a recently approved application for a neighbouring site at 15-29 The Broadway.
- 6.2 The proposed development is considered policy compliant in terms of its use, design, residential and operational standards and in this case the only substantive issue is that of affordable housing provision and the scheme viability. However, as stated above the viability statement demonstrates that no affordable housing or other contribution can be provided, and in line with the NPPF and the Local Plan, the lack of such contributions would not constitute sustainable grounds for a refusal of planning permission.
- 6.3 The development will help meet the need for smaller residential units for Crawley residents and in terms of its design and mix of uses and would make a positive contribution to the environment and regeneration of the Broadway and Queens Square, introducing improved ground floor retail units and future residents with access to the existing town centre facilities. The applicants have demonstrated that the development can be designed to provide a suitable living environment for future residents, while protecting the amenities of neighbouring properties and not prejudicing the redevelopment of other parts of the town centre.
- 6.4 It is therefore recommended that the scheme is granted planning permission subject to the conditions set out below.

RECOMMENDATION RE: CR/2015/0694/FUL

Permit subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
- 3 No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls, roofs, windows and balconies of the proposed building have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

The upper floor fenestration and balconies shall not be installed until specific joinery details and sections at a scale of 1:20 have been approved in writing by the Local Planning Authority. The upper floor fenestration and balconies shall thereafter only be installed in accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

4. Provision shall be made for communal aerial facilities to serve all residential development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. Before the development hereby permitted is commenced a scheme shall have been submitted to and approved in writing by the local planning authority to protect dwellings against the noise identified by the acoustic report. For the purposes of this condition the scheme shall include:
(a) the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB(A) Leq16hr (between 0700 and 2300) and no more than 30dB(A) Leq 8hr (between 2300 and 0700); and
(b) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700.

Where the standards in (a) and/or (b) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which adequate ventilation will be provided. No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

REASON: To ensure a suitable environment for future occupier in an accordance with Policy ENV11 of the Crawley Borough Local Plan 2015-2030.

6. The glazing to the windows shown obscured on the approved drawings (Ref 14168 070) on the southern elevation of the building shall be constructed in strict accordance with the approved drawings and so maintained at all times.
REASON: To protect the amenities and privacy of the future occupiers and adjoining property, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. Prior to first occupation of the residential units, 33 secure cycle spaces for residential occupiers shall be provided in accordance with approved drawing number 14168 100 Rev D The spaces shall thereafter be retained for cycle parking unless written permission is given for any variation.
REASON: To ensure adequate cycle parking is provided for future residents in accordance with sustainable travel objectives and Policy IN4 of the Crawley Borough Local Plan 2015-2030 and SPD1.
- 8 Prior to first occupation of the residential units 6 retail staff cycle spaces within the building and 8 visitor cycle spaces in front of the building shall be provided in accordance with plans and details to be submitted for approval. These spaces shall thereafter be retained at all times for their designated use.

REASON: To ensure adequate cycle parking is provided for retail staff and visitors to residential units in accordance with sustainable travel objectives and Policy IN4 of the Crawley Borough Local Plan 2015-2030 and SPD1.

9. The development hereby permitted shall not be occupied unless and until a Travel Plan has been submitted to, and approved by the LPA. The Travel Plan shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
Reason: To encourage sustainable travel in accordance with sustainable travel objectives and Policy IN4 of the Crawley Borough Local Plan 2015-2030.
10. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved by the LPA to include the following:
 - (i) location of site offices
 - (ii) storage of plant and materials
 - (iii) loading and unloading areas
 - (iv) construction traffic routing
 - (v) parking for construction staff
 - (vi) wheel washing facilitiesReason: In the interests of public and site safety and to accord with Policy ENV11 of the Crawley Borough Local Plan 2015-2030.
11. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
 - Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/policycampaigns/operationsafety/).The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
Reason: It is necessary to manage the roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy GAT1 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

1. For the purposes of condition 5 above 'adequate ventilation' would include both background and purge ventilation – as described by Building Regulations Approved Document F.
2. A Section 278 agreement with WSCC will be required to carry out changes to the pavement areas in front of the building and to install the cycle stands.
An oversailing licence will be required for the new windows over the public highway. Such windows will need to be a minimum of 2.3m above the finished pavement level.
3. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at www.aoa.org.uk/policy-campaigns/operations-safety/
4. The applicant is strongly advised to incorporate the crime prevention and design measures set out in the advice provided by Sussex Policy in the letter dated 30 October 2015.
5. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.
The permitted hours for noisy construction work in the Borough of Crawley are as follows:

0800 to 1800 Monday to Friday and 0800 to 1300 on Saturday with no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Years' Day. The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

NPPF Statement

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- Seeking amended plans/additional information to address identified issues during the course of the application.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.



Crawley Borough Council,
Town Hall,
The Boulevard,
Crawley,
West Sussex RH10 1UZ

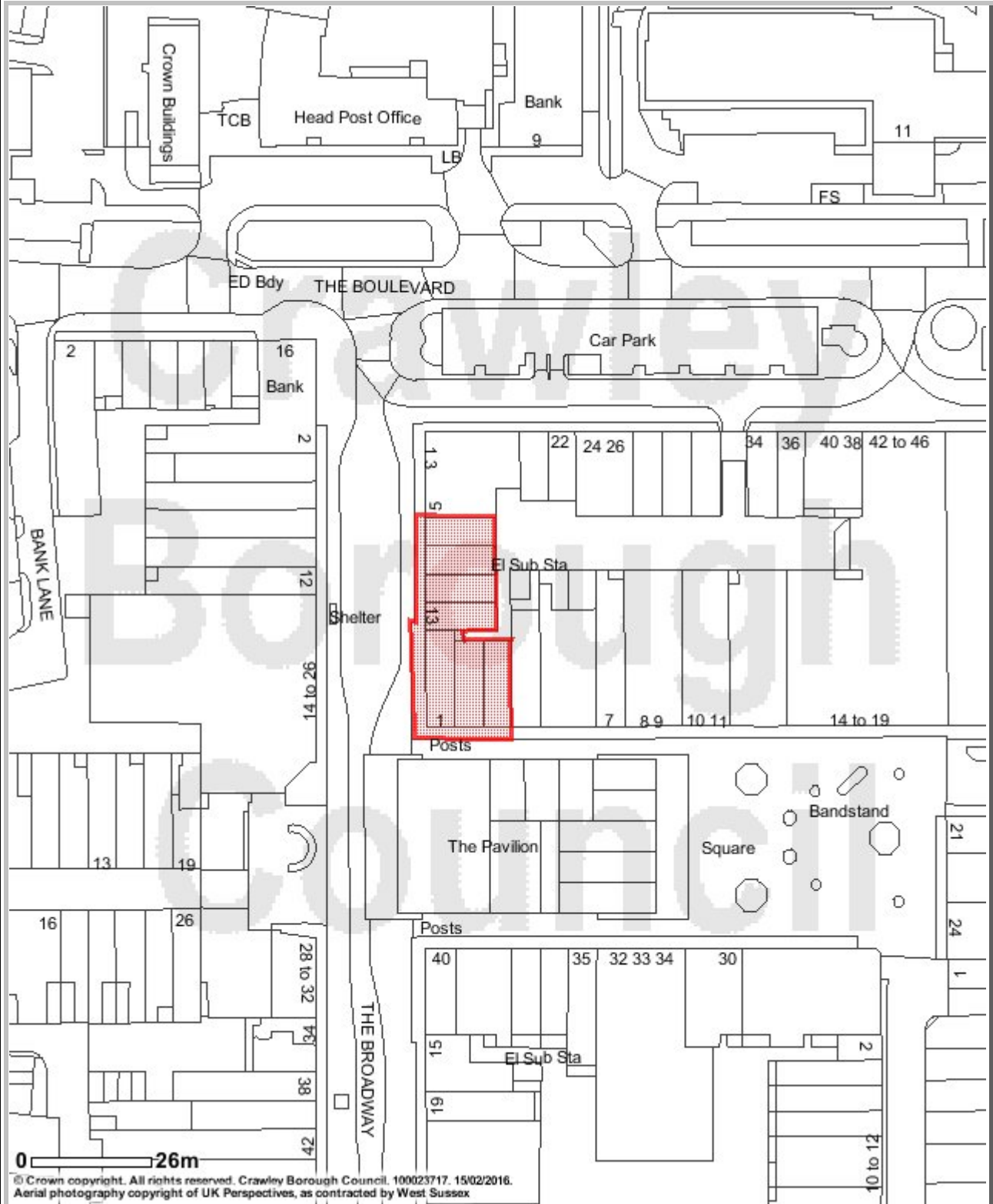
Tel: 01293 438000
Fax: 01293 438603

CR/2015/0694/FUL

Date 15 February 2016

Approx. Scale 1:1,250

**7 - 13 THE BROADWAY & 1 - 3 QUEENS SQUARE,
NORTHGATE, CRAWLEY, RH10 1DX**



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REFERENCE NO: CR/2015/0720/FUL

LOCATION: HOMEBASE, CRAWLEY AVENUE, WEST GREEN, CRAWLEY
PROPOSAL: DEMOLITION OF EXISTING UNIT AND ASSOCIATED GARDEN CENTRE AND THE CONSTRUCTION OF FIVE RETAIL UNITS TOTALLING 9,391 SQUARE METRES WITH ASSOCIATED SERVICE YARD, HARD LANDSCAPING AND ADDITION OF 21 CAR PARKING SPACES

TARGET DECISION DATE: 25 January 2016

CASE OFFICER: Mr M Edwards

APPLICANTS NAME: British Land Retail Warehouses Ltd

AGENTS NAME: Montagu Evans LLP

PLANS & DRAWINGS CONSIDERED:

13010-100 Rev A Site Location Plan, 13010-101 Rev A Existing Site Plan, 13010-111 Rev C Proposed Site Plan, 13010-112 Rev B Proposed GA Plan in Context, 13010-113 Rev B Proposed GA, 13010-114 Proposed Mezzanine Plan, 13010-131 Rev A Proposed Elevations, LS01 Detailed Soft Landscape Proposals, LS02 Typical Section: Service Yard Wall and Embankment, 13010-CGI01C, 13010-CGI02H, 13010-CGI03C

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|-------------------------------------|--|
| 1. | GAL - Aerodrome Safeguarding- | No objection subject to conditions and informatives |
| 2. | WSCC - Tree Section - | No comments received |
| 3. | WSCC – Highways- | No objection subject to conditions |
| 4. | Thames Water- | Sewerage infrastructure capacity – no objections; public sewers and surface water drainage - advice provided for applicant on responsibilities and consents required |
| 5. | Police- | Advice provided for Secured by Design and Car Park Lighting |
| 6. | CBC-Planning Arboricultural Officer | No objection subject to implementation of landscaping |
| 7. | UK Power Networks | No objection |
| 8. | CBC - Environmental Health | No objection |
| 10. | Cycle Forum | No comments received |
| 11. | CBC - Refuse & Recycling Team | No objection |
| 12. | Ecology Officer - Mike Bird | No objection subject to condition |
| 13. | WSCC - Surface Water Drainage | No objection subject to condition |

NEIGHBOUR NOTIFICATIONS:-

The application was advertised by press notice and site notices.

RESPONSES RECEIVED:-

Two responses were received from local residents; one objecting on the grounds that the new development would lead to increased traffic, noise pollution and greater congestion on the surrounding roads, and requesting a condition with regard to hours of demolition/construction if the application was approved. The other response was seeking reassurance that provision for a rerouted footpath at the rear of the existing building would be made.

A further objection was received on behalf of the current tenant Homebase, who do not wish to vacate the site and wish to renew their lease. They also cite the “loss of qualitative (retail) offer” available to Crawley shoppers; implications for jobs, and impact on the vitality and viability of Crawley Town Centre as issues.

REASON FOR REPORTING TO COMMITTEE:-

Category of development – major application.

THE APPLICATION SITE:-

- 1.1 The application site is located at Crawley Avenue Retail Park which is situated to the north of Crawley Town Centre, at the junction with London Road (A2219) and Crawley Avenue (A23). In addition to Homebase the site is shared by a large Sainsbury's store, a McDonalds “Drive-Thru” Restaurant, and a petrol station to the west of the main Sainsbury's store.
- 1.2 The application site incorporating Homebase comprises 3,994 sq. m (GIA) floorspace (ground only) and an external garden centre of 1,300 sq. m (GIA). The total floorspace comprises 5,294 square metres (GIA). The external sales area/garden centre is enclosed and in part covered by a canopy. The use falls within Class A1 of the Use Classes Order 2005.
- 1.3 The main access to the Retail Park for customers is from the A23 (Crawley Avenue) via a slip road. The Retail Park as a whole is currently served by 674 car parking spaces, including 35 disabled and 26 parent and child spaces. The car parking area immediately to the front of Homebase comprises circa 225 spaces. There is currently parking for 12 bicycles in the form of 6 Sheffield type stands in the vicinity of the Sainsbury's superstore.
- 1.4 Servicing for Homebase is undertaken from the south of the garden centre and is accessed from the A23 via a slip road and petrol station entrance, adjacent to the rear of the Sainsbury's store. The route also forms a part of the Retail Park exit. There are a small number of pedestrian access points to the Park. These include two accesses at the north and east of the Retail Park, via Crawley Avenue and Longmere Road respectively. A third access is located at the south-western boundary of the Retail Park via a pathway running through West Green Park which leads to Ifield Avenue. The boundaries of the Retail Park are characterised by planting, including mature trees, many of which are subject to a Tree Preservation Order- Crawley Avenue No.1 (Ref P16.12.8)
- 1.5 The Retail Park is located in an area characterised by retail warehousing and other commercial and leisure development. The adjacent retail park, London Road Retail Park to the east, contains similar bulky goods retail units, (Carpet Right and B & Q) as well as a large Matalan clothing store. Crawley Leisure Park to the south east is also within relatively close proximity and features a number of leisure and restaurant units anchored by Cineworld.
- 1.6 To the north of the Retail Park is Langley Green Neighbourhood which predominantly comprises a mixture of flatted developments, terraced and semi-detached two storey houses. To the north east are the residential roads of Windmill Court and Longmere Road. To the east of the site is the Crawley Youth Centre and the Crawley Sea Cadets Headquarters. To the south is West Green Park an area of public open space.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for the demolition of the existing Homebase store and garden centre and the construction of five retail units totalling 9,391 square metres (including mezzanine). The proposed development comprises an increase in retail space compared with the existing/lawful position of 4,097sq.m.
- 2.2 Additional works associated with the application include the diversion of the existing footpath around the proposed service yard, new hard landscaping to the front of the proposed units and the addition of 24 new parking spaces, (to the total retail park provision), and the relocation of an existing substation.

- 2.3 The proposal is intended for retailers of predominantly bulky goods not currently represented in Crawley. The applicant asserts that the overall floorspace, unit size and mezzanine requirements proposed accord with the specific operational requirements of the prospective tenants. Due to commercial confidentiality they cannot disclose the identity of these prospective tenants, but state that the type of occupiers includes:
- Barker and Stonehouse
 - SCS
 - Oak Furniture Land
 - Dunelm
 - Furniture Village
 - Wren Kitchens
 - Sofaworks
- 2.4 The proposed building would be constructed on a similar footprint of the existing Homebase store and garden centre. The proposed units would maintain the existing retail frontage and extend it across the existing garden centre. A more modern retail building would be erected incorporating full height glazing to the front/main elevation. The new building would be higher than the existing building (11m compared with 8m), and incorporate mezzanine floors. It is also proposed to introduce free-standing entrance features/signage structures to Units 1A-1E. The signage would be the subject of a future advertisement application.
- 2.5 The proposals involve the reconfiguration of the car parking and servicing. In terms of car parking, the planning application will result in a net increase of 24 spaces, with additional accessible spaces and a safe pedestrian area at the front. The spaces (and car parking circulation route at this point) would be revised to maximise the number of spaces, particularly parent and child and disabled spaces, directly linked to the store entrances.
- 2.6 Servicing of the units would continue to be from the existing service entrance to the south west of the new building. Where the service yard is to be extended the existing footpath is to be diverted around the perimeter of the yard with new lighting installed. The applicants state that an application for the diversion of the footpath will be made in due course. Changes to the landscaping to accommodate the development will require the removal of some trees to the south of the site where the service yard is to be extended.
- 2.7 The application seeks planning permission for the erection of a 9391sq m building subdivided internally to provide 5 separate retail units. The details of the individual units are summarised as follows:

	GROUND FLOOR GIA sq m	RETAIL MEZZANINE sq m	TOTAL GIA sq m
Unit 1A	677	677	1354
Unit 1B	886	771	1657
Unit 1C	886	886	1772
Unit 1D	886	771	1657
Unit 1E	1591	1360	2951
TOTALS	4926	4465	9391

- 2.8 In support of the application, the applicant has provided the following documents:
- Planning and Retail Statement;
 - Application drawings including landscaping proposals;
 - Design and Access Statement;
 - Transport Statement;
 - Energy Assessment;
 - Arboricultural Impact Assessment;
 - Ecological Appraisal;
 - Bat Survey.

PLANNING HISTORY:-

- 3.1 The Council granted planning permission (CR/842/89) on 29 March 1990 for *“the construction of retail store and retail warehouse together with coffee shop, petrol filling station, car parking, landscaping and access at Mowlem Sports Grounds, Crawley Avenue, West Green, West Sussex.”*
- 3.2 The permission was subject to, inter alia, Condition 17, which restricted the range of goods to be sold from the Unit for DIY, home improvement and builders merchants' goods, garden goods, electrical goods, self-assembly furniture, auto parts and accessories, and for no other purposes in Class A1 of the Town and Country Planning (Use Classes) Order 1987.
- 3.3 The Council granted planning permission (CR/96/0023/FUL) in March 1996 for *“the erection of extension to the existing garden centre, erection of new brickwall with glazed/ infill panels and double-sided stained timber fencing. Erection of a free-standing canopy with polycarbonate sheet roof.”* The permission did not impose any restrictions on the goods that can be sold from the garden centre.
- 3.4 A further permission (CR/98/0371/FUL) was granted in July 1998 for *“the erection of extension to service yard.”* The permission did not impose any new restrictions on the goods that can be sold from the Unit.

PLANNING POLICY:-

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise. The Development Plan currently is the Crawley Borough Local Plan 2015-2030. The plan was adopted by the Council in December 2015 and is in compliance with the NPPF.

National Planning Policy Framework 2012 (NPPF):

- 4.2 The NPPF has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development. The NPPF states that there are three dimensions to sustainable development and the planning system performs an economic, social and environmental role. These roles are mutually dependent. The Framework requires applications to be determined in accordance with the development plan.
- 4.3 Relevant sections are:
 - paragraph 14: presumption in favour of sustainable development
 - paragraph 17: core planning principles
 - Section 1: building a strong competitive economy. The government is committed to securing economic growth in order to create jobs and prosperity (Para 18). The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth (para 19). Paragraph 20 suggests that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
 - Section 2: Ensuring the vitality of town centres. Paragraph 23 states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should: (among other considerations) recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres; allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
 - Paragraph 24: Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in

accordance with an up-to-date Local Plan. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

- Section 4: Promoting Sustainable transport. All developments that generate significant amounts of movements should be supported by a transport statement or transport assessment. Proposals should ensure safe and suitable access to the site can be achieved (Para 32). Paragraph 34 seeks to ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. A key tool to facilitate this will be a travel plan (para 36).
- Section 7: Requiring Good Design. The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute to making places better for people (para 56). Paragraph 61 states that “although the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment”.

The Crawley Borough Local Plan 2015-2013

- 4.4 Relevant policies include:
- 4.5 Policy SD1 sets out the ‘Presumption in favour of sustainable development’ in line with the strategic objectives of the NPPF.
- 4.6 Policy CH2 sets out the ‘Principles of Good Urban Design’ which requires development to amongst other things, create continuous frontages onto streets and spaces with clearly defined private and public areas, respond to and reinforce locally distinctive patterns of development, provide recognisable routes, intersections and landmarks to help people find their way around and provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.
- 4.7 Policy CH3 sets out the ‘Normal Requirements of All New Development’ requiring development to be based on a thorough understanding of its context, be high quality in design and related sympathetically to its surroundings. Development should also provide a good standard of amenity for future occupants, demonstrate how secure by design has been included into the design, ensure the development meets its operational needs such as for access, parking, refuse storage and demonstrate building for life 12 Criteria taken into account.
- 4.8 Policy CH6 sets out the requirements for ‘Tree Planting and Replacement Standards’. Proposals must identify which trees are to be removed and replaced to mitigate the visual impact resulting from the loss of tree canopies.
- 4.9 Policy EC1 ‘Sustainable Economic Growth’ identifies Crawley’s role as the key economic driver for the Gatwick Diamond. The Council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new businesses to grow and prosper.
- 4.10 Policy EC7 sets out the requirements for ‘Retail and Leisure Development outside the Primary Shopping Area’. Retail proposals in Crawley will follow the NPPF ‘Town Centre first’ principle. Proposals for edge-of-centre or out-of-centre development, will be permitted where it can be demonstrated that: the proposed development cannot be met on more central sites, having applied the sequential test; and the impact of the development will not undermine the vitality and viability of the town centre, as existing and planned, or neighbourhood centres. In assessing impact of out-of-centre retail development proposals, a retail impact assessment will be required to support proposals for 2500sq.m gross floorspace or greater.
- 4.11 Policy ENV2 ‘Biodiversity’ requires habitat and species surveys and associated reports to accompany planning applications which may affect sites of ecological value.

- 4.12 Policy ENV6 requires all development to demonstrate sustainable design and construction. Proposals for new non-domestic buildings should achieve BREEAM Excellent (for water and energy credits) where technically and financially viable.
- 4.13 Policy ENV7 concerns 'District Energy Networks' (DEN) and requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- 4.14 Policy ENV9 'Tackling Water Stress' sets out the requirement for new development, where technically feasible and viable to meet BREEAM Excellent standards including addressing maximum water efficiencies under the mandatory water credits.
- 4.15 Policy ENV11 'Development and Noise' seeks to protect occupiers from unacceptable noise impacts, from noise generating development and where applicable applications should be accompanied by a noise impact assessment and propose suitable mitigation if required.
- 4.16 Policy IN1 Infrastructure Provision sets out that where appropriate the Council will seek Section 106 Legal Agreements or CIL contributions to address specific site issues.
- 4.17 Policy IN3 requires development to be concentrated in locations where sustainable patterns of travel can be achieved and development does not have an unacceptable increase in traffic congestion or highway safety.
- 4.18 Policy IN4 requires development to provide the appropriate amount of car and cycle parking to meet its needs. Car parking standards for commercial development will be based on the particular usage of the premises which will take account of the intensity and requirements of each employment usage and the accessibility of the area by public transport and other sustainable modes.

PLANNING CONSIDERATIONS:-

- 5.1 The planning considerations are:
- the principle of retail development in this location as it relates to Local Plan Policies
 - the impact on the street scene and the character of the area
 - the impact on the amenities of the occupiers of neighbouring properties
 - highway safety, access and parking
 - trees and landscaping
 - sustainable construction and drainage
 - biodiversity
 - potential infrastructure contributions
 - other issues

The principle of retail development in this location

- 5.2 The application proposes demolition of the existing Homebase unit and associated garden centre, and the construction of five retail units. The existing unit (3,994m²) and associated garden centre (1,300m²) provide a gross floor area of 5,294m². The proposal would provide a total gross internal floor area of 9,391m², and an increase in net retail sales area of 4097m².
- 5.3 The existing Homebase unit is permitted to sell a range of goods, including DIY and home improvement, garden goods, electrical goods, furniture and auto-parts. The application seeks to broaden the range of non-food bulky goods that may be sold from the proposed five units to include camping goods, homeware and pet products. It is recognised that there is already some cross-over between the type of goods sold by Homebase and those sold in the Town Centre, and this is discussed further below.

Policy Context

- 5.4 The NPPF and Planning Practice Guidance, and Local Plan Policy EC7 promote the vitality and viability of town centres through the town centre first approach. Recognising that the retail park at Crawley Avenue/London Road is an out-of-centre retail location, the key policy considerations relate to the application of a sequential assessment and consideration of the potential impact on the town centre that would result from the proposal.

Sequential Assessment

- 5.5 As a main town centre use, proposals for retail development should be directed to the town centre or sustainable edge-of-centre locations before out-of-centre locations are considered. To this end, the applicant's Planning and Retail Assessment considers the suitability of more central locations, comprising Town Centre and edge-of-centre sites identified in Local Plan Policy EC6, and a selection of vacant town centre units. In each case the assessment finds the more central sites to be of either insufficient size to support the proposal, or lacking the necessary access/servicing to support operations, concluding that, having considered alternative formats, the development cannot be accommodated at more sequentially preferable location(s).
- 5.6 The applicant draws attention to the Case Law of *Tesco v Dundee City Council* where Lord Reed found that sequential assessment should consider '*whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site*'. A key argument presented by the applicant is that the proposed units would be occupied by predominantly non-food bulky goods retailers, which in turn influences the size and format of store that is required. In particular, the supporting information outlines that a larger store format is required to accommodate the display, storage sale and manoeuvre of larger, bulky products. The case is also made that the bulky nature of goods requires delivery vehicle access and servicing, and adjacent surface level customer car parking, necessitating an out-of-centre location.
- 5.7 In policy terms, the proposal would be situated in an established out-of-centre retail location (Local Plan Policy EC7), and the predominantly non-food bulky goods floorspace proposed would replace that of the current Homebase unit which itself stocks a range of more traditional bulky goods that are typically associated with out-of-centre locations. Paragraph 11 of the Planning Practice Guidance (*Ensuring the Vitality of Town Centres*) outlines that use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements that mean they may only be accommodated in specific locations. It is accepted that for operational reasons the proposal cannot at this time be accommodated on a more sequentially preferable site, and an out-of-centre location is justified in this instance because of the bulky nature of goods sold, and given the established nature of the site for bulky retail. For these reasons it is considered that the requirements of the sequential assessment are satisfied, and the proposal is considered to comply with part (a) of Local Plan Policy EC7.

Impact Test

- 5.8 With regard to impact, the council's evidence base (DTZ Retail Capacity & Impact Study, 2013) outlines that capacity exists to support delivery of up to 26,650m² comparison retail floorspace over the Local Plan period to 2030. This figure has regard to the permitted non-food retail permission at Betts Way, though does not take account of the permitted 3,049m² retail extension to the out-of-centre Next store at County Oak. The evidence shows that there is sufficient available expenditure capacity for the plan period.
- 5.9 In assessing the impact of development proposals, the DTZ work identifies that any impacts of greater than about 1% on the town centre should potentially give rise to concern. The applicant has provided a quantitative retail impact assessment to measure potential impacts on the town centre, setting out that the proposed additional floorspace would result in an impact of 0.55% from Crawley Town Centre. In reaching this figure, the submitted retail assessment assumes a reduced 50% trade density for the proposed mezzanine floor space. The principle that mezzanine floors operate at a lower turnover than main stores is well established, and has been endorsed by the Planning Inspector at the Crawley Avenue Sainsbury's appeal and discussed in the retail statement

submitted in support of the Next application. In this regard, the assumption put forward by the applicant is considered to be reasonable.

- 5.10 Concerns have been expressed in the objection by Homebase regarding the retail impact assessment provided by the applicants, and questions the methodology and assumptions it makes. A key issue raised relates to identification within the retail statement that the proposed development would draw 25% of its custom from the town centre, which the objector considers to be unjustified. In considering the issue of trade draw, the council's Retail Capacity and Impact Study (2013) assumes a working assumption that up to 50% of a stores trade would be diverted from Crawley town centre, though recognises that actual trade diversion will vary according to store size, location and type.
- 5.11 It is however recognised that as a bulky goods retailer, there is very limited like-for-like cross over between the town centre and the product range of the proposed development, and for this reason an assumption of 25% trade draw is not unreasonable.
- 5.12 The objection letter also discusses the available retail expenditure capacity for future comparison floorspace. The council's Retail Capacity and Impact Study (2013) sets out the available floorspace capacity in Figure 2, and Figure 3 divides this into central and non-central (i.e. edge-of-centre and out-of-centre) capacity. The objector asserts that based on the forecast, there is no available out-of-centre comparison retail floorspace capacity until late in the plan period. However, following the Sainsbury's West Green appeal decision, the council has relied on the combined capacity figures identified in Figure 2 of the study. This is because the Inspector did not accept the distinction between central and non-central retail capacity. Rather, she considered that retail capacity should be identified as a single 'pot' for the town as a whole, and that it should be for the sequential test to determine the location to which the capacity should be directed. Consequently, in reaching a decision on the Sainsbury's appeal, the Inspector did not consider there to be an over-supply of non-central retail. For the same reasoning, the current Homebase application should be determined having regard to the retail floorspace capacity available to the town as a whole (as set out by Figure 2 of the Retail Capacity and Impact Study), and it is for the sequential test to determine where this floorspace is directed.
- 5.13 Homebase also assert that the application proposal raises serious doubts as to the deliverability of mixed-use schemes on the town centre sites identified in the Local Plan (Policy EC6). It is however important to set out that the Local Plan does not allocate sites specifically for retail. Rather, the identified sites are flexible to encourage a mixed range of main town centre uses and residential development, seeking to be as flexible as possible to encourage investment. This approach responds to the viability and delivery uncertainties associated with the delivery of large-scale town centre retail schemes in the current climate, and was recognised by the Local Plan Inspector as a sound policy approach.
- 5.14 Homebase questions the assertion in the applicant's retail statement that mezzanine floors in the proposed units would trade at a 50% lower density than ground floors, and argues that the full sales density should be applied to all new retail floorspace proposed and suggests that there would be an impact of 1%. The Sainsbury's West Green appeal decision is relevant, where the Inspector stated that extensions are unlikely to trade at 100% of company average and accepted that the proposed extension would trade at a lower density. The council's Retail Capacity and Impact Study (2013) sets out that '*any impacts of greater than about 1% on the town centre should potentially give rise to concern*' (paragraph 4.8). Given that this figure is not exceeded, even under the objector's 'worst case' scenario, it is considered that any impact on the town centre in the region of 1% would not be unacceptable.
- 5.15 The Homebase letter further states that the cumulative retail impact of the proposal has not been considered by the applicant, referring in particular to recent consents at Acorn Retail Park (Betts Way) and the permitted store extension at the Next store in County Oak. It is important to note that the originally consented Betts Way food store scheme is included as a commitment in the Retail Capacity and Impact Study (2013), and has therefore been taken into account in identifying the available floorspace capacity. The revised consent sub-divides the proposed unit to provide two food stores and a bulky toy retailer. With the revised consent providing a reduced floor area compared to the previous scheme, and including a discount food retailer which is recognised to operate at a lower trade density, the revised Betts Way scheme is forecast to operate at a trade

density of £17 million, compared to a trade density of £34 million for the consented food store scheme. This significantly reduces the impact from the more recent Betts Way scheme compared with the consented food store that is already factored into the Retail Capacity and Impact Study (2013) forecasts. Given that the more recent Betts Way consent has demonstrated a reduced impact, it is not considered necessary to further assess the contribution of this scheme to cumulative impact.

- 5.16 The permitted Next store extension at County Oak, which is yet to be built out, is identified as having a 0.72% impact upon the town centre. Coupled with the 0.55% trade draw forecast from the proposed new units at the Homebase site, this results in a combined trade draw of 1.27%. Although this figure is over the 1% threshold identified in the council's retail capacity study, it is not so far beyond the threshold that there is considered to be a cumulative impact that would be significantly negative to the town centre, particularly given the limited product cross-over.
- 5.17 The applicant forecasts that the proposed development would compete largely with other out-of-centre stores in Crawley (25% of trade draw) and outside of Crawley (50% of trade draw), drawing attention to the limited overlap of its predominantly bulky product range with that of the town centre. The submitted retail assessment forecasts allow for an 'exaggerated' 25% trade draw from the town centre to account for a larger impact than would, in their view, be likely.
- 5.18 Planning Practice Guidance (*Ensuring the Vitality of Town Centres*) outlines that as a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector, citing as an example that it may not be appropriate to compare the impact of an out of centre DIY store with small scale town centre stores as they would not compete directly. In this case the nature of the proposed additional floorspace, would accommodate larger retailers stocking more bulky items including furniture, carpet and homeware. There is some potential overlap with town centre retailers where the proposed broadening of the product range includes camping, pet supplies, homeware and electrical goods. It is however appreciated that items falling within these categories already form part of the Homebase product range, and therefore this overlap is, to some extent, an existing one
- 5.19 Overall, in impact terms, it is accepted that the proposed development, by way of its bulky comparison retail offer, is largely distinct to the retail offer of the town centre, and would therefore compete largely with other out-of-centre bulk retailers. Equally, it is appreciated that the product range of the existing Homebase store already results in an element of cross-over with the town centre, and this would exist regardless of whether the current proposal is permitted. It will however be important to ensure by way of condition that the product range is limited to the uses proposed, and that it does not extend to non-bulky goods that would more typically be associated with the high street, for example fashion or jewellery.
- 5.20 Overall, the case made within the submitted evidence, that the proposal would result only in a 0.55% future trade draw from the town centre, is considerable reasonable, and the proposal satisfactorily demonstrates that the proposed bulky comparison retail floorspace would not result in a significant negative impact on the town centre.
- 5.21 The Homebase letter also asserts that the loss of the Crawley store would have a significant impact on the qualitative retail offer available to Crawley residents. In doing so, the letter refers to the NPPF and PPG, and argues that national policy seeks to ensure that '*the qualitative (and quantitative) needs of towns are met through a wide provision of retail facilities offering choice, competition and accessibility*'. It should however be noted this wording is not included in national or local planning policy, and although the NPPF seeks to provide customer choice and a diverse retail offer, this is specifically within a context of promoting competitive town centres (NPPF paragraph 23). Consequently, there is no requirement within the NPPF to protect an individual out-of-centre retail operator, and the extent to which there is competition between out-of-centre retailers is not a planning consideration.

Conclusion on Policy Issues

- 5.22 Overall, the proposed development is considered to be acceptable in retail policy terms. The applicants have satisfactorily made the case that the development cannot be accommodated on sequentially preferable sites, and that an out-of-centre location is required for operational reasons. In terms of impact, it is recognised that the bulky nature of goods proposed to be sold from the units is largely distinct from the retail offer of the town centre, and there is little by way of direct competition on a like-for-like basis. Where there would be a greater cross-over of products with the town centre offer, similar items are already sold from the existing Homebase store, and this situation would exist regardless of whether the current proposal is permitted. The case made within the submitted evidence that the proposal would result only in a 0.55% future trade draw from the town centre is considerable reasonable, and the applicant has satisfactorily demonstrated that the proposed bulky comparison retail floorspace would not result in a significant negative impact on the town centre. It will however be important to ensure by condition that the product range is limited to those proposed within the application, in order to ensure that the proposal does not have a significant negative impact on the town centre.
- 5.23 Having regard to the above, the proposal is consistent with the relevant economic policy of the NPPF and NPPG, and through demonstrating compliance with the sequential and impact tests, it is consistent with the requirements on Local Plan Policy EC7. As such, there is no objection to this application in retail policy terms.

The impact on the street scene and the character of the area

- 5.24 The footprint of the proposed building would be no larger than that of the existing Homebase store and garden centre. From public viewpoints the building would appear to have a flat roof, and would have a maximum height of 11m, which contrasts with the existing 8m high pitched roof building.
- 5.25 The external materials would comprise horizontal composite 'MicroRib' cladding panels, coloured metallic silver. On the front (north) elevation shopfront curtain walling, with clear double glazed units in grey frames, with a "feature beam" canopy.
- 5.26 The proposed building is set well back from the London Road frontage, and obscured from views from Crawley Avenue by the existing Sainsbury's store. Public views from West Green Park to the south and the Retail parks to the east would be obscured by the mature vegetation around the boundary of the site.
- 5.27 Therefore, it is considered that the overall design and massing for the proposal would be appropriate for the site, and for the surrounding area which contains a number of similar retail warehouse type buildings

The impact on the amenities of the occupiers of neighbouring properties

- 5.28 There are no residential properties in close proximity to the proposed building, the nearest, in Windmill Court to the north, are approximately 100m away. In terms of commercial properties, the closest neighbour is 20m to the east and there are no windows facing the application site. To the north east is the Youth Centre at a distance of 25m. Therefore, there would be no significant impact on any of the neighbouring occupiers in terms of loss of light, outlook or loss of privacy.
- 5.29 Concerns have been expressed by a local resident with regard to noise that may result from extra traffic as a consequence of the proposal. However, as stated in the transport assessment it is considered that the likely increase in traffic would be less than 5% and it is considered that this increase would not be significant in relation to increased traffic noise. It is acknowledged that there may be some extra noise and disturbance in terms of both the construction traffic and the build itself, but subject to the imposition of a condition requiring an appropriate Construction Management Plan, it is not considered that any increased noise and disturbance during the construction period would be so significant as to warrant a refusal of planning permission on these grounds.

Highway safety, access and parking

- 5.30 This application would result in alterations to the associated service yard and an additional 21 car parking spaces. A Transport Assessment (TA) has been submitted in support of the application, which has been assessed by the Highway Authority (WSCC). Concerns have been expressed by a local resident that the proposals would lead to increased traffic and greater congestion on the surrounding roads.
- 5.31 The proposed development would result in an increase in the GFA of the retail units from 5,294sqm to 9,391sq.m – or by 4,097sq.m. 674 car parking spaces are currently provided to serve Homebase, Sainsbury's and McDonalds buildings on the site and this would be increased to 695 spaces. An increase of 21 spaces.
- 5.32 The increase in floorspace would result in more traffic visiting the site. The peak periods for such trips have been identified as being between 17:00-18:00hrs Mon-Friday and 14:00-15:00hrs on Saturday with few movements in the normal 08:00-09:00hrs AM peak. However, the total trips generated are not necessarily new trips, but made up of diverted, pass-by, pass-by diverted or linked trips (i.e. trips that are not newly generated but are already on the road network). This reduces the overall impact of the trips generated by around 40% with the trips new to the network shown in Table 4.2 of the TA.
- 5.33 The net impact of the additional trips on the key junctions of A23 Crawley Avenue/London Road (Tushmore roundabout) and A23 Crawley Avenue/Ifield Avenue (Ifield Avenue roundabout) when compared to existing traffic flows on the network is very small and less than 5% in most cases. When these additional traffic flows are added to the existing flows at the two key junctions, the overall impact on delays and queuing would be negligible
- 5.34 Whilst the number of additional spaces would be below the recommended standard for the additional floor space, parking accumulation surveys indicate for this site that in normal trading conditions for the Friday and Saturday peak periods the car park is only 43% and 69% occupied respectively. The trips associated with the additional floor space proposed would increase this to 45% and 76% respectively which is still well within the car park capacity.
- 5.35 However, there will be times, such as Christmas, when demand for parking spaces will be higher and traffic queues can sometimes build up as visitors circulate and search for spaces. This though occurs at many food and retail parks during the Christmas period and providing increased parking to meet this demand would not be an appropriate in land use terms. Indeed, some food stores are now open for 24hr trading during the Christmas period to allow customers greater flexibility to shop outside the busiest periods.
- 5.36 Overall, and subject to the imposition of a condition relating to the submission of a staff travel plan, it is considered, that there are no highway objections to this application. The additional traffic impact from the development would not be severe and the level of car parking provided would be adequate to cater in the majority of circumstances.

Trees and landscaping

- 5.37 The proposal would involve the realignment of the service yard and the relocation of an electricity substation. The new service arrangements at the rear, (allowing access to each of the new units), would require the removal of two individual trees, (Norway Maples); one tree group and parts of two other tree groups; (a mixture of scrub Hazel, Common Ash and Hawthorn) none of which are of an exceptional quality, and all of which are to the south of the new building close to the boundary with West Green Park.
- 5.38 The proposal also provides for the realignment of the existing footpath to the rear of the new building. At the rear of the new building the new footpath would be formed with a new tarmac surface. Where the footpath crosses Root Protection Areas (RPA) of trees to be retained, it would be of a permeable construction. A cellular tree root protection system would be used (e.g. Geosynthetics "Cellweb") to avoid compaction of soils within RPA's. The service yard boundary treatment is proposed to comprise a low level retaining wall with a security fence. Details would be

agreed as part of a landscaping condition to be imposed were permission to be granted, and should take account of 'Secured by Design' Advice (e.g. see thorough fence/structure and appropriate lighting to assist natural surveillance).

- 5.39 The applicant has submitted a full arboricultural assessment to support the application, and also a detailed soft landscape proposal plan, which shows replacement tree and shrub planting along this part of the southern boundary of the site. The proposals have been considered by the Council's Tree Officer and it is considered that subject to the appropriate tree protection measures, and the proposed landscape proposals being undertaken there would be no objection to the proposals.

Sustainable construction and drainage

- 5.40 A Sustainability and Energy Statement has been submitted to support the application. This outlines the various measures that have been incorporated into the design. These include the orientation of the building to face south and the glazing of that front elevation to allow maximum daylight penetration into the stores, a sustainable urban drainage system, increased insulation and airtightness, solar shading by aerofoil louvres, draught lobbies to the stores entrances and exits and vehicle loading doors, use of natural ventilation and materials that can be recyclable.
- 5.41 The proposal would achieve BREEAM 'very good' overall and will aim to meet 'excellent' in the Water and Energy credits. However, in order to meet 'excellent' this would require commitments from the prospective tenant who is unknown at this time. However, subject to the imposition of an appropriate condition on any approval of planning permission it is considered that the proposal would fulfil the requirements of Policy ENV6.
- 5.42 The site does not fall within a Priority Area for District Energy Networks, and given the nature of neighbouring uses (open space and existing retail) it is unlikely that a DEN would be viable on this site.
- 5.43 The proposals would incorporate a sustainable urban drainage system and subject to the imposition of an appropriate condition it is considered that there would be no objections on sustainable drainage grounds.

Biodiversity

- 5.44 The application was supported by the submission of an ecological appraisal and bat survey. The site is approximately 200m away from Ewhurst Wood Site of Importance for Nature Conservation (SINC) and the appraisal found that there would be no harmful impacts during construction or post construction to this area. The Homebase building has low potential to support roosting bats, and the other buildings within the Retail Park would have negligible potential.
- 5.45 The advice from the Council's Ecology Consultant is that subject to the imposition of an appropriate condition regarding the disturbance of bird nests during the nesting season there are no ecological grounds for refusal.

Infrastructure and Section 106 Agreement

- 5.46 In normal circumstances consideration for contributions for new infrastructure provision would be a consideration for major applications such as this. Contributions may only be justified in order to mitigate the impact of new development, or where the absence of such contributions would result in the proposal been unacceptable in planning terms.
- 5.47 In this instance, potential contributions would need to be based around the impact on the road network and sought in order to mitigate any negative impacts arising from the development. However, as set out above it is not considered that the proposed development would have a significant impact on the road network (less than 5% increase in traffic), and therefore a Section 106 Agreement or other contribution could not be justified on Highways grounds.
- 5.48 Contributions are also usually sought from major commercial developments, relating to Employment training on a case by case basis. However, as the proposal is for a retail development, (and not for

example, highly specialised technical or skilled industries), it is not considered that any requirement for a contribution would be appropriate or justified in this instance.

- 5.49 For all other categories for which contributions are sought, the proposals would either not trigger a requirement, or cannot be justified. Therefore, it is considered that the requirement for a Section 106 Agreement cannot be justified in planning terms.

Other Issues

- 5.50 Homebase also object to the proposal on the basis that it would result in the loss of 52 jobs. However, on the contrary, the increase in floorspace is likely to result in a net increase in jobs. The applicants argue that:

“Based on recognised company average employment rates for bulky goods operators of the type most likely to occupy the proposed development and having regard to The Employment Densities Guide (2010) produced by the Homes and Communities Agency we estimate the proposed development will deliver an estimated 100 FTE local employment opportunities for the local community, equating to over 200 jobs in total, spread between part time and full time positions.” (Homebase), “...states that there are currently 52 members of staff employed at the Homebase store. They do not state whether these are all full time or part time positions and we assume that it will be a mix of the two. Even if one assumes that the 52 jobs are FTEs, the proposed development will therefore deliver more than twice the number of jobs associated with the existing Homebase store.”

- 5.51 Therefore, it is considered that the proposal would not result in any net loss of employment.
- 5.52 Homebase also object on the basis that it has operated from the site for a number of years, with the company fully committed to the store and seeking to renew its lease to operate from the site for a further 10 years. Homebase argue that its intention to continue operating from the site represents a material planning consideration. To this end, the letter cites an appeal decision in Leamington Spa where the Inspector accepted the testimony of Homebase that it had no intention of closing its store, and gave weight to this intention.
- 5.53 However, the circumstances in the Leamington Spa case were markedly different from this proposal, in that it related to the introduction of a town centre use in an out of centre location in the context of a fragile town centre which would potentially harm the vitality of the town centre. Neither applies in this case. It is considered that the desire of the existing occupier to renew its lease is a matter between Landlord and Tenant, and thus does not constitute a material planning consideration.

CONCLUSIONS:-

- 6.1 As noted above, overall, the proposed development is considered to be acceptable in retail policy terms. The applicants have satisfactorily made the case that the development cannot be accommodated on sequentially preferable sites, and that an out-of-centre location is required for operational reasons. In terms of impact, it is recognised that the bulky nature of goods proposed to be sold from the units is largely distinct from the retail offer of the town centre, and there is little by way of direct competition on a like-for-like basis.
- 6.2 Further, it is considered that the proposal would have no harmful impacts on the visual amenity and character of the wider area, or on the amenities of adjoining occupiers. It is considered that there would be no significant impact on traffic and the safe operation of local highway network. Subject to the imposition of appropriate conditions it is considered that the proposal would have no harmful impact on local biodiversity, and makes appropriate provision for sustainable design and construction requirements.
- 6.3 Therefore, the application is recommended for approval subject to the conditions set out below.

RECOMMENDATION RE: CR/2015/0720/FUL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended in any provision equivalent to these classes in any statutory instrument revoking and re-enacting the Order, the development hereby permitted shall be used only for the display and sale of the following goods and such other goods associated with and ancillary thereto.
 - 1) DIY and / or garden goods;
 - 2) Furniture;
 - 3) household furnishings and textiles;
 - 4) carpets / floor coverings;
 - 5) camping, boating and caravanning goods;
 - 6) motor and cycle goods;
 - 7) electrical goods;
 - 8) homewares, office equipment; and
 - 9) pet products and miscellaneousREASON: In the interests of the vitality and viability of the town centre accordance with EC7 of the Crawley Borough Local Plan 2015-2030
4. The development shall at all times operate as five separate retail units (excluding ancillary concession units), and shall not be subject to sub-division or merger unless otherwise permitted by the Local Planning Authority on an application in that behalf.
REASON: To enable the Local Planning Authority to control the development in detail to protect the vitality and viability of the town centre and neighbourhood centres in accordance with EC7 of the Crawley Borough Local Plan 2015-2030.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended in any provision equivalent to these classes in any statutory instrument revoking and re-enacting the Order, the store building hereby permitted shall not be extended or altered in any way unless planning permission is granted by the Local Planning Authority on an application in that behalf.
REASON: To enable the Local Planning Authority to control the development in detail to protect the vitality and viability of the town centre and neighbourhood centres and to ensure adequate parking is provided on site in accordance with policies EC7 of the Crawley Borough Local Plan 2015-2030.
6. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - hours of working and deliveries,
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoardings;
 - the erection of site offices and ancillary buildings;
 - the provision of wheel washing facilities;
 - the measures to control the emission of dust and dirt during demolition and construction;
 - lighting for construction and security.REASON: In the interests of highway safety and the amenities of the area in accordance with Policy ENV11 of the Crawley Borough Local Plan 2015-2030.
7. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be

used for external walls (and roofs) of the proposed building(s) have been submitted to and approved by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 Normal Requirements for All New Developments of the Crawley Borough Local Plan 2015-2030.

8. The development hereby permitted shall not be occupied until the parking spaces and turning facilities shown on the submitted plans (Ref 13010-112 Rev B) have been provided and constructed in accordance with the approved details. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.
REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with Policy IN4 of the Crawley Borough Local Plan 2015-2030.
9. The development hereby permitted shall not be occupied unless and until provision for the parking of cycles has been made within the site in accordance with the approved planning drawing (Ref 13010-112 Rev B). The facilities so provided shall be retained solely for that purpose.
REASON: To ensure the adequate provision for the parking of cycles in accordance with policy IN4 of the Crawley Borough Local Plan 2015-2030
10. Prior to the commencement of the development or any preparatory work hereby approved, retained trees shall be protected in accordance with BS5837:2012 and the details described within the submitted arboricultural report, 'Crawley Avenue Retail Park Arboricultural Impact Assessment' dated 14 September 2015.'
REASON: To maintain the long term health of the trees which are important to the site in accordance with Policies CH3 and CH6 of the Crawley Borough Local Plan 2015-2030.
11. No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist / wildlife specialist has undertaken a careful, detailed, check for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.
REASON: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended.
12. The soft landscaping shall be implemented in full prior to the end of the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner, in accordance with the following details:
Detailed Soft Landscape Proposals - drawing number LS01
Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policies CH3 and CH6 of the Crawley Borough Local Plan 2015-2030.
13. The development hereby permitted shall not be occupied unless and until a detailed scheme for the hard landscaping for the site, (to include external lighting, details of the footpath to the side and rear, and detailed site boundary treatments), has been submitted and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the building or the completion of the development, whichever is the sooner.
REASON: In the interests of the visual amenity of the development and to achieve a development of visual quality in accordance with policies CH3 of the Crawley Borough Local Plan 2015.
14. Before the first occupation of the building hereby approved, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority showing which BREEAM Energy credits have

been achieved. Where the minimum Energy credits required for BREEAM 'excellent' have not been achieved, sufficient justification for this on grounds of viability and/or feasibility should also be submitted to and approved in writing by the local planning authority prior to the first occupation of the building.'

REASON: To ensure that the proposed development satisfactorily addresses the Sustainable construction requirements in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030.

15. Development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles and an assessment of hydrological and hydro geological context of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus 30% for climate change, critical storm will not exceed the existing run-off from the current site following the corresponding rainfall event. The surface water drainage shall be installed in accordance with the approved details prior to the occupation of the development and thereafter maintained.
REASON: To ensure that the proposed development is satisfactorily drained in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030
16. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of: Management of any flat/shallow pitched roofs on the proposed buildings which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at [www.aoa.org.uk/policycampaigns/Operations safety/](http://www.aoa.org.uk/policycampaigns/Operations%20safety/)).
The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.
17. The development shall not be occupied unless and until a Staff Travel Plan has been submitted and approved by the Local Planning Authority.
REASON: to encourage sustainable transport modes in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030

INFORMATIVES

1. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
2. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
3. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the

British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>)

4. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours that noisy works are permitted.

The permitted hours for noisy construction work in the Borough of Crawley are as follows:

0800 to 1800 Monday to Friday and 0800 to 1300 on Saturday.

With no noisy construction works taking place on Sundays, bank holidays, public holidays, Christmas day, Boxing Day or New Years' day.

The developer shall at all times employ best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

The applicant must make all contractors and subcontractors aware of these times.

NPPF Statement

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking additional information to address identified issues during the course of the application.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 31, of the Town and Country Planning (Development Management Procedure) Order 2010.



Crawley Borough Council,
Town Hall,
The Boulevard,
Crawley,
West Sussex RH10 1UZ

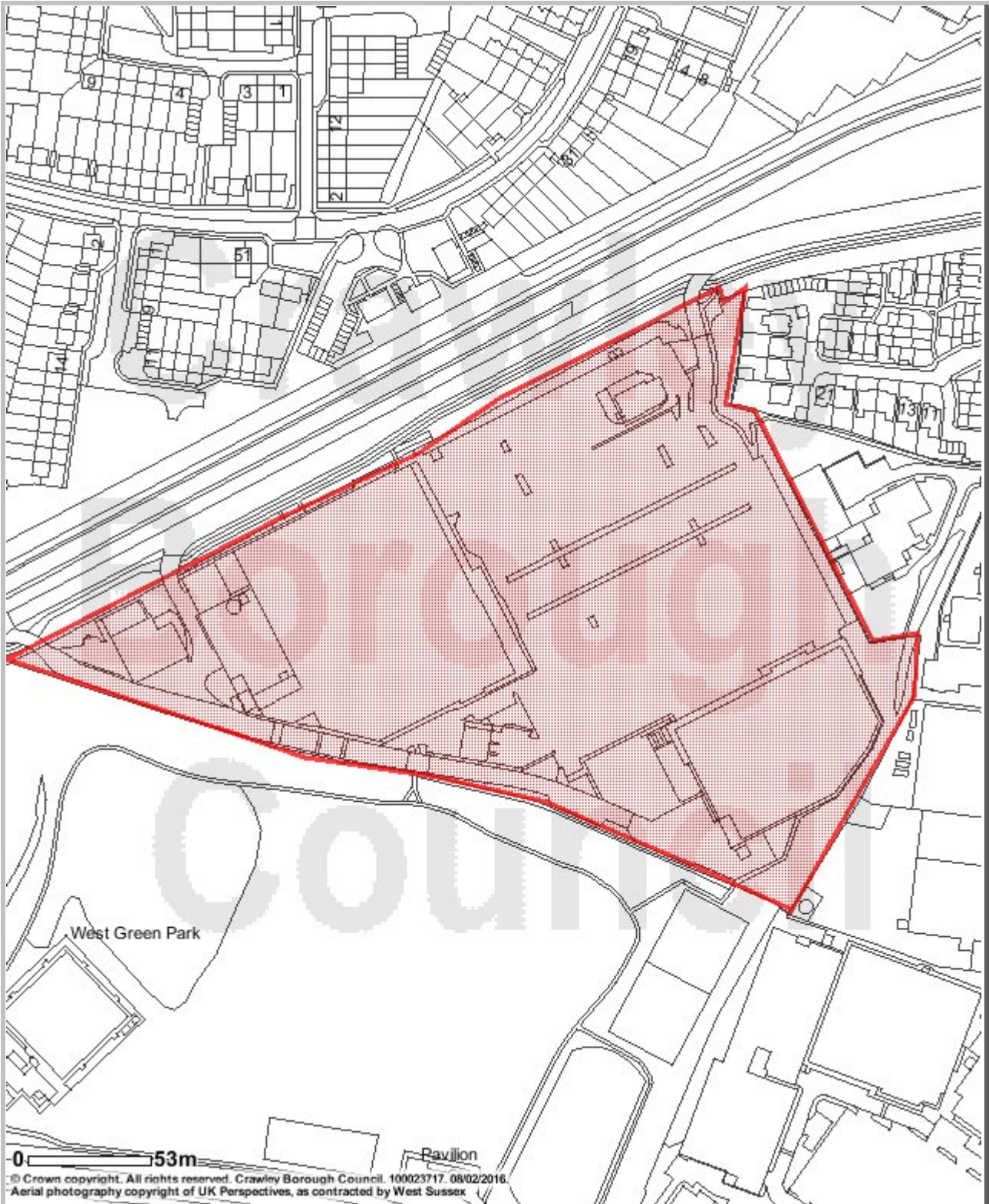
Tel: 01293 438000
Fax: 01293 438603

CR/2015/0720/FUL

Date 8 February 2016

Approx. Scale 1:1,250

**HOMEBASE, CRAWLEY AVENUE, WEST GREEN,
CRAWLEY**



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REFERENCE NO: CR/2016/0056/RG3

LOCATION: PLAYGROUND, WEST GREEN PARK, IFIELD AVENUE, WEST GREEN, CRAWLEY
PROPOSAL: ERECTION OF 5.2M HIGH CLIMBING NET & 4.3M HIGH ZIP WIRE

TARGET DECISION DATE: 29 March 2016

CASE OFFICER: Ms E. Wachiuri

APPLICANTS NAME: Ms Kate Taylor-Smith
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

Proposed Layout Plan, Block Plan, (1) Climbing Net Floor Plan 1, (1) ZipWire Floor Plan 1, (2) Climbing Net, (2) Zipe Wire Floor Plan 2, (3) Climbing Net Floor Plan 2, (3) Ground Fill Technical Details, (4) Climbing Net Floor Plan 3, (4) ZipWire Floor Plan 3, (5) Climbing Net Floor Plan 4, (5) ZipWire Schematics 1, (6) Climbing Net Floor Plan 5, (6) ZipWire Schematics 2, (7) Climbing Net Floor Plan 6, (7) Zip Wire Schematics 3, (8) Climbing Net Floor Plan 7, (8) Zip Wire inc. Side Elevation, (9) Climbing Net Elevations 1, (10) Climbing Net Schematics 1, (11) Climbing Net Floor Plan 8, (12) Climbing Net Schematics 2, (13) Climbing Net Elevations 2, (14) Climbing Net Schematics 3, J511 ZipWire Technical Information 1, J511 ZipWire Technical Information 2, Location Plan, Existing Layout Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|---------------------------------------|--------------------------------------|
| 1. | WSCC – Highways | No highway concerns or objections |
| 2. | CBC - Property Division | No objection |
| 3. | CBC - Planning Arboricultural Officer | To be reported verbally at Committee |
| 4. | Cycle Forum | No response received |
| 5. | CBC - Refuse & Recycling Team | No objection |

NEIGHBOUR NOTIFICATIONS:-

Site notice displayed.

RESPONSES RECEIVED:-

No responses received. Any additional responses to be verbally reported to the Committee.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 The application lies within the southern section of West Green Playing fields which are situated to the north of Ifield Avenue. The Rams Sports and Social Club and the bowls club are located to the west and a sports pavilion to the east.
- 1.2 The site comprises an area of grass and is surrounded by mature trees and hedges. At the time of the site visit, all previous equipment had been removed.
- 1.3 There are no identified site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of 5.2m high climbing net & 4.3m high zip wire. The zip wire would have a 20m long cableway.
- 2.2 The proposal would involve the extension of the existing play area by 20m to the west which would require the removal of the western section of the 1.2m high hedge surrounding the site. The existing play area would also be fitted with new replacement equipment which include a swing area, seesaw, trampoline, chamount benches, multi-play unit, speed gyro, balancing circuit and rollup. The other equipment does not require planning permission.
- 2.3 The proposed equipment would fall within root protection zone of the surrounding mature trees. A new hedge would be planted along the newly extended fence line to enclose the play area.

PLANNING HISTORY:-

- 3.1 There is no relevant planning history for the play area

PLANNING POLICY:-

4.1 National Planning Policy Framework (2012):

- Chapter 8 : Seeks to promote healthy communities

4.2 Crawley Borough Local Plan 2015-2030:

- Policy CH3 (Normal Requirements of All Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- ENV4: Open space, sport and recreation – seeks to protect the continued use of existing open space, sport and recreational spaces

PLANNING CONSIDERATIONS:-

- 5.1 The main considerations in determining the application are as follows:-
 - The acceptability of the principle of the proposal;
 - The impact on the character of the open space/amenity land;
 - Trees;
 - The impact on neighbouring properties
 - The impacts on highway

The acceptability of the principle of the proposal:

- 5.2 The NPPF and the relevant development plan policy documents support the principle of new leisure and recreation facilities where they enhance local choice and are accessible to local people by modes other than the car.
- 5.3 The proposed development would be located within an existing playing field without resulting in the loss of usable sports pitches. Public access and existing use of the site and its surroundings would also not be compromised by the proposed development.
- 5.4 The proposal would therefore comply with the aims of the NPPF and policy CH3 Crawley Borough Local Plan 2015-2030.

The impact on the character of the open space/amenity land:

- 5.5 The proposal would lie within an established play area in close proximity to residential properties. Although additional equipment is proposed, it is considered that given the light weight character of the equipment and its size and scale it would be compatible with the existing play area and would not appear overly dominant in the context of its surroundings.
- 5.6 The site would be fenced off using 1.1m high post and two rail fence with wire netting and it is considered that this would not significantly impact upon the visual amenities of the area.
- 5.7 The proposals are therefore considered appropriate and therefore accord with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Trees:

- 5.8 The proposed play area is adjacent to 2 mature trees to the immediate south and north-west. The Council's Tree Officer has been consulted and his comments will be reported at the committee meeting.

The impact on neighbouring properties:

- 5.9 The application site would be sited approx. 30m away from the nearest residential properties within the area due to the intervening roads.
- 5.10 Given the separation distances and there is an existing playing field and playground at the site, it is considered that the proposal would not harm the amenities of neighbouring residents. The proposals are therefore considered appropriate and therefore accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

The impacts on highway

- 5.11 The boundary fencing, gateways and footpath and therefore the access arrangements to the play area will remain unchanged. The proposal is not considered to lead to an intensification of use. WSCC-Highways Authority were consulted and it's comments will be reported at the committee meeting.

CONCLUSIONS:-

- 6.1 For the reasons outlined above, the proposals are considered acceptable and accord with the policies CH3 and ENV4 of the Crawley Borough Local Plan 2015 - 2030.

RECOMMENDATION RE: CR/2016/0056/RG3

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development, including site works of any description, shall take place on the site unless and until all the existing trees have been protected by a fence that has been provided in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. The area shall remain fenced for the duration of the implementation of the development. Within the area so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left un-severed.
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

4. Any excavations carried out in the root protection area of any trees shall be carried out in accordance with the provisions laid out in BS 5837: 2012 - Trees in relation to design, demolition and construction.
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

NPPF Statement

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.



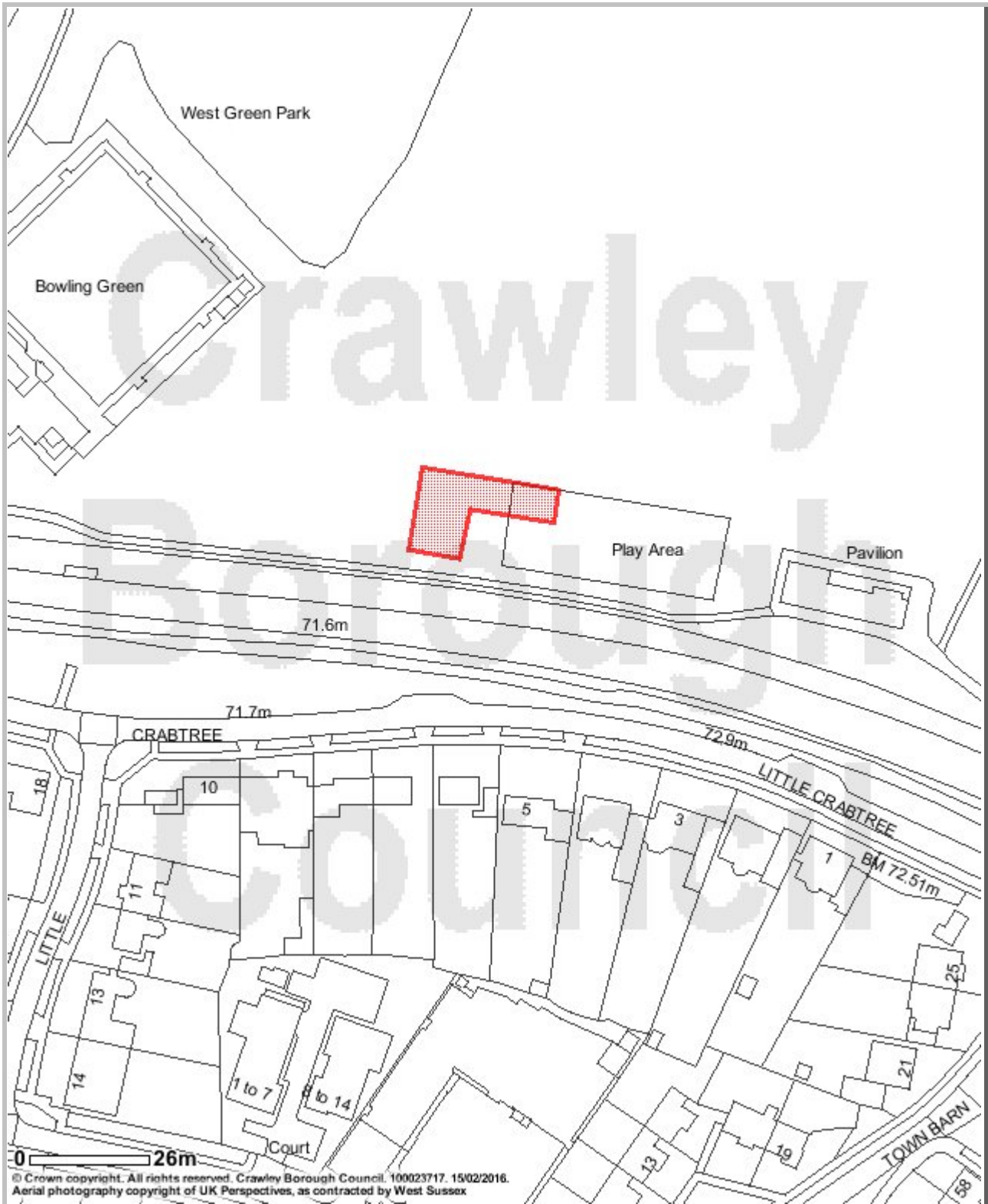
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CR/2016/0056/RG3

Date 15 February 2016

Approx. Scale 1:1,250

PLAYGROUND, WEST GREEN PARK, IFIELD AVENUE, WEST GREEN, CRAWLEY



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