

CRAWLEY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE - 22 March 2016

REPORT NO: PES/182

B

<u>ITEM</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>RECOMMEND</u>
001	CR/2015/0711/FUL	S/E OF ROSEHIP COTTAGE, FORGE WOOD, POUND HILL, CRAWLEY, RH10 3NH	PERMIT
002	CR/2016/0039/FUL	13 HIGHDOWN COURT, FURNACE GREEN, CRAWLEY	PERMIT
003	CR/2016/0042/NCC	TEXACO GARAGE, THE COOPERATIVE FOOD, BALCOMBE ROAD, POUND HILL, CRAWLEY, RH10 4SX	PERMIT
004	CR/2016/0057/FUL	7 POUND HILL PARADE, POUND HILL, CRAWLEY, RH10 7EA	PERMIT
005	CR/2016/0118/FUL	15 CHATFIELDS, GOSSOPS GREEN, CRAWLEY	PERMIT

REFERENCE NO: CR/2015/0711/FUL

LOCATION: S/E OF ROSEHIP COTTAGE, FORGE WOOD, POUND HILL, CRAWLEY, RH10 3NH
PROPOSAL: ERECTION OF TWO STOREY DETACHED DWELLING WITH INTEGRAL GARAGE & BASEMENT, ERECTION OF DETACHED GARAGE TO SERVE ROSEHIP COTTAGE, & CREATION OF NEW VEHICULAR ACCESS OFF FORGE WOOD.

TARGET DECISION DATE: 9 December 2015

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Smart Architecture Ltd.

AGENTS NAME: Fluid Planning

PLANS & DRAWINGS CONSIDERED:

1527-04 Rev A Ground Floor Plan, 1527-06 Rev A Roofspace Plan, 1527-07 Rev A Roof Plan, 1527-08 Rev A Front Elevation, 1527-09 Rev A Side SE Elevation, 1527-10 Rev A Garden Elevation, 1527-11 Rev A Side NW Elevation, 1527-13 Rev A Sectional Elevation, 1527-14 Rev A Opportunities and Constraints Plan, 1527-03 Rev B Proposed Site Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	WSCC - Highways	No objection subject to conditions
2.	GAL - Aerodrome Safeguarding	No objection subject to cranes informative.
3.	National Air Traffic Services (NATS)	No objection
4.	Thames Water	No objections subject to informatives
5.	Sussex Building Control Partnership	No comments received
6.	CBC - Planning Arboricultural Officer	No objection to revised Arboricultural Report
7.	Homes & Communities Agency (HCA)	No comments received
8.	The Woodland Trust	No comments received
9.	Archaeology	No objection subject to condition

NEIGHBOUR NOTIFICATIONS:-

Forge Wood : Bracken Patch; Berea; Leaf Cottage; Woodend; Ramree; St Crispins; Rosehip Cottage; Badgers Rest, Steers Lane;
The Cottage in the Wood, Balcombe Road;
75 Malthouse Road, Southgate

RESPONSES RECEIVED:-

None received

REASON FOR REPORTING TO COMMITTEE:-

The landowner is a Councillor.

THE APPLICATION SITE:-

- 1.1 The application site comprises the existing dwelling Rosehip Cottage and its residential curtilage. Rosehip Cottage lies on the north-eastern side of Forge Wood, which is situated between Steers Lane and Balcombe Road. There are 8 existing dwellings along Forge Wood, the most recent of which was constructed in the garden of Woodend, and is now known as Badgers Rest (previously

The Oaks). There is an 9th dwelling currently under construction, in the garden of Leaf Cottage. The next-door dwelling is Ramree to the south, which is 2 storey.

- 1.2 Rosehip Cottage is a 2 storey dwelling, which has been extended previously on a number of occasions. The building is positioned centrally on the north east side of the plot, and is set back from Forge Wood by some 28m and Steers Lane/ Balcombe Road by some 45m. It has a large garden area extending to the front, rear and side of the dwelling. The main vehicular access is in the south western corner of the plot, from Forge Wood. The dwelling benefits from a secondary access, from Balcombe Road, which is positioned just to the south of the recently remodelled traffic light junction.
- 1.3 The site lies in the built up area and ultimately will be within the Forge Wood neighbourhood area, although the site is not part of the outline permission for the 1900 houses. Phase 1 of that wider development is currently under construction and is to the east of this site, with the main access directly from Steers Lane.
- 1.4 Whilst the site is within the built up area, the site itself and the other existing dwellings have a distinctly rural character, given the width and unkerbed nature of the road, the substantial tree cover, especially along the boundaries and the spacious settings for the limited number of dwellings within their individual plots, resulting in a low overall density of development.
- 1.5 The ancient woodland of Titchmeres Wood lies on the southwest side of the road and the dwelling itself is included within Area A1 of Tree Preservation Order 16.7.47 (Forge Wood No.2) which covers all Oak, Silver Birch, Hornbeam, Wild Cherry, Lawson Cypress, Holm Oak, Leyland Cypress, Hazel and Sweet Chestnut.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for full planning permission for the erection of a 1 ½ / two storey detached dwelling with integral garage & basement. The proposals also include the erection of a detached garage to serve Rosehip Cottage, and the creation of a new vehicular access off Forge Wood.
- 2.2 The dwelling is to be located in the side garden area, between the existing dwelling and Ramree. The design is for a 1½ / 2 storey house, with accommodation in the roof (3 bedrooms). It would also have a basement area and an integral garage. The materials would comprise white painted brickwork, with red stock brick detailing, and some tile hanging, a plain clay tiled roof with bonnet hips and black stained exposed rafter feet.
- 2.3 It would be set some 40m back from Forge Wood and would be served by the existing access point. The new access point from Forge Wood would be for the existing dwelling, with the existing access point, which is in the south western corner of the site would provide access for the new unit. The existing access from Balcombe Road would be retained.
- 2.4 The application has been amended during the course of its consideration including reducing the height of the rear projection, revising window positions and providing an up-to-date Arboricultural report.

PLANNING HISTORY:-

- 3.1 The existing dwellings in Forge Wood have been the subject of a variety of alterations and additions to provide extended dwellings.
- 3.2 In respect of additional residential development the following applications are relevant:
- 3.3 In the grounds of Rosehip Cottage:
 - CR/2012/0481/FUL – erection of 5 detached dwellings – refused and dismissed on appeal.
 - CR/2013/0047/FUL – erection of 4 detached dwellings – refused and dismissed on appeal
 - CR/2014/0012/FUL – erection of 2 dwellings - withdrawn
 - CR/2014/0643/FUL – erection of 2 dwellings – withdrawn

- 3.4 In the grounds of Woodend: (additional dwelling now known as The Oaks/ Badgers Croft)
- CR/2011/0164/OUT – erection of one dwelling – permitted
 - CR/2012/0561/FUL - erection of one 5 bed dwelling – permitted
 - CR/2012/0561/NM1 - nonmaterial amendment for increase in size of front dormer, alterations to windows and removal of chimney – approved
 - CR/2013/0199/FUL – erection of one dwelling (sited between existing dwelling and that approved under CR/2012/0561/FUL)- refused
 - CR/2013/0559/FUL – erection of garage – permitted
 - CR/2014/0208/FUL - erection of one dwelling (sited between existing dwelling and that approved under CR/2012/0561/FUL)- refused
 - CR/2014/0048/NCC – non-compliance with and variation of conditions relating to windows on CR/2012/0561/FUL – permitted
- 3.5 In the grounds of Leaf Cottage:
- CR/1996/0623/FUL – erection of one dwelling – refused as site was outside the built up area boundary and in the Strategic Gap.
 - CR/2014/0784/FUL – erection of a 4 bedroom dwelling with new vehicular access from Steers Lane and the removal of a number of trees – application withdrawn.
 - CR/2015/0135/FUL - erection of 4 bedroom dwelling - permitted and under construction.
- 3.6 Forge Wood neighbourhood:
- CR/1998/0039/OUT – permitted for erection of up to 1900 dwellings, 5000sq.m. of use class B1,B2 & B8 employment floorspace, 2500sq.m. of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132kv OHV power line adjacent to the M23, infrastructure and means of access.

PLANNING POLICY:-

- 4.1 The National Planning Policy Framework 2012 (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.
- 4.2 Relevant sections are:
- paragraph 14: presumption in favour of sustainable development – this means that development that accords with the development plan should be approved without delay, or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts which would outweigh the benefits or it would be contrary to the policies in the NPPF
 - paragraph 17 : core planning principles
 - section 6: delivering a wide choice of high quality homes – this seeks to significantly boost the supply of 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
 - section 7: requiring good design - this emphasises the importance of good design to achieve high quality and inclusive design for all development. Including individual buildings, public and private spaces and wider development schemes. It is proper to seek to promote or reinforce local distinctiveness and the policies and decisions should address the integration of new development into the natural, built and historic environment.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

- 4.3 The plan was adopted on 16th December 2015. Relevant policies include:
- 4.4 Policy SD1: 'Presumption in favour of Sustainable Development' states that the Council will take a positive approach to approving development which is sustainable.

- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 Policy CH7 'Structural Landscaping' requires development to protect areas of identified structural landscaping.
- 4.11 Policy H1 'Housing Provision' states that proposals for housing will be positively considered whilst ensuring against detrimental town-cramming or unacceptable impacts on the character of existing neighbourhoods or on residential amenity.
- 4.12 Policy H3 'Future Housing Mix' requires housing schemes to provide a mix of dwelling types and sizes, depending on the size and characteristics of the site.
- 4.13 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.
- 4.14 Policy ENV9 'Tackling Water Stress' states new dwellings should where viable and technically feasible, meet the Building Regulations optional requirement for tighter water efficiency.
- 4.15 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 and Documents

- 4.16 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.
- 4.17 Planning Obligations and S106 Agreements -- Supplementary Planning Document 2008: Annex B contains the adopted parking standards and infrastructure contributions.

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations are as follows:
- the principle of the development in this location

- the impact on the street scene and the character of the area
- trees
- highway safety, access and parking
- the acceptability of the development for future occupiers
- the impact on the amenities of the occupiers of neighbouring properties

The principle of the development in this location

- 5.2 The site lies within the built up area where the provision of an additional dwelling is acceptable in principle.
- 5.3 The site is within the Forge Wood neighbourhood allocation, but not within the red line of the application permitted under CR/1998/0039/OUT. Thus this site is a residual site, where new development should relate to and be compatible with the overall design and layout of the new neighbourhood and the phasing of its infrastructure. The development should also respect the existing character of the area and be sympathetic to its landscaped setting. These issues are examined in more detail below.

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

- 5.4 The original houses in Forge Wood form a discrete collection of residential development, comprising detached dwellings on large spacious plots, accessed from the lane and in a wooded setting. As a result the area has a semi-rural feel. This character can be distinguished from the approach adopted for the newer neighbourhood scheme, with its more urban and higher density form.
- 5.5 Whilst the site lies within the allocation, given that the new dwelling would be accessed from the lane and would sit between 2 of the existing Forge Wood dwellings, it is considered that the new dwelling should respect and reflect the character of those dwellings and their wooded setting. This was an important consideration in the 2 earlier appeal decisions relating to this plot.
- 5.6 In this regard, the application is for one dwelling set between Rosehip Cottage and Ramree. Whilst the front elevation would be set further back on the plot than Rosehip Cottage, it does follow the broad curve of the dwellings along Forge Wood and so would not appear so out of character with the pattern of development along the lane, nor would it be an incongruous addition. This siting would allow for the retention of the frontage vegetation, so the dense tree cover along Steers Lane would be unaffected and therefore the new dwelling would be well screened.
- 5.7 The design of the house reflects some of the architectural detailing of the existing houses. In this respect the materials comprise white painted brick work with red brick detailing and tile hanging, with a plain clay tiled roof. The design incorporates the following features including a catslide roof to the front and rear elevations, with flat roof dormers and exposed rafter feet, front and rear projections, timber front door and garage door, and side hung casement windows. The height of the dwelling would be similar to Rosehip Cottage. Levels across the site rise slightly from north to south. It is proposed to reduce land levels by 0.6m on the southern side so that the dwelling would be set down into the site. Whilst there is a basement and so the accommodation is effectively over 3 floors, as the basement area would be below ground the visual impact of the dwelling would be limited to the ground and upper floors.
- 5.8 As the design of the existing dwellings in Forge Wood all vary and they are of different ages, it is considered that the design approach adopted together with the siting of the dwelling would be sympathetic to the overall character of the area.
- 5.9 The 2 earlier appeal decisions are important material considerations. CR/2012/0481/FUL was for 5 dwellings and CR/2013/0047/FUL related to 4 detached houses. Both applications were refused and dismissed on appeal. The schemes involved the retention of Rosehip Cottage, the erection of a new garage, with the new dwellings to be served from a cul de sac leading off Forge Wood, with one unit positioned alongside the existing property (but facing east) and the remainder to the rear, set in a semi-circle.
- 5.10 Both appeal Inspectors referred to the character of the area. They describe it as being '*spacious, low density development within a dense, sylvan setting*', having a '*semi-rural character and*

appearance' and comment that the 'locality is a small enclave separate from the main built up area of Crawley.'

- 5.11 In terms of the impact of those proposals, the Inspectors considered the large dwellings would *'represent incongruous over - development and fail to reflect the character and distinctive qualities of the area'*, and *'would introduce an insensitive and unwelcome suburban form of development to this one plot. This would appear as an incongruous form of development in relation to the more spacious and sylvan setting'*.
- 5.12 There was also concern about the living environment for future occupiers including the size and shading of the gardens, future pressure for works to the preserved trees, the relationship of the proposed units with each other and Rosehip Cottage itself and their position adjacent to the junction of Steers Lane and Balcombe Road.
- 5.13 These decisions are material considerations in the determination of this application, and have been taken into account in formulating the recommendation for this case. However, it is considered that there are important differences in the proposals. Firstly one dwelling is proposed with direct access from Forge Wood, rather than 4 or 5 dwellings off a new cul de sac. So this scheme is essentially infill development along the existing road frontage (rather than backland development) and would not be materially different to the character of the 'building line' along Steers Lane. The extent of overall built form would be considerably less as would the amount of hardstanding and the front and rear garden areas would be comparable to the existing dwellings. It is therefore considered that this revised scheme for one additional unit is acceptable and would be sympathetic to the character of the area.
- 5.14 The proposal is thus in accordance with policies CH1, CH2 and CH3 of the Crawley Borough Local Plan 2015 – 2030.

Trees and landscaping

- 5.15 The site has preserved trees within it, which have significant amenity value. These are sited to the rear (fronting onto Steers Lane/Balcombe Road and comprising structural landscaping as identified in the Local Plan), to the side boundary with Ramree and along the site frontage with Forge Wood. The impact on trees and the wooded character of the plot was an important consideration in the dismissed appeals.
- 5.16 An updated Arboricultural Report has been submitted during the consideration of this application.
- 5.17 The site for the new dwelling and its rear garden is relatively clear of trees, although there is a cherry and a silver birch to the side of Rosehip Cottage which would need to be removed for allow for construction of the new dwelling and these are considered to be of limited amenity value. In addition there is the trunk of a dead oak tree and a semi-uprooted evergreen oak that are also to be removed.
- 5.18 The significant mature trees along the Steers Lane boundary (oak x 6 and silver birch x 2) would be retained. In addition, the trees along the boundary with Ramree would be retained. These comprise a group of Scots pine and Norway spruce and 5 silver birch. Some of these trees appear to be growing within the site and others are within the adjacent property. Whilst 2 of the silver birch are of limited amenity value and are growing/leaning towards the south, their retention is proposed on the submitted plans.
- 5.19 The Arboricultural Officer has no objection to the proposals and as such it is considered that the development would have an appropriate relationship with the existing trees. A condition could be applied relating to the measures set out in the Arboricultural Report including tree protective fencing during construction and the use of no-dig surfacing for the access drives and turning heads.
- 5.20 In addition, a condition for a landscaping scheme would also secure additional planting, including replacement planting. The revised plans also include proposals for the rear boundary along Balcombe Road. This now indicates a close-boarded fence, but set in some 1.5m from the boundary, allowing for an area of planting to screen the fence and plot. In addition, the submitted landscaping scheme should include planting within the plot especially to the rear south east corner

to replace the removed vegetation that has occurred with the recent highway works along Balcombe Road. This will assist in restoring the previous wooded character of Rosehip Cottage.

- 5.21 It is considered that the proposal would comply with policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030.

Highway safety, access and parking

- 5.22 The site has an existing access point onto Forge Wood, leading to a driveway. This is to be retained to serve the new dwelling with a new access point and drive for Rosehip Cottage.

- 5.23 WSCC have no highways objection to this application, subject to conditions relating to the access, visibility splays, and parking and turning facilities. They have suggested that the access point onto Balcombe Road be closed, however the applicant wished to retain this facility, which would serve the new dwelling. As that access will lead to the rear garden area of one dwelling, as is the current situation, it is not considered essential in highway safety terms that this access point is closed and so this has not been pursued with the applicant.

- 5.24 It is considered that the proposal would comply with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.

The acceptability of the development for future occupiers

- 5.25 The new dwelling would have 3 double bedrooms and so would equate to a 6 bed space dwelling. The Nationally Described Space Standards are relevant and are incorporated into Local Plan policy CH5. The standards set out that the minimum size of accommodation for a 3 bed/ 6 person dwelling (over 3 storeys) would be 108 sqm of gross internal floor area. The dwelling would have a floor area in excess of 330 sqm and so would accord with the relevant standards.

- 5.26 SPG Note 4: Standards for Private Outdoor Space requires 90sqm for dwellings with 5/6 bedspaces. The new unit would have a rear garden of approx. 624 sqm and the host dwelling would retain approx. 1276 sqm. The scheme would thus meet the requirements in this respect and the garden sizes would be commensurate with others along Forge Wood.

- 5.27 The application is considered to provide a satisfactory living environment for future occupiers and accords with policy CH5 of the Crawley Borough Local Plan 2015 – 2030 and Standards for Private Outdoor Space - Supplementary Planning Guidance Note: 4.

The impact on the amenities of the occupiers of neighbouring properties

- 5.28 The nearest residential properties are Rosehip Cottage and Ramree, which lie on either side of the proposed dwelling. St Crispins is on the opposite side of Forge Wood.

- 5.29 With regard to Rosehip Cottage, a new boundary line is to be formed and a single garage erected. The distance between the 2 buildings would be 10m and screening would be provided by the retention an existing silver birch and cherry either side of the boundary.

- 5.30 There would not be any first floor side windows on the north westerly facing elevation of the new dwelling. The height of the rear projection has been reduced by 0.6m so that it is below the height of the main ridge. It is considered that there would be an acceptable relationship between the 2 dwellings in this regard.

- 5.31 With regard to Ramree, this is set some 22m to the south from the joint boundary with Rosehip Cottage. It is sited much closer to the road, than the other dwellings along Forge Wood (approx. 10m setback). This would result in a building to building distance of 35m at its closest point between the rear corner of Ramree and the front corner of the new dwelling. There would not be any first floor side windows on the south easterly facing elevation of the new dwelling, other than a small roof light serve an ensuite bathroom.

- 5.32 Given the distances involved and the angle between the 2 properties, together with the trees and vegetation along the joint boundary, it is considered that there would be an acceptable relationship between the 2 dwellings in this regard.
- 5.33 The application is considered have a satisfactory relationship with adjacent properties and accords with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

Affordable Housing

- 5.34 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.
- 5.35 The application was deemed valid on 14th October 2015 and that 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

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

CONCLUSIONS:-

- 6.1 It is considered that the addition of one dwelling on this site, in the position shown and constructed to the submitted design would be sympathetic to the character and appearance of the immediate locality of Forge Wood and would have an acceptable relationship with adjacent dwellings.

RECOMMENDATION RE: CR/2015/0711/FUL

It is recommended that permission is granted 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 (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 of the Crawley Borough Local Plan 2015 - 2030.
4. No development shall be carried out unless and until details of the windows, including the design and materials of the frames and glazing to be used for the dwelling 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.
5. No windows (other than those shown on the plans hereby approved) shall be constructed above the ground floor in the side (north west) elevation of the dwelling hereby permitted which adjoins the side boundary with Rosehip Cottage or the side (south east) elevation of the dwelling hereby permitted which adjoins the side boundary with Ramree without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities and privacy of the adjoining properties in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

6. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the dwellings shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
7. The dwelling hereby permitted shall not be occupied 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 the retained trees, details of the proposed tree and shrub planting and boundary fencing. The approved landscaping scheme shall be implemented in full no later than the planting season following the first occupation of the dwelling.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 and CH7 of the Crawley Borough Local Plan 2015 – 2030.
8. The dwelling hereby permitted shall not be occupied unless and until such time as the vehicular access serving the development has been constructed in accordance with the approved site plan drawing no. 1527/03 Rev B.
REASON: In the interests of road safety and to accord with policy CH3 of the Crawley Borough Local Plan 2015 - 2030
9. The dwelling hereby permitted shall not be occupied unless and until the car parking has been constructed in accordance with the approved site plan drawing no. 1527/03 Rev B. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide car-parking spaces for the use and to accord with policies CH3 and INV4 of the Crawley Borough Local Plan 2015 – 2030.
10. The dwelling hereby permitted shall not be occupied unless and until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy INV4 of the Crawley Borough Local Plan 2015 - 2030 .
11. 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, AR/42116 dated January 2016 and as shown on the Tree Protection Plan Rev D. The development shall thereafter be implemented in accordance with those details, including the use of appropriate ground protection.
REASON: To maintain the long term health of the trees which are important to the site in accordance with policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 – 2030.
12. The development shall not be occupied until details have been submitted and approved 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 policy ENV9 of the Crawley Borough Local Plan 2015-2030.
13. 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.

INFORMATIVE:

1. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit their website at www.thameswater.co.uk.
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. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
5. 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/>)
6. 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.

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:
 - Liaising with consultees/applicant/agent and discussing the proposal where considered appropriate and necessary during the course of the determination of the application.
 - 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.



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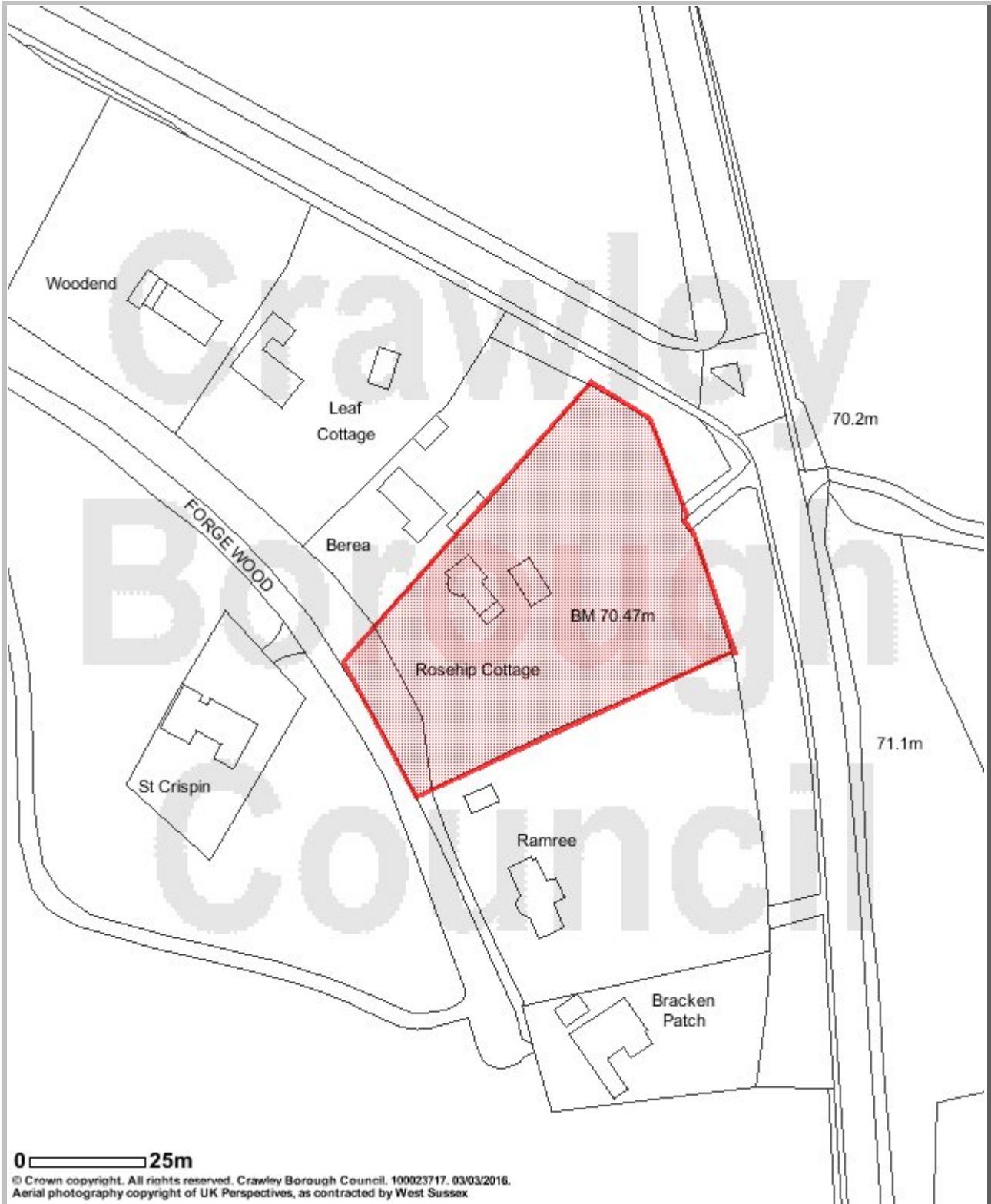
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CR/2015/0711/FUL

Date 2 March 2016

Approx. Scale 1:1,250

**S/E OF ROSEHIP COTTAGE, FORGE WOOD,
POUND HILL, CRAWLEY, RH10 3NH**



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REFERENCE NO: CR/2016/0039/FUL

LOCATION: 13 HIGHDOWN COURT, FURNACE GREEN, CRAWLEY
PROPOSAL: RETROSPECTIVE APPLICATION FOR ENCLOSURE OF COURTYARD AREA

TARGET DECISION DATE: 29 February 2016

CASE OFFICER: Mr M Edwards

APPLICANTS NAME: Mr John Burns
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

CBC 0001 Site Location Plan, CBC 0002 Block Plan, CBC 0003 Ground Floor Plan, CBC 0004 2D Sketch

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. Forestfield & Shrublands CAAC - The Forestfield and Shrublands Conservation Area Advisory Committee have objected on the grounds that "the roof light is too high and can be seen", and therefore does not fit in with the look of all other houses on the estate.

NEIGHBOUR NOTIFICATIONS:-

The application has been publicised by a site notice and a press notice

RESPONSES RECEIVED:-

No other representations have been received.

REASON FOR REPORTING TO COMMITTEE:-

Objection from Forestfield and Shrublands CAAC.

THE APPLICATION SITE:-

- 1.1 The application site comprises a mid-terrace flat roofed single storeydwelling house located on the south side of Highdown Court adjacent to the boundary of the Conservation Area with Tilgate Park to the south. The area is residential in character with similar sized and designed properties.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for retrospective planning permission for the enclosure of the internal courtyard area, to form a dining room which has been completed with a felt roof and a UVPC raised skylight. The former courtyard measures 3.4m x 3.1m, and the raised skylight is 2.3m wide x 1.6m long x 0.6m high.

PLANNING HISTORY:-

- 3.1 None

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

NPPF

- 4.2 Part 12 seeks to conserve and enhance the historic environment including assessing the impact on the heritage asset including its setting.

Crawley Borough Local Plan 2015-2030

- 4.3 Policy CH3 sets out the "Normal requirements of all New Development" and states that new development should, amongst other things, relate sympathetically to their surroundings in terms of scale, height, details and materials, and should provide or retain a good standard of amenity for all existing and future occupants and not cause unreasonable harm in terms of overlooking, dominance or overshadowing.
- 4.4 Policy CH13 relates to "Conservation Areas" and sets out the requirement for all new development to result in the preservation or enhancement of the character and appearance of the area, and recognise the identifiable and distinctive character of the area.

Shrublands and Forestfield Conservation Area Statement October 1998.

- 4.5 The statement sets out the reasons why the two estates were designated as a Conservation Area. Although the two estates are different, they both contain a number of architectural and design features, which are characteristic of the time they were constructed in the late 1960's and early 1970's. It is these features which give the area its special appearance and warrant the designation of the two estates as a Conservation Area. The particular features include; architectural style; materials; layout of the buildings; relationship of buildings to landscaping and open spaces; and vehicular and pedestrian segregation.

PLANNING CONSIDERATIONS:-

- 5.1 The determining consideration of this application is the impact upon visual amenity and the character of the Forestfields and Shrublands Conservation Area.
- 5.2 The protruding roof light is the only evidence that any development has taken place on the site and cannot be seen by immediate neighbouring occupiers and allows no overlooking into any adjoining properties. As a consequence there is no material impact on neighbouring occupiers.
- 5.3 The infilling of the courtyard is not apparent from anywhere in the Conservation Area and has no material impact on its character and appearance. Photographic aerial views of the Conservation Area show that there are other examples of similar development within the area, where the courtyard has been covered over, but these are not apparent from any other viewpoints either within or outside the area.
- 5.4 In this instance the courtyard has been covered over with a felt roof and a skylight and the space serves has been converted to an internal room. It is acknowledged that the roof light is not a typical feature of the Conservation Area and that it can be seen from some viewpoints both within and outside the Conservation Area.
- 5.5 The two main viewpoints are when approaching the dwelling along the footpath from the north, and from the footpath to the south in Tilgate Forest/Park which runs parallel with the southern boundary of the Conservation Area. As one views the site from the north distant views of the roof light can be seen. In addition, as one approaches the site, views of the roof light gradually diminish as it becomes obscured by the height of the parapet wall at the front of the dwelling. To the south of site

is Tilgate Park where land levels are higher, and a footpath runs parallel to the rear boundaries of the properties along this part of Highdown Court. From this viewpoint the roof light can clearly be seen, along with other smaller roof lights, and other roof features such as chimney flues.

- 5.6 As set out in the Conservation Area Statement, (summarised above in paragraph 4.4), the area was designated as such due its architectural style, the materials in which it was built, the layout of the buildings, the relationships of the buildings to landscaping and open spaces, and its vehicular pedestrian segregation. It is acknowledged that the roof light is visible from a number of viewpoints, however it is not considered that the development has any significant harmful impact on the character and appearance of the Conservation Area and the features highlighted that give it is reason for designation.

CONCLUSIONS:-

- 6.1 It is considered that the development has no harmful impact on the character and appearance of the dwelling or street scene and therefore it is considered that the development is acceptable and preserves the character of the Conservation Area.

RECOMMENDATION RE: CR/2016/0039/FUL

PERMIT

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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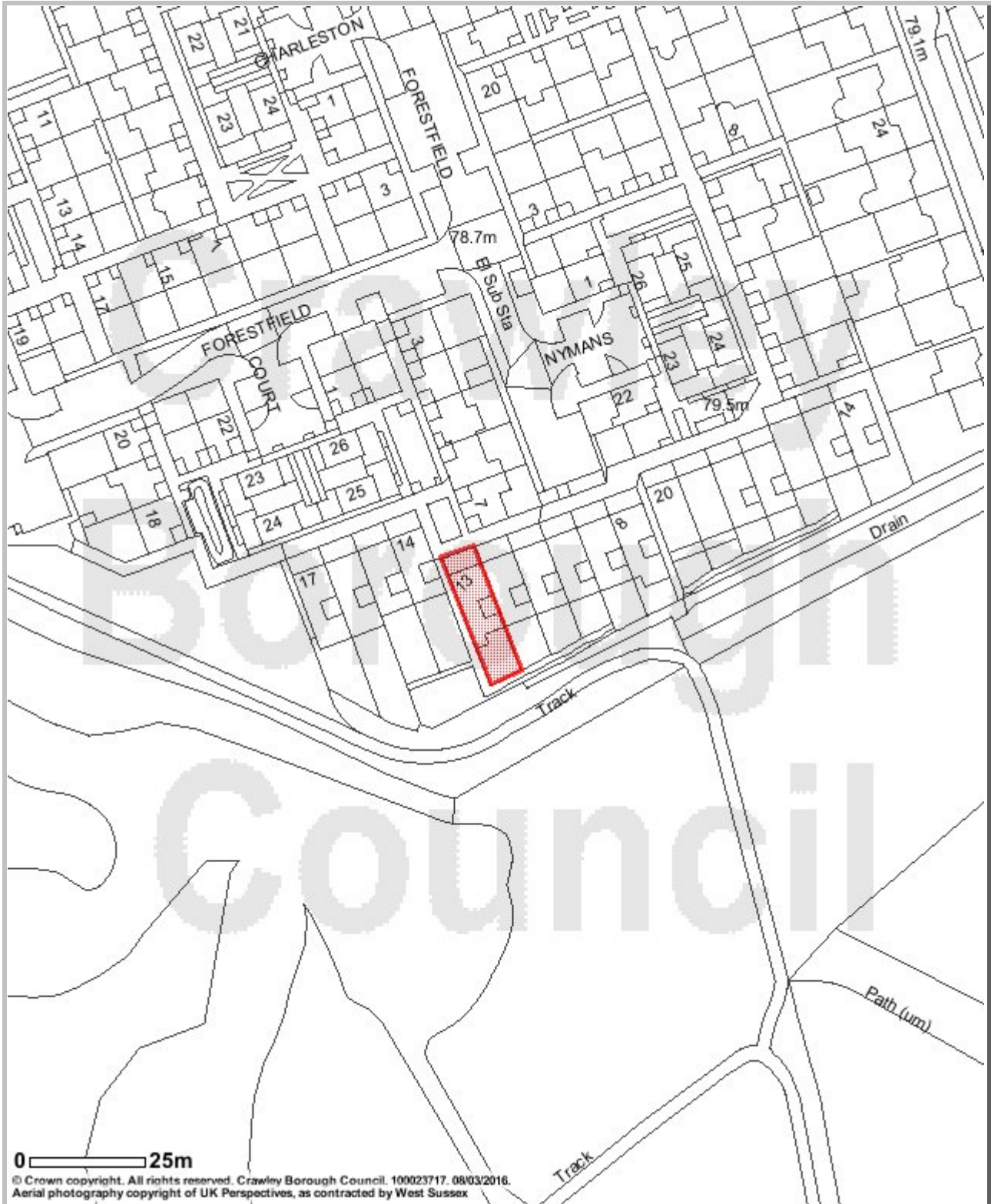
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CR/2016/0039/FUL

Date 7 March 2016

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**13 HIGHDOWN COURT, FURNACE GREEN,
CRAWLEY**



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REFERENCE NO: CR/2016/0042/NCC

LOCATION: TEXACO GARAGE, THE COOPERATIVE FOOD, BALCOMBE ROAD, POUND HILL,
CRAWLEY, RH10 4SX

PROPOSAL: VARIATION OF CONDITION 10 (HOURS OF OPERATION OF PETROL STATION)
PURSUANT TO CR/2006/0592/FUL TO EXTEND THE OPENING HOURS (07.00 -
22.00) TO 07.00 - 23.00, 7 DAYS A WEEK (AMENDED DESCRIPTION)

TARGET DECISION DATE: 14 March 2016

CASE OFFICER: Mrs M. Harper

APPLICANTS NAME: The Co-operative Food

AGENTS NAME: Barton Willmore

PLANS & DRAWINGS CONSIDERED:

CBC 0001 Site Location Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|-------------------------------|--|
| 1. CBC - Property Division | No objection. |
| 2. CBC - Environmental Health | No objection subject to an amendment to the extension of hours requested to be from 7am to 11pm. |
| 3. WSCC | No objection. |

NEIGHBOUR NOTIFICATIONS:-

Flat 1-24 The Pines, Turners Hill Road, Pound Hill; Southwell Lodge Southwell, Balcombe Road, Pound Hill; 19 to 24 and 26 Mayfield, Pound Hill; Cllr Bob Lanzer, c/o Crawley Borough Council; Cllr Howard Bloom, c/o Crawley Borough Council; 10 Ashurst Drive, Pound Hill;

RESPONSES RECEIVED:-

Eight representation received raising concerns that extended hours would cause additional noise, pollution and congestion early and late within the area, and would also encourage youths to hang around the area encouraging late night drinking and creating increased litter.

Two objections have also been received from Ward Members Cllr Bloom and Cllr Lanzer.

REASON FOR REPORTING TO COMMITTEE:-

The number of objections received to a recommendation to permit.

THE APPLICATION SITE:-

- 1.1 The Pound Hill petrol filling station is located on the eastern side of the Balcombe Road just south of the mini roundabout junction with Turners Hill Road. To the north of the site is a four storey residential development with associated car park to the east. There are further residential dwellings to the south, west and east of the site. There is a car sales premises being located directly opposite the site across Balcombe Road to the west. Access to the site is from Balcombe Road.

THE PROPOSED DEVELOPMENT:-

- 2.1 Permission was originally sought for a variation to Condition 10 of planning permission Ref:- CR/2006/0592/FUL to extend the opening hours of the petrol station by one hour in the morning and one hour in the evening 06.00 – 23.00 for 7 days a week..
- 2.2 However following the objections received the application has been amended to exclude the extra hour in the morning. The proposed condition would therefore now read:-
 - The filling station shall not be in operation before 07.00 nor after 23.00 7days a week.
- 2.3 No change is proposed to the delivery times or operation of the jet wash which are restricted under separate conditions.

PLANNING HISTORY:-

- 3.1 There is a long planning history on this site relating to its use as a petrol station. Permission was granted under Reference CR/2006/0592/FUL for the demolition of the existing forecourt shop, jet washes and pumps and erection of a new forecourt with new shop, pumps, jet wash and associated car parking. Conditions were imposed to protect residential amenity of the surrounding environment and both the jet wash and the opening hours of the petrol station were restricted.
- 3.2 In 2008 permission was sought to vary condition 10 to extend the opening hours to facility 24 hour trading under reference CR/2008/0062/NCC. This application was refused for the following reason:-
 - The proposed variation in Condition 10 of planning permission CR/2006/0592/FUL would result in an increase in noise and disturbance to the detriment of the amenities of nearby residents which would be contrary to saved policies GD1 and GD20 of the Crawley Borough Local Plan.

PLANNING POLICY:-

- 4.1 The National Planning Policy Framework states that planning decisions should aim to:-
 - avoid noise from giving rise to significant impacts on health and quality of life as a result of the development
 - mitigate and reduce a minimum other impacts on health and quality of life arising from noise from new development, including through the use of conditions
 - recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of the changes in nearby land uses since they were established.
- 4.2 The Crawley Local Plan 2015-2030 was adopted in December 2015 and the following policy is of relevance:-
 - CH3 Normal requirements for all development which requires all development to retain a good standard of amenity for all existing residents in terms of general activity and particularly noise, smells and vibration.
 - ENV11 Development and noise, seeks to protect peoples quality of life from unacceptable noise impacts.

PLANNING CONSIDERATIONS:-

- 5.1 The main considerations in determining this application relate to the affect that the proposed extended hours would have on residential amenity given the siting of the garage within a predominately residential area.
- 5.2 A noise impact report prepared by 24 Acoustics which included an assessment of the noise from customer visits and associated movements on the garage forecourt including car door slams, using petrol pumps, walking between the fuel pumps and store was submitted to accompany the application. This report seeks to demonstrate that the extended hours of trading from the site would not be detrimental to the residential amenity of the surrounding residents nor the area generally by virtue of noise and activity.

- 5.3 However over the last 10 years a number of complaints have been received from surrounding residents when the garage has breached the hours referred by condition attached to the planning permission granted in 2006. The Environmental Health Officer has examined these and carefully considered the representations received and has advised that an amendment should be sought to include only an extension of the hours in the evening and not in the morning as originally requested. This amendment has been agreed with the applicant.
- 5.4 Therefore whilst the representations received in response to the application are acknowledged, given the amendment to the opening hours proposed there is insufficient grounds to refuse an additional hour in the evening, which it is considered would not result in any significant increase of noise or activity on the site.

CONCLUSIONS:-

- 6.1 For the reasons outlined above the proposed variation in condition to reflect the amended extension of trading times is considered acceptable.

RECOMMENDATION RE: CR/2016/0042/NCC

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

1. The jet wash shall only be operated between the hours of 08.00 - 21.00 on Mondays to Fridays and 08.30 - 20.30 on Saturdays, Sundays and Bank Holidays.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
2. There shall be no delivery of fuel or goods before 08.00 or after 18.00.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
3. No public address system shall be installed without the express permission of the Local planning Authority.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No telephone bell or buzzer shall be installed outside the building.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The filling station shall only operate between the hours of 0700 and 2300, and shall not be open outside of these times.
REASON: In the interests of residential amenity in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

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 manner through pre-application discussions/correspondence.

Liaising with members/consultees/respondents/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.

Seeking amendment 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.



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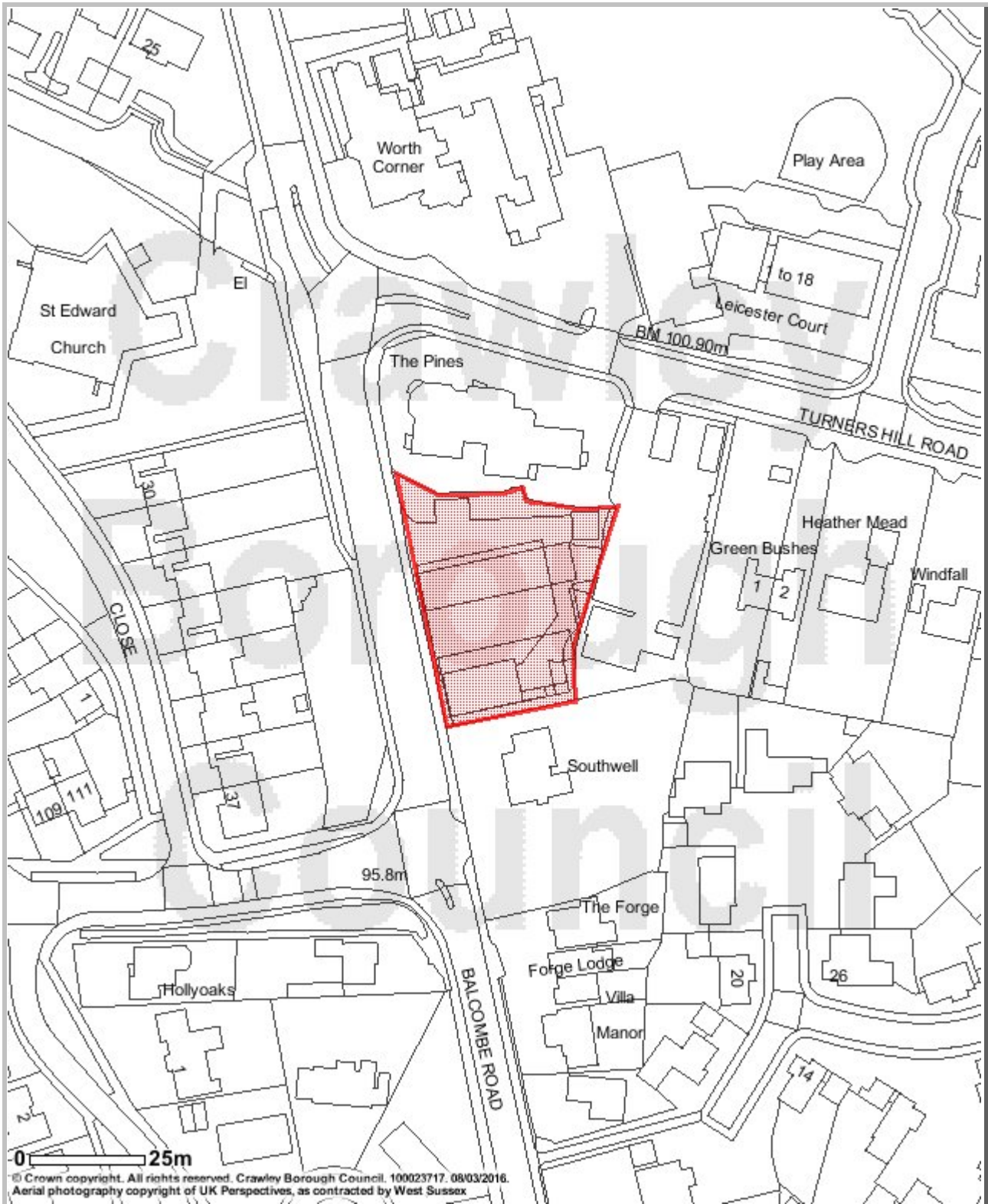
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0042/NCC

Date 8 March 2016

Approx. Scale 1:1,250

**TEXACO GARAGE, THE COOPERATIVE FOOD,
BALCOMBE ROAD, POUND HILL, CRAWLEY,
RH10 4SX**



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REFERENCE NO: CR/2016/0057/FUL

LOCATION: 7 POUND HILL PARADE, POUND HILL, CRAWLEY, RH10 7EA
PROPOSAL: CHANGE OF USE FROM RESTAURANT (CLASS A3) TO A HOT FOOD TAKEAWAY (CLASS A5); INSTALLATION OF EXTRACTION/VENTILATION EQUIPMENT AND A REPLACEMENT SHOPFRONT.

TARGET DECISION DATE: 23 March 2016

CASE OFFICER: Mrs M. Harper

APPLICANTS NAME: Domino's Pizza UK & Ireland Plc

AGENTS NAME: Delta Bravo Limited

PLANS & DRAWINGS CONSIDERED:

DB213-LP Site Location Plan, DB213-BP Block Plan, DB213-EX-01 Existing Ground Floor Plan, DB213-EX-02 Existing First & Second Floor Plan, DB213-EX-03 Existing Front & Rear Elevations, DB213-GA-04 Proposed Ground Floor Plan, DB213-FF-05 Proposed First & Second Floor Plan, DB213-EL-06 Proposed Front & Rear Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|----------------------------|---|
| 1. | WSCC - Highways | No objection. |
| 2. | CBC - Property Division | Comment landlord consent would be required. |
| 3. | CBC - Environmental Health | No objection. |

NEIGHBOUR NOTIFICATIONS:-

1a, 2, 2a, 3a, 4, 4a, 5, 5a, 6, 6a, 7,, 7a, 8, 8a, 9,11, 12,14 and 15 Pound Hill Parade; 3 Burns Road, Pound Hill; Alpha Motor Company Ltd, Pound Hill Place; 16 Barnwood Pound Hill; 53 Banks Road, Pound Hill; 5 Bashford Way, Pound Hill; 26 Shetland Close, Pound Hill; 17 The Rise, Pound Hill; 9 Amberley Close, Pound Hill; 1 Harrier Court, Bristol Close, Pound Hill; 22 Camber Close, Pound Hill; 30 Spring Plat, Pound Hill; 11 Felbridge Avenue, Pound Hill; 2 Lady Margaret Road, Ifield; 2 Hexham Close, Pound Hill.

RESPONSES RECEIVED:-

Twenty representations have been received objecting to the proposed change of use on the grounds that:

- it would impact upon a small business already providing pizza;
- there is no need for it there are already take aways in the parade;
- there would be an increase in late night activity; and,
- the proposed use would cause increased traffic, parking and congestion in relation to the parade.

Non-related planning matters related to competition for existing businesses within the Parade and that it sends the wrong messages in terms of promoting healthy eating for children given its close proximity to a school.

REASON FOR REPORTING TO COMMITTEE:-

The number of representations received and the recommendation is to permit.

THE APPLICATION SITE:-

- 1.1 The application relates to a retail unit situated in the northeast corner of Pound Hill Parade which lies to the north of Worth Road and west of Pound Hill Place. The unit is currently occupied by 'Crown of India' as a restaurant. The upper floors of the building are in residential use. There is a single storey extension with a flat roof to the rear of the building where the plant and extraction serving the restaurant is sited.
- 1.2 The parade includes a mixture of A1, A3 and A5 uses including, a dry cleaners, hairdresser, shops, bakery, pharmacy, Chinese take away and fish and chip shop. The parade is served by a communal parking area to the front. To the rear is a garage block. There are no identified site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 Permission is sought for the change of use from restaurant (A3) to hot food takeaway (A5), the installation of a new shopfront and extractor/ventilation equipment. The unit would be operated by Domino's Pizza.
- 2.2 During the course of determining the application further information has been sought regarding the operation of the use. The applicant has advised that the busiest time for the use would be between 6pm and 9pm. During the day a maximum of 3 drivers would be working from the site and 15 people would be employed to work within the unit. The majority of these staff would access the site through public transport or via walking and would therefore not require parking. In terms of delivery vehicles it is unlikely that there would be more than one vehicle needing to park near the site at any time as for the majority of the time the drivers would be out delivering.

PLANNING HISTORY:-

- 3.1 Permission was granted in 1994 for the change of use of the unit from shop to a restaurant with a rear extension under ref. CR/1994/00059/COU.

PLANNING POLICY:

4.1 National Planning Policy Framework (2012):

- Paragraph 14 (Presumption in favour of sustainable development). The National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- Paragraph 17 (Core planning principles). Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Chapter 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 positively to making places better for people.

4.2 Crawley Borough Local Plan (2015-2030):

The relevant policies are:

- SD1: Presumption in favour of Sustainable Development
- CH2: Principles of Good Urban Design;
- CH3: Normal Requirements of all New Development;
- EC8 Neighbourhood Centres states that proposals for ground floor change of uses will be supported providing that proposals are appropriate to the established role of the centre in terms of scale and function, will not adversely affect the ability of the parade to cater for the day to day of local residents, will not result in an adverse impact upon the amenity and environment of the locality and will maintain and where possible enhance the vitality and viability of the parade.
- ENV11 (Development and Noise) states people's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources.

- ENV12 (Air Quality) states development proposals that do not result in a material negative impact on air quality will normally be permitted.

PLANNING CONSIDERATIONS:-

5.1 The main considerations in determining the application are as follows:-;

- Principle of the change of use
- Impact of the proposed new shopfront and extraction/ventilation equipment on the design and overall appearance of the Parade and surrounding area
- Impact on amenity of neighbouring occupiers
- Operational requirements of the development.

Principle of the change of use

5.2 Pound Hill Parade comprises a good mix of uses comprising A1, A3 and A5 uses. Given the range of uses and the fact that the existing restaurant already incorporates a take away element, it is not considered the change of use from A3 to A5 would undermine the ability of the Parade to cater for the day-to-day needs of residents. The proposal therefore complies with Policy EC8 of the Local Plan 2015-2030 and responds positively to NPPF requirements to support economic growth and the principle of change of use is considered acceptable.

Design & appearance of the proposal & the impact on the street scene

5.3 The existing shopfront would be removed and replaced with a new grey aluminium shopfront and entrance. The fascia sign and stall riser would be positioned to generally align with the neighbouring units and as such the design of the shopfront is considered compatible with the design of other units within the parade and would not detract from either the appearance of the parade or the wider surrounding area. The proposed signage would need to form the subject of a separate application for advertisement consent.

5.4 To the rear of the building new extraction and ventilation equipment would be proposed on the existing flat roof and would comprise a new compressor unit, fresh air extract and oven extract duct which would replace existing equipment in a similar location. Whilst these are not visible from the parade itself it is acknowledged they may be glimpsed from Pound Hill Place, the service area to the parade, and there would be longer views from Worth Road. The land levels fall towards the back of the property which results in the site being set down from Pound Hill Place and the equipment would be partially screened by the existing garage block to the rear. Therefore given the context of siting within this service area and that a number of the other units within the parade already have ventilation and extraction equipment on the neighbouring roofs the siting and appearance of the equipment is considered acceptable.

Impact on amenity of neighbouring occupiers

5.5 As previously stated there are residential properties on the upper floors directly above the unit and as such the application was therefore accompanied by a supporting statement for the proposed ventilation system. The Environmental Health Department was consulted and has confirmed that providing the equipment is installed and maintained in accordance with this technical information there would be no detrimental impact on the amenity of the nearby residential properties in terms of noise or fumes.

5.6 In terms of hours of trading the applicant has stated that the new food take away would operate between 8am and midnight 7 days a week. The unit already provides a limited take away facility and this together with other uses in the parade operate into the late evening. However given the existing residential uses above and the trading hours of the existing Chinese take away within the parade, (which is restricted to 11pm at night), it is considered that similar hours should be applied to this unit to prevent harm to neighbours amenities. This has been agreed with the applicant and therefore an appropriate condition is recommended.

Operational requirements of the development

5.7 WSCC have been consulted and have commented that "The site is located within a small array of commercial and retail business sites in this part of Pound Hill and is surrounded by residential properties. As a result it is likely that some customers to the takeaway will be able to walk to the site to place or collect orders. Whilst we are aware that the proposal would result in a take away

with no specific parking provision, based on observations regarding parking in the immediate locality, the existing takeaway uses within a short walking distance of the site and the previous use of the site as restaurant which would have attracted passing trade throughout the day, the change of use is not likely to result in a severe increase in vehicular activity”.

- 5.8 It is therefore concluded that whilst the proposed change of use is forecasted to generate a small increase in vehicular movements over that generated as a result of the existing use the movements would be spread across the day and are not anticipated to result in any capacity concerns. Furthermore, the applicant has stated that it is anticipated that the Domino's would be busiest in the evening between 6pm-9pm when spaces within the Parade car park are unrestricted and many of the surrounded businesses are closed and hence the impact on parking for the wider parade would not be adversely affected.

Other issues

- 5.9 The large number of representations received in response to the application are acknowledged and raise particular issues relating to competition with existing business within the parade and whether there is a need for a larger chain operator such as Domino's Pizza. However issues relating to competition are not material planning considerations for consideration in the determination of this application.

CONCLUSIONS:-

- 6.1 For the reasons outlined above, the proposed change of use, together with the new shopfront and proposed ventilation/extraction equipment are considered acceptable and would accord with the policies in the Local Plan 2015-2030 subject to the conditions set out below.

RECOMMENDATION RE: CR/2016/0057/FUL: PERMIT

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. The use will only operate between the hours of 08.00-23.00 seven days a week.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Local Plan 2015-2030.
4. The proposed ventilation/extraction equipment shall be erected in accordance with the technical information set out in the report prepared by Deltabravo Limited dated 20th January 2016 unless otherwise agreed in writing by the Local Planning Authority.
REASON: To safeguard residential amenity in accordance with Policy CH3 of the 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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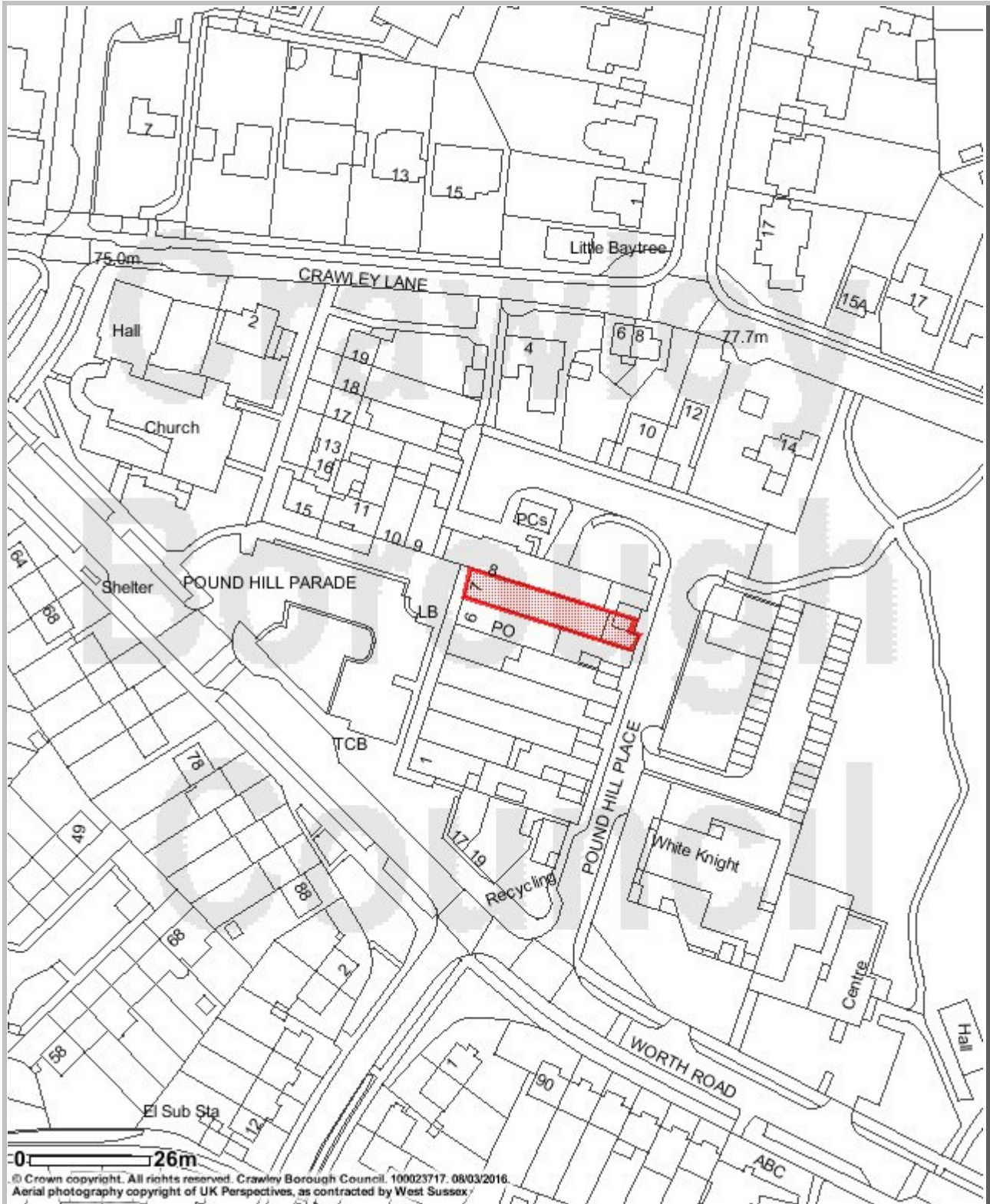
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CR/2016/0057/FUL

Date 8 March 2016

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**7 POUND HILL PARADE, POUND HILL, CRAWLEY,
RH10 7EA**



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REFERENCE NO: CR/2016/0118/FUL

LOCATION: 15 CHATFIELDS, GOSSOPS GREEN, CRAWLEY
PROPOSAL: ERECTION OF SINGLE STOREY ANNEXE AT REAR OF EXISTING GARAGE

TARGET DECISION DATE: 1 April 2016

CASE OFFICER: Mr M Edwards

APPLICANTS NAME: Mrs Shamin Khan
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

PA0212-01 Site Location Plan, Block Plan, Proposed Elevations & Floor Plans

CONSULTEE NOTIFICATIONS & RESPONSES:-

None

NEIGHBOUR NOTIFICATIONS:-

No's 3, 4, 13, 14, 16 & 17 Chatfields, Gossops Green

RESPONSES RECEIVED:-

Nine representations have been received from nearby occupiers raising objections to the proposal on the following grounds;

- Out of character with the street scene and area,
- Dominating and overshadowing neighbour to the south,
- Roof can be seen from the road,
- Increased parking problems, traffic and congestion,
- Increased noise and disturbance from late night visitors, and loud music,
- Concern that the annex would be used as a taxi business,
- Potential for creating a mezzanine and more floor-space,
- Potential for further development in the other parts of the garden,
- The creation of a precedent allowing other residents to build similar developments.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is a member of staff.

THE APPLICATION SITE:-

1.1 The site comprises a detached chalet bungalow with detached garage located on the east side of Chatfields, which is a cul-de-sac of residential properties. The area is residential in character with many similar dwellings. The site is bounded to the east by Crawley Avenue (A23). Views from this road are almost completely obscured by a mature tree screen that lines this part of Crawley Avenue.

THE PROPOSED DEVELOPMENT:-

2.1 The proposal is for the erection of a single storey detached building in the rear garden, (abutting the existing garage), to provide ancillary accommodation to the main house. The building would be located behind the existing garage and would be 9.5m wide x 4m deep x 2.4m high to the eaves, with

a maximum roof height of 3.4m. The building would be designed with a simple pitched roof and the external materials would be red multi stock bricks with grey concrete roof tiles to match the existing house.

PLANNING HISTORY:-

3.1 CR/2008/0142/192 – Certificate of lawfulness for erection of first floor side dormer extension- Granted.

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.

Crawley Borough Local Plan 2015-2030

4.2 Policy CH3 sets out the “Normal requirements of all New Development” and states that new development should, amongst other things, relate sympathetically to their surroundings in terms of scale, height, details and materials, and should provide or retain a good standard of amenity for all existing and future occupants and not cause unreasonable harm in terms of overlooking, dominance or overshadowing.

Supplementary Planning Guidance Note No.5 – Residential Extensions

4.3 Although the SPG does not give specific guidance on outbuildings, much of the guidance regarding extensions is relevant, regarding using similar external materials, ensuring that the extension does not overshadow or dominate the neighbouring property or gardens, and avoiding windows that overlook neighbouring properties.

PLANNING CONSIDERATIONS:-

5.1 The main planning considerations in relation to this application are;

- the impact of the proposal on the character and appearance of the building and wider area
- the impact of the proposal on the amenities of neighbouring occupiers
- traffic and parking
- other issues

Impact on character and appearance

5.2 The proposed building would be located at the rear of the existing single storey garage which is set back from the road by a minimum of 15m, and the building itself would be set back from the road by a minimum of 20m, and would be largely obscured from views from the street by nearby buildings. As noted by many of the objectors, the roof of the building would be approximately 1m higher than the existing garage and in this respect at least it would be visible from the street.

5.3 However, at a distance of at least 20m from the public highway the impact of the roof of the proposed building on the character and appearance of the street scene would be insignificant and would have no harmful impact either on the existing building, the street scene or the character of the wider area.

Impact on neighbour amenity

5.4 The neighbour that would be most affected by the proposed development would be to the south. The boundary between the application site and neighbouring occupier is formed by a 2m high close boarded fence. The proposed building would extend for 9.5m along the side boundary and to within 1-2m of the rear boundary of the property. The eaves of the proposed building at 2.4m high would be visible above the fence, as would the roof sloping upwards to a height of 3.4m.

- 5.5 There are no windows in the side elevation of the neighbouring property that face the application site with the exception of a high level obscure glazed window that looks out onto the side elevation of its own garage. The corner of the nearest window on the rear facing elevation of the neighbouring property is approximately 7m from the boundary with the application site. The rear most section of the proposed building would be visible from this window, but at an angle and distance that would not give rise to any significant loss of daylight, sunlight or outlook for the occupier of No.16 Chatfields. There are no windows proposed in the facing elevation or roof of the building and therefore there would be no loss of privacy as a result of the development.
- 5.6 The proposed building would be clearly visible from the rear garden of No.16, and as noted above would extend almost the whole length of the garden towards the rear boundary. It is acknowledged that the building is large and a building that extends for almost the complete depth of a rear garden would not normally be expected to be found in a domestic rear garden environment. However, domestic outbuildings are not uncommon and therefore, despite its size and siting it is not considered that the proposed building in itself would have a significant impact on the amenities of neighbouring occupiers.
- 5.7 Concerns have been expressed by a number of neighbouring residents as to potential noise and disturbance that may result from the use of the development. Provided that the use of the proposed building is as stated, (residential incidental to that of the main dwelling house) it is considered that levels of noise are not likely to have any additional impact to that already existing, and would certainly not warrant a refusal of planning permission on these grounds.

Parking and Traffic

- 5.8 The proposed building is for the use of an existing resident of the main dwelling and therefore there is not likely to be any significant increase in traffic or pressure on parking as a consequence of the proposed use.
- 5.9 A number of concerns have been expressed by neighbouring residents based on the fear that the proposed building would be used as an office base for a taxi business. Were this to be the case it is very likely that there would be an increase in traffic, pressure on parking and an increase in general noise and disturbance from the use and planning permission would be required. However, it is very unlikely that planning permission would be granted for such a use in a residential area. If evidence emerged that such a business was been undertaken on this site it would constitute a breach of planning control and would be considered on its own individual merits.

Other issues

- 5.10 Other concerns were raised in the letters of objection that were received in relation to this application which related to the creation of a precedent were permission to be granted for this application. However, as noted above the erection of outbuildings and other structures in the residential curtilage of a dwelling house is a right already granted by the GDPO 2015 and therefore this objection is not a material planning consideration.
- 5.11 Other grounds for objection cited by concerned residents relate to the potential for future development in and around the garden area. Again any further development would be subject to normal planning rules and if any evidence emerged that any new development was taking place this would be investigated by the planning department and appropriate action taken.

CONCLUSIONS:-

- 6.1 It is considered that the proposed building, although large, is for residential purposes, and would not have a harmful impact on either the character and visual amenities of the area, or on the amenities of neighbouring occupiers, and despite the concerns of neighbouring occupiers it is considered that there are no sustainable planning grounds for objecting to the proposal. Therefore, subject to the imposition of appropriate conditions it is recommended that planning permission be approved.

RECOMMENDATION RE: CR/2016/0118/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. The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing dwelling (15 Chatfields).
REASON: In the interests of amenity in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030.
4. The building hereby permitted shall only be used for purposes ancillary and incidental to the use of the dwelling house 15 Chatfields. The building extension shall not at any time be used as separate self-contained residential or office accommodation.
REASON: To accord with the terms of the application, to enable the Local Planning Authority to control the use of the site, to ensure that an adequate standard of accommodation is provided and maintained and in the interests of the amenity of neighbouring occupiers in accordance with Crawley Borough Local Plan Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No windows or other openings shall be constructed in the southern roof elevation of the building hereby permitted which adjoins the side boundary with 16 Chatfields without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining property 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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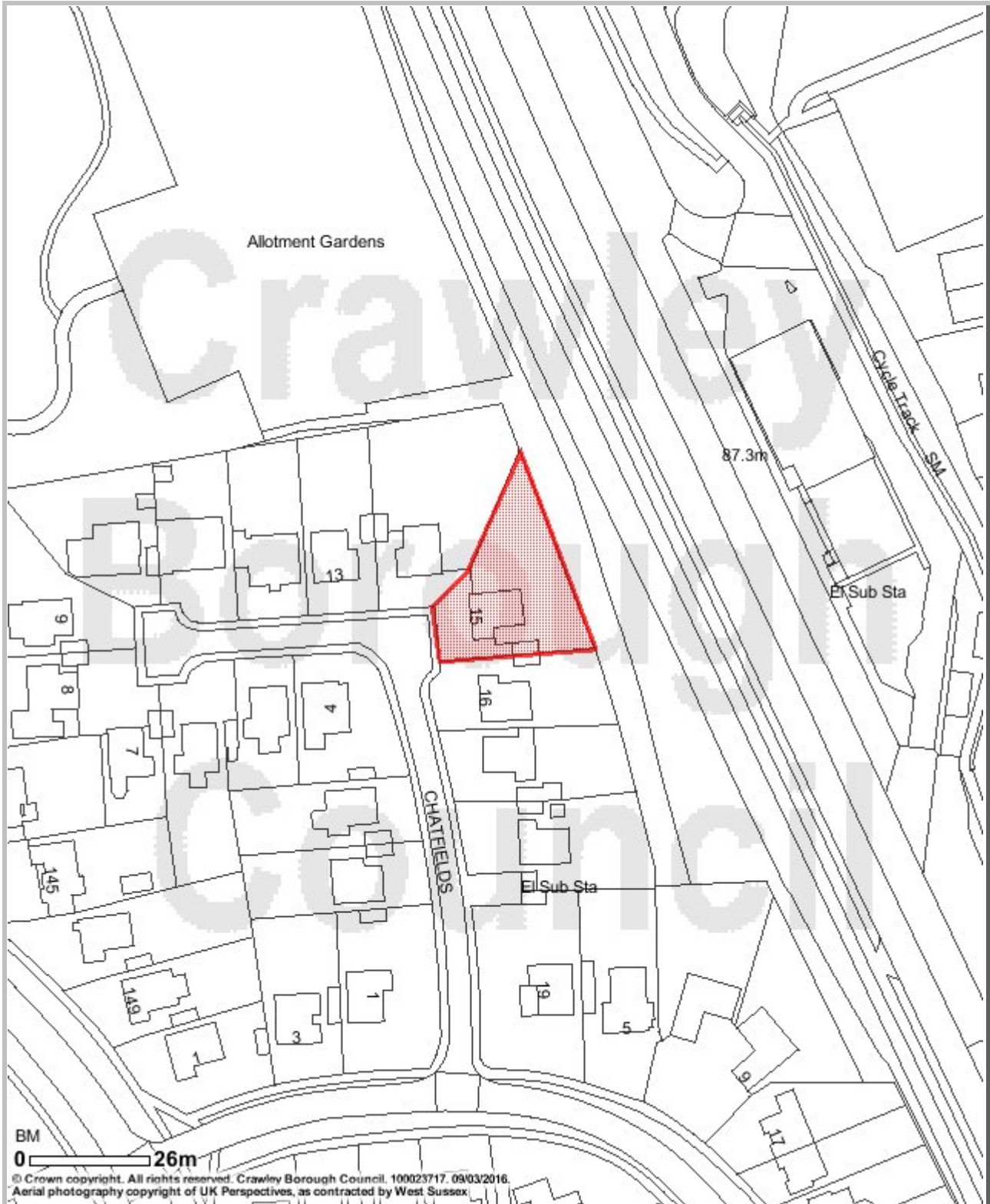
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CR/2016/0118/FUL

Date 9 March 2016

Approx. Scale 1:1,250

15 CHATFIELDS, GOSSOPS GREEN, CRAWLEY



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