

CRAWLEY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE - 11 April 2016

REPORT NO: PES/183

B

<u>ITEM</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>RECOMMEND</u>
001	CR/2015/0552/NCC	FORGE WOOD, NORTH EAST SECTOR, CRAWLEY	PERMIT
002	CR/2015/0718/ARM	PHASE 2B, FORGE WOOD, (NORTH EAST SECTOR), CRAWLEY	APPROVE
003	CR/2015/0740/ARM	PHASE 2A FORGE WOOD (NORTH EAST SECTOR) CRAWLEY	APPROVE
004	CR/2016/0005/FUL	5 RUTHERFORD WAY, NORTHGATE, CRAWLEY	PERMIT
005	CR/2016/0030/FUL	LAND AT CROMPTON WAY, MANOR ROYAL, NORTHGATE, CRAWLEY, RH10 9QR	PERMIT
006	CR/2016/0074/FUL	4 FURNACE PARADE, FURNACE GREEN, CRAWLEY	PERMIT
007	CR/2016/0102/FUL	LAND ADJACENT TO 73 EAST PARK, SOUTHGATE, CRAWLEY	PERMIT

REFERENCE NO: CR/2015/0552/NCC

LOCATION: FORGE WOOD, NORTH EAST SECTOR, CRAWLEY
PROPOSAL: APPLICATION TO VARY CONDITIONS PURSUANT TO APPLICATION
CR/1998/0039/OUT FOR A NEW MIXED USE NEIGHBOURHOOD AT FORGE WOOD,
CRAWLEY (AMENDED MASTER PLAN AND DESIGN STATEMENT, REVISED
OWNERSHIP CERTIFICATES AND UPDATED APPLICATION FORM RECEIVED)

TARGET DECISION DATE: 2 December 2015

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Homes and Taylor Wimpey
AGENTS NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

T258/18 Rev A Footpath/Cycle Link from Phase 2 to Radford Road, T263/5 Rev A Junction 1 - Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/107 Rev C, T261/06 Rev B Junction 3 - Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/116 Rev B, T261/13 Rev B Junction 4 - Comparison of Proposed Highway Improvements with Approved Layout Drawing No. 0560/SK/112 Rev B, T260/2 Rev C Junction 5 - Comparison of Proposed Highway Improvements with Approved Layout Drawing No. 0560/SK/121 Rev C, T262/40 Rev B Junction 7 - Comparison of Proposed Highway Improvements with Approved Drawing No. 0560/SK/101 Rev B, T263/06 Rev C Junction 11 - Comparison of Proposed Highway Improvements with Approved Layout Drawing No. 0560/SK110 Rev D, T261/10 Rev D Junction 12 - Comparison of Proposed Highway Improvements with Approved Layout Drawing No. 0560/SK/127 Rev B, T261/99 Proposed Site Access Junction 12A, T261/09 Rev C Comparison of Proposed Highway Improvements with Approved Drawing No. 0560/SK/122 Rev D, CSA/667/066 Rev C Buffer on the Eastern Site Boundary, CSA/667/025 Rev A Revised Application Boundary, CSA/667/031 Rev A Railway Goods Yard Buffer, T255/03 Rev G Flood Storage Compensation Areas, T264/1 Rev A Condition 49 - Speed Monitoring Locations on Balcombe Road (Crawley Avenue to Antlands Lane), CSA/667.115 Rev F Master Plan - received 29th February 2016

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL - Planning Department - no comments to make.
2. GAL - Aerodrome Safeguarding – no objections.
3. Network Rail - objection to Master Plan and relationship of dwellings with the railway line and the Goods Yard. Informatives recommended to ensure development does not impact on the safe operation of the railway.
4. Environment Agency - no objection to revisions to conditions 8, 11 and 18. Concern at wording of condition 16.
5. National Air Traffic Services (NATS) - no safeguarding objection.
6. Mid Sussex District Council - no comments received.
7. Natural England - no comments to make.
8. Gatwick Diamond GROW Group - no comments received.

9. Police - crime prevention advice will be provided at reserved matters stages.
10. Highways England – no objection.
11. WSCC – Highways – no objection to revised wording and triggers for highways conditions, but in relation to the new junction 12A onto Balcombe Road a safety audit is required.
12. WSCC – Education – scheme for condition 32 under consideration.
13. WSCC - Surface Water Drainage - no objection, for CBC/EA to determine.
14. CBC - Drainage Officer – no objection to conditions 8 and 16, with wording as now revised.
15. CBC - Housing Enabling & Development Manager - no objection to condition 62, objection to reference to sub phase in condition 63.
16. CBC - Planning Arboricultural Officer - no objection.
17. CBC – Environmental Health – objection to reference to sub phase in condition 34. Relationship to Goods Yard and railway line was established with previous outline permission.
18. CBC – Amenity Services - no objection to amended landscaping documents.
19. Cycle Forum - objection to revised triggers on conditions for cycling provision.
20. Homes & Communities Agency (HCA) – no comments received.
21. Metrobus – the arrangements for the permanent bus services have been agreed, although a review is required, which is part of the approved document. A temporary bus service is due to commence in April.
22. Sport England - no objection to amended plans, subject to revised wording to the conditions.
23. Thames Water – comment that there is insufficient capacity for sewerage and recommend a Grampian style condition. They also refer to current discussions with the developer to resolve issues with a solution.
24. Southern Water – no objection.
25. Archaeology Officer – no objections.
26. The Council for British Archaeology – no comments received.
27. West Sussex Fire Brigade – no comments received.
28. UK Power Networks – no comments received.
29. West Sussex Health Authority – no comments received.
30. Ecology Officer – comment regarding incursion of drainage feature in Phase 2D into adjacent woodland
31. Woodland Trust – no comments received.

NEIGHBOUR NOTIFICATIONS:-

This application was advertised by press advertisement and site notices.

RESPONSES RECEIVED:-

1 comment received regarding changes to the slip road off Crawley Avenue and requirement for noise/pollution barrier.

Representation received on behalf of the occupiers of Crawley Goods Yard objecting to the revised master plan and the relationship of the new houses to the Goods Yard.

REASON FOR REPORTING TO COMMITTEE:-

The application relates to a major development regarding the Forge Wood neighbourhood, in which CBC has a land interest and there are objections from consultees contrary to the officer's recommendation.

BACKGROUND:-

- 1.1 Outline planning permission (reference CR/1998/0039/OUT) was granted by the Secretary of State on the 16th February 2011, following two public inquiries, for the North East Sector neighbourhood, now known as Forge Wood. The outline planning permission establishes the principle of a mixed use neighbourhood to include up to 1,900 dwellings, 5,000 sq m of employment floorspace, 2,500 sq m of net retail space, a local centre/community centre, a primary school, recreational open space, landscaping, the relocation of a 132KV power line adjacent to the M23 and other associated works.
- 1.2 In this case, the outline application included details of the access arrangements for the site including the design of the principal road junctions with all other matters of detail the subject of later applications for Approval of Reserved Matters in relation to siting, design and external appearance along with the associated landscaping. The outline application was accompanied by an Illustrative Masterplan and supporting Design Statement along with a series of technical documents including an Environmental Statement which informed the Masterplan and will inform the detailed design of the neighbourhood.
- 1.3 The application was granted planning permission subject to 68 conditions which comprehensively cover all the aspects required to deliver the new neighbourhood. A copy of the original conditions is included as a background paper.
- 1.4 Condition 1 of the permission requires the development to be in substantial accordance with the Master Plan and Design Statement. The other conditions cover technical matters such as drainage and acoustic protection of dwellings (factoring in the possibility of a second wide spaced runway at Gatwick), the access and junction arrangements, as well as more detailed components to be included in the neighbourhood centre and affordable housing provision. The development is divided into 4 phases with conditions to ensure management of open space, protection of ecology and the phased delivery of the road and linkages to the surrounding Crawley areas are also specified.
- 1.5 Rather than a s106 legal agreement, to be completed before permission is granted, as would usually be the case, the infrastructure requirements for this neighbourhood are achieved via conditions requiring 'schemes' to be submitted, as set out in the Secretary of State's appeal decision. It may be that then there is an associated s106 to secure the payment for the relevant facilities or infrastructure, but that would then be part of a condition discharge submission.
- 1.6 The principle of the new neighbourhood, the amount of development and the access arrangements for the site at the principal road junctions was thus established by the outline planning permission.

SUBSEQUENT PLANNING HISTORY:-

- 2.1 Since the grant of the original outline permission there have been a number of reserved matter applications, and in addition, planning applications and non-material applications for changes to the accesses and junction arrangements and to the phasing of the development. In addition a number of applications have been received to discharge the conditions.
- 2.2 In respect of Phase 1, the reserved matters application has been approved for the spine road (CR/2012/0357/ARM), and there are 4 separate sub-phases, namely:

Phase 1A for 204 dwellings – CR/2013/0610/ARM - approved
Phase 1B for the local centre – CR/2014/0061/ARM - approved
Phase 1C for 50 flats – CR/2014/0062/ARM – approved
Phase 1D for a health centre – CR/2014/0063/ARM – to be determined.
Primary School – CR/2016/0048/ARM – to be determined
Embryo School – CR.2016/0226/FUL – to be determined

- 2.3 A non-material amendment application CR/1998/0039/NM3 was agreed in January 2016 to alter the phasing of the development effectively swapping the sequencing of Phase 2 residential and Phase 3 on the original masterplan to allow development to be consolidated and completed on the western side of Balcombe Road before extending the neighbourhood east of Balcombe Road.
- 2.4 In respect of Phase 2, reserved matters (CR/2015/0628/ARM) has been approved for the main spine road and associated infrastructure, including drainage features and a bridge crossing Gatwick Stream, as per the revised phasing plan referred to in paras 6.8 – 6.12 .
- 2.5 There are 4 separate sub-phases for Phase 2, which are all under current consideration:
Phase 2A for 90 dwellings – CR/2015/0740/ARM – item 3 on this agenda
Phase 2B for 159 dwellings – CR/2015/0718/ARM – item 2 on this on agenda
Phase 2C for 251 dwellings - CR/2016/0083/ARM – validated 1.2.2016
Phase 2D for 75 dwellings - CR/2016/0114/ARM – validated 15.2.2016
Temporary noise attenuation barrier – CR/2016/0080/FUL – validated 28.1.2016

THE PROPOSED DEVELOPMENT:-

- 3.1 Alongside the approvals that have been granted, as detailed above, there has also been a re-evaluation of the overall Master Plan, arising from changes in circumstances, in particular, the technical constraints that apply to the site and a reconsideration of certain elements of the layout and the disposition of land uses proposed for Forge Wood. The changes are such that a new Master Plan and Design Statement are required. As this would mean that the development would not be in accordance with Condition 1 of the outline permission and a number of the other relevant conditions, this new application to vary the conditions has been submitted with the associated plans.
- 3.2 The application does not seek to revise the quantum of development, in particular the 1900 dwellings, the proposed land uses or the general layout of the neighbourhood as a whole. As such the description of the development for this new mixed use neighbourhood is unaltered and the application site area or 'red line' is the same.
- 3.3 The changes seek to provide for a more satisfactory form of development, reflecting up to date circumstances and technical guidance and responding to changed local aspirations for this new neighbourhood. It is intended that this will provide a more robust outline planning permission against which subsequent reserved matters applications can be judged and determined.
- 3.4 If approved, this would result in the issue of a new planning application, but the principle of the new neighbourhood, the amount of development and the access arrangements for the site at the principal road junctions has been established by the outline planning permission and is thus a substantial material planning consideration in the determination of this application.
- 3.5 The application does not seek to amend (nor can it do so legally) the time period for the submission of the reserved matters for the various phases – set out under condition 6. These will this remain as per the original outline permission.
- 3.6 The application has been submitted with these associated documents:
- Planning Statement
 - Design Statement
 - An Environmental Statement and appendices
 - Phasing Scheme
 - Cycle strategy
 - Sustainable Drainage Strategy report

- Bus Scheme

- 3.7 During the course of the consideration of this application, amended plans and documents have been submitted to address issues identified and consultees concerns. These relate principally to the designation of allotments/playing fields and the depiction of the employment land on the master Plan.
- 3.8 The application is an EIA application and so a copy of the application and Environmental Statement has been served on the Secretary of State.

THE APPLICATION SITE:-

- 4.1 The application site is identical to that which was the subject of the original planning permission CR/1998/0039/OUT.
- 4.2 The boundaries of the site comprise the M23 to the east; the London to Brighton railway line to the west; Crawley Avenue (A2011) to the south; and Radford Road and Steers Lane to the north. Balcombe Road (B20360) divides the site.
- 4.3 In the locality surrounding land uses comprise the Manor Royal Industrial Estate and Crawley Goods Yard to the west of the railway line, residential development in Tinsley Green to the north, agricultural land beyond the motorway to the east and the existing residential areas in Pound Hill to the south of Crawley Avenue.
- 4.4 Excluded from the site area are particular parcels of land comprising existing residential and commercial properties along Balcombe Road, Radford Road, Steers Lane and Forge Wood, plus the gas holder site and Surrey and Sussex Crematorium.
- 4.5 The topography of the site and surrounding area is broadly flat, with levels around 75m AOD (Above Ordnance Datum, or mean sea level) in the eastern part of the site, falling very gently to the west, where levels are around 65m AOD close to the Gatwick stream, which runs from south to north through the western part of the site. There is a large pond in the south western corner of the site ('Ballast Hole'), which is used by a local fishing club.
- 4.6 A public footpath runs from the public house at Tinsley Bridge in the northwest part of the site, across the site to Steers Lane. Another footpath crosses the eastern part of the site to the south of Toovies Farm, where it exits the site via a footbridge over the M23. A pedestrian subway passes beneath Crawley Avenue, close to the Gatwick stream, to Grattons Park, to link the site to Pound Hill in the south.
- 4.7 There is are 2 Tree Preservation Orders (TPOs) relating to the application site itself –
- Blackcorner Wood in the north east of the site - (TPO ref 16.7.14. – Blackcorner Wood No.1 – confirmed 4.1.1982).
 - The trees on the existing properties along Forge Wood road - (TPO ref 16.7.47 – Forge Wood no.2 – confirmed 29.10.2012).
- 4.8 There is a TPO on land at the trees to the rear of the crematorium (but outside the application site) - (TPO ref 16.7.39 – Forge Wood no.1 – confirmed 22.12.2005).

PLANNING POLICY:-

The National Planning Policy Framework 2012 (NPPF)

- 5.1 The NPPF has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development and 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.
- 5.2 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

- 5.3 The plan was adopted on 16th December 2015. Relevant policies include:
- 5.4 Policy SD1: ‘Presumption in favour of Sustainable Development’ states that the Council will take a positive approach to approving development which is sustainable.
- 5.5 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.
- 5.6 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.
- 5.7 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.
- 5.8 Policy CH4 ‘Comprehensive Development and Efficient Use of Land’ requires that land is used efficiently and does not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
- 5.9 Policy CH6 ‘Tree Planting and Replacement Standards’ 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.
- 5.10 Policy CH7 ‘Structural Landscaping’ requires development to protect areas of identified structural landscaping.
- 5.11 Policy CH11 ‘Rights of Way and Access to the Countryside’ seeks to protect and enhance public rights of way and seek opportunities for better facilities and multi-functional routes for a range of users.
- 5.12 Policy EC1 ‘Sustainable Economic Growth’ recognises the key sub-regional employment function which Crawley provides within the Gatwick Diamond and encourages sustainable economic growth.
- 5.13 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.

- 5.14 Policy H2 'Key Housing Sites' identifies Forge Wood as a key housing site that is deliverable for 1,900 dwellings. The site is allocated on the Local Plan Map.
- 5.15 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.
- 5.16 Policy H4 'Affordable and Low Cost Housing' requires 40% affordable housing from all residential developments
- 5.17 Policy ENV1 'Green Infrastructure' requires development to protect and enhance green infrastructure.
- 5.18 Policy ENV2 'Biodiversity' states all development proposals will be expected to incorporate features to encourage biodiversity where appropriate and where possible enhance existing features of nature conservation value within and around the development.
- 5.19 Policy ENV4 'Open Space, Sport and Recreation' states that proposal to remove existing open space will not be permitted unless a number of criteria are met.
- 5.20 Policy ENV5 'Provision of Open Space and Recreational Facilities' requires all new housing to mitigate its impact on Crawley's open spaces, sports and recreation facilities, via the Community Infrastructure Levy/S106 agreements or provided as an integral part of the development.
- 5.21 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.
- 5.22 Policy ENV7 'District Energy Networks' applies to all major development within the Borough which should demonstrate how they have considered the District Energy Network Hierarchy. The site (as part of the wider Forge Wood neighbourhood) is identified as a priority area.
- 5.23 Policy ENV8 'Development and Flood Risk' states that development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere. Flood risk assessments should be submitted where required and SUDS should be used to reduce run-off.
- 5.24 Policy ENV9 'Tackling Water Stress' states new dwellings should where viable and technically feasible, meet the Building Regulations optional requirement for tighter water efficiency.
- 5.25 Policy ENV11 'Development and Noise' seeks to protect people's quality of life from unacceptable noise impacts and requires noise impact assessments where relevant.
- 5.26 Policy IN1 'Infrastructure Provision' seeks to protect existing infrastructure and ensuring that provision is made for any additional infrastructure generated by development via CIL and s106 agreements.
- 5.27 Policy IN3 'Development and Requirements for Sustainable Transport' states that development should be concentrated in locations where sustainable travel patterns can be achieved. In addition, developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased congestion or highway safety. Where appropriate, Transport Statements or Transport Assessments will be required.
- 5.28 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.
- 5.29 Policy IN5 'Location and Provision of New Infrastructure' states that the provision of new or improved infrastructure in appropriate locations will be supported where the facilities are required to support the development or they add to the range and quality of facilities in the town. Major facilities should be located in the most sustainable locations and local community facilities should be located close to neighbourhood centres.

- 5.30 Policy IN6 'Improving Rail Stations' seeks to ensure that the specific function of each rail station is enhanced.

Supplementary Planning Guidance and Documents

- 5.31 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.
- 5.32 Planning Obligations and S106 Agreements -- Supplementary Planning Document 2008: Annex B contains the adopted parking standards and infrastructure contributions.

PLANNING CONSIDERATIONS:-

- 6.1 The key issues in considering this application are considered to be:

- The principle of the development
- The changes to the Master Plan and Design Statement
- The phasing of the development
- Highways, access and parking considerations
- Drainage
- Open space
- The Local Centre
- Community facilities
- Landscaping, trees and ecology
- Fire hydrants and infrastructure
- Sustainable construction
- Affordable housing
- Education
- Buses
- Cycling
- Noise

The principle of the development

- 6.2 The principle of the new neighbourhood, the amount of development and the general access arrangements for the site at the principal road junctions was established by the outline planning permission.
- 6.3 The development is the key deliverable housing site(for 1900 dwellings) in the Local Plan as identified in Local Plan Policy H2. Therefore, the principle of the development and delivery of this neighbourhood is well established, both from a policy perspective and in terms of the outline permission. The main considerations relate to the detail of the proposals and how these vary from the original permission - these are examined in more depth below.

The changes to the Master Plan and Design Statement

- 6.5 The general layout for the neighbourhood remains the same, in that the neighbourhood is set either side of Balcombe Road and to the south of Steers Lane, with associated access arrangements. There is a central area of open space 'The Central Parkland', located either side of the Gatwick Stream and the areas of Ancient Woodland are retained. The Local Centre is located on the west side of Balcombe Road, as is the new Primary School. Open space comprising playing fields are shown to the east of Balcombe Road. There are 2 areas of employment land – one to the immediate east of the railway line and the other in the north east of the site, to the east of Balcombe Road. There is to be an acoustic bund and fence along the M23.
- 6.6 The principal changes are:

1. Additional land area shown for drainage and flood compensation as a result of updated technical requirements, with a corresponding change to the net developable areas, in particular on the western portion of the site.
 2. A larger Central Parkland area to accommodate the drainage and flood compensation features
 3. Revision to the Local Centre so that it accords with the facilities as approved under CR/2104/0061/ARM (Phase 1B), which incorporates retail, housing and community facilities to meet current requirements and also includes elements of the community facilities that were previously to be provided to the east of Balcombe Road.
 4. Realignment of junctions 8 9, and 14 off Crawley Avenue to reflect the subsequent planning permission CR/2013/0434/FUL
 5. A new access and junction off Balcombe Road to serve the residential development in the north eastern part of the site
 6. Minor revisions to the principal junction arrangements to reflect the non-material amendment previously granted CR/1998/0039/NM2.
 7. Updates to the road junctions , key pedestrian routes and cycle routes
 8. Revisions to the illustrative road layouts and key frontages to reflect the overall changes and constraints
 9. Relocation of the play areas to more centralised locations either side of Balcombe Road
 10. Reconfiguration of the playing fields and pavilion on the eastern part of the site
 11. Updating retained trees and woodland following recent surveys
 12. Revision to the illustrative layout for the school site
- 6.7 It is considered that these changes reflect the ongoing discussions that have taken place since the grant of the original outline permission and constitute an evolution of the themes in the Master Plan that applies to the new neighbourhood, as opposed to a complete redesign. The Design Statement has similarly been updated, providing the overarching design framework for the Forge Wood neighbourhood. Condition 1 is thus revised accordingly to refer to these new documents.

The Phasing of the Development

- 6.8 The implementation and delivery of the new neighbourhood is to be undertaken in 4 phases.
- 6.9 As originally approved under the outline permission Phase 1 incorporates the main site access from Steers Lane and includes the local centre and school site. Phases 2 and 4 of the development were to be on the east of Balcombe Road and Phase 3 was on the far western side of the neighbourhood, lying between the central parkland and the railway line, and comprised residential and commercial development.
- 6.10 A non-material amendment application (CR/1998/0039/NM3) has been approved for alterations to the phasing of the development, to provide for a more appropriate sequence for the implementation of the development.
- 6.11 This effectively swaps the sequencing of Phase 2 and Phase 3, so that the building programme on the western side of Balcombe Road is continued. The advantages of this approach is that there would a central site compound, it allows for the early delivery of the public transport loop through these two phases and ensures the early delivery of the central parkland which includes the main surface water drainage and flood compensation works. Thus the development on the western side of the site would be consolidated earlier than planned, rather than the delivery of the new neighbourhood being fragmented across the whole of the development site. However, the commercial land remains as Phase 3. Phase 4 is as previously approved.

6.12 This application thus refers to the revised phasing scheme as approved under CR/1998/0039/NM3 and condition 3 is worded accordingly.

Highways, Access and Parking Considerations

- 6.13 The outline permission proposed various on-site and off-site highway works to address the highways implications of this neighbourhood. The highway works are subject to specific triggers relating to the phasing of the development and the occupation of the units.
- 6.14 There have since been a number of changes to these highway proposals as the development has evolved, and this application seeks to consolidate them as follows:
- Realignment of junctions 8,9, and 14 off Crawley Avenue to reflect the subsequent planning permission CR/2013/04340FUL
 - A new access and junction off Balcombe Road to serve the residential development in the north eastern part of the site – junction 12A
 - Minor revisions to the principal junction arrangements to reflect the non-material amendment previously granted CR/1998/0039/NM2.
 - Updates/changes to the road junctions, key pedestrian routes and cycle routes – including junction J1 (Antlands Lane) , Junction J7 (Hazelwick Roundabout) , Junction J12 (Balcombe Road / Steers Lane) and the deletion of a section of the Crawley Avenue cycle route.
- 6.15 These result in changes to conditions 44 – 55, with the trigger points amended accordingly, to reflect the new plans, those works that have been undertaken to date, the current level of occupations and the new phasing plan. Some conditions are currently framed with the triggers at 50 occupations, others at 300 or are related to the site access provision. The applicants had requested that most of these be revised to 350 dwellings. Following discussions and negotiations with WSSC and having regard to the works undertaken to date and subsequent sequencing of the various works and junctions, together with the operation of a new interim bus service from April 2016, it has been agreed that a practical threshold of 300 dwelling occupations is appropriate.
- 6.16 With regard to the new junction (12A) and associated condition 51, WSSC have advised that the changes to this condition are significant as the formation of the new junction 12A onto Balcombe road to serve Phase 4 is a recent proposal. This was not part of the original access strategy and would include further changes to the recently improved J12 nearby (junction of Steers Lane and Balcombe Road), which itself is a variation on the originally approved junction arrangements. It is understood that J12A may replace J6 (at the northern end of phase 4), if J6 is undeliverable, for example due to land ownership issues. The applicants have recently submitted a technical paper in support of the J12A arrangement and this has been reviewed by WSSC. The signals team have advised that as long as the predicted traffic flows are accurate then the introduction of a signalised junction should not pose an issue. Subject to some changes to the operation of the signal arrangements there would also be scope to further improve the predicted degree of saturation. A Safety Audit is also required, and at the time of writing this report has just been submitted. The detailed traffic signals design will also need to be submitted for further comments to WSSC as part of the s278 agreement process. A verbal update will be given at the Committee meeting.
- 6.17 Condition 40 requires to the car parking not to exceed the standards set out in the SPD 'Planning Obligations and s106 Agreements', published by CBC. It is considered that the car parking arrangements for the development would be more appropriately considered as part of the reserved matters applications when the detailed layout are assessed. The relevant parking standards will be applied at that time. It is thus recommended that the condition is deleted.
- 6.18 Sustainable travel packs for occupiers and sustainable travel plans for the residential and commercial development are covered by conditions 59, 60 and 61. Condition discharge application CR/1998/0039/CC6 has been approved in terms of conditions 59 and 60 which details the overall strategy for provision and monitoring. However the information contained within the packs and plan will need to be updated as the development progresses and to reflect changes to the site during construction. The conditions are to be amended to reflect this situation and to keep the requirement

for the packs to be provided to the first occupiers of each building, and an annual review. Condition 61 which relates to the travel plan for the commercial development is unchanged.

Drainage

- 6.19 One of the main reasons for the change to the Master Plan has been the updated drainage requirements, specifically the need to provide on-site surface water storage capacity in the event of heavy rainfall, with the drainage features to be located outside of the flood plain area.
- 6.20 Accordingly a larger Central Parkland area to accommodate the drainage and flood compensation features has been designed, resulting in a corresponding effect on the size and location of the developable parcels.
- 6.21 In terms of the details of the drainage works themselves, the Site-Wide Drainage Strategy required under condition 16 for surface water drainage comprises the use of a Sustainable Urban Drainage System for the on-site storage and attenuation measures. These comprise swales, attenuation basins and underground storage cells. The swales and attenuation basins would not be permanently wet features in normal circumstances, to address the requirements of GAL in terms of bird strike.
- 6.22 The previously submitted documents to discharge this condition (CR/1998/0039/CC2) incorporated these requirements, but details of the management and maintenance arrangements (which are to be covered by a private management company) are still under discussion. This is a crucial element as these would apply through the lifetime of the development. The condition therefore is still necessary and requires a full scheme to be submitted and approved.
- 6.23 For Phase 1, the detailed drainage works and calculations formed part of the approved reserved matters applications. It is proposed for clarity to amend Condition 8 to specifically add drainage details as a reserved matter for each development parcel. The new wording also requires the drainage details to be in accordance with the overall Site-Wide Drainage Strategy, which is covered by condition 16. The wording change also requires the drainage scheme to demonstrate how it integrates with those approved for earlier phases and a programme for implementation.
- 6.24 With regard to foul sewerage disposal, Thames Water have raised concerns that there is insufficient capacity to serve the development and request a Grampian style condition. However, it should be noted that no condition for foul sewerage was imposed by the Inspector. In addition, the capacity work for the Local Plan has factored in this development in allocating the site (Policy H2). The comments from Thames Water also refer to ongoing discussions with the developer and possible solutions. In these circumstances, it is not considered appropriate to include this additional condition.

Open Space

- 6.25 The revised Master Plan shows the larger Central Parkland area and the new positions for the equipped play areas (2 LEAPS and a NEAP), which are now in more centralised locations, positioned on the western side adjacent to the Local Centre (a LEAP and the NEAP); and on the eastern side is a LEAP, in close proximity to the playing fields and pavilion.
- 6.26 In respect of play provision, these changes have arisen following discussions about the type and location of these play facilities. Whilst there are less areas (4 LEAPS and 1 NEAP shown previously) it is considered this new provision will allow for a consolidated range of facilities on the development which will be better equipped, particularly in the Local Centre area.
- 6.27 Open space is covered by conditions 11, 12, 24 and 26. The submitted documents for these conditions incorporates the updated provisions, with more details of the facilities themselves and also includes the management arrangements which are to be covered by a private management company. The new wording for these condition is thus updated accordingly and incorporates appropriate trigger points to reflect the new phasing plan and location of the facilities.
- 6.28 As initially submitted the new Master Plan included a change from playing fields in the south western corner of the site to allotments, in response to discussions with CBC identifying a need for

this provision. However, following an objection from Sport England about the loss of playing fields and that such a change was not properly substantiated or justified, the new Master Plan has been adjusted and now reverts back to the playing fields in this part of the site. Sport England have been reconsulted and advise that as a result of the amendment they raise no objection to the revised Master Plan. They recommend some amendments to conditions 24, 27 and 29 relating to updated technical requirements for sports pitches and changing facilities.

- 6.29 Condition 27 relating to the timing of the delivery of the playing fields in the sw corner of the site is to be revised to take into account the changes to the phasing of the development.

The Local Centre

- 6.30 The location of the Local Centre is unchanged, being on the western side of Balcombe Road.
- 6.31 The new Master Plan reflects the layout of the Reserved Matters scheme for the Local Centre buildings approved under CR/2014/0061/ARM (Phase 1B). The approval incorporates retail, housing and community facilities to meet current requirements and also includes space within the community building to incorporate the community facilities that were previously to be provided to the east of Balcombe Road.
- 6.32 The Master Plan also shows the Health Centre (Phase 1D – CR/2014/0063/ARM), although this has yet to be determined as the precise operational requirements of the NHS are awaited.
- 6.33 The provision of the Local Centre is covered by condition 28. The revised condition now includes the aspects already approved under CR/2014/0061/ARM , the requirement for a health centre as well as reference to the transferred community facilities, previously set out in condition 29. The trigger points have been adjusted accordingly to co-ordinate the provision of these facilities with the occupations in this part of the development site.

Community Facilities

- 6.34 The original Master Plan showed the Community Centre to the east of Balcombe Road and condition 29 specified that it should provide for a youth facility, changing facilities, other community facilities/ancillary public uses, playing fields and car parking.
- 6.35 Subsequent discussions about the extent of these facilities and their location, has resulted in a transfer of some features so that they will be co-located as part of the Local Centre on the western part of the site and are incorporated within the plans approved under CR/2014/0061/ARM. Their provision is this now covered under condition 28.
- 6.36 The remaining elements, namely the playing fields and changing facilities (within a pavilion) and parking are still required, so condition 29 is revised to reflect this with an updated trigger point, relating to the revised phasing and associated level of occupations on this part of the site.

Landscaping/Trees/Ecology

- 6.37 The areas of retained woodland, including ancient woodland and other ecological habitats, are to remain as previously, but there have been updated tree surveys which are reflected in the new Master Plan. There are certain additional areas of trees/woodland to be removed, arising from the changes to the developable areas, drainage requirements and the need to accommodate the quantum of development across the site but this can be offset by increased areas for new landscaping and planting, the detail of which will be dealt with in the Reserved Matters applications. In addition, the area of the Central Parkland has increased since the original Master Plan.
- 6.38 There is a relatively small incursion into the woodland adjacent to phase 2D to incorporate a drainage feature (attenuation basin), but this is located within a clearing, the woodland is not designated Ancient Woodland and there would be minimal tree removal. The detailed analysis of this aspect will be dealt with as part of the reserved matters application for 2D (CR/2016/0114/ARM) including mitigation and enhancement. It is therefore considered that this particular change to the Master Plan is acceptable.

- 6.39 The updated Environmental Statement submitted with the application concludes that there would be no adverse impact on ecology from these revisions subject to mitigation and management, which is covered by the appropriate conditions (conditions 9, 11, 12, 13, 14).

Fire Hydrants and Infrastructure

- 6.40 Condition 30 of the original outline permission related to the provision of fire hydrants and requires the details to be submitted with each phase of development. It is proposed to vary this wording to the erection of the buildings within a phase or sub phase so that the provision of the hydrants can be informed by the approved layout for that part of the site. WSCC Fire Services have no objection to this change.
- 6.41 Condition 31 relates to the provision of fire and rescue infrastructure to serve the new neighbourhood and specifically referred to the Capital Programme for Fire and Rescue Services to the period to 2016. At that time the provision was to include a new fire station.
- 6.42 Since the grant of the outline permission WSCC's requirements have changed and that particular project is no longer included within that Capital Programme. In these circumstances, and in order to service the new neighbourhood, it is considered that a revised wording is required to allow for a 'scheme' for the provision of this infrastructure to be submitted, which could involve financial contributions towards a specific scheme within the Borough. However, at the time of writing this report, no confirmation of a scheme from WSCC has been received, despite requests for further information. A verbal update will be given at the meeting, but if no specific scheme is identified, it will be recommended that the condition is deleted.

Sustainable construction and energy supply

- 6.43 The existing conditions require a range of energy and sustainable construction measures to be undertaken for the development.
- 6.44 With regard to the condition that have been requested to be varied, condition 21 requires the residential aspects of the development to achieve Level 3 of the Code for Sustainable Homes. This requirement has changed nationally and Government advice is that conditions specifying compliance with the Code should not be used. Such matters are now dealt with by the Building Regulations. In these circumstances it is considered that the condition should be removed. It is useful to note that the development has been registered against the 2010 Building Regulations and in that respect the energy requirements are the same as Code Level 3.
- 6.45 Renewable energy was covered by condition 23 and required the provision of 10% of the energy supply of the development to be secured from decentralised, renewable or low carbon sources. However, the condition as worded it does not cover energy use, only energy supply/generation, and it is important to note that it does not specifically require a more energy efficient construction approach.
- 6.46 Local Plan policy ENV 6 requires an active approach in reducing the need to consume energy (or energy demand). The applicants have adopted a '**fabric first**' approach to the development which reduces the need to use energy through more efficient construction techniques as opposed to generating energy through greener technologies.
- 6.47 The applicants have provided documents comparing the 2 approaches on Phase 1 and this has demonstrated that the fabric first concept would be appropriate and achieve the 10% energy saving.
- 6.48 The suggested wording for condition 23 would allow for both options to be incorporated and also does not preclude the later addition of renewables (i.e. PV panels). It would ensure energy consumption is reduced, which would meet the underlying objectives of the original condition and the new Local Plan policy.
- 6.49 With regard to policy ENV7 and District Energy Networks, the application site falls within a larger area, making up the whole of the Forge Wood allocation and Manor Royal. The original permission did not envisage a network to serve this development, no such facility is shown on the Master Plan and there is no reference to an energy network in the description or a condition to require it. As this

current application is vary the existing conditions, it is not possible to include additional requirements as part of this application. Thus policy ENV7 is not applicable to this application.

Affordable Housing

- 6.50 The provision of affordable housing is covered by conditions 62 and 63.
- 6.51 Condition 62 requires 40% affordable housing within each phase, of which no less than 70% shall be available as social rented accommodation and the remainder as intermediate affordable housing. The condition is to be varied and updated to reflect the definition of affordable housing in the NPPF.
- 6.52 Condition 63 relates to the affordable housing scheme that is required to be submitted for each phase of the development in order to secure the provision of the affordable housing. The applicant seeks to vary the wording to include reference to 'sub phase '.
- 6.53 It is considered that this variation would not be appropriate as it would reduce flexibility across a phase and the whole development. The 40% provision applies across each phase as a whole (condition 62) and the associated scheme (condition 63) has to reflect that, so if condition 63 is amended as requested, each sub phase would have to provide 40% affordable units.
- 6.54 Whilst on a general level this would seem preferable and ideal, it would not allow for any variation across a phase, which may be required to reflect site specific requirements. For example, on Phase 1 there has been a recognition that different levels of affordable housing on the sub phases would be appropriate. The Local Centre in Phase 1B (retail with flats above) provides for 77% affordable units, whilst phase 1A provides for 27% and this variety was agreed in recognition of market forces together with the desirability of concentrating the affordable units in the Local Centre location.
- 6.55 It should also be noted that Phase 2A (item 3 on this agenda) also has a lower affordable provision than 40%, so this sub phase would not comply with the applicants suggested wording.
- 6.56 So in discharging condition 63 the affordable housing scheme has to be assessed across a phase as a whole, and thus it would not be possible to agree an affordable housing scheme for a particular sub phase in isolation, unless it was accompanied by the other sub phases as part of the same submission, or provided 40% (with a 70/30 tenure split) in its own right.
- 6.57 This suggested wording by the applicant is thus not agreed, but it is however considered that it would be acceptable to vary the wording to require the scheme to be submitted prior to the construction of dwellings within a phase, rather than the commencement of the development within a phase, as originally worded. This variation would thus allow for the other aspects of a phase to be constructed, such as the roads or drainage infrastructure, without having to discharge this condition for the affordable units. As infrastructure applications for Phase 1 and Phase 2 have both been submitted and approved as separate applications to the housing parcels, this approach would be reasonable.

Education

- 6.58 The primary school is part of Phase 1 and is a specific reserved matters as set out in condition 6. The reserved matters application for the 2 form entry school has recently been submitted (CR/2016/0048/ARM) and is under consideration. The new Master Plan shows the current illustrative layout for the 2FE school site, which is adjacent to the Local Centre, with school playing fields, the provision of which is covered by condition 25. The Master Plan also shows an area of land to the immediate south annotated as 'land with potential to allow for expansion of school to 3FE'.
- 6.59 The 'education scheme' is the mechanism to provide the primary school, secondary school and sixth form places which would be required as a result of the development (including the timing and delivery of the facilities). This is dealt with by condition 32 and relates to the erection of the 2 form entry primary school, the provision of temporary primary places before the primary school is available for use and the mechanism to meet the demand for secondary and sixth form places.

- 6.60 There is a discharge of condition application (CR/1998/0039/CC15) currently being considered for the education scheme, in consultation with WSCC as education authority. The provision and use of the school playing fields is to be included within this document and condition 25 is to be varied to require their availability prior to the opening of the school.

Buses

- 6.61 Improvements and additions to bus services and facilities to service the development are dealt with via conditions 57 and 58.
- 6.62 Condition 57 relates to the provision of bus services to and from the site and a bus scheme was approved under condition discharge application CR/1998/0039/CC5 in December 2013. The revised wording for this condition would refer to this approved document, which has an ongoing requirement for annual reviews and also covers the arrangements for temporary bus services during the construction phase of the development.
- 6.63 A scheme to secure the provision of bus stops within the site with real time passenger information is addressed in Condition 58. However the wording will need to be changed to refer to occupations as the development has commenced. The locations of the bus stops is to be dealt as part of the detail of the layouts for the reserved matters applications and condition 8 is reworded accordingly.
- 6.64 In addition, improvements to bus facilities off-site are covered in conditions 52 (real time information screens at 4 existing bus stops in Manor Royal) and condition 54 (installation of a bus shelter opposite Three Bridges railway station). However the wording is to be changed to refer to a revised trigger of 300 occupations as the development has commenced.

Cycling

- 6.65 The outline permission included cycle routes through the development as shown on the Master Plan and links to the existing network. It also included provision for improvements to existing routes, junctions and facilities. These are set out in conditions 45, 52, 53, 54 and 55.
- 6.66 Condition 45 includes the works to provide the combined footway/cycleway over Radford Road railway bridge. Condition 52 relates to routes south of Crawley Avenue and cycle parking stands at Three Bridges Station. Condition 54 relates to routes and works west of the railway line. The conditions require revisions to the triggers referring to occupations as the development has commenced and to reflect amended plans.
- 6.67 It is acknowledged that Crawley Cycle Forum have objected to these changes to the triggers as they consider that these sustainable transport measures are required early on in the occupation of the site when transport choices and patterns by residents are established. However, having regard to the works undertaken to date, the subsequent sequencing of the other works and improvements and the practicalities of the obtaining the various highway agreements and licences, whilst not ideal, it is considered that the change to a 300 dwelling threshold is the most practical solution in these circumstances.
- 6.68 Condition 53 refers to routes in Grattons Park and is to be updated as whilst the footway cycleway works has been carried out by WSCC, a scheme is still require to enable financial reimbursement to WSCC and for the works to the underpass itself to be completed so that it is a useable route.
- 6.69 Condition 55 relating to a cycle route along Crawley Avenue is to be updated as it was considered that the original scheme was undeliverable in a safe manner, in particular the section along the northern verge of Crawley Avenue. An alternative scheme has been agreed by WSCC but the document requires updating to refer to the new Master Plan and phasing arrangements. The condition is reworded accordingly.

Noise

- 6.70 The main issue of the two Public Inquiries in respect of the outline permission related to the potential impacts arising from the close proximity of the site to Gatwick Airport and the potential second runway. The Secretary of State considered that the new neighbourhood would not prejudice

the 2nd runway proposals and that with appropriate noise mitigation a satisfactory environment for occupiers of the development could be achieved. Other noise sources were also identified, being the M23, A2011, the railway line and mixed source noise (the Goods Yard).

- 6.71 The outline permission thus contains relevant conditions limiting the location of the residential development (condition 33) and requiring noise mitigation schemes to be submitted and implemented for the residential dwellings (condition 34), the school (condition 35), the local centre, community centre and health centre (condition 36) and condition 64 requiring a 100m buffer to the railway line and a 40m buffer from the M23 for the dwellings.
- 6.72 The applicants seek to vary condition 34 to relate to sub phases. However, the issue of noise mitigation needs to be assessed across the individual phases as a whole, particularly as the noise sources are not confined to nor are they adjacent to specific sub phase areas alone. Thus it is considered that it is appropriate to retain the wording of condition 34 as originally drafted.
- 6.73 The outline permission and the original Master Plan showed the main area of employment along the western boundary of the site adjacent to the railway line, with the residential development for this western part of the site set between this and the Central Parkland. The concept was that the employment buildings in this area would provide for the noise mitigation from the railway and the goods yard, due to the height and length of the buildings, together with a barrier along the railway line and the siting of the dwellings 100m from the railway line. This would achieve a total noise attenuation of 20dB(A).
- 6.74 The initial Master Plan submitted with this application indicated a different arrangement for the commercial buildings, with wider spaces between them. Objections from Network Rail and the Goods Yard were received to this plan as they considered that the gaps in the buildings would not provide the noise protection for the residential properties originally envisaged and that it would also affect the current and future operation of the established businesses there. They refer to the designation of the Goods Yard as a safeguarded railhead in the West Sussex Minerals Local Plan and as shown in the Crawley Local Plan and the protection this is afforded by national and county planning policy.
- 6.75 An amended Master Plan has since been submitted which reverts back to the original depiction of the commercial buildings. There has been reconsultation on this issue, but Network Rail and the Goods Yard still raise objections to the plan. These comments are acknowledged but the arrangements in this part of the site were as initially envisaged and considered by the appeal Inspector. Thus the principle of the residential development with commercial buildings alongside the railway line has already been established.
- 6.76 In terms of the detailed relationship between the railway line, goods yard and residential parcels, the current reserved matters applications for Phase 2 are accompanied by a separate application for a noise attenuation fence (CR/2016/0080/FUL), which is under consideration. Environmental Health require full details of the calculations and predicted industrial noise attenuation and predicted façade levels to fully assess the reserved matters applications for the adjacent housing and so currently object to Phase 2B on this basis. Further information on this aspect is contained within that report (item 2 on this agenda). If the predicted noise levels cannot be achieved by this fence, then the new dwellings would need to be designed so that no noise sensitive facades are oriented so as to be facing the goods yard.
- 6.77 Network Rail and the occupiers of the Goods Yard had also objected to the principle of the development, referring to a change in circumstances since the original outline permission was granted. They cite the planning permission granted for a permanent construction and demolition waste recycling plant (WSSC/016/12/CR).
- 6.78 However, this County Matter application did take into account the Forge Wood permission. The new facility is sited within a building and was subject to a noise assessment and various conditions, including preventing operations at night. The Environmental Health Officer has specifically commented that the predicted noise levels would be below the existing noise levels from the site and are therefore are predicted not to have an increased impact on future residents.

- 6.79 It is considered that the relationship of the businesses in the Goods Yard to the future residents in Forge Wood has been taken into account and there are appropriate safeguards with the noise conditions which should not then prejudice the lawful operation of the Goods Yard. These new circumstances since the original decision are not considered to be such that a different view on the acceptability of this residential development should now be taken. The site has an extant outline permission, so the principle of residential development on this site has already been accepted and the noise conditions are not proposed to be changed.

CONCLUSIONS:-

- 7.1 As set out above, since the original grant of the outline planning permission in February 2011, there has been a re-evaluation of the overall Master Plan, arising from a change in circumstances, in particular, the technical constraints that apply to the development of the new neighbourhood and a reconsideration of certain elements of the layout and the disposition of land uses proposed for Forge Wood. The changes are such that they have resulted in a new Master Plan and Design Statement and a number of the relevant conditions and associated plans need to be varied accordingly.
- 7.2 The application does not seek to revise the quantum of development, in particular the 1900 dwellings, the proposed land uses or the general layout of the neighbourhood as a whole. The changes seek to provide for a more satisfactory form of development, reflecting up to date circumstances and technical guidance and responding to changed local aspirations. This will then provide a more robust outline planning permission against which subsequent reserved matters applications can be judged and determined.
- 7.3 It is considered that the changes are acceptable and as set out in this report and the following conditions reflect the current position and previous discussions about the concepts to guide this new neighbourhood for the Borough.

RECOMMENDATION RE: CR/2015/0552/NCC

- 8.1 It is recommended that outline planning permission is granted, subject to the variation of the conditions as set out below:
1. The development hereby permitted shall not be carried out except in substantial accordance with the master plan drawing number CSa/667/175 Rev F ("the Masterplan") and the Design Statement dated July 2006 (Updated February 2016). The development hereby permitted shall be built out at an average density of 41 dwellings per hectare in respect of the net residential area.
 2. Prior to or accompanying the submission of the first reserved matters application in respect of each phase or sub phase of the development hereby permitted, a detailed design and access statement in respect of that phase shall be submitted to and approved in writing by the local planning authority. Each detailed design and access statement shall demonstrate how the objectives of the approved Design Statement (as updated in February 2016) will be met. Each phase or sub phase of the development hereby permitted shall be carried out in accordance with the approved design and access statement in respect of that phase.
 3. The phasing of the development hereby permitted shall be in accordance with, and in the order detailed in, the approved Phasing Scheme document - January 2016/LHU/CIR.P.0571 and as shown on the Phasing Plan P.1036_13D-2.
 4. No more than 1900 dwellings shall be constructed on the site pursuant to this planning permission.
 5. (i) Approval of the details of the layout, appearance, scale and landscaping of any part of the residential development within each phase of the development hereby permitted (hereinafter called "the residential reserved matters") shall be obtained in writing from the local planning authority before that part of the residential development is commenced within that phase.

(ii) Approval of the details of the layout, appearance, scale and landscaping of any part of the non-residential development within each phase of the

development hereby permitted (hereinafter called "the non-residential reserved matters") shall be obtained in writing from the local planning authority before that part of the non-residential development is commenced within that phase.

(iii) The development shall not be carried out otherwise than in accordance with the approved details.

6. (i) Application for the approval of the residential reserved matters and non-residential reserved matters in respect of phase 1 of the development hereby permitted (except the primary school as to which see (ii) below) shall be made to the local planning authority before the expiration of 3 years from the date of the original permission which was permitted on 16th February 2011 (by 16th February 2014).

(ii) Application for approval of the reserved matters in respect of the primary school hereby permitted shall be made to the local planning authority before the expiration of 5 years from the date of the original permission which was permitted on 16th February 2011 (by 16th February 2016.)

(iii) Application for approval of the residential reserved matters and non-residential reserved matters in respect of phase 2 of the development hereby permitted shall be made to the local planning authority before the expiration of 5 year from the date of the original permission which was permitted on 16th February 2011 (by 16th February 2016.)

(iv) The first application for approval of the reserved matters in respect of that part of phase 3 of the development hereby permitted which is located to the east of Balcombe Road shall include details of the proposals for the relocation of the 132KV overhead power line.

(v) Application for approval of the residential reserved matters and the non-residential reserved matters in respect of each of phases 3 and 4 of the development hereby permitted shall be made to the local planning authority before the expiration of 6 years from the date of the original permission which was permitted on 16th February 2011 (by 16th February 2017).

7. Phase 1 of the development hereby permitted shall be begun either before the expiration of 2 years from the date of approval of the last of the residential reserved matters or the non-residential reserved matters (as the case may be) to be approved in respect of that phase (excluding the reserved matters relating to the primary school referred to in condition 6(ii) above), whichever is the later.

8. Plans and particulars submitted pursuant to condition 5 above shall include the following details:

(i) any proposed access road(s) including details of horizontal and vertical alignment;

(ii) the layout, specification and construction programme for (1) any internal roads not covered by (i) above, (2) footpaths, (3) parking and turning areas (including visibility splays), (4) cycle parking areas and (5) cycle storage facilities;

(iii) the positions, design, materials and type of boundary treatment (including all fences, walls and other means of enclosure) to be provided;

(iv) finished ground levels for all hard landscaped areas, footpaths and similar areas, including details of all surfacing materials, street furniture, signs, lighting, bus stops, refuse storage units and other minor structures;

(v) contours for all landscaping areas, together with planting plans and schedules of plants, noting species, sizes and numbers/ densities, details of all trees, bushes and hedges which are to be retained and a written specification for the landscape works (including a programme for implementation, cultivation and other operations associated with plant and grass establishment);

(vi) lighting to roads, footpaths and other public areas; and

(vii) A detailed surface water drainage strategy in respect of all the land within the relevant phase or sub phase to which the Reserved Matter Application relates. The strategy shall be in accordance with the Site Wide Strategy approved for the whole of the development required to be approved under condition 16 and shall demonstrate how the strategy for the relevant phase or sub phase integrates with the detailed strategies as and when approved for earlier phases together with a programme for implementation.

9. The particulars submitted pursuant to condition 8(v) above shall include:

(i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter (when measured over the bark at a point 1.5 metres above ground level) exceeding 75mm, identifying which trees are to be retained and the crown spread of each retained tree;

(ii) details of the species, diameter (when measured in accordance with (i) above), approximate height and an assessment of the health and stability of each retained tree;

(iii) details of any proposed topping or lopping of any retained tree; and

(iv) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree.

10. Before each phase of the development hereby permitted is commenced a construction management plan in respect of that phase shall have been submitted to and approved in writing by the local planning authority. Each construction management plan shall include the following matters:

(i) provision for plant and stacks of materials;

(ii) details of vehicle wheel cleaning facilities to be provided;

(iii) provision for the temporary parking of vehicles and for the loading and unloading of vehicles;

and

(iv) provision for the segregation and recycling of waste generated on the site during construction.

Construction of each phase of the development shall not be carried out otherwise than in accordance with each approved construction management plan.

11. No more than 500 dwellings shall be occupied until the design and layout of the central parkland and associated open space have been laid out in accordance with the approved Central Parkland Management Plan ref. DH/LHU P.0571 February 2016.

The landscaping of the central parkland and open space shall be subsequently maintained and managed in accordance with the approved details, which covers a period of no less than 15 years. The management and maintenance of the drainage features (including swales and attenuation basins) will need to be included with the details required under condition 16.

12. The development shall be carried out and managed in accordance with the approved Site Wide Landscape Management Plan ref. DH/LHU P.0571 February 2016, which covers a period of no less than 15 years. The management and maintenance of the drainage features (including swales and attenuation basins) will need to be included with the details required under condition 16.

13. No phase of development shall commence until all the existing trees/ bushes/hedges to be retained within (and immediately adjacent to) that phase, as approved pursuant to condition 5 above, have been protected by a fence erected in accordance with the guidance contained in BS5837:2012. Within the areas 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 within such areas without the prior written approval of the local planning authority. 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 25mm or more shall be left unsevered.

14. The development hereby permitted shall be carried out in accordance with the Biodiversity Management Plan dated July 2014 and the approval letter dated 2nd October 2014 (CBC ref CR/1998/0039/CC7).
15. Any water crossings to be provided within the development hereby permitted shall be by clear spanning structures (from banktop to banktop) so as not to impede the river corridor and to allow the migration of both channel and bank species.
16. Within 3 months of the date of this permission, a detailed drainage strategy in respect of all the land within the red line as shown on the Masterplan shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition the strategy shall be based upon the principle of sustainable drainage systems ("SUDS") as set out in Planning Policy Statement 25: Development and Flood Risk (2006) (or any revision or replacement of it) and shall include the following:
 - (i) details of compensatory flood storage works;
 - (ii) a programme for implementation; and;
 - (iii) proposals for the subsequent management and maintenance of the drainage system including any arrangements for adoption by any public authority or statutory undertaker.

The development hereby permitted shall be carried out in accordance with the approved drainage strategy.

17. No spoil or materials shall be deposited or stored on any part of the site which lies within the 1 in 100 year flood plain, as shown on drawing number CS/000916/Figure 1 Revision A.
18. Any walls or fencing which are constructed within the 1 in 100 year flood plain, as shown on drawing number T255_03 rev.G, shall be designed to be permeable to flood water.
19. Before the development hereby permitted is commenced in any phase, an archaeological evaluation shall have been carried out for that phase in accordance with a specification previously submitted to and approved in writing by the local planning authority. For the purposes of this condition, the specification shall include proposals for a programme of further archaeological excavation and recording if archaeological remains are identified.
20. Original condition deleted - contamination
21. Original condition deleted – CSH
22. Before the construction of any non-residential building hereby permitted is commenced a scheme for the inclusion of renewable energy technologies to achieve a "very good" rating pursuant to the Building Research Establishment Environmental Assessment Method, in respect of that building, shall have been submitted to and approved in writing by the local planning authority. Unless otherwise approved in writing by the local planning authority, no part of any non-residential building hereby permitted shall be occupied until a copy of a post-construction completion certificate, verifying that that building has achieved a "very good" rating, has been submitted to the local planning authority".
23. Prior to the commencement of development comprising the erection of any building in any Phase or sub phase, an assessment shall be undertaken to quantify the amount of energy likely to be required by the development in that Phase or sub phase per annum. The assessment shall include a scheme that shall detail how a minimum of 10% of the predicted carbon emissions (energy requirements) for the buildings based on the 2010 Building Regulations will be offset through a combination of sustainable design and construction and or on-site renewable energy generation systems and how this will be monitored at specified stages of the development to ensure that this

target is achieved at each stage. The assessment shall be submitted to and approved in writing with the Local Planning Authority. The development shall thereafter be implemented and operated in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

24. No works to construct any building hereby permitted shall commence in a given phase or sub phase of the development until a scheme identifying the size/extent, specification, location, timing of delivery and proposals for the future management of open space and play space (including local areas of play, local equipped areas of play, playing fields and other sports pitches) in respect of that phase or sub phase shall have been submitted to and approved in writing by the local planning authority.

No more than 280 dwellings within the development hereby permitted shall be occupied until the neighbourhood equipped area of play, as shown on the Master Plan, has been completed and is available for use.

With regard to the proposed playing fields, the scheme shall include:

(i) a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing fields which identifies constraints which could affect playing field quality,

and ,

(ii) based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing fields will be provided to acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations, associated with grass and sports turf establishment and a programme of implementation.

The approved playing field scheme shall be carried out in full and in accordance with a timeframe to be agreed with the local planning authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Each phase or sub phase of the development shall not be carried out otherwise than in accordance with the approved scheme.

25. Prior to the opening of the school, the playing fields within the school site, as shown on the Masterplan, shall have been laid out and made available for use.

26. Incorporated into 24 – NEAP provision and trigger

27. No more than 500 dwellings within the development hereby permitted shall be occupied until details of the playing fields in the southwest corner of the site (and any associated car parking and changing facilities) have been submitted to and approved by the Local Planning Authority and these works have been completed in accordance with the approved details and are available for use.

The changing facilities shall not be constructed other than substantially in accordance with Sport England/National Governing Body Technical Design Guidance Notes for Pavilions and Clubhouses (or any other superseding Sport England design guidance).

28. Before commencement of the construction of the local centre within the development hereby permitted, as shown on the Masterplan, a scheme shall have been submitted to and approved in writing by the local planning authority to secure the following facilities within the local centre:

A – the facilities approved for phase 1B under CR/2014/0061/ARM comprising:

(i) retail floorspace (which may include Use Classes A1, A2, A3, and or A5) of no more than 2,500 square metres (net) and of which no less than 50% shall be Use Class A1

- (ii) a community hall and/or ancillary public uses facility with associated car parking
- (iii) a public library facility;
- (iv) a covered transport waiting area;
- (v) a children's centre/play centre of approximately 90 square metres plus ancillary facilities (including a food preparation area and toilets);
- (vi) associated car parking, circulation and servicing facilities

B - a health centre of no more than 500 square metres and associated car parking, circulation and servicing facilities ;

and,

C- public toilets;

No more than 800 dwellings within the development hereby permitted shall be occupied until the facilities at A(ii) have been completed.

No more than 1000 dwellings within the development hereby permitted shall be occupied until (1) at least 50% of the retail floorspace approved pursuant to A(i) above and (2) each of the facilities listed at A(iii) – A (vi), B and C (inclusive) above and (3) any other facilities included within the approved scheme, have been completed in accordance with the approved scheme.

No more than 1500 dwellings within the development hereby permitted shall be occupied until all the retail floorspace approved pursuant to A(i) above has been completed.

29. Before the commencement of construction of phase 3 of the development hereby permitted, as shown on the Masterplan, a scheme identifying the facilities to be provided in association with the playing fields to the east of Balcombe Road shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition the scheme shall include proposals to secure the following:

- (i) changing facilities of no more than 300 square metres ;
- (ii) the playing fields as shown on the Masterplan;
- (iii) car parking associated with (i) and (iii) above.

The changing facilities shall not be constructed other than substantially in accordance with Sport England/National Governing Body Technical Design Guidance Notes for Pavilions and Clubhouses (or any other superseding Sport England design guidance).

No more than 1,000 dwellings within the development hereby permitted shall be occupied until the facilities have been completed in accordance with the approved scheme and are available for use.

30. No works comprising the erection of buildings hereby permitted in any phase or sub phase of the development hereby permitted shall be commenced until a scheme for the location and installation of fire hydrants within that phase or sub phase has been submitted to and approved in writing by the local planning authority. For the purposes of this condition each scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No building hereby permitted shall be occupied until the fire hydrants required to serve that building has been installed in accordance with the approved scheme.

31. Fire and Rescue Infrastructure – wording to be advised by WSCC.

32. Before the occupation of the 150th dwelling development hereby permitted, a scheme to secure the provision of primary school and secondary school places shall have been submitted to and approved

in writing by the local planning authority. For the purposes of this condition the scheme shall substantially accord with (1) the Education Position Statement dated June 2009 and (2) the details set out in document reference numbers R/WSCC/02C and R/WSCC/04 and shall include the following details:

(i) the mechanism (including the timing and phasing of delivery) by which a two form entry primary school (and associated community facility/interview room) shall be provided on the school site;

(ii) the mechanism (including timing) by which the demand for 100 secondary and sixth form school places arising out of the development hereby permitted (or such lesser number of places as has been approved in writing by the local planning authority) shall be met;

and

(iii) the mechanism (including timing) by which the demand for 60 primary school places arising out of the development hereby permitted (or such lesser number of places as has been approved in writing by the local planning authority) shall be met during the period before the primary school (as at (i) above) is completed and available for use.

The scheme shall be carried out as approved.

33. The residential development hereby permitted shall not be located otherwise than within Noise Exposure Categories A and B, assessed (as at the date of determination by the local planning authority of the scheme submitted pursuant to condition 34 below) in accordance with Annex 1 to PPG24, and taking into account noise from a possible second wide-spaced mixed mode runway at London Gatwick Airport as shown on ERCD 0308 figure 3.4 "London Gatwick Year 2030 - Noise contours with wide spaced parallel runway" or such other noise contours as may be published by the Civil Aviation Authority in respect of such second runway.
34. Before each phase of 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 within that phase against noise from
- (a) the operation of London Gatwick Airport (taking into account noise from a possible second wide-spaced mixed mode runway at London Gatwick Airport as shown on ERCD 0308 figure 3.4 "London Gatwick Year 2030 - Noise contours with wide-spaced parallel runway" or such other noise contours as may be published by the Civil Aviation Authority in respect of such second runway),
 - (b) the operation of the London/Brighton railway line,
 - (c) traffic on the A2011 and M23 and (where applicable)
 - (d) mixed source noise.

For the purposes of this condition the scheme shall include:

(i) a plan identifying the dwellings within that phase which require protection from noise;

(ii) the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35dB(A) Leq 16hr (between 0700 and 2300) and no more than 30dB (A) Leq 8hr (between 2300 and 0700); and

(iii) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45dB(A) LAFMax between 2300 and 0700.

Where the standards in (ii) and/or (iii) 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.

Each phase of the development shall be carried out in accordance with the approved scheme in respect of that phase. No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

35. Before the commencement of construction of the primary school on the school site a scheme to protect the school against noise from the operation of London Gatwick Airport (taking into account

noise from a possible second wide-spaced mixed mode runway at London Gatwick Airport) shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition the scheme shall:

(i) include forecast LAeq30min levels for the school site, for peak hour aircraft movements on easterly departures in the period between 0900 and 1600, assuming the operation of a second wide-spaced mixed mode runway at London Gatwick Airport (as above);

(ii) specify the means by which the internal areas of the school will meet the internal noise standards set out in Building Bulletin 93 (or any subsequent document which revises or replaces it), taking the forecast levels in (i) above into account; and

(iii) include evidence of reasonable efforts to achieve a noise level of 50dB(A) Leq30min (taking the forecast levels in (i) above into account) in respect of an appropriately sized external teaching area, in particular as regards the siting and orientation of surrounding buildings and (if necessary) the provision of a canopy over part or all of the said external teaching area.

The school hereby permitted shall not be constructed otherwise than in accordance with the approved scheme.

36. Before the commencement of construction of the local centre, community centre or health centre (as the case may be) hereby permitted, as identified on the Masterplan, a scheme to protect the local centre, community centre and health centre (as the case may be) against noise from the M23 and from the operation of London Gatwick Airport (taking into account noise from a possible second wide-spaced mixed mode runway at London Gatwick Airport) shall have been submitted to and approved in writing by the local planning authority.

For the purposes of this condition the scheme shall include the means by which the noise level within the operative parts of the local centre, community centre and health centre (as the case may be) hereby permitted shall not exceed 40dBLAeq30min for peak hour aircraft movements on easterly departures.

The local centre, community centre and health centre hereby permitted shall not be constructed otherwise than in accordance with the approved scheme.

37. No building within the B1, B2 and B8 development hereby permitted shall be occupied until the background LA90 noise levels at the noise sensitive properties which are proposed to be closest to that building, as shown on the Masterplan, have been submitted to and approved in writing by the local planning authority. At all times, the LAeq noise level (assessed in accordance with BS4142) plus a 5dB rating level (where appropriate, in accordance with BS4142) from all the activities from the proposed B1, B2 and B8 development on the site, measured 1 metre from the façade of any noise sensitive development, shall be at least 5dB below the approved background LA90 value.
38. No works to construct any building hereby permitted shall commence until a schedule of materials and finishes and, where so required in writing by the local planning authority, samples of such materials and finishes to be used for the external walls and roof of that building has been submitted to and approved in writing by the local planning authority. All buildings shall be constructed in accordance with the approved details.
39. The infrastructure, which is approved pursuant to condition 5 above, shall be provided (in accordance with the approved details) before occupation of any dwelling which is serviced by that infrastructure.
40. To be deleted – car parking.
41. Once laid out, areas for the parking and/or turning of vehicles, as approved pursuant to condition 5 above, shall not be used for any other purpose.
42. The area of land within the visibility splays, as approved pursuant to condition 5 above, shall be kept clear of any obstruction exceeding a height of 0.6m above the level of the nearest part of the highway. The visibility splays shall subsequently be retained at all times.

43. The proposed all moves junction between the A2011 and Balcombe Road shall not open to traffic until the works to junction 10 of the M23, in accordance with drawing number 0560/SK/124D, have been completed and are open to traffic.
44. The junction of Steers Lane and the access road into the west of the site, to serve the development hereby permitted, shall be in accordance with drawing number T260/2 rev C.
45. The development hereby approved shall include the following infrastructure works :

(i) works to the junction of Gatwick Road/Radford Road/James Watt Way in accordance with drawing number T261/13 rev.B ;

(ii) works to the junction of Radford Road and Steers Lane in accordance with drawing number T261/06 rev.B;

(iii) works to a combined footway/cycleway on the approaches to, and across, the Radford Road railway bridge, together with the construction of traffic signals to enable the shuttle working of traffic across the bridge and the widening of the road embankments and carriageways on each side of the bridge, in accordance with drawing number T261/09 rev C;

(iv) works to the junction of Balcombe Road and Steers Lane in accordance with drawing number T261/10 rev. D ; and

(v) works to convert the existing traffic signal controlled pedestrian crossings, as situated on the southern and western approaches to the roundabout at the junction of Gatwick Road and Fleming Way, to toucan crossings in accordance with drawing number 0560/SK/131.

No more than 300 dwellings within the development hereby permitted shall be occupied until the works have been completed and are open to traffic.

46. Before the occupation of more than 300 dwellings within the development hereby permitted, the following shall have been completed and been made open to traffic in accordance with a scheme previously submitted to and approved in writing by the local planning authority:
- (i) works to the junction of Gatwick Road/Hazelwick Avenue/Crawley Avenue: Hazelwick Roundabout in accordance with drawing number T262/40 rev.B;
- (ii) works to the all moves junction between the A2011 Crawley Avenue and Balcombe Road in accordance with the junction arrangement approved under planning permission CR/2013/0434/FUL;
- (iii) works to junction 10 of the M23 in accordance with drawing number 0560/SK/124D;
- and
- (iv) street lighting in relation to the section of Crawley Avenue situated between the Hazelwick Roundabout in the west and junction 10 of the M23 in the east .

47. No dwelling hereby permitted which is located to the east of Balcombe Road shall be occupied until the following have been completed and are open to traffic:

(i) works to the junction of Balcombe Road and Heathy Farm in accordance with drawing number T263/06 rev.C;

(ii) works to the junction of Balcombe Road and Radford Road in accordance with drawing number 0560/SK/105E;

(iii) works to the junction of Balcombe Road and Antlands Lane in accordance with drawing number T263/5 rev.A;

and

(iv) street lighting in relation to the section of Balcombe Road between Antlands Lane in the north and Crawley Avenue in the south shall have been provided in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

48. No more than 300 dwellings within phase 3 of the development hereby permitted shall be occupied until an emergency access which allows for a link between Phase 3 and Balcombe Road in the general location indicated on the Masterplan has been constructed and is open to traffic in accordance with a scheme previously submitted to and approved in writing by the local planning authority.
49. Traffic speeds shall be monitored along Balcombe Road in the locations shown on drawing ref. T264/1 rev. A every 3 months for a period of 2 years from the date of completion of the works to Balcombe Road pursuant to condition 47 above.
50. Following completion of traffic speed monitoring along Balcombe Road pursuant to condition 49 above a report shall be submitted to and approved in writing by the local planning authority. If the report identifies a requirement for further traffic speed management measures within the public highway, then such measures shall be carried out in accordance with a scheme previously submitted to and approved in writing by the local planning authority.
51. No dwelling within phase 4 of the development hereby permitted shall be occupied until:-
- (i) works to the junction of Balcombe Road and the north east access to the site, in accordance with drawing number 0560/SK/120C, have been completed and are open to traffic,
- or
- (ii) the junctions off Balcombe Road (junctions 12 and 12A) in accordance with drawing number T261/99A have been completed and are open to traffic.
52. No more than 300 dwellings within the development hereby permitted shall be occupied until the following have been completed and have been brought into public use in accordance with a scheme previously submitted to and approved in writing by the local planning authority:
- (i) a combined footway/cycleway along the western side of Balcombe Road from the junction between the new link road and Crawley Avenue/Balcombe Road in a southerly direction to St. Catherines Road, Pound Hill;
- (ii) an on road cycle route within Pound Hill to connect the Balcombe Road cycleway to the shops at Grattons Park and Milton Mount Schools;
- (iii) an on road cycle route along Grattons Drive and Chaucer Road to link to St. Mary's Drive;
- (iv) the installation of no less than 60 cycle parking stands on highway land, or such other location as may be agreed with the local planning authority, adjacent to Three Bridges railway station; and,
- (v) the installation of real time information screens at 4 existing bus shelters within the Manor Royal industrial area, at the locations which are shown on drawing number 0560/SK/130.
53. Within 3 months of the date of this permission, a scheme for the following works shall have been submitted to and approved in writing by the local planning authority:
- (i) a combined footway/cycleway to link the existing subway below Crawley Avenue to the shops at Grattons Park and Milton Mount Schools via the northern and eastern perimeter of Grattons Park; and
- (ii) a combined footway/cycleway to link the existing subway below Crawley Avenue to St. Mary's Drive via the northern and western boundaries of the public open space along, in the most part, an already defined route to form part of the Sustrans route.

For the purposes of this condition the scheme shall include a programme for implementing the works and bringing them into public use and shall be substantially in accordance with Section 2 of Working Paper 2 dated November 2006 prepared by WSP. The scheme shall be carried out as approved.

54. Before the occupation of the 300th dwelling within the development hereby approved, the following works shall have been completed and brought into public use, in accordance with a scheme previously submitted to and approved in writing by the local planning authority:
- (i) a short length of combined footway/cycle way along the eastern side of Gatwick Road between Tinsley Lane in the south to the existing traffic signal controlled pedestrian crossing of Gatwick Road in the north, and the conversion of two existing signal controlled pedestrian crossings of Gatwick Road and Fleming Way to toucan crossings, in accordance with drawing number 0560/SK/131;
 - (ii) a combined footway/cycleway along the southern side of Radford Road between Gatwick Road in the west, to a point to the west of the existing public footpath to the east of the public house in the east, to be constructed in conjunction with the traffic signal controlled shuttle working of traffic flows across the railway bridge and to form part of the Sustrans cycleway in accordance with drawing numbers T261/13 rev.B, T261/09 rev.C and T258/18 rev.A;
 - (iii) an on road cycle route along Tinsley Lane between Crawley Avenue in the south and Gatwick Road in the north in accordance with drawing number 0560/SK/132;
 - (iv) a combined footway/cycleway along the eastern side of Hazelwick Avenue to link between Crawley Avenue in the north and the Tesco superstore on Hazelwick Avenue in the south and to include the conversion of the pedestrian footbridge and approach ramps over Crawley Avenue, to the east of the Hazelwick roundabout to a combined footway/cycleway, in accordance with drawing number 0560/SK/133; and
 - (v) the installation of a bus shelter on the north side of Haslett Avenue East, opposite Three Bridges railway station, in accordance with drawing number TC 17/1A.
55. Before the occupation of (1) any dwelling within that part of phase 2 of the development hereby permitted which is located to the west of Balcombe Road, or (2) more than 300 dwellings within the development hereby permitted, the following shall have been completed and brought into public use:
- (i) a combined footway/cycleway along the northern verge of Crawley Avenue between the new Crawley Avenue junction in the east to the northern end of the Crawley Avenue underpass, in accordance with a scheme previously submitted to and approved in writing by the local planning authority;
 - (ii) a combined footway/cycleway on St. Mary's Drive between the railway bridge and Hazelwick School bus turning area and along the west side of Hazelwick Avenue between the proposed toucan crossing and the western end of the Hazelwick Avenue underpass in accordance with drawing number T266/06,
- and,
- (iii) an on-road cycle route along Somerville Drive and Pembroke Road between Somerville Drive and Grattons Drive in accordance with drawing number T266/06
56. No more than 500 dwellings within the development hereby permitted shall be occupied until a scheme for the provision of improved pedestrian crossing facilities on Haslett Avenue East, adjacent to Three Bridges railway station, has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition, the scheme shall (1) include a programme by when these facilities shall be completed and open to traffic and (2) be substantially in accordance with Section 3 of Working Paper 2 dated November 2006 prepared by WSP. The scheme shall be carried out as approved.

57. The scheme shall be implemented in accordance with the approved Bus Services Scheme ' Crawley North East Sector Bus Scheme (February 2013)' by PFA Consulting (CBC ref CR/1998/0039/CC5) or as otherwise agreed.
58. No more than 150 dwellings within the development hereby permitted shall be occupied until a scheme for the provision of bus stops (with real time passenger information) within the site shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition the scheme shall include a programme for provision of the bus stops. The development shall not be carried out otherwise than in accordance with the approved scheme.
59. A copy of the Sustainable Travel Information Pack in accordance with Appendix A of the approved Crawley North East Sector Residential Travel Plan (Issue 4) dated June 2013 , (CBC ref CR/1998/0039/CC6), updated and amended as required, shall be provided to the first occupier of (a) each building within the B1, B2 and B8 development, (b) the school, (c) the local centre, (d) the community centre and (e) each of the dwellings hereby permitted.
60. The approved Crawley North East Sector Residential Travel Plan (Issue 4) dated June 2013 shall be implemented as approved. A copy of the annual review shall be submitted to the local planning authority within 3 months of the review having been completed. The travel plan shall be implemented as approved.
61. No building within any part of the B1, B2, B8 development hereby permitted shall be occupied until a travel plan in respect of that part has been submitted to and approved in writing by the local planning authority. For the purposes of this condition the travel plan shall include:
- (i) a programme for its implementation;
 - (ii) a mechanism by which the local planning authority shall be provided with an annual monitoring report identifying both the progress which has been made in respect of the measures set out in the plan and the action to be taken to address any concerns arising out of implementation and application of the plan; and
 - (iii) appointment of a travel plan co-ordinator to manage and monitor the travel plan.
- The travel plan shall be implemented in accordance with the approved details.
62. No less than 40% of the total number of dwellings within each phase of the development hereby permitted shall be affordable housing, of which no less than 70% shall be available as social rented accommodation and the remainder shall be available as intermediate affordable housing.

The terms "affordable housing", "social rented housing" and "intermediate housing" within this condition, shall have the meanings set out in Annex 2B of the NPPF.

63. Before any works comprising the erection of a dwelling hereby permitted within any phase is commenced a scheme for the provision of affordable housing within that phase shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition such a scheme shall provide affordable housing which satisfies local housing needs (including the needs of the disabled where appropriate and identified) and shall include:
- (i) details of the type, size, tenure, location and timing of the provision;
 - (ii) proposals for the involvement (including future management) of a Registered Social Landlord ("RSL") (as defined in the Housing Act 1996) or such other affordable housing provider having Housing Corporation Preferred Partner status in delivering the affordable housing; and
 - (iii) details of any alternative arrangement involving another RSL or affordable housing provider with Housing Corporation Preferred Partner status (not specified in (ii) above) providing the affordable housing in the event that funding for the provision of any affordable housing within a phase of the development hereby permitted is not secured within 2 years of development commencing within that phase or such other period as may be agreed in writing with the local planning authority.

Affordable housing shall be provided in accordance with the approved scheme. No more than 75% of the open market dwellings within any phase shall be constructed before the dwellings to be offered as social rented properties have been completed and handed over to the RSL or such other affordable

housing provider as may have been approved pursuant to this condition. No more than 80% of the open market dwellings within each phase of the development shall be occupied until all affordable housing within that phase has been completed.

64. None of the dwellings hereby permitted shall be sited within (1) 100m of the eastern boundary of the London and Brighton railway line, as shown on drawing number CSA/667/031 rev.B, and (2) 40m from the western edge of the northbound carriageway of the M23.
65. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Classes A-C (inclusive) of Part 1 of Schedule 2 to that Order shall be carried out.
66. No works in respect of the construction of the development hereby permitted shall be undertaken at the following times:
 - (i) outside the hours of 0700 - 1800 on Mondays to Fridays (inclusive);
 - (ii) outside the hours of 0800 - 1300 on Saturdays;
 - (iii) on Sundays and on public holidays.
67. Notices to LPA – delete
68. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule at Annex C.

Members to note that the list of drawings for Annex C will be tabled at the meeting.

INFORMATIVES

1. Condition 6 sets out the original time periods as imposed on the original outline permission CR/1998/0039/OUT. Whilst the time periods have now passed for phase 1 and 2, they have all been included for completeness and the avoidance of doubt.
2. Network Rail strongly recommends the developer contacts AssetProtectionsSussex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement to enable approval of detailed works. More information can also be obtained from their website at www.networkrail.co.uk/asp/1538.aspx
3. The applicant's attention is drawn to the comments and advice provided by Network rail in its response to this application. A copy of the advisory note provided by Network Rail is attached to this decision notice.

NPPF Statement

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 through pre-application discussions/correspondence.
- Liaising with consultees/respondents/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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CR/2015/0552/NCC

Date 26 February 2016

Approx. Scale 1:1,250

FORGE WOOD, NORTH EAST SECTOR, CRAWLEY



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REFERENCE NO: CR/2015/0718/ARM

LOCATION: PHASE 2B, FORGE WOOD, (NORTH EAST SECTOR), CRAWLEY

PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 2B FOR 159 DWELLINGS AND RELATED WORKS PURSUANT TO CR/1998/0039/OUT FOR ERECTION OF UP TO 1900 DWELLINGS, 5000 SQ.M OF USE CLASS B1,B2 & B8 EMPLOYMENT FLOORSPACE, 2500 SQ.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

TARGET DECISION DATE: 25 January 2016

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Homes & Taylor Wimpey

AGENTS NAME: Pegasus Planning Group

PLANS & DRAWINGS CONSIDERED:

T.0335_06 Site Location Plan, T.0335_07.1 House Type PT41 Plots TW156 & 157, T.0335_07.2 House Type PB33G - Plots TW90, 91, 92, 102, 103, 104, 105, 106, 107, 110, 111, 112 & 113, T.0335_07.3 House CH1 - Plots TW119 & 144, T.0335_07.4 House PT36 & Type B - Plots TW100, 101, 108, 109, 114 & 115, T.0335_07.5 House PT36 & Type B - Plots TW152, 153, 154 & 155, T.0335_07.6 House Type PT36 & Type A - Plots TW120, 121, 141 & 142, T.0335_7.7 House Type PT37 Plots TW122, 158, 159, T.0335_7.8 House Type B - Plots TW88 & 89, T.0335_07.9 House Type B - Plots TW145, 146, 147, 148, 149, 150 & 15, T.0335_07-10 House Type A - Plots TW116, 117, 118, 123, 124, 125, 126, 127, 128, 129, 142 & 143, T.0335_07-12 House Type AA31-2 -Plots TW95, 97, 99, 132, 133, 135 & 136, T.0335_07-14 House Type WP2420A-2 - Plots TW96, 98, 130, 131, 134, 137, 138, 139 & 140, T.0335_07-17 Garages, T.0335_08 Refuse Strategy Plan, T.0335-11 Street Scenes, T.0335_14 Site Survey, TPP-7827-2B 02 24 09 2015 - Tree Protection Plan, T.0335 18 02 Tile Hanging, T.0335 18 03 Decorative Barge Board, T.0335 18 04 Brick Corbelling, T.0335 18 05 Canopies, T.0335 18 06 Window Styles, T.0335 18 07 Creasing Tile Feature, T.0335 18 08 Brick Coursing, T.0335 18 09 Stone Coursing, T.0335 18 10 Window Headers, T.0335 18 11 Window Cills, T.0335 18 12 Chimneys, T.0335_03A-1-BLOCK 1 Floor Plans, T.0335_03A-2-BLOCK 1 Elevations, T.0335_03A-3-BLOCK 2 Floor Plans, T.0335_03A-4-BLOCK 2 Elevations, T.0335_03A-7-BLOCK 4 Floor Plans, T.0335_03A-8-BLOCK 4 Elevations, T.0335_04A Building Heights Phase 2B, T.0335_05A Garden Sizes Phase 2B, T.0335_07-12A AA31-2 - TW95, 97, 133, 135, 136, T.0335_07-14A WP2420A-2 - TW96, TW98, TW99 TW130, TW131, TW132 TW134, TW137, TW138, TW139, TW140, T.0335_07-18 PB33G-2 - TW82, TW83, TW84, TW85 & TW86, T.0335_09A Affordable Housing Plan, T.0335_02C TW Site Layout Phase 2B, T.0335_03-5B-BLOCK 3 FLOOR PLANS, T.0335_03-6B-BLOCK 3 ELEVATIONS, T.0335_03-9B-BLOCK 5 FLOOR PLANS, T.0335_03-10B-BLOCK 5 ELEVATIONS, T.0335_03-11B-BLOCK 6 FLOOR PLANS, T.0335_03-12B-BLOCK 6 ELEVATIONS, T.0335_04B Building Heights Phase 2B, T.0335_05B Garden Sizes Phase 2B, T.0335_07A-3-CH1 - TW87, TW119, TW144, T.0335_09B Affordable Housing Plan, T.0335_21 Cycle Lockers, 667_187_C_Phase 2 Residential Soft Landscape Proposals_Sheet1of3, 667_188_C_Phase 2 Residential Soft Landscape Proposals_Sheet2of3, 667_189_C_Phase 2 Residential Soft Landscape Proposals_Sheet3of3, 667_190_C_Phase 2 Residential Hard Landscape Proposals_Sheet1of3, 667_191_C_Phase 2 Residential Hard Landscape Proposals_Sheet2of3, 667_192_C_Phase 2 Residential Hard Landscape Proposals_Sheet3of3, P775_1B - Vehicle swept path (car) - Sheet 1 of 2, P775_2B - Vehicle swept path (car) - Sheet 2 of 2, P775_5B - Finished levels plan Sheet 1 of 2, P775_6B - Finished levels plan Sheet 2 of 2, P775_9 - Private construction details, P775_10

- Adoptable construction details, P775_12C - Vehicle swept path (refuse vehicle) Sheet 1 of 2, P775_13B - Vehicle swept path (refuse vehicle) Sheet 2 of 2, T.0335_07B-3-CH1 - Plot 119&144, T.0335_07B-20-CH1 - Plot TW87, T.0335_08A Refuse Strategy Plan, T.0335_11A Street ScenesLR, T.0335_15A Enclosure Details

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--|---|
| 1. | GAL - Planning Department | No objection - all proposed dwellings are located outside the area of the site that is predicted to be exposed to noise levels that the Secretary of State deemed to be unacceptable. |
| 2. | GAL - Aerodrome Safeguarding | No objection subject to condition and informative |
| 3. | Network Rail | Objection – A similar objection has been raised to the owners of the Goods yard. Network Rail are concerned this Reserved Matters application has been put forward before the acoustic attenuation measures between the houses and the Crawley Goods yard has been designed and proven to be technically sound. |
| 4. | Environment Agency | Objection – Lack of information regarding drainage, additional supporting information required on drainage calculations, catchments for 2a and long term maintenance. – (note amended document now submitted – see drainage section in report). |
| 5. | WSCC - Highways | No highway objections in principle. Minor modifications suggested to layout. |
| 6. | Thames Water | Requesting Grampian style condition is imposed as Thames Water consider there is inadequate sewerage capacity. |
| 7. | Sussex Building Control Partnership | No comments received |
| 8. | Police | Concerns over 10 parking bays to the north of block 1 (not observed from an active room). Block 1 has now been reoriented and parking area is now observed. |
| 9. | CBC - Drainage Officer | No objection to amended Surface Water Strategy |
| 10. | CBC - Property Division | No objection |
| 11. | CBC - Housing Enabling & Development Manager | Concerns with housing mix and dwelling clustering. |
| 12. | CBC - Planning Arboricultural Officer | No objection provided works are in accordance with the recommendations in the Arboricultural impact assessment |
| 13. | UK Power Networks | No objection |
| 14. | CBC - Environment Team | No comments |
| 15. | | CBC - Environmental Health Objection regarding the lack of information on the protection of noise from the Goods Yard future occupants. |
| 16. | Cycle Forum | No comments received |
| 17. | | CBC - Refuse & Recycling Team Conditional – Issue raised with regard to communal collection points, collection distances and suitability of surfaces to accommodate collection vehicles. |
| 18. | Southern Water | No comments. |
| 19. | CBC - FP - Urban Design | Comments on layout and design detailing. The majority have been addressed in revised layouts. |
| 20. | Ecology Officer - Mike Bird | No objection. Informative to be attached to decision. |
| 21. | WSCC - Surface Water Drainage (SWD) | No objection. Conditional. |
| 22. | National Air Traffic Services (NATS) | No objection |

NEIGHBOUR NOTIFICATIONS:-

This application was publicised via press and site notices.

RESPONSES RECEIVED:-

First Plan on behalf of Day Group Ltd (occupiers of Crawley Goods Yard) – Objection. Insufficient consideration has been given to the current operations of the Goods Yard in terms of the relationship to the closest residential properties and the mitigation required. The future potential of the Goods Yard, for example in relation to potential for additional unloading of trains at night and the implementation of the construction and demolition waste recycling plant needs to be taken into account.

REASON FOR REPORTING TO COMMITTEE:-

The application is part of the North East Sector in which CBC has a land interest, there are also objections to the proposal contrary to the Officer recommendation.

THE APPLICATION SITE:-

- 1.1 The Application Site is part of Phase 2 of the Forge Wood site forming a sub phase known as Phase 2b. This parcel is located at the southern end of Phase 2, adjacent to the employment area and then leading down to the fishing lakes and bordering the central parkland.
- 1.2 In respect of Phase 2b, the site area is 5.56ha which forms part of the western development parcels within the wider development site.
- 1.3 The site is bounded a strip of farmland/ woodland to the west beyond which is the London-Brighton railway line and beyond that is the Good Yard, the central parkland to the east, and the woodland/ancient woodland to the south. The site will join Phase 2c on the northern boundary which is currently farmland.
- 1.4 The topography of the site and surrounding area is broadly flat and slightly higher towards the western side of the site. The Gatwick stream runs from south to north through the far eastern part of the site. There is a large pond just beyond the south western corner of the site which is used by a local fishing club. The site is identified as an archaeologically sensitive area. There are mature trees located on the west along the railway line and along the southern boundary. There are smaller trees of lower quality shown to be removed on the proposed site layout which bisect the upper section of the site.
- 1.5 Phase 2 of the development is located west of the large floodplain which will form the new central parkland. The closest residential units to the designated floodplain are the large 3-storey apartment blocks. The new spine road will bisect the floodplain linking Phase 2 to other parts of Forge Wood.

THE PROPOSED DEVELOPMENT:-

- 2.1 This application seeks the Approval of Reserved matters for Phase 2b of Forge Wood. The application comprises 159 dwellings and the associated roads/private drives (not approved under application CR/2015/0628/ARM), car parking including garaging, pedestrian and cycle links, public open space and hard and soft landscaping and other associated works.
- 2.2 The development comprises apartments and houses 2-2 ½ storeys in height grouped and designed in 'character areas', the design and layout showing details of parking, private drives, surfacing and landscaping proposed for the development.
- 2.3 This Reserved Matters application seeks approval for 159 residential units comprising of:
 - 2 x 4 bedroom detached dwellings;
 - 52 x 3 bedroom semi-detached and terraced dwellings;
 - 24 x 2 bedroom semi-detached and terraced dwellings;
 - 18 x 1 bedroom (2 person) apartments;
 - 21 x 2 bedroom (3 person) apartments;
 - 42 x 2 bedroom (4 person) apartments.
- 2.4 There are three main character areas within Phase 2b which have evolved from the original design statement and are now detailed within the layout. These are:

- 'CA1 / Main Street' – This character area consists of the semi-detached and terraced properties west of the main spine road. The majority of these properties are open market housing with the exception of plots 82-86 which are intermediate housing. These dwellings are an even split between 2 and 2 ½ storeys in height. The private market houses have individual single storey brick garages positioned to the rear of each property.
 - 'CA2 / Parkland Edge' – This character area consists of the 3 storey apartment blocks to the east of the main spine road bordering the central parkland. There are six apartment blocks with a tenure split of: 3 open market; 2 social rent; and 1 intermediate.
 - 'CA3 / Neighbourhood Housing' – This is the largest character area in Phase 2b consisting of a mixed of terraced, semi-detached and detached properties of a mixed tenure. The properties on the western side of this character area benefit from an attractive outlook onto the parkland adjacent to the employment area.
- 2.5 This phase will provide just over 40% affordable housing (64 units). As required by condition 62 at least 70% of the whole of Phase 2 will be provided as rented accommodation with the remainder being intermediate housing.
- 2.6 The phase is accessed via the new spine road to serve phase 2 which connects to the wider neighbourhood via two bridge crossings. The principal point of access for this phase would be via the southern spine road and bridge crossing which forms part of the application site. The main spine road through this phase of development leads through Phase 2c and into Phase 2a further to the north. The new spine road serving Phase 2b will also provide one of the accesses into the employment land adjacent to this west phase (adjacent to the railway line).
- 2.7 The following documents have been provided in support of the application:
- Design Statement;
 - Planning Statement;
 - Phase 2 Sustainable Surface Water Drainage Strategy (Amended document December 2015)
 - Phase 2b Residential Landscape Management Plan;
 - Arboricultural Impact Assessment;
 - Ecological Assessment.

PLANNING HISTORY:-

- 3.1 The planning history for this site which includes reference to this phase, has been set out in detail in sections 1 and 2 of the Officer report CR/2015/0522/NCC (Item 1 on this agenda). Forge Wood was originally granted outline planning permission under application reference CR/1998/0039/OUT.
- 3.2 In respect of this sub-phase, in January 2016 approval was granted under CR/2016/0628/ARM for the design of the main internal distributor road and a number of smaller secondary roads serving Phase 2 of the development. The fixing of the vertical and horizontal alignment of the distributor road has allowed the 'reserved matter' applications for the various parts of the Phase 2 to be brought forward as land parcels.
- 3.3 As set out in paragraph 3.1 above, the outline planning permission (CR/1998/0039/OUT) as recommended to be varied under application CR/2015/0522/NCC is directly relevant to the determination of this reserved matter application and of particular relevance are the following planning conditions as worded from that expected decision:
- 3.3.1 Condition 1 requires the development to be in substantial accordance with the Masterplan drawing and Design Statement provided to support the outline application. It also requires that the average density of the development shall be 41 dwellings per hectare in the residential areas.
- 3.3.2 Condition 2 requires a detailed design and access statement to be submitted with each phase or sub phase of the development and for this document to demonstrate how the phase meets the objectives of the Design Statement.
- 3.3.3 Condition 3 seeks delivery of the development in accordance with the approved Phasing Plan P.1036_13D-2.

- 3.3.4 Condition 5 requires approval of the siting, design, external appearance and landscaping be obtained before work is commenced on that phase.
- 3.3.5 Condition 8 sets out in detail the particulars required to accompany each reserved matter application while condition 9 specifies the particulars required for the site tree protection measures.
- 3.4 Specific conditions are also imposed which influence design features for the development these include:
 - 3.4.1 Condition 40 which states that the number of parking spaces for the development shall not exceed the standards set on in Annex B of the Council's "Planning Obligations and S106 Agreements" SPD. It should be noted that this condition is proposed to be deleted under the NCC application as this condition is not considered necessary as the adequacy of the parking provision is assessed against standards as part of the Reserved Matters. Condition 41 requires the parking provision once laid out to be only be used for this purpose.
 - 3.4.2 Condition 64 requires that none of the dwellings be positioned closer than 100m from the railway/good yards buffer as shown on drawing CSA/667/031 Rev A (or on drawing number CSa/667/031/Rev B in respect of NCC application).
 - 3.4.3 Condition 65 which removes permitted development rights for ground floor side / rear extensions and roof alterations for all the dwellings.
- 3.5 With regard to affordable housing condition 62 requires no less than 40% of the total number of dwellings within each phase to be affordable housing while condition 63 requires agreement of a 'scheme' for the provision of affordable housing in each phase of the development to be submitted to and approved by the LPA.

PLANNING POLICY:-

National Planning Policy Framework

- 4.1 This document is a material consideration. It emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development and that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Listed within the core principles in this document is the requirement that the planning system should "*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings* (paragraph 17)". Paragraphs 56 to 66 expand upon this principle stating amongst other things that development plans should have robust and comprehensive policies which set out the quality of development expected for an area.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise.

Crawley Borough Local Plan 2015-2030 (adopted December 2015)

- 4.3 Housing policy H2 identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings with the period to 2020. Policy H3 requires all housing development to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. Affordable and low cost housing should be provided as part of the housing mix and policy H4 specifies the requirement for affordable housing. In this case the affordable housing requirements for Forge Wood are already addressed through conditions 1, 62 and 63 on the outline permission / NCC application.
- 4.4 Overarching policy SD1 sets out the presumption in favour of sustainable development in line with 6 strategic objectives which include progress towards climate change commitments, providing a safe and secure environment for residents and visitors and meeting the social and economic needs of the current and future population and policy CH1 supports development in line with the neighbourhood principle (of which this sub-phase of Forge Wood complies with).
- 4.5 Policy CH2 sets out the principles for good urban design and states:
To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:

- a) *respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets;*
- b) *create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas;*
- c) *create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people;*
- d) *make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks;*
- e) *provide recognisable routes, intersections and landmarks to help people find their way around;*
- f) *consider flexible development forms that can respond to changing social, technological and economic conditions; and*
- g) *provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.*

Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.

- 4.6 Policy CH3 sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.
- 4.7 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 4.8 Policy CH5 sets out the internal space standards for all new dwellings in line with the Nationally Described Space Standards and also requires development to include appropriate provision of external space (currently set out in SPG4).
- 4.9 Policy CH6 seeks to ensure landscape proposals for residential development contribute to the character and appearance of the town and seek to ensure 1 new tree for each dwelling and where trees are lost seek mitigation in line with the published replacement standards.
- 4.10 Policy CH7 identifies the central parkland area directly to the east of the application site as structural landscaping and an important feature that should be protected and enhanced, this link has been considered and identified as integral landscape feature in the overall masterplanning of Forge Wood.
- 4.11 Policy CH12 seeks to protect heritage assets. This site has been identified as an archaeologically sensitive area and condition 19 on the outline /NCC application has covered these requirements.
- 4.12 Policy EC4 requires that where development is proposed adjacent to main employment areas, the economic function of the employment area is not restrained. Condition 64 on the outline / NCC application addresses this issue in relation the Rail Goods Yard which is located to the west of the site adjacent to the main railway.
- 4.13 Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.
- 4.14 ENV6 sets out the requirement for all development to maximise carbon efficiency with all new dwellings being required to have strengthened on-site energy performance standards while policy

EN9 seeks to ensure development is planned and designed to minimise the impact on water resources and promote water efficiency.

- 4.15 Policy ENV8 seeks to ensure development proposals must avoid area which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere (the suitability of this site was considered as part of the outline application, through the overall masterplan layout and via planning conditions).
- 4.16 Policy ENV11 seeks to protect people's quality of life from unacceptable noise impacts, these issues were addressed via conditions on the outline / NCC application.
- 4.17 Policy IN2 requires residential development to be designed and connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- 4.18 Policy IN4 requires development to meet its needs when assessed against the Council's car parking and cycle parking standards.

Supplementary Planning Guidance and Documents

- 4.19 The following documents are also relevant in the consideration of this application:
- 'Planning Obligations and Section 106 Agreements Supplementary Planning Document' – This document sets out the LPA parking and cycle parking standards for new development.
 - Supplementary Planning Guidance Note 4 – 'Standards for Private Outdoor Space' – provides guidance on the minimum standard of provision for private outdoor space.

PLANNING CONSIDERATIONS:-

- 5.1 The principle of the new neighbourhood, the amount of development and the access arrangements for the site at the principal road junctions are established by the outline planning permission and subsequent variation of condition application if permitted (CR/2015/0522/NCC). The NCC application if permitted would vary certain conditions on the outline approval and in effect will result in the issue of a new outline planning application for Forge Wood. This proposal is a reserved matter application and the LPA cannot refuse to approve any 'Reserved Matter' on grounds which go to the principle of the development but must consider the details relevant only to that particular application. The purpose of a Reserved Matter application is to agree the detail for the development and in respect of this proposal comprises the detailed design and layout of the phase 2b residential dwellings.
- 5.2 The key issues in considering this application are considered to be:
- Is the development in substantial accordance with the approved Masterplan and design statement?
 - Design approach and the links to the subsequent phases of development;
 - Affordable housing: quantum, mix and design;
 - Adequacy of the (private) dwellings for future occupiers;
 - Parking and access considerations;
 - Noise and sustainable design considerations;
 - Impacts on ecology / habitat;
 - Drainage;
 - Foul Drainage.

Is the development in substantial accordance with the approved Masterplan and design statement?

- 5.3 The approved Masterplan (and NCC masterplan) shows Phase 2b split into two parcels of land. Higher density development of 3-4 storeys is shown on the eastern section of the site overlooking the central parkland. The remaining land shown on the masterplan forms the 'Neighbourhood housing' and 'Main Street' which is made up of lower density housing. The Masterplan shows a large area of open space to the west of the residential development. A mature treeline separates the housing from the commercial area and access paths are shown providing integration between Phase 2b and the part of Phase 3 (commercial area).

- 5.4 Comparing the approved masterplan to the proposed site layout a group of three storey apartment blocks are shown on the eastern section of the site and lower density housing on the remaining built up area of this phase. The areas to the east and west of the site are shown landscaped and will form open space elements of Phase 2. The open space forms part of the flood attenuation features for this area with Swale 2B located to the east of 'Parkland Edge' and Basin 3 on the south-east part of the site. It is considered that the site layout for Phase 2b as proposed in terms of its general layout is in substantial accordance with the masterplan as required by condition 1.
- 5.5 In respect of the proposed density of this phase, condition 1 requires each phase to be on average 41 dph in residential areas. The net developable area of the phase is shown as 2.92 ha which provides an average density of approximately 54 dph. The average density for phase 2 is likely to be achieved with Phase 2b and 2c providing a higher average density to compensate for the lower densities of phase 2a and 2d and therefore phase 2b is acceptable as phase 2 overall would meet the overall requirements of the condition.
- 5.6 A design statement was submitted with the outline planning permission and in allowing the appeal the inspector required that the 'Reserved matters' applications be in substantial accordance with this document (condition 1). As set out in 2.4 the residential layout has evolved in 'character areas' taking into account the physical attributes and characteristics of particular parts of the site and masterplan layout, the suggested design parameters and objectives for the form of development within each area. The outline design statement shows three character areas within Phase 2b which have been accurately reflected in this Reserved Matters application. In particular, the design parameters and objectives for the form of development within each character area as outlined in the submitted D&A Statement are considered to be in accordance with the outline overarching design statement.

The Design approach and links to subsequent phases of the development

- 5.7 The LPA through the determination of the Phase 1 applications worked with the applicants to agree design of house/apartments types and architectural detailing which could be carried through into the later phases of the development. The focus is on well proportioned architectural features on the properties to create a distinctive, well articulated style of house design. The three character areas shown in this phase of development would have their own detail and finishes to aid legibility in the streetscape. The attention to detail of the hard and soft landscaping will also add to the distinctiveness of the public realm in these areas. The intention is that these house styles from Phase 1 would be continued into the later phases of the development where the different 'character areas' are repeated providing a unique architectural identity and cohesion to Forge Wood as a whole.
- 5.8 Phase 2b occupies the southern parcel of land within Phase 2 and the relationship to Phase 2c is an important planning consideration to provide a cohesive, well designed overall development. A small 3-bay terraced unit and a pair of semi-detached dwellings border the northern site boundary forming the edge of the Phase 2c (Persimmon) development. Amended plans have been received increasing these 2 storey dwellings to 2 ½ storeys in height to reflect the increased height of the neighbouring apartments blocks. The 'Parkland Edge' character area starts with Block 1, continuing south with five apartment blocks of a similar massing and design. Block 1 (Phase 2b) is three storeys in height, similar to the closest apartment block 9 on Phase 2c. The principal elevations of both blocks will face each other which forms a good relationship and cohesion between both phases of the development. A number of revisions to plot types and designs have been made during the course of the application to improve design features including elevational details and house types and to increase natural surveillance within the layout with insertion of additional windows on some plots (addressing design comments and police comments).
- 5.9 In terms of the architectural detailing, individual design features are shown on the various house types and detailed information has been provided for some features such as brick detailing, tile hanging etc however, it would appear that some details have been omitted and further clarification is being sought from the applicants. It is considered that any omission to the detailing could be controlled via condition and Members will be advised at the meeting if such a condition is necessary.
- 5.10 The applicant has submitted basic design details for two window types to be used on Phase 2b. There are a variety of window types to be used within Phase 2b and it is not considered that there is sufficient information supplied to approve window design details for this phase. It is therefore

considered appropriate to condition these details requiring further information to be supplied of these window details.

- 5.11 During the course of the application the design and layout has been amended to ensure the development in terms of finish and quality appears tenure blind, amended plans have now addressed the design differences created by projecting balconies on the private flats and have removed this feature, the design appearing incongruous with the design of other dwellings along the parkland edge. Furthermore, the affordable houses will be constructed in the same materials as the private dwellings and there will be no visual difference between the private and affordable units within this phase of development.

Affordable Housing

- 5.12 Within Phase 2b, just over 40% of the units are shown to be affordable housing in line with the requirements of condition 62. In terms of affordable dwelling mix for Phase 2b the layout provides 22 houses (2 and 3 bed) and 42 apartments (1 and 2 bed). This mix is considered acceptable as is the proposed tenure split.
- 5.13 The affordable houses within the layout are positioned along the western side of the 'Neighbourhood housing' character area. These properties are arranged in a linear formation, parallel to the proposed commercial area but with open space on the intervening land. The affordable housing is shown set back by approximately 50 metres from the commercial area and separated by a large area of open space and existing trees. It is not considered the positioning of the affordable units results in an unacceptable clustering of the dwellings, the houses are dispersed linearly along the internal phase 2b road layout.
- 5.14 Apartments blocks 1, 2 and 4 provide 42 affordable units in 3 blocks (social rent and intermediate affordable housing units). These blocks of apartments show the same general massing and internal layout as the private units. Therefore, the general arrangement of affordable units is considered acceptable and again the number of units and their position is not considered to result in an excessive cluster of affordable dwellings.
- 5.15 In terms of internal space standards the affordable units have equivalent provision to the private units and all the affordable houses comply with the internal space standards set out in policy CH5 of the adopted CBC Local Plan.
- 5.16 In terms of the provision of amenity space for future affordable housing occupants, the majority of garden sizes meet or are within 10% of the required standard as set out in SPG4. Plots 82-86 were amended from 2 to 2 ½ storey improve the design in terms of scale with the opposing 3 storey apartment blocks. This increase in floor space created by the room in the roof has resulted in a larger garden space being required (as per guidance SPG4) however this is not considered achievable in the current layout. The gardens for these units are considered an adequate size and shape and the reduced size is not considered to warrant a reason for refusal in this circumstance. One plot has a small garden due to its corner location however this is still considered to have a useable garden and on balance, it is considered that the garden sizes proposed for the affordable units are acceptable given the site layout.

Adequacy of the (private) dwellings for future occupiers

- 5.17 The private dwellings within Phase 2b have all been designed and comply with National Described space standards as reflected in policy CH5 of the adopted Local plan. The majority of garden sizes are again compliant or within 10% of the required standard as set out in SPG4. There are 18 gardens which are only within 25% of the required standard however all these gardens all have usable garden areas and it is considered that overall the small number of plots which are affected is not so harmful to the design and layout of the development overall to warrant a refusal on this basis.. As private dwellings, it is a future buyers decision if the more limited garden is suitable for their needs and on balance the level of provision is considered acceptable.
- 5.18 In respect of privacy and overlooking, the layout is generally considered to have sufficient separation between dwellings to safeguard outlook and privacy. Apartment blocks 2 and 4 have a

fairly close separation distance at approximately 8 metres and there are is a small bedroom window on the centre line of block 4 and a larger window towards the edge of the facing elevation of block 2. Due to the diagonal aspect between these windows it is not considered that there would be any direct views between rooms and the amenity of future occupants would be protected.

- 5.19 The layout is very tight in places in ensuring appropriate rear window to window distances between specific plots in order to ensure privacy. SPG4 states a separation distance of at least 21m between rear windows of proposed dwellings to be met unless an appropriate design solution is adopted. Plots 125 and 110/111 have a separation distance of 18.5 m, however plots 110/111 are set at an angle to reduce any overbearing/overlooking impact on amenity. Plots 139/140 to 128/127 have a separation distance of 20.5m which on balance is acceptable. Plots 156/157 and 148 -151 have a separation of 19m which is considered on the margins of acceptability although in this case there is little scope to adjust the unit separation due to the road alignment and 100m development buffer imposed by condition 64.
- 5.20 While the layout is extremely tight and in a few places distances are below what is usually acceptable in new residential layout, is considered on balance acceptable as in this case. It should be noted that the privacy between the dwellings should not be worsened post construction as permitted development rights for roof alterations and extensions have been removed by the outline permission and therefore future alterations to these units are controlled (requiring planning permission).

Parking, access and servicing considerations

- 5.21 Parking is provided on-site in line with the Council's adopted parking standards as per condition 40. All the apartments have one space per dwelling and provision for visitor parking. All dwellings with two bedrooms or larger provide two spaces. The larger dwellings provide an additional space through garage parking.
- 5.22 The visitors parking for this phase of development is fairly generous providing 30 spaces. A large proportion of the visitors parking is provided adjacent to the western open space. The provision for the apartment blocks is provided along the spine road with one space within the parking forecourt. There is limited visitors parking for the southern section of the development, however most properties have two allocated spaces and garages providing an additional parking space. In conclusion, the parking provision on this Phase of development accords with policy IN4 of the CBC Local Plan.
- 5.23 Policy IN4 also requires that cycle storage is provided for each new unit in the development. Individual cycle stores have been shown in the garden of each house in this Phase and a group cycle storage is provided for the apartments details to be controlled via condition.
- 5.24 A comment was submitted by CBC Waste and Recycling department regarding the use of communal bin stores and concerns regarding access to the bin stores in the forecourts to the rear of the apartment blocks and that the large bins shown for the apartment blocks are difficult to move. Amended plans have now been received bringing forward the positioning of the bin stores to enable improved efficient access from the spine road or the shared surface area between each block. The bin store for block 1 has been moved towards the front of the block (previously located to the rear of the forecourt) which enable efficient access for refuse collection. The bin store for block 4 has also been moved forward and the swept path for refuse vehicles extends into the shared forecourt. The bin collections points for Phase 2b have been kept to a minimum and serve a maximum of 3 properties.

Noise and sustainable design considerations

- 5.25 Condition 34 (a) requires a 'scheme' to demonstrate the dwellings have sufficient protection against aircraft noise. It is noted however, that GAL have commented that dwellings in phase 2b are unlikely to require mitigation as the runway contour is further to the north of the site, this information or lack of such a requirement has not been verified by the applicants. In the event measures are required a technical specification has been provided by the LPA which demonstrates that an appropriate scheme

can be implemented without significant changes to the external appearance of the dwellings and the requirement would be met through the discharge of condition 34(a).

- 5.26 Condition 34 also requires a 'scheme' to demonstrate the dwellings have sufficient protection against noise from:
(Condition 34(b)) - the operation of the London/ Brighton railway line and,
(Condition (34d)) - mixed source noise from for example the Goods Yard.
A scheme for the protection of Phase 2b residents from noise associated with operation of the London/Brighton railway line and the Goods Yard is currently being considered by the LPA. This scheme proposes a temporary 7m acoustic fence along the edge of the railway adjacent to the employment land (Details under application CR/2016/0080/FUL submitted in January 2016).
- 5.27 The Environmental Health Division and First Plan (on behalf of the Goods Yard) have raised an objection to Phase 2b and the acoustic barrier due to insufficient technical data. It is considered that given the known operational requirements of the Goods Yard and that the use is a known noise source, further information must be provided by the applicants in order to establish whether an effective acoustic buffer can be constructed in the location proposed. In the absence of this information and any assurances on the acoustic mitigation proposed, the layout of Phase 2b cannot be agreed and would potentially need re-designing to ensure no future occupants are subject to unacceptable levels of noise. At the time of preparing the report, further information has been sought from the applicants to verify the acoustic performance of the fence/ barrier design and Members will be updated on this matter verbally at the meeting.
- 5.28 In addition Phase 2b is also affected by the requirements of condition 64 which requires that none of the proposed dwellings shall be positioned close than 100m to the railway/good yards buffer as shown on drawing CSA/667/031 Rev A. Reviewing the submitted layout it is considered that the 100m buffer zone and been maintained complying with condition 64 in this respect. While the physical setback of the dwellings has been complied with in respect of this condition, the original masterplan layout assumed that the employment buildings would be provided as part of the same phase to provide the acoustic protection needed for the dwellings. The temporary noise fence is now required to provide the additional mitigation that was assumed would be provided by the employment buildings which are now to be delivered in a later phase of the development.
- 5.29 In respect of condition 23 as proposed by the NCC, this requires an assessment of the buildings to meet sustainable design and construction measures offsetting 10% of predicted carbon emissions (energy) through a combination of sustainable design and construction or on-site renewable energy. The sustainable construction or 'fabric first' approach would have no impact on the exterior of the buildings as designed however, the introduction of renewables most likely PV panels would have a visual impact on the design of the dwellings and it is proposed that in such circumstances details of any PV panels to be installed is controlled via a condition to safeguard the visual quality of the development.

Impact on ecology, existing trees / landscaping and ancient woodland

- 5.30 The Ecological report submitted with this application has concluded that the habitats within phase 2b are considered to be of some ecological value however there are habitats of comparatively greater value in the wider site area (ie. Woodlands and Gatwick Stream to the east and west of the site). The site has been regularly surveyed for protected species to ensure existing habitats are protected and/or suitable mitigation is provided.
- 5.31 The trees within and adjacent to the site were assessed for their potential to support roosting bats and none were recorded as having potential to support roosting bats. The proposed felling of a small number of immature and semi-mature trees on the site was not considered to have a significant impact on the long-term foraging opportunities for bats. Importantly the new Sustainable Urban Drainage System will provide further enhancement for bats foraging opportunities as a suitable potential mitigation system.
- 5.32 The majority of the application site comprises habitats that are not suitable for common reptiles however a low number of Grass Snakes have been recorded on the site. Natural England's standing advice for reptiles has been considered in relation to the grass snakes, the loss of this habitat was

accepted with the grant of outline permission and the proposed measures in the ecology report are for relocation of any species to areas within the wider site unaffected by development. This approach along with the precautions recommended during construction are considered adequate.

- 5.33 Regarding the presence of Great Crested Newts within the site and wider area, a small population has been recorded within ponds P6 and P9b and ditch P8. The nearest waterbody is approximately 10m west of the application site. A total of four new ponds will be created in order to mitigate for the loss of ponds P6 and P9b. Therefore there will be an overall net gain in pond numbers post-development, as per Natural England's guidance. This mitigation was considered suitable in relation to the protection of the GCN population within the wider site area.
- 5.34 The advice received from our Ecology consultant concluded there are no biodiversity conservation grounds for refusal, subject to full implementation of the recommendations contained in the submitted Ecology report.
- 5.35 The layout for Phase 2b is buffered by the woodland which provides a separation distance of 75m to the designated ancient woodland area. There were no objections raised by the Arboricultural officer to the recommendations set out in the Arboricultural report subject to tree protection measures being in place during construction in line with the recommendations.
- 5.36 Policy CH6 states that where a development would result in a loss of trees, applicants must mitigate this loss through replacement or new tree planting in an appropriate location. The applicant is proposing to remove two trees of moderate (Cat B) quality and four trees of low (Cat C) quality. The loss of these trees is required to install the spine road and SUDS which bisect the application site. The like-for-like replacement trees on the Forge Wood development is not a viable solution due to the Greenfield nature of the site. The proposed tree planting schedule is considered acceptable and in general compliance with policy CH6, the proposed soft landscaping drawings show ample planting of semi-mature specimens around the development which will improve the street scene and compensate for this minimal loss of existing trees.
- 5.37 In conclusion, the principle of this loss of countryside and habitat was accepted by the outline permission and ecology study, the design and layout of the dwellings is considered to provide adequate mitigation for the protected species and safeguards are appropriate for the adjoining Ancient Woodland and retained trees /hedges.

Drainage

- 5.38 There is a need to ensure that there is an effective drainage strategy for the construction phase of this phase of the development and to serve the development as a whole. The drainage strategy submitted for the site pursuant to condition 16 (but not yet fully discharged) assumes that sewer alignments would be under the main roads and this is shown in the submitted plans approved for the phase 2 spine roads under CR/2015/0628/ARM along with the agreed positioning of the swales as indicated on site wide strategy.
- 5.39 The Phase 2b application was submitted in parallel with phase 2a and the spine road applications with an identical drainage strategy supplied for each application. In order to determine the spine road application, the drainage strategy for phase 2 was subject to further discussion following the initial concerns raised by the Environment Agency and Drainage officer. An amended document was prepared and the overall drainage strategy was agreed for phase 2 as part of the spine road application. This agreed document has now been submitted for phase 2b. Phase 2b drains towards Swale 3 to the east of the site, this feature holding the water until its release into the Gatwick Stream.
- 5.40 The outstanding matter regarding drainage is the future long term maintenance and management of the drainage features and this is the subject of ongoing discussions in respect of the site wide drainage strategy under condition 16. The approach is that the drainage would be the responsibility of a private management company and finalised details of the arrangements and financial safeguards are still to be submitted this condition.

Foul drainage

- 5.41 Thames Water have commented that the existing waste water infrastructure is unable to accommodate the needs of the development and have recommended that a 'Grampian Style' condition be imposed requiring an on and off-site drainage strategy for the proposed works. It is not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application as such issues should have been conditioned at outline stage. The appeal Inspector did not impose a specific condition in respect of foul water drainage.
- 5.42 The applicants have confirmed that they have a foul drainage strategy and agreement with Thames Water which covers the whole development which comprises 2 connections one each side of the Balcombe Road to serve the neighbourhood. .

CONCLUSIONS:-

- 6.1 This application is the 3rd reserved matters application for Phase 2 of the Forge Wood development following approval of the reserved matters for phases 1a, 1b and 1c. This application is seeking agreement on the design and layout of 159 dwellings. It is considered that this application has addressed the design parameters and relevant conditions imposed on the outline planning permission and is considered to be in substantial accordance with the Masterplan and Design Statement.
- 6.2 The design approach and layout is considered to follow the approach established in earlier phases in respect of house types / designs and would allow a continuation of the cohesive development pattern and distinctive character to Forge Wood. Some points of design detail remain outstanding and it is considered that these could be adequately addressed via condition.
- 6.3 The dwellings are considered to comply with the adopted space standards, with generally adequate gardens in terms of size and an appropriate level of parking provision in line with adopted standards. The layout while tight in places is, in terms of its design, landscaping and materials considered to provide an attractive and legible layout and safeguards the privacy and amenities of future occupants.
- 6.4 The layout and design is considered to appropriately address the environmental safeguards required through outline conditions in terms of ecology and drainage. The key issue remaining over the acceptability of the layout proposed relates to the adequacy of the noise fence to safeguard future residents. As stated in 5.29 above, insufficient information has been supplied to the LPA to establish if the acoustic barrier proposed would be effective. In the absence of this information the suitability of the proposed layout to safeguard future residents cannot be confirmed and it is not considered that appropriate planning conditions could be imposed to mitigate any harm.
- 6.5 **It is therefore proposed that the recommendation as set out below should only be considered if satisfactory information is provided to the LPA and to the Committee on the acoustic performance of the noise barrier.**

RECOMMENDATION RE: CR/2015/0718/ARM

APPROVE: subject to the following conditions

- 1 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.
- 2 Notwithstanding the approved plans no works comprising the erection of buildings shall commence until typical construction details of each window type to be used in those buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of window framing, glazing bars, heads, sills, lintels, dormer window design and brick surrounds (where applicable) at a scale of not less than 1:20. The works shall be carried out in accordance with the approved details.
REASON: To control the development in detail and to ensure a high quality development in the neighbourhood in with policy CH2 of the Crawley Borough Local Plan 2015-2030 and to comply with Condition 1 of CR/1998/0039/FUL 'Design Statement'.

- 3 Provision shall be made for high speed broadband to serve all dwellings on the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.
- 4 Provision shall be made for combined aerial facilities to serve all flat 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 properties approved in this phase are occupied, details of the design and location of lighting to be provided in the forecourt and parking areas shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.
- 6 Details of the refuse stores and secure cycle store(s) for the flats shall be submitted to and approved in writing by the Local Planning Authority such drawings to show the siting and design thereof. Once agreed in writing the refuse stores and cycle stores shall be constructed and operational prior to the first occupation of the flats for which they are intended to serve.
REASON: To safeguard the appearance of the development and ensure the operational requirements of the development are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 -2030.
- 7 No solar panels or renewables which may be required pursuant to the discharge of condition 23 shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.
REASON: To control the design of the development in detail in accordance with GD3 of the Crawley Borough Local Plan 2015 - 2030
- 8 No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the tree protection plan 7827/2B/02 and in accordance with measures in the submitted Arboricultural method statement 7827/Phase2B/so. Within the areas thereby 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 without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots with a diameter of 25mm 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.
- 9 The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment '4039.EcoAss.dv2'- Phase 2b Residential (September 2015) provided by Ecology Solutions.
REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and Para 118 of the NPPF 2012.
- 10 All landscaping works shall be carried out in accordance with the approved soft landscaping specification scheme (667-187-C; 667-188-C; 667-189-C). No alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of visual amenity and because the scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds.
- 11 All planting, seeding or turfing comprised in the approved details of landscaping within Phase 2b 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 CH3 of the Crawley Borough Local Plan 2015-2030.

- 12 The dwellings hereby approved shall not be occupied until the SUDS drainage measures for the catchment area in which phase 2b is situated have been fully implemented in accordance with the details agreed under CR/2015/0628/ARM.
REASON: To ensure that the development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
- 13 The dwellings hereby approved shall not be occupied until the acoustic fence / barrier required to address the discharge of condition 34 has been constructed and completed in accordance with the specification agreed by the Local Planning Authority.
REASON: To safeguard the amenities of future residents in accordance with policy ENV11 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

- 1 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 from www.aoa.org.uk/policy-campaigns/operations-safety/)
- 2 The Gatwick Stream is a designated main river. The prior written consent of the Environment Agency is required under Section 109 Water Resources Act 1991 for any works in, over or under the change of the watercourse or on the banks within eight metres of the top off the bank. Any new outfall structure to the Gatwick Stream would require the Environment Agencies prior Consent.
- 3 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. The development should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be direct to the Risk Management Team <tel:02035779483> or email wwqriskmanagement@thameswater.co.uk Application forms should be completed online via www.thameswater.co.uk/wastewaterquality

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 through pre-application discussions/correspondence.
 - Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate 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.



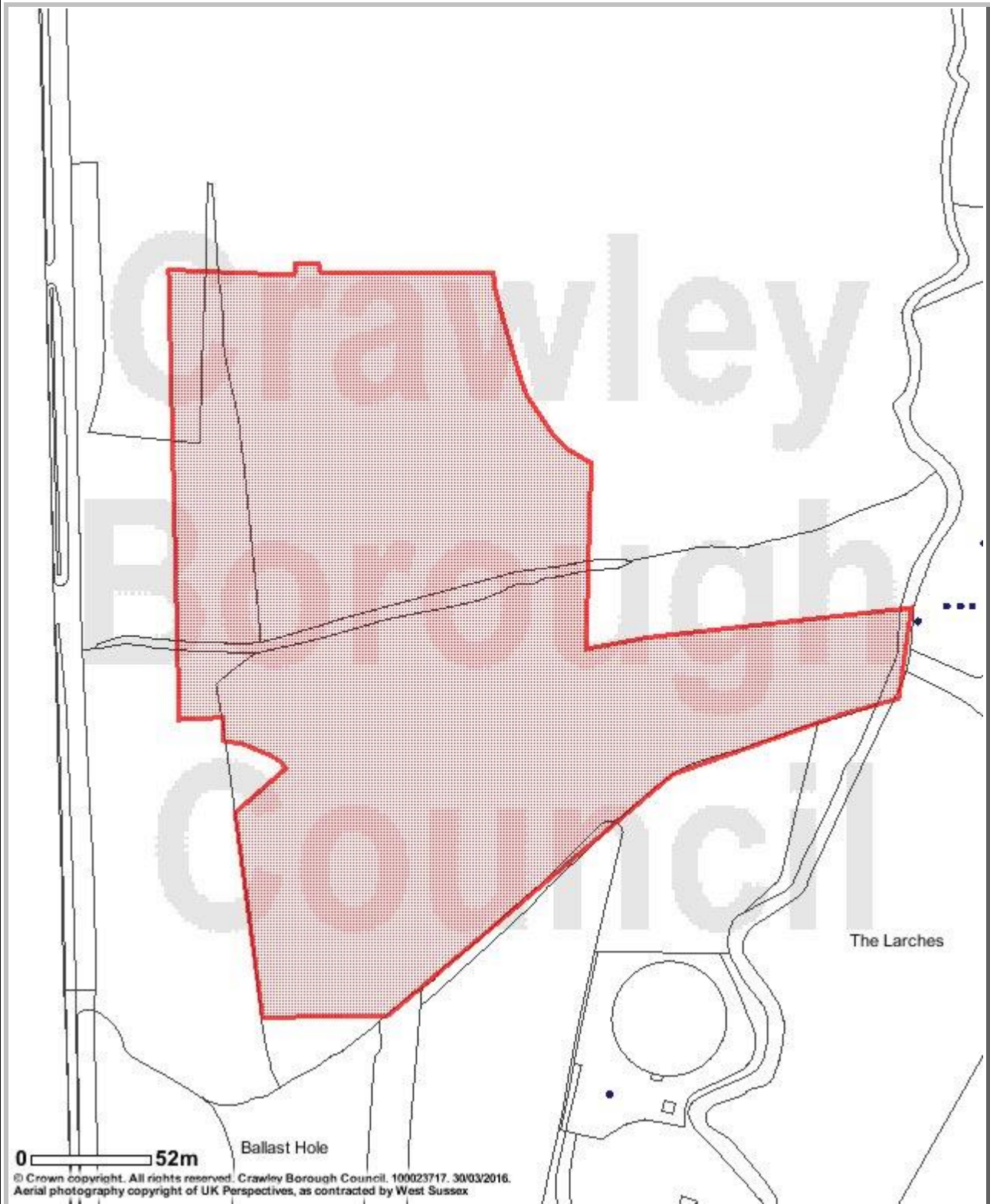
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CR/2015/0718/ARM

Date 16 March 2016

Approx. Scale 1:1,250

**PHASE 2B, FORGE WOOD, (NORTH EAST
SECTOR), CRAWLEY**



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REFERENCE NO: CR/2015/0740/ARM

LOCATION: PHASE 2A FORGE WOOD (NORTH EAST SECTOR) CRAWLEY
PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 2A FOR 90 DWELLINGS, A PUMPING STATION AND RELATED WORKS PURSUANT TO CR/1998/0039/OUT FOR ERECTION OF UP TO 1900 DWELLINGS, 5000 SQ.M OF USE CLASS B1, B2 & B8 EMPLOYMENT FLOORSPACE, 2500 SQ.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

TARGET DECISION DATE: 29 January 2016

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Homes & Taylor Wimpey

AGENTS NAME: Pegasus Planning Group Limited

PLANS & DRAWINGS CONSIDERED:

P.1137-06 Site Location Plan, P.1137-03 Site Survey - Topographical Survey, P.1137-05-1 Newton Elevations and Floor Plans, P.1137-05-2 Corfe Elevations and Floor Plans, P.1137-05-3 Chedworth Elevations and Floor Plans, P.1137-05-4 Leicester Elevations and Floor Plans, P.1036-05-5 Clayton CA1 Elevations and Floor Plans, P.1036-05-6 Clayton CA3 Elevations and Floor Plans, P.1137-05-7 Hatfield Elevations and Floor Plans, P.1137-05-8 Hatfield & Clayton Elevations and Floor Plans, P.1036-05-9 Hanbury Elevations and Floor Plans, P.1036-05-10 WP2420A Elevations and Floor Plans (Affordable), P.1036-05-12 WP3502C Elevations and Floor Plans (Affordable), P.1036-05-13 Garages Elevations and Floor Plans, P.1137-05-11 Phase 2A Plot by Plot Schedule, P.1137-13 Enclosure Details, TPP7827-2A-02 Tree Protection Plan, P.1137 18 01 Juliette Balcony, P.1137 18 02 Tile Hanging, P.1137 18 03 Decorative Barge Board, P.1137 18 04 Brick Corbelling, P.1137 18 05 Canopies, P.1137 18 06 Window Styles, P.1137 18 07 Creasing Tile Feature, P.1137 18 08 Brick Coursing, P.1137 18 09 Stone Coursing, P.1137 18 10 Window Headers, P.1137 18 11 Window Cills, P.1137 18 12 Chimneys, P.1137-08 Rev B Phase 2A Materials Plan, P.1137 15A - Affordable Housing Location Plan, P.1137 05-15A - Apartment Block A Floor Plans, P.1137 05-14A - Apartment Block A Elevations, T258 26A - Pumping station, P.1137-12A Refuse Strategy Plan, P.1137 -04B Building Heights, P.1137 05-11A - WP3520A Elevations and Floorplans, P.1137-20 Bin Store Details, P.1137 -02B - Garden Area Assessment Plan, P.1137-01E Phase 2a- Site Layout, P.1137 05-16B - Apartment Block B Elevations, P.1137 05-17B Apartment Block B Floor plans, P.775/20 Rev C - Finished Levels - Sheet 1 of 2, P.775/21 Rev B - Finished Levels Plan Sheet 2 of 2, P.775/3 Rev A - Swept Path - Large Refuse Vehicle, P.775/4 Rev B - Vehicle swept path - large car, P.775/22 - Private Construction Details, P.258/23 - Adoptable Construction Details, 667-193B - Phase 2a 1 of 3 - Soft Landscaping, 667-194B - Phase 2a 2 of 3 Soft Landscaping, 667-195D - Phase 2a 3 of 3 Soft Landscaping, 667-196B - Phase 2a 1 of 3 Hard Landscaping, 667-197B - Phase 2a Hard Landscaping 2 of 3, 667-198C - Phase 2a - Hard Landscaping 3 of 3, P.1137 15B - Affordable Housing Location Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL - Planning Department No objection but GAL have noted the requirement for the dwellings to be suitably mitigated against aircraft noise (condition 34).
2. GAL - Aerodrome Safeguarding No objection subject to condition and informative
3. Network Rail No objection (representation Network Rail refer to relates to Phase 2b only). Informatives recommended to ensure the development does not impact on the safe operation of the railway.

4.	Environment Agency	Unable to agree drainage strategy due to lack of information, additional supporting information required on drainage calculations, catchments for 2a and long term maintenance. – (note amended document now submitted – see drainage section in report)
5.	WSCC - Highways	No objections in principle – comments on parking layout and level of visitor parking
6.	Thames Water	Requesting Grampian style condition is imposed as consider there is inadequate sewerage capacity to accommodate the development, informative recommended.
7.	Sussex Building Control Partnership	No comments received
8.	Police	Design advice provided 2 particular points of detail on the layout raised concerning the lack of natural surveillance for the parking bays at adjacent to plot 86 and alternative boundary solution for plot 75 suggested.
9.	CBC - Drainage Officer	No objection to amended Surface Water Strategy dated December 2015
10.	CBC - Property Division	No objection
11.	CBC - Housing Enabling & Development Manager	Objection – 40% affordable not provided, concern about location of dwellings next to railway and number of 3 bed 4 person units which do not meet housing need. (note all phase 2 reserved matters now submitted which show 40% affordable, unit mix under negotiation for phases 2c and 2d)
12.	CBC - Planning Arboricultural Officer	No objection provided works are in accordance with the recommendations in the arboricultural impact assessment.
13.	UK Power Networks	No objection.
14.	CBC - Environment Team	No comments
15.	CBC - Environmental Health	No comments received.
16.	Cycle Forum	No comments received
17.	CBC - Refuse & Recycling Team	Objection to positioning of communal collection points which appear to have an excessive carry distance for large bins, car parks and drives need to accommodate weight and ready access of refuse vehicle.
18.	Southern Water	No comments received.
19.	CBC - FP - Urban Design	Detailed design advice provided.
20.	Ecology Officer - Mike Bird	No objection.
21.	WSCC - Surface Water Drainage (SWD)	No objection provided detailed drainage designs provided to include provision for long term maintenance as part of any SuDs scheme.
22.	National Air Traffic Services (NATS)	No objection

NEIGHBOUR NOTIFICATIONS:-

This application was publicised via press and site notices.

RESPONSES RECEIVED:-

None.

REASON FOR REPORTING TO COMMITTEE:-

The application is part of Forge Wood in which CBC has a land interest, there are also objections to the proposal contrary to the Officer recommendation.

THE APPLICATION SITE:-

- 1.1 The application site relates to a 2.95 ha land parcel in the north-west corner of the Forge Wood. The site is former agricultural land used for grazing with tree belts intersecting the land marking the extent of former field boundaries. The site is bounded by the railway line to the west, agricultural land to the

north, the planned central parkland for Forge Wood to the east and will adjoin further residential development comprising phase 2c to the south (currently agricultural land).

- 1.2 The site is relatively level and on its eastern side is partially within the Gatwick Stream Floodplain. There are 2 ditches intersecting the site one running west/east across the northern part of the site and a second which runs close to the eastern boundary, both join in the north eastern corner of the phase and appear to drain into Gatwick Stream to the east. The land is identified as an archaeologically sensitive area and there are a group of trees located in the western portion of the site identified to be retained. A public footpath from Tinsley Green to Steers Lane crosses through the north east corner of the site.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks approval of reserved matters for the erection of 90 dwellings and a pumping station. The dwellings comprise a mixture of houses (1 x 5 bedroom, 5 x 4 bedroom, 22 x 3 bedroom and 26 x 2 bedroom units) and flats (18 x 2 bedroom 3 person and 18 x 2 bedroom 4 person). The flats which are to be provided as 6 x 3 storey blocks are located on the eastern side of the phase and would face over the central parkland. The dwellings are all sited to the north of the central spine road serving phase 2 and are configured around 2 cul-de-sacs and one loop road all accessed off the main spine road. A pumping station is proposed in the far north of the phase to the north of the flats (plots 1-6), the location of this infrastructure was approved as part of Phase 1a however, the facility has been subject to minor changes and these have now been included in the details of this phase.
- 2.2 In terms of scale the development comprises primarily 2 storey houses and 3 storey flats and the designs proposed relate to 3 of the 5 character areas agreed in the Design Statement with flats and houses on the eastern side following the architecture of the 'parkland edge', those facing the central spine road designed as 'Main Street' and those to the west of the spine road designed as 'neighbourhood housing'.
- 2.3 24% of the housing within Phase 2a is proposed to be affordable, these units are to be located adjacent to the pumping station and on the western portion of the site. The applicants state the dwellings in this phase would be at a density of 31 dwellings per hectare.
- 2.4 The phase is accessed via the new spine road which connects phase 2 to the wider neighbourhood via 2 bridge crossings. The principal point of access for this phase would be via the northern crossing directly to the east of this phase (2a) providing a vehicular link to phase 1, the neighbourhood centre and north onto Steers Lane. The second access is via phases 2c and 2b to the south of phase 2a and across a southern bridge which connects to Phase 1a and the A2011.
- 2.5 The following documents have been provided in support of the application.
- Design Statement
 - Planning Statement
 - Phase 2 Sustainable Surface Water Drainage Strategy (Amended document December 2015)
 - Phase 2a Residential Landscape Management Plan
 - Arboricultural Impact Assessment
 - Ecological Assessment

PLANNING HISTORY:-

- 3.1 The planning history for this site which includes reference to this phase, has been set out in detail in sections 1 and 2 of the Officer report CR/2015/0522/NCC (Item 1 on this agenda). Forge Wood was originally granted outline planning permission under application reference CR/1998/0039/OUT.
- 3.2 In respect of this sub-phase, in January 2016 approval was granted under CR/2016/0628/ARM for the design of the main internal distributor road and a number of smaller secondary roads serving Phase 2 of the development. The fixing of the vertical and horizontal alignment of the distributor road has allowed the 'reserved matter' applications for the various parts of the Phase 2 to be brought forward as land parcels.

- 3.3 As set out in paragraph 3.1 above, the outline planning permission (CR/1998/0039/OUT) as recommended to be varied under application CR/2015/0522/NCC is directly relevant to the determination of this reserved matter application and of particular relevance are the following planning conditions as worded from that expected decision:
- 3.3.1 Condition 1 requires the development to be in substantial accordance with the Masterplan drawing and Design Statement provided to support the outline application. It also requires that the average density of the development shall be 41 dwellings per hectare in the residential areas.
- 3.3.2 Condition 2 requires a detailed design and access statement to be submitted with each phase or sub phase of the development and for this document to demonstrate how the phase meets the objectives of the Design Statement.
- 3.3.3 Condition 3 seeks delivery of the development in accordance with the approved Phasing Plan P.1036_13D-2.
- 3.3.4 Condition 5 requires approval of the siting, design, external appearance and landscaping be obtained before work is commenced on that phase.
- 3.3.5 Condition 8 sets out in detail the particulars required to accompany each reserved matter application while condition 9 specifies the particulars required for the site tree protection measures.
- 3.4 Specific conditions are also imposed which influence design features for the development these include:
- 3.4.1 Condition 40 which states that the number of parking spaces for the development shall not exceed the standards set on in Annex B of the Council's "Planning Obligations and S106 Agreements" SPD. It should be noted that this condition is proposed to be deleted under the NCC application as this condition is not considered necessary as the adequacy of the parking provision is assessed as part of the layout against the adopted parking standards as part of the Reserved Matters application. Condition 41 requires the parking provision once laid out to be only be used for this purpose.
- 3.4.2 Condition 65 which removes permitted development rights for ground floor side / rear extensions and roof alterations for all the dwellings.
- 3.5 With regard to affordable housing condition 62 requires no less than 40% of the total number of dwellings within each phase to be affordable housing while condition 63 requires agreement of a 'scheme' for the provision of affordable housing in each phase of the development to be submitted to and approved by the Local Planning Authority (LPA).

PLANNING POLICY:-

National Planning Policy Framework

- 4.1 This document is a material consideration. It emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development and that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Listed within the core principles in this document is the requirement that the planning system should "*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings* (paragraph 17)". Paragraphs 56 to 66 expand upon this principle stating amongst other things that development plans should have robust and comprehensive policies which set out the quality of development expected for an area.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise.

Crawley Borough Local Plan 2015-2030 (adopted December 2015)

- 4.3 Housing policy H2 identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings with the period to 2020. Policy H3 requires all housing development to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. Affordable and low cost housing should be provided as part of the housing mix and policy H4 specifies the requirement for affordable housing. In this case the affordable housing requirements for Forge Wood are already addressed through conditions 1, 62 and 63 on the outline permission / NCC application.

- 4.4 Overarching policy SD1 sets out the presumption in favour of sustainable development in line with 6 strategic objectives which include progress towards climate change commitments, providing a safe and secure environment for residents and visitors and meeting the social and economic needs of the current and future population and policy CH1 supports development in line with the neighbourhood principle (of which this sub-phase of Forge Wood complies with).
- 4.5 Policy CH2 sets out the principles for good urban design and states:
To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:
- h) respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets;*
 - i) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas;*
 - j) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people;*
 - k) make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks;*
 - l) provide recognisable routes, intersections and landmarks to help people find their way around;*
 - m) consider flexible development forms that can respond to changing social, technological and economic conditions; and*
 - n) provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.*
- Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.*
- 4.6 Policy CH3 sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.
- 4.7 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 4.8 Policy CH5 sets out the internal space standards for all new dwellings in line with the Nationally Described Space Standards and also requires development to include appropriate provision of external space (currently set out in SPG4).
- 4.9 Policy CH6 seeks to ensure landscape proposals for residential development contribute to the character and appearance of the town and seek to ensure 1 new tree for each dwelling and where trees are lost seek mitigation in line with the published replacement standards.
- 4.10 Policy CH7 identifies the central parkland area directly to the east of the application site as structural landscaping and an important feature that should be protected and enhanced, this link has been considered and identified as integral landscape feature in the overall master planning of Forge Wood. In respect of access, policy CH11 requires proposals that detract on the character of a right of way or other type of recreational route to be adequately mitigated.
- 4.11 Policy CH12 seeks to protect heritage assets. This site has been identified as an archaeologically sensitive area and condition 19 on the outline /NCC application has covered these requirements.

- 4.12 Policy EC4 requires that where development is proposed adjacent to main employment areas, the economic function of the employment area is not restrained.
- 4.13 Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.
- 4.14 Policy ENV6 sets out the requirement for all development to maximise carbon efficiency with all new dwellings being required to have strengthened on-site energy performance standards while policy EN9 seeks to ensure development is planned and designed to minimise the impact on water resources and promote water efficiency.
- 4.15 Policy ENV8 seeks to ensure development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere (the suitability of this site was considered as part of the outline application, through the overall masterplan layout and via planning conditions).
- 4.16 Policy ENV11 seeks to protect people's quality of life from unacceptable noise impacts, these issues were addressed via conditions on the outline / NCC application.
- 4.17 Policy IN2 requires residential development to be designed and connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- 4.18 Policy IN4 requires development to meet its needs when assessed against the Council's car parking and cycle parking standards.

Supplementary Planning Guidance and Documents

- 4.19 The following documents are also relevant in the consideration of this application:
- Planning Obligations and Section 106 Agreements Supplementary Planning Document' – This document sets out the LPA parking and cycle parking standards for new development.
 - Supplementary Planning Guidance Note 4 – 'Standards for Private Outdoor Space' – provides guidance on the minimum standard of provision for private outdoor space.

PLANNING CONSIDERATIONS:-

- 5.1 The principle of the new neighbourhood with its overall masterplan, the amount of development and the access arrangements for the site at the principal road junctions are established by the outline planning permission and subsequent variation of condition application if permitted (CR/2015/0522/NCC). The NCC application if permitted would vary certain conditions on the outline approval and would in effect result in the issue of a new outline planning application for Forge Wood. This proposal is a reserved matter application and the LPA cannot refuse to approve any 'Reserved Matter' on grounds which go to the principle of the development but must consider the details relevant only to that particular application. The purpose of a Reserved Matter application is to agree the detail for the development and in respect of this proposal comprises the detailed design and layout of the phase 2a residential dwellings.
- 5.2 The key considerations in relation to this application are:
- Is the development in substantial accordance with the Masterplan and design statement?
 - Design approach and the links to the rest of Phase 2 and wider neighbourhood.
 - Housing mix and affordable housing.
 - Adequacy of the dwellings for future occupiers including parking and servicing requirements.
 - Noise impacts and sustainable design considerations.
 - Impacts on ecology, trees and landscaping.
 - Drainage.
 - Foul drainage.

Is the development in substantial accordance with the Masterplan and design statement?

- 5.3 Phase 2a is in substantial accordance with the Masterplan and design statement as amended under application CR/2015/0522/NCC, the plan development is therefore considered to be in accordance with condition 1.
- 5.4 In respect of density condition 1 requires each phase to be an average of 41 dph in residential areas. Phase 2a has been calculated at 31 dph, phase 2b has a density of 54 dph and while 2c and 2d are yet to be fully considered it is likely that the average 41 dph density for the phase2 is likely to be achieved. The wider phase 2 layout therefore compensates for the lower density in 2a and on this basis is considered to accord with condition 1.
- 5.5 The design statement was submitted with the outline planning permission and revised by the NCC application and requires the development to be in substantial accordance with this document. The Phase 2a layout is in substantial accordance with this document.

Design approach and the links to the rest of Phase 2 and wider neighbourhood

- 5.6 As set out in section 2.0 above the proposed layout of 2 storey houses and 3 storey flats continues the design approach established in phase 1 of Forge Wood. The house types and designs are similar to those that were approved in the Phase 1 character areas and the proposed detailing and palette of materials are also broadly the same and in line with the approved Design Statement.
- 5.7 In terms of design detailing, the elevations of the flats mirror the designs approved in phase 1c 'Parkland Edge' and while some of the design features and details have been supplied, a number of detailed features appear to be missing from the submission and further details to ensure a complete submission have been requested from the applicants. Similarly, additional design details for example the brick detailing, tile hanging and cill detailing have been provided in this submission although again not all the decorative details appear to be provided for the house types and clarification has been sought from the applicants. It is considered that any omissions to the detailing could be controlled via a condition and Members will be advised if any additional condition is necessary at the meeting.
- 5.8 As part of the consultation process a number of detailed comments were received concerning individual plot details and designs some of which have been addressed by the applicant, it is considered that in general the level of detail on the plots is adequate. The flats have been redesigned to address initial concerns relating to overlooking and to maximise the outlook these units enjoy to the central parkland.
- 5.9 The layout is considered to create a lively active street frontage and legible housing layout. Amended plans have been received which improve the relationship of plots 80-90 in relation to the railway, enlarge the garden sizes and address the police concerns in relation to natural surveillance, this layout is now considered acceptable.
- 5.10 Overall the layout is considered to integrate well with other key linkages identified in the master plan and includes an improved footpath / cycle link in the northern part of the site to Radford Road, the approved spine road through phase 2 and allows legible and overlooked footpath links to the parkland further east and to other areas of open space in the layout. The overall layout is considered to allow for comprehensive development and should not prejudice the development potential of land parcel 2c to the south.

Housing mix and affordable housing

- 5.11 Within Phase 2a 24% of the housing is proposed to be affordable. It should be noted that condition 62 requires that not less than 40% affordable housing provision in each phase of the development and the applicants have demonstrated that the overall amount will be met in Phase 2 as a whole, the breakdown being as follows:
- Phase 2a – 90 dwellings – 24% affordable
 - Phase 2b – 159 dwellings – 40% affordable
 - Phase 2c – 251 dwellings – 45% affordable
 - Phase 2d – 75 dwellings - ,40% affordable

While Phase 2a is short of affordable units it has been demonstrated that 40% can be provided within the phase overall and on this basis, the layout is considered acceptable.

- 5.12 In terms of the units provided in Phase 2a the layout provides for 6 x 2 bedroom flats , 2 x 2 bedroom houses and 1 x 3 bedroom house for affordable shared ownership and, 6 x 2 bedroom houses and 7 x 3 bedroom houses for affordable rent. This is considered a suitable tenure and dwelling mix.
- 5.13 The affordable houses are located in a single cluster in the northwest of the site, while ideally these would have been better interspersed in the layout, the number of properties (16 dwellings) is not considered excessive. The proposed house designs do differ from the private market housing, the most obvious difference being the lack of garages in this part of the layout however, while the designs do differ the level and form of detailing between the house types is consistent and it is considered that overall the design proposed designs would result in a tenure blind layout. In respect of the affordable flats which are located on the north east corner of the site, the design of these units are identical to the private flats on the opposite side of the road.

Adequacy of the dwellings for future occupiers including parking and servicing requirements

- 5.14 All the affordable units comply with the adopted internal space standards set out in policy CH5. In respect of private amenity space the dwellings have gardens and amended plans have been provided to bring the majority of affordable units in line with garden space standards. 3 units have under sized gardens however, the space provided is usable shape and layout and these units have an open outlook onto farmland to the rear and a tree belt to the front, in this case this slight under provision is considered acceptable. While the design of the flats do not incorporate any balconies, it is considered that given the location of the blocks immediately adjacent to the central parkland that the future occupants have easy access to a substantial area of amenity space and therefore provision is adequate in the site layout.
- 5.15 2 parking spaces have been provided for each affordable dwelling and each affordable flat has one allocated parking space. Additional visitor parking is provided in the layout for both the flats and dwellings and it is considered that this level of provision accords with the adopted parking standards. Refuse and cycle storage is also provided for the units in line with standards.
- 5.16 In respect of the private dwellings, all the units comply with the adopted space standards set out in CH5 for internal space and all meet the garden space standards.
- 5.17 The majority of the dwellings have a garage and 2 tandem parking spaces. There is one 2 bed semi-detached house type that does not have a garage some units have two on plot parking spaces while 14 properties have on-street parking for the dwellings to the front of the property at a ratio of 1.5 spaces per dwelling which is considered adequate and accords with adopted parking standards.
- 5.18 The private flats are also considered to meet adopted space standards and have parking provision at 1 space per dwelling plus a limited number of visitor spaces. WSCC have commented on the limited number of visitor spaces within the layout and in particular in the parking courts for the private flats. Amended plans have been received which have increased the number of visitor parking spaces in some parts of the layout. There are a further 7 visitor spaces along the main spine road which could be accessed by visitors to the flats and overall, in the absence of any specific requirement in the adopted parking standards to provide visitor spaces, the level of provision within this layout is considered reasonable.
- 5.19 Bin and cycle stores are to be provided for each block of flats and locations are indicated on the layout however, the precise details of the cycle stores and timing of this and the refuse provision are to be controlled via condition. In terms of servicing the refuse areas, additional information has been provided to demonstrate that refuse vehicles can manoeuvre into the parking courts to service the bin stores and therefore reduce carry distances for operatives, the issue of surfacing is a management issue however the drawings assume large vehicles accessing the parking courts and this has been factored into the surfacing design.
- 5.20 In terms of the overall layout, in general the separation distances between windows are considered adequate between the houses. Within the flat layout there is one aspect of the design where the

window separation distances are inadequate to ensure privacy between occupants of the flats (this is the facing elevations between the flats at the main access plots 13-36 and the facing windows in the far northern elevation of plots 13-36 facing onto plots 7-12 and at the southern elevation where the flats face flats proposed in phase 2c. Amended plans have been submitted re-configuring the flats to ensure only secondary windows are positioned on this elevations. The master bedrooms for these units are now dual aspect however, it is considered appropriate to impose a condition to ensure the facing windows remain obscure glazed to safeguard privacy and ensure layout of phase 2c is not compromised.

Noise impacts and sustainable design considerations

- 5.21 Due to the site's proximity to Gatwick, the impact of aircraft noise from both a single and two runway airport on the development was a key consideration at the Planning Inquiries and a number of conditions were imposed by the Inspector to safeguard the amenities of future occupiers, GAL have also commented on this application about the noise impact on the new dwellings. The applicants have submitted information under discharge of condition request CR/1998/0039/CC14 to seek to address the requirements of condition 34 which requires a 'scheme' to demonstrate the dwellings have sufficient protection against noise. This information has been the subject of extensive discussions between the LPA and the applicants and the LPA have provided a technical specification of works which if implemented, will address the requirements of the condition. At the time of preparing this report the applicants are still disputing these requirements. The technical specification demonstrates that an appropriate scheme can be implemented without significant changes to the external appearance of the dwellings which are to be considered as part of this 'reserved matters' application and the acoustic requirements for Phase 2 will be dealt with through the discharge of condition 34.
- 5.22 Condition 34 also requires a 'scheme' to demonstrate the dwellings have sufficient protection from other noise sources including the railway line and other mixed noise sources (such as the employment uses to the west of the railway). No specific details have been proposed by the applicants to address this condition in respect of phase 2a and it is expected that the scheme will be required to mitigate noise and vibration from these sources, it would be down to the applicants to ensure this requirement is discharged via condition.
- 5.23 In respect of condition 23 as proposed by the NCC, this requires an assessment of the buildings to meet sustainable design and construction measures offsetting 10% of predicted carbon emissions (energy) through a combination of sustainable design and construction or on-site renewable energy. The sustainable construction or 'fabric first' approach would have no impact on the exterior of the buildings as designed however, the introduction of renewables most likely PV panels would have a visual impact on the design of the dwellings and it is proposed that in such circumstances details of any PV panels to be installed is controlled via a condition to safeguard the visual quality of the development.

Impacts on ecology, trees and landscaping

- 5.24 An ecological report was provided with the application, the report identifies the land which is primarily grazing land interspersed with semi-mature trees. It is not ecologically rich however there has been one grass snake reported on the eastern edge of the site suggesting potential habitat for reptiles. Natural England's standing advice for reptiles has been considered in relation to grass snakes, the loss of this habitat was accepted with the grant of outline permission. The proposed mitigation is to ensure grass snakes are not harmed and translocation measures are recommended for any specimens found to suitable habitats on the wider site. Provided the measures proposed in the ecological report are implemented, the Council's ecological advisor raises no objection.
- 5.25 It is accepted that as a greenfield site and through the outline approval of the masterplan layout that there would be a considerable loss of countryside and trees. Within phase 2a two substantial groups of trees are to be retained comprising a group of hawthorn, alder, oak and ash in the northern part of the site and a row of oak trees in the south west corner, these were identified as important tree groups on the masterplan. The arboricultural officer has raised no objection to the layout on the basis that the trees to be retained are protected in accordance with the submitted tree protection measures.

- 5.26 In this case it not considered that the policy requirements of CH6 are appropriate in respect to the expected level of tree replacement given the nature of the development in this case. As part of the layout the applicants are proposing to mitigate some tree loss as part of the landscaping along streets and in gardens and the landscape design is considered appropriate within the new residential layout.

Drainage

- 5.27 There is a need to ensure that there is an effective drainage strategy for the construction phase of this development and to serve the Forge Wood as a whole. The drainage strategy submitted for the site pursuant to condition 16 (but not yet fully discharged) assumes that sewer alignments would be under the main roads and this is shown in the submitted plans approved for the phase 2 spine roads under CR/2015/0628/ARM along with the agreed positioning of the swales as indicated on the site wide strategy.
- 5.28 The phase 2a application was submitted in parallel with phase 2b and the spine road applications with an identical drainage strategy supplied for each application. In order to determine the spine road application, the drainage strategy was subject to further discussions following the initial concerns raised by the Environment Agency and Drainage Officer. An amended document was prepared and the overall drainage strategy was agreed for phase 2 as part of the spine road application. This agreed document has now been submitted for phase 2a. Phase 2a drains into Swale 1 directly to the east of the site, the surface water from this Phase will be directed towards the Gatwick Stream.
- 5.29 The outstanding matter regarding drainage is the future long term maintenance and management of the drainage features and this is the subject of ongoing discussions in respect of the site wide drainage strategy under condition 16. The intended approach is that the drainage would be the responsibility of a private management company and finalised details of the arrangements and financial safeguards are still to be submitted and agreed for this condition.

Foul drainage

- 5.30 Thames Water have commented that the existing waste water infrastructure is unable to accommodate the needs of the development and have recommended that a 'Grampian Style' condition be imposed requiring an on and off-site drainage strategy for the proposed works. It is not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application as such issues should have been conditioned at outline stage. The appeal Inspector did not impose a specific condition in respect of foul water drainage.
- 5.31 The applicants have confirmed that they have a foul drainage strategy and agreement with Thames Water which covers the whole development which comprises 2 connections one each side of the Balcombe Road to serve the neighbourhood.

CONCLUSIONS:-

- 6.1 This application for Phase 2a residential in Forge Wood is considered to have addressed the design parameters and relevant conditions imposed on the outline planning permission (as proposed to be amended by CR/2015/0552/NCC) and is considered to be in substantial accordance with the Masterplan and Design Statement.
- 6.2 The design and layout is considered to follow the approach established with the 'reserved matters' in Phase 1 and would therefore allow this phase to continue in a similar style and character to create a cohesive development pattern and distinctive character to Forge Wood. The design details and dwelling styles are generally replicated established from Phase 1 and are considered appropriate.
- 6.3 All the dwellings are considered to comply with the adopted internal space standards, have generally adequate gardens and sufficient parking provision. The layout in terms of its design, landscaping and indicative palette of materials provides an attractive and legible layout and safeguards the privacy and amenity of future occupants.
- 6.4 The layout is considered to appropriately address the environmental safeguards set out in the outline conditions in terms of ecology, noise and drainage subject in some cases to further work to discharge the relevant conditions. The application has been considered in relation to the wider requirements on

the outline permission and notwithstanding some of the conditions and details are yet to be fully discharged, the approval of the design and layout of these dwellings now would not compromise the requirements of these conditions and their eventual discharge subject to the appropriate level of detail.

6.5 It is therefore recommended to APPROVE reserved matters for phase 2a as set out below:

RECOMMENDATION RE: CR/2015/0740/ARM

APPROVE : subject to the following conditions

- 1 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.
- 2 Provision shall be made for high speed broadband to serve all dwellings on the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.
- 3 Provision shall be made for combined aerial facilities to serve all flat 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.
- 4 Prior to first occupation, the windows on side elevation of apartment block B plots 13 to 36 (serving the en-suite and bedroom 1 of each apartment) shall be glazed with obscure glass in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. Those windows shall be permanently maintained in accordance with the agreed details at all times thereafter.
REASON: To protect the amenities and privacy of the future occupiers in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 5 Before the properties approved in this phase are occupied, details of the design and location of lighting to be provided in the forecourt and parking areas shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.
- 6 Details of the secure cycle store(s) for the flats shall be submitted to and approved in writing by the Local Planning Authority such drawings to show the siting and design thereof. Once agreed in writing the cycle stores shall be constructed and operational prior to the first occupation of the flats for which they are intended to serve.
REASON: To safeguard the appearance of the development and ensure the operational requirements of the development are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
- 7 The refuse stores shown on approved drawing P1137-20 shall be constructed and operational prior to the first occupation of the flats for which they are intended to serve.
REASON: To safeguard the appearance of the development and ensure the operational requirements of the development are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
- 8 No solar panels or renewables which may be required pursuant to the discharge of condition 23 shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.
REASON: To control the design of the development in detail in accordance with GD3 of the Crawley Borough Local Plan 2015 – 2030.
- 9 No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the tree

protection plan 7827/2A/02 and in accordance with measures in the submitted Arboricultural method statement 7827/Phase2A/so. Within the areas thereby 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 without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots with a diameter of 25mm 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.

- 10 The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment - Phase 2a Residential (October 2015) provided by Ecology Solutions.
REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and Para 118 of the NPPF 2012.
- 11 All landscaping works shall be carried out in accordance with the approved soft landscaping specification scheme (drawing numbers CSA/667/193B, CSA/667/164B and CSA/667/195C). No alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of visual amenity and because the scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds.
- 12 All planting, seeding or turfing comprised in the approved details of landscaping within Phase 2a 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 CH3 of the Crawley Borough Local Plan 2015-2030.
- 13 The dwellings hereby approved shall not be occupied until the SUDS drainage measures for the catchment area in which phase 2a is situated have been fully implemented in accordance with the details agreed under CR/2015/0628/ARM.
REASON: To ensure that the development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

- 1 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 from www.aoa.org.uk/policy-campaigns/operations-safety/)
- 2 The Gatwick Stream is a designated main river. The prior written consent of the Environment Agency is required under Section 109 Water Resources Act 1991 for any works in, over or under the change of the watercourse or on the banks within eight metres of the top off the bank. Any new outfall structure to the Gatwick Stream would require the Environment Agencies prior Consent.
- 3 Network Rail strongly recommends the developer contacts AssetProtectionsSussex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx

- 4 The applicant's attention is drawn to the comments and advice provided by Network rail in its response to this application. A copy of the advisory note provided by Network Rail is attached to this decision notice.
- 5 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. The development should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be direct to the Risk Management Team <tel:02035779483> or email wwriskmanagement@thameswater.co.uk Application forms should be completed online via www.thameswater.co.uk/wastewaterquality

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 through pre-application discussions/correspondence.
 - Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate 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.



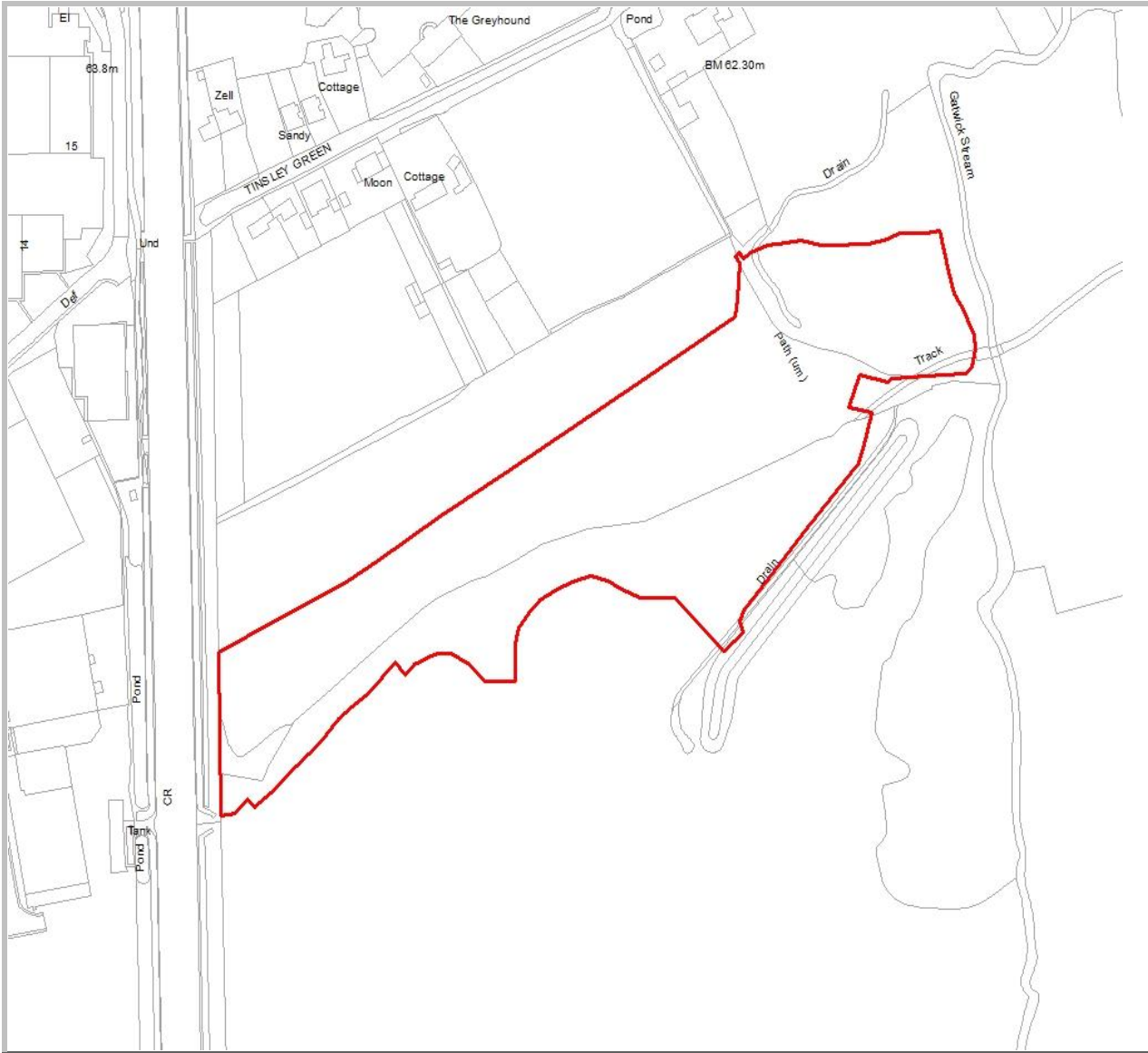
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CR/2015/0740/ARM

Date 16 March 2016

Approx. Scale 1:1,250

**PHASE 2A FORGE WOOD (NORTH EAST
SECTOR) CRAWLEY**



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REFERENCE NO: CR/2016/0005/FUL

LOCATION: 5 RUTHERFORD WAY, NORTHGATE, CRAWLEY
PROPOSAL: DEMOLITION OF EXISTING BUILDING & ERECTION OF NEW BUILDING WITH ASSOCIATED PARKING, SERVICE YARD & LANDSCAPING.

TARGET DECISION DATE: 4 April 2016

CASE OFFICER: Ms E. Wachiuri

APPLICANTS NAME: BP 2015 (Crawley) LLP
AGENTS NAME: PRC

PLANS & DRAWINGS CONSIDERED:

PL-001 Location Plan, PL-003 Proposed Floor Plans, PL-004 Proposed Elevations, PL-005 Proposed Roof Plan, 15-098-300 Drainage Strategy, 10548 PL-007 Existing Elevations , 10548 PL-002 Rev A Proposed Site Plan, 10548 PL-006 Rev A Landscaping Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|---------------------------------------|--|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to conditions on bird hazard management plan and informative on use of cranes |
| 2. | WSCC - Highways | No objection subject to conditions |
| 3. | National Air Traffic Services (NATS) | No safeguarding objections |
| 4. | Thames Water | No objection subject to informative(s) |
| 5. | Police | No objection. Secure by Design advice provided |
| 6. | CBC - Planning Arboricultural Officer | No objection |
| 7. | UK Power Networks | No objection |
| 8. | CBC - Contaminated Land | No comments to make from a pollution perspective |
| 9. | CBC - Environmental Health | Condition requesting details of a ventilation and odour control scheme |
| 10. | Cycle Forum | No response received |
| 11. | CBC - Refuse & Recycling Team | No response received |
| 12. | CBC Drainage Officer | No objection subject to condition. |

NEIGHBOUR NOTIFICATIONS:-

None – This application was publicised by a press notice and site notice.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

This is a small scale major application.

THE APPLICATION SITE:-

- 1.1 Located to the west of Rutherford Way, the site comprises an industrial unit (approx. 4553 sq.m) situated within the Manor Royal Industrial Area, an identified employment location. The site is fairly

square with a street frontage to Rutherford Way from which there are two points of access from the highway. The existing building is set back from the road with an area of car parking which stretches across the front of the building and extends across the southern edge of the building allowing servicing to the rear. There is no boundary definition, fence, or soft landscaping along the street frontage within the site.

- 1.2 The site is currently vacant but previously used for mainly B2 uses. Neighbouring uses comprise mix of industrial, light industrial and offices. The buildings are industrial in appearance and generally 2 storey in scale.
- 1.3 The adjoining building are of varied scales and designs. The building to the immediate south is brick built 2 storey offices approx. 11m in height to the ridge. To the north is a 7.8m high brick clad warehouse, to the west are single storey offices to the front and a warehouse to the rear. To the east is a terrace of single storey industrial units with service yards to the front. The building line is staggered.
- 1.4 The site level rises from Rutherford Way to the east with the adjoining sites to the west being at a higher level separated by a retaining wall circa 2m in height along the common boundary.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the demolition of existing building (previously under B2 uses) and erection of new building with associated parking, service yard and landscaping. The new building would provide accommodation for B1 (b), B1 (c), B2 and B8 uses.
- 2.2 The proposed rectangular shaped two storey building would measure 55.94m wide by 83.75m deep by 14.4m high to the ridge and 12m to the eaves to provide a floor space of 5232sqm. The redevelopment of the site will see the erection of a slightly larger building than the original (4,553sqm) by 699sqm. The new building would be set forward towards Rutherford Way compared to the existing. It would comprise warehousing/production area and 10% ancillary office accommodation. It would be built of:
 - Metallic silver profiled cladding walls,
 - Goosewing grey profiled metal roof cladding ,
 - The windows and entrance and escape doors would be made of metal framed double glazed windows of anthracite in colour.
 - Micro rib panels to office areas and to feature entrance panels of anthracite in colour.
 - Anthracite coloured steel framed personnel doors and sectional overhead loading doors
 - The eastern elevation/frontage would have double height frame features set in contrasting cladding with glazed entrance doors.
- 2.3 The scheme would retain 52 car parking spaces including 2 disabled/accessible spaces adjacent to the main entrance, 50 cycle spaces and a rear yard area which would accommodate 9 HGVs. The new car park would be sited to the south of the proposed building, following its relocation from the front. Cycle parking would be sited to the northern elevation of the building and consists of a covered external cycle shelter.
- 2.4 The existing Southern site access to the south of the former building would be widened and finished in tarmacadam, the car parking would be block paved and the service yard would be laid in concrete. The north easterly access will be permanently closed and that end of the site would be utilised for cycle parking.
- 2.5 New boundary treatment would comprise 2.4m high new black weldmesh fencing to the service yard. The front eastern boundary with Rutherford Way would be landscaped with 5 new trees and shrubs/low rise hedge. The existing tree at the south-east corner of the front boundary would be retained.
- 2.6 An air conditioning unit is also proposed to the rear of the building and a new substation to the north-east end of the site. However, no details of these elements apart from siting as shown on drawing no. 10458 PL-002 REV A has been provided at this stage.

PLANNING HISTORY:-

3.1 Long and varied but most relevant:

- CR/2015/0833/DEM- Prior notification of proposed demolition (PRIOR APPROVAL NOT REQUIRED)
- DH/R.69/105- Erection of 9300 sq.ft extension to existing premises- Granted
- CR/1996/0621/FUL- Erection of Mezzanine Floor- Granted
- CR/1991/0383/FUL-Extension and alterations to flight catering unit for the storage and preparation of in-flight food (GRANTED)

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 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.

4.3 Crawley 2030: The Crawley Borough Local Plan 2015-2030

Relevant policies include:

- Policy SD1. (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- 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.
- 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 needs its operational needs such as for access, parking, refuse storage and demonstrate building for life 12 Criteria taken into account.
- 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.
- Policy CH7: (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping.

- Policy EC1 (Sustainable Economic Growth) states that Crawley's role as the key economic driver for the Gatwick Diamond will be protected and enhanced.
- Policy EC2 (Economic Growth in Main Employment Areas) seeks to support proposals for employment generating development in the Main Employment Areas where they contribute to the specific characteristics of the main employment area, and overall economic function of the town, through providing a mix of employment generating uses.
- Policy EC3 (Manor Royal) places a clear focus on the delivery of B-Class business uses within Manor Royal, though outlines that proposals for non B-Class development will be permitted provided that they are of a scale and function that enhances the established role and business function of Manor Royal.
- 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.
- Policy EN7 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.
- Policy EN8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 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.
- Policy ENV10 (Pollution Management and Land Contamination) seeks to prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution, or land instability.
- 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 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.

4.4 Supplementary Planning Guidance and Documents

- SPD1 - Planning Obligations and s106 Agreements - Annex B contains the adopted parking standards and details of required infrastructure mitigation
- SPG9 – Access
- Manor Royal Design Guide - (Complemented by Manor Royal Public Realm Strategy) –adopted in July 2013. The Design Guide SPD recognises that improvements are required to the public realm through enhancing important private frontages and gateway sites. The SPD identifies where such improvements are needed, having regard to the location of sites, and setting out where the use of design principles, or the provision of structural landscaping, could provide improvement to both the private and public realms. The SPD also provides general design principles for the whole area and aims to deliver improvements to the setting and environment of Manor Royal as a means of enhancing its position in the sub-region and as a local employment destination.

PLANNING CONSIDERATIONS:-

- 5.1 The existing building was previously used for industrial purposes, mainly B2 use and the principle of the proposed uses is therefore already established. The application site is situated within the Manor Royal Main Employment Area, where Local Plan Policy EC3 is relevant. Policy EC3 places a clear focus on the delivery of B-Class business uses within Manor Royal, though outlines that proposals for non B-Class development will be permitted provided that they are of a scale and function that enhances the established role and business function of Manor Royal. As the proposed development is for the creation of a replacement B-Class floorspace, within the Manor Royal employment area, the proposal is thus considered to accord with Local Plan Policy EC3.
- 5.2 Therefore, the main considerations in the determination of this application are;
- Design & appearance of the proposal & visual impact on the street scene
 - Impact upon the amenities of the neighbouring businesses
 - Impact on the users of the highway & parking provision/operational requirements
 - Infrastructure contributions
 - Sustainability measures
 - Structural Landscaping

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

- 5.3 The new building would be set forward about 6.8m from the original building but would remain setback approx.4m from the frontage of the adjoining Rutherford Centre building to the immediate south. It would remain setback 6m from the mutual boundary with Rutherford Way. Given the staggered building line, the proposed unit although set slightly forward than existing, would not be prominent within the streetscene.
- 5.4 The site is located within an industrial area and a development of this nature would not be out of character with the site or the wider streetscene. The materials are considered acceptable given the context of the surrounding industrial/commercial streetscene. There would be new trees and a hedge/shrubs planted along the eastern boundary which would reinforce the landscaping along the east boundary and soften the proposed development. This is considered a visual improvement on the currently defined boundary to this unit.
- 5.5 The scale, size, siting and design of the building is therefore considered appropriate given its proposed use and its location within the Manor Royal industrial estate. It is considered compatible with the development of the wider site and would complement this modern office development whilst not detracting from the street scene or character of the surrounding area. It would also be in line with the Manor Royal Design Guide and the Manor Royal Public Realm Strategy in retaining and enhancing the landscaping along the site's frontages.

Impact upon the amenities of the neighbouring businesses

- 5.6 The closest buildings are existing commercial uses and the proposal would not adversely impact upon the occupiers of these buildings. The separation distance to the southern boundary would be approx.31m and 48m to the nearest building to the south. To the north the proposed building would be offset approx. 5.8m from the mutual boundary. Those to the east would be over 10m distant over the intervening land. Given the distance to adjoining premises, it is not considered there would be harm from noise and disturbance to their occupiers. In addition, given the scale, size, siting and design of the building and due to the established uses within the vicinity, it is considered that the proposal would not adversely impact upon the amenities of the neighbouring businesses by way of overbearing, dominance, loss of light or loss of privacy.

Impact on the users of the highway & parking provision

- 5.7 A total floor space of 5232m² for B1 (b), B1(c), B2 and B8 uses would be provided. Car parking in accordance with SPD1 for B8 use is 1 space per 100m², B2 use is 1 space per 40 m² and for B1-offices, and it is 1 space per 31m² for staff. There would be 52 car parking spaces in total, 9 lorry

parking bays, 50 cycle parking spaces which accords with the standards in SPD1. WSCC – Highway were consulted and raised no highway safety or capacity objections to the proposal. The proposal is considered to be acceptable in respect of policy CH3 of Crawley Borough Local Plan 2015-2030.

- 5.8 The vehicle access to the site from Rutherford Way would remain but would be slightly widened. In addition, the cycle access to the north-east corner of the site would also be retained.

Infrastructure contributions

- 5.9 The proposal would create additional footprint of 699sqm and s106 contribution of £1400 towards Manor Royal Public Realm is being sought on the additional floorspace. The contributions would be in support of Gateway 4 project given the proximity of 5 Rutherford Way.
- 5.10 In addition, WSCC - Highways Authority were consulted and no TAD contributions are sought for this proposal. This is because there is a net threshold of +1000sqm for TAD contributions and since the proposal would result in a net increase of 699 sqm, so the development would not meet this threshold.

Sustainability measures

- 5.11 The submitted sustainability statement and BREEAM pre-assessment predict that the BREEAM credits would be achieved to accord with policies ENV6 and ENV9 of the Crawley Local Plan 2015-2030. However, a condition is recommended requiring that a final certificate is submitted prior to occupation.
- 5.12 With regards to the District Energy Network as required by policy ENV7, given the low predicted level of hot water demand and the variable space heating demands of the proposed development, sustainable solutions which do not involve decentralised energy generation would be acceptable and as long as the BREEAM credits are satisfied. The development would still achieve a good level of environmental sustainability subject to appropriate planning condition(s).

Structural Landscaping

- 5.13 One of the key requirements of the Manor Royal Design Guide is the provision of additional of structural landscaping particularly along primary roads. There would be low hedge/shrubs and 4 new trees planted along the boundary which would reinforce the landscaping along the east boundary and provide a visual improvement on the currently defined boundary to this unit. The proposal is therefore considered to accord with policies CH6 and CH7 of the Crawley Local Plan 2015-2030.

CONCLUSION

- 6.1 The proposal is considered appropriate within Manor Royal as a B2, B8 warehouse with ancillary B1 (b) and B1(c) office accommodation. It is not considered to impact upon neighbouring uses and provides for its operational requirements. It is therefore recommended that planning permission be granted subject to conditions and the conclusion of a S106 AGREEMENT.

RECOMMENDATION RE: CR/2016/0005/FUL

Permit subject to the conclusion of a S106 AGREEMENT and the following conditions and delegation back to Head of Economic and Environmental Services to await expiry of consultation period for CBC drainage officer

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 to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030.
4. 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.
5. The landscaping plan hereby permitted shall be strictly carried out in accordance with the details outlined on drawing no 10458 PL-006 REV A. No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of amenity and of the environment of the development in the accordance with policies CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030.
6. All hard and soft landscaping, planting, seeding or turfing comprised in the approved landscaping details set out in condition 5, 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 accordance with Policy CH6 and CH7 of the Crawley Borough Local Plan 2015-2030.
7. The building shall not be occupied until a final BREEAM Certificate has been issued and provided to the Local Planning Authority certifying that the mandatory Energy and Water credits and criteria for an 'excellent' rating have been achieved for this development.'
REASON: in order to accord with the sustainability measures required under policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.
8. Development shall not commence until details of a ventilation and odour control scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The approved ventilation and odour control scheme shall be fully implemented before the permitted use commences and shall thereafter be maintained in accordance with all approved details.
REASON: In the interest of the amenities of the locality and noise control in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
9. 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:
The management of the shallow pitched roofs on the proposed building that 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/policy-campaigns/operationssafety/).

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.
10. No development shall commence until such time as the existing vehicular access known as the 'North easterly access' onto Rutherford Way has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.

11. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43metres have been provided at the proposed site vehicular access onto Rutherford Way in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and 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.
12. No part of the development shall be first occupied 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 policy CH3 of Crawley Borough Local Plan 2015-2030.
13. No part of the development shall be first 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 Crawley Borough Local Plan 2015-2030..
14. No development shall take place, including any works of demolition, until a Construction 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:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - 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 hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of Crawley Borough Local Plan 2015-2030..
15. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
REASON: To encourage and promote sustainable transport.
16. The development shall be carried out and maintained in accordance with the flood risk and drainage arrangements set out in Bradrook's report dated 13 December 2015. Should future responsibility for the maintenance transfer adequate alternative measures should be put in place to ensure the maintenance strategy set out in this report continues.
REASON:- To ensure the proposed development is satisfactorily drained in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-30..

INFORMATIVES

1. A satisfactory odour control scheme will be one that complies with current Defra guidance namely: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems. Jan 2005. Available at the time of writing from the Defra website (<http://www.defra.gov.uk/publications/files/pb10527-kitchen-exhaust-0105.pdf>)
2. 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 from www.aoa.org.uk/policy-campaigns/operations-safety/)

3. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
4. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
5. 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 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
6. With regard to water supply, this comes within the area covered by the Southern Water PLC. For your information the address to write to is - Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX Tel - (0845) 2780845
7. The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process.

1. NPPF Statement

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.



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

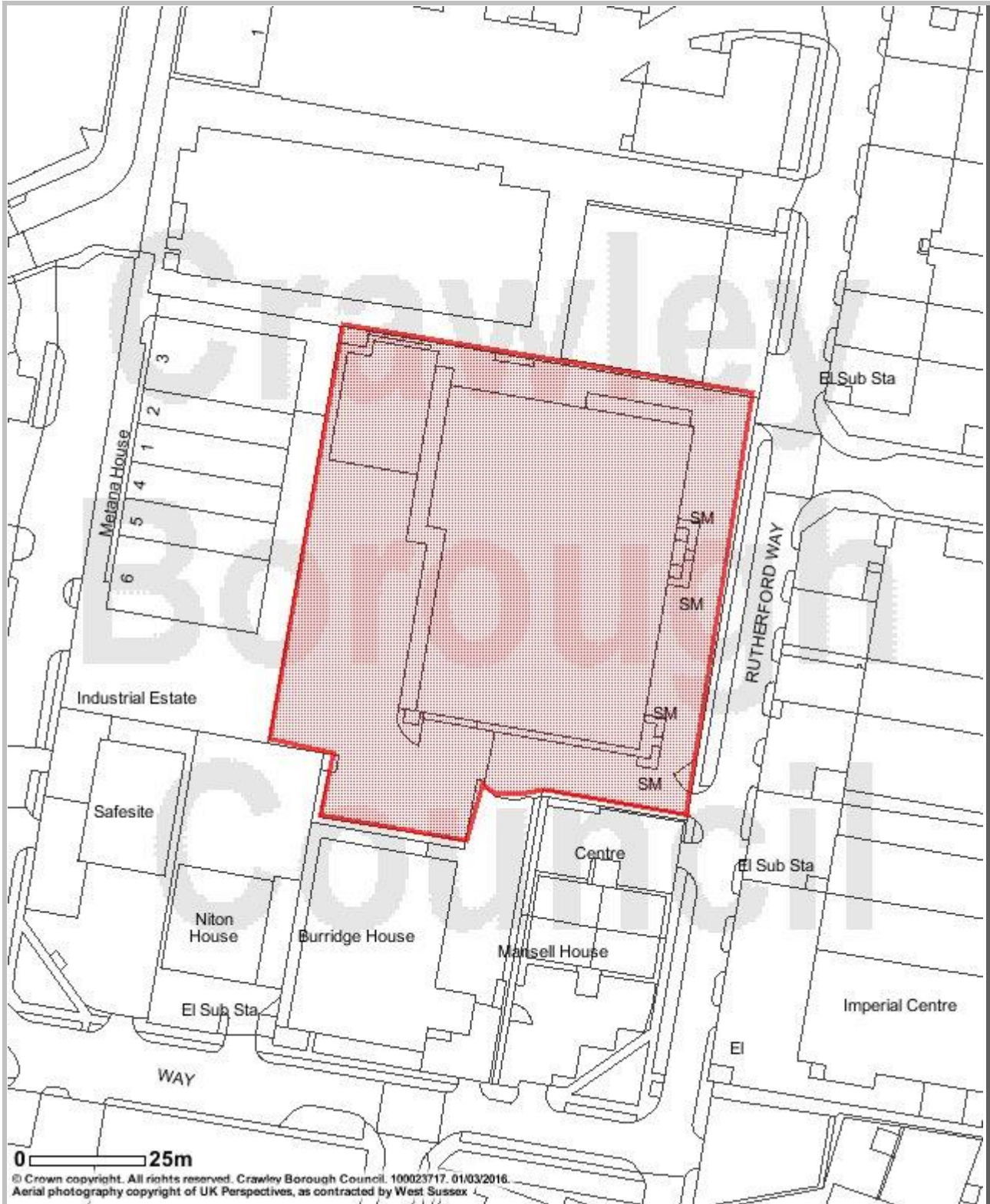
Tel: 01293 438000
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CR/2016/0005/FUL

Date 19 February 2016

Approx. Scale 1:1,250

5 RUTHERFORD WAY, NORTHGATE, CRAWLEY



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REFERENCE NO: CR/2016/0030/FUL

LOCATION: LAND AT CROMPTON WAY, MANOR ROYAL, NORTHGATE, CRAWLEY, RH10 9QR
PROPOSAL: ERECTION OF A THREE STOREY OFFICE BUILDING WITH ASSOCIATED ROOF PLANT, CAR PARK, CYCLE PARKING AND LANDSCAPE WORKS.

TARGET DECISION DATE: 6 April 2016

CASE OFFICER: Mr C. Peters

APPLICANTS NAME: Kier Property Development Limited and CGG Services

AGENTS NAME: Maddox and Associates Ltd

PLANS & DRAWINGS CONSIDERED:

EXTERNAL LIGHTING LAYOUT 16-12002-99-SP-01 P1, PROPOSED LOCATION PLAN 001 P2, PROPOSED DRAINAGE STRATEGY 11329/5001 P2, PROPOSED MASTERPLAN 004 P2, PROPOSED SITE PLAN AND SITE SECTION 002 P2, PROPOSED LANDSCAPING PLAN 003 P2, PROPOSED GROUND FLOOR PLAN 100 P2, PROPOSED FIRST FLOOR PLAN 101 P2, PROPOSED SECTIONS 120 P2, PROPOSED SECOND FLOOR PLAN 102 P2, PROPOSED ROOF PLAN 103 P2, PROPOSED ELEVATIONS 130 P2, EXISTING SITE PLAN 002 P1, PROPOSED LANDSCAPING PLAN 003 P2

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	WSCC - Highways	No objection subject to conditions
2.	GAL - Aerodrome Safeguarding	No objection
3.	National Air Traffic Services (NATS)	No objection
4.	Ecology Officer - Mike Bird	No objection subject to conditions
5.	CBC – Planning Arboricultural Officer	No objection subject to conditions
6.	CBC – Environment Team	No comments received
7.	CBC – Contaminated Land	No comments received
8.	CBC – Drainage Officer	Condition if minded to grant consent

NEIGHBOUR NOTIFICATIONS:-

A site notice was displayed at the site on 09th February 2016. A local press notice was advertised on 20th January 2016. Following public notification no letters of representation were received.

REASON FOR REPORTING TO COMMITTEE:-

The application is a major development based on the creation of more than 1000sqm of new floor-space.

THE APPLICATION SITE:-

- 1.1 The application site relates to a parcel of land situated on the eastern side of Crompton Way, which itself is located in the heart of Manor Royal Business District, which predominantly consist of employment/commercial uses. The site has an area of 0.81ha and at present is occupied by CGG Services Ltd. The site comprises of a two storey temporary Portakabin office building and car park. The existing temporary office building has a floor area of 2100m² and is sited on the furthest eastern end of the plot and is accompanied by a total of 68 parking spaces which is sited to the west.
- 1.2 The cycle track runs from north to south along the eastern end of the site, which links Manor Royal to the north with the existing housing estate to the south of the A2011 Crawley Avenue. To the south of the site is an existing office building and associated parking that is also occupied by CGG. Vehicle

access is provided to the north of the site via Crompton Way, where there are two vehicle access points. Pedestrians can access the site from Crompton Way via a pedestrian gate located on the western boundary of the site.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposed development is for the erection of a 3 storey office building with associated car park, bin store and cycle store and would replace the existing temporary Portakabin. The proposed replacement 3 storey building would be sited towards the western end of the site. The building would have a length of 68m, a width of 27.2m with a height of 12m measured from ground floor level to eaves and a maximum height of 14m measured from ground floor level to the top of the central roof plant. The building would create a floor area of 5471m². The façade of the building would consist of black painted glass with aluminium panels with a light and dark grey contrast and vision glass.
- 2.2 The proposed bin and cycle store would be sited to the east of the building and both buildings would have a width of 4.3ms, with the bin store having a depth of 9.9ms and the cycle store having a depth of 10.3ms. The remainder of the site would provide car parking with a total of 179 parking spaces (9 disabled spaces) and 78 cycle spaces and 18 motorcycle spaces.

PLANNING HISTORY:-

- 3.1 In 2012 under planning application reference CR/2012/0007/FUL retrospective planning permission was granted for the retention of a two storey modular office building and car park on the site. This application was permitted for a temporary period of three years which expired on the 5th March 2015. A further renewal application was submitted and permitted in 2014 under planning permission CR/2014/0732/FUL which further extended the temporary permission until March 2018, in order to provide the applicant sufficient time to secure a more long term solution for the site.
- 3.2 CR/2011/0293/DEM – Prior notification for the proposed demolition and removal of all the buildings, fittings and contents of the site was assessed and it was considered that prior approval was not required. No development proposals were included at that time.
- 3.3 CR/1998/0655/FUL - Redevelopment of the site for two office buildings with associated roads, car parking and landscaping – Permitted - now expired.

PLANNING POLICY:-

4.1 National Planning Policy Framework 2013 (NPPF):

The core planning principles of the NPPF (paragraph 17) states that 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. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

In addition development should secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

- Paragraph 56 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 2030: The Crawley Borough Local Plan 2015-2030

- Policy SD1: (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.

- Policy CH2: (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- 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.
- Policy CH7: (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping.
- Policy EC3: (Manor Royal) states that Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings.
- Policy IN4: (Car and Cycle Parking Standards) states that 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 standards.
- Policy ENV6: (Sustainable Design and Construction) requires all development to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7: (District Energy Networks) 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.
- Policy ENV8: (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy IN1: (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN4 (Car and Cycle Parking Standards) States that 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 Councils car/cycle parking standards.

4.3 Supplementary Planning Guidance and Documents

The Councils Supplementary Planning Document on Planning Obligations and S106 Agreements (2008) and the Manor Royal Design Guide and the Manor Royal Public Realm. The Design Guide SPD recognises that improvements are required to the public realm through enhancing important private frontages and gateway sites. The SPD identifies where such improvements are needed, having regard to the location of sites, and setting out where the use of design principles, or the provision of structural landscaping, could provide improvement to both the private and public realms. The SPD also provides general design principles for the whole area and aims to deliver improvements to the setting and environment of Manor Royal as a means of enhancing its position in the sub-region and as a local employment destination. It does not seek to prescribe the types of use that will be considered acceptable in Manor Royal.

PLANNING CONSIDERATIONS:-

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

- Principle of development
- Design & appearance of the proposal & visual impact on the street scene
- Impact upon the amenities of the neighbouring businesses
- Impact on the users of the highway & parking provisions
- Drainage
- Ecology
- Sustainability measures
- Infrastructure contributions

Principle of development

5.2 The application site is situated within the Manor Royal Main Employment Area, where Local Plan Policy EC3 is relevant. Policy EC3 places a clear focus on the delivery of B-Class business uses within Manor Royal, though outlines that proposals for non B-Class development will be permitted provided that they are of a scale and function that enhances the established role and business function of Manor Royal. As the proposed development is for the creation of additional B-Class floorspace, within the Manor Royal employment area, the proposal is thus considered to accord with Local Plan Policy EC3.

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

5.3 The proposed building would be sited to the west of the site with parking surrounding the building albeit predominantly to the east. The building would have a contemporary appearance and would incorporate high quality materials. The 3 storey building would be an appropriate long term replacement for the existing temporary 2 storey Portakabin building.

5.4 Officers consider that the design and appearance of the building would be seen as a visual enhancement of the site and are satisfied that the size, height, design and scale of the building would be appropriate for the requirements of their purpose and would satisfactorily integrate within Manor Royal. The proposed development is considered acceptable in this regard.

Impact upon the amenities of the area and neighbouring businesses

5.5 The site is surrounded by various business uses, all of which have surrounding landscaped parking areas. The proposed new office building would replace an existing temporary office building which is presently on site, the precedent of the existing structure together with the appropriate siting, and footprint of the permanent 3 storey building would ensure that the amenities enjoyed by neighbouring buildings would not be adversely impacted upon. Officers consider that the proposal would not adversely impact upon the amenities of the neighbouring businesses by way of overbearing presence, light loss or loss of privacy.

Impact on the users of the highway & parking provisions

5.6 The development site presently has 4 access points however the development would reduce this number down to 2. The remaining accesses would form an 'in' and 'out' arrangement, with the most easterly and westerly accesses being closed. The proposal site is located within a sustainable location that is accessible by existing bus services which link to local train stations. The site also has good pedestrian and cycle routes of which is sited immediately to the east of the site. The site would provide 179 car parking spaces (of which 9 would be accessible), 78 bicycle spaces and 18 motorcycle spaces. On this basis the proposed parking and cycle provisions would accord with the Councils SPD on parking standards. WSCC were consulted on the proposal and have advised that they are satisfied that this proposal would not result in any capacity impacts that could be considered severe and raise no objection to the proposed development.

- 5.7 Subject to the imposition of a number of conditions relating to highway safety issues and accordance with a Construction Management Plan. The proposal would not have a detrimental impact on the workings of the highway network, and the overall parking provision is considered acceptable.

Drainage

- 5.8 The Councils Flood Alleviation and Drainage Officer has been consulted on the proposed development and has advised that the Drainage Strategy Statement which accompanied this application should clearly demonstrate that the surface water runoff generated up to and including the 100 year 30% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. This should include full, in-depth, hydraulic calculations to support both the pre-existing & proposed situations. Rates will need to be substantiated. The scheme shall subsequently be implemented in accordance with the approved details before the development is deemed completed. Consequently no development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. Any SuDs design must take due account of groundwater & geological conditions.
- 5.9 At the time of drafting this report, discussions were taking place between the applicant and the Councils Drainage Officer and it has been requested that further information be provided so that the Council can be satisfied that the proposed minimum standards of operation of SuDS are appropriate and to ensure that there are clear arrangements in place for ongoing maintenance over the full lifetime of the development. Any further information received from the applicant will be reported to committee by way of addendum.

Ecology

- 5.10 This application has been accompanied by an Ecological Assessment Report which was undertaken by Darwin Ecology whom have previously completed three phases of work across the wider CGG Veritas site over the last 4 years. In 2013, a second phase of wildlife beneficial planting scheme was planted to surround the sites temporary office units. As this submission now proposes to replace the temporary unit with a permanent purpose built office structure and this has thus necessitated the restructuring of the soft landscaped areas on the site.
- 5.11 The Ecology Officer was consulted on the application, and has advised that the site appears to have negligible existing wildlife value, but there is some scope for nesting birds to be affected by site clearance. There is also some potential for habitat enhancements as set out within the applicants accompanying BREEAM document, which will help meet the aims of the NPPF in respect of achieving a net gain for biodiversity, where possible, through the planning system. For these reasons the proposed development is considered acceptable from an ecological perspective.

Trees and Landscaping

- 5.12 This application has been accompanied by an Arboricultural Impact Assessment and Arboricultural Method Statement dated 10th September 2015. The Councils Arboricultural Officer was consulted on the proposed development in order to provide an assessment of the information provided, and has raised no objection to the proposal subject to all works being in accordance with the arboricultural report and planning proposal.

Sustainability Measures

- 5.13 The submitted Sustainable Design & Construction Statement details a number of measures as part of the energy strategy which respond positively to the ENV6 'sustainability objectives'. Officers are of the view that the highlighted measures which include the provision of office heating/cooling via air source heat pumps and the energy efficient building services, controls and metering can be supported.
- 5.14 On balance Officers support the objective of ensuring that the services of the new development meet the highest standards which have been sought and as such, subject to the imposition of conditions

which ensure that the proposed building meets the BREEAM requirements. Officers are content that the proposal would meet the objectives of policies ENV6, the proposal is thus considered acceptable from a sustainability perspective.

Infrastructure contributions

- 5.15 Policy IN1 of the Crawley Borough Local Plan 2015-2030 requires developments to make provision for their on and off site infrastructure needs. The Council's Supplementary Planning Document on Planning Obligations and S106 Agreements (2008) provides guidance on these matters and in this case, a Manor Royal Contribution of £10,942 would be sought. Such contributions are sought from all Manor Royal developments involving the provision of 100sqm or more of floor space at a rate of £2 per m² to be directed to local projects that benefit the site and the surrounding Manor Royal Quarter. These contributions would go towards projects in partnership with the Manor Royal Business Group: Pocket Park at London Road or Gateway 1 or 2. In addition to this the Council will be seeking a financial contribution towards transport improvements using the concept of 'Total Access Demand' to the sum of £149,338.

CONCLUSIONS:-

- 6.1 For the reasons as outlined above, the proposed development is considered to be of an appropriate design and scale which would satisfactorily integrate with the character of the site and the Manor Royal Business District, whilst not having an adverse impact upon the existing highway network. It is considered that the proposed development would be in accordance with the aims of the NPPF (2012), the relevant policies within the Crawley Borough Local Plan 2015-2030, and the guidance within the Councils Supplementary Planning Document on Planning Obligations and S106 Agreements (2008) and the Manor Royal Design Guide and the Manor Royal Public Realm.
- 6.2 It is therefore recommended to grant planning permission for this planning application subject to conditions and informatives and the conclusion of a Section 106 Agreement to secure a Manor Royal contribution. However, in the event that the Section 106 Agreement is not completed by the 30th June 2016 and unless there are exceptional reasons for the delay agreed in writing with the applicant, the Head of Economic and Environmental Services be authorised to refuse planning permission for the following reason:
- 1 An agreement is not in place to ensure that the appropriate infrastructure provisions to support the development and the development is therefore contrary Policy IN1 of the Crawley Borough Council Local Plan 2015-20130 and the Crawley Borough Council Supplementary Planning Guidance Document 'Planning Obligations and S106 Agreements'.

RECOMMENDATION RE: CR/2016/0030/FUL

Permit subject to the applicant entering into a S106 agreement securing infrastructure contributions as set out in paragraph 5.15 above and in accordance with the prescribed 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 buildings 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. 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.
5. No part of the development shall be first occupied until such time as the existing redundant vehicular access onto Crompton Way has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
REASON: The above condition is required in order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with INV4 of the Crawley Borough Local Plan 2015-2030.
6. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide car-parking space for the use by the occupants of the office in accordance with INV4 of the Crawley Borough Local Plan 2015-2030.
7. No part of the development shall be first occupied 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 in accordance with INV4 of the Crawley Borough Local Plan 2015-2030.
8. No development shall take place, including any works of demolition, until a Construction Management Plan including phasing and on site management strategy during construction have 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,
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - 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 hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.REASON: In the interests of highway safety and the amenities of the area in accordance with INV4 of the Crawley Borough Local Plan 2015-2030.
9. The measures for the protection and enhancement of biodiversity as set out in the BREEAM 2014 New Construction Non-domestic Ecological Assessment by Darwin Ecology, dated September 2015, shall be implemented in full, unless otherwise agreed in writing with the local planning authority.
REASON: to ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF.
10. No part of the building hereby permitted shall be occupied until a copy of a post-construction certificate, verifying that the building has achieved the minimum Energy and Water standards for BREEAM 'Excellent', has been submitted to the local planning authority.
REASON: In the interest of Environmental Sustainability in accordance with ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.
11. The development hereby permitted shall not proceed until details of the proposed surface water (and foul) drainage and means of disposal have been submitted to and approved by the Local Planning

Authority and no building shall be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

REASON: To ensure that the proposed development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

12. 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 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.

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.



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

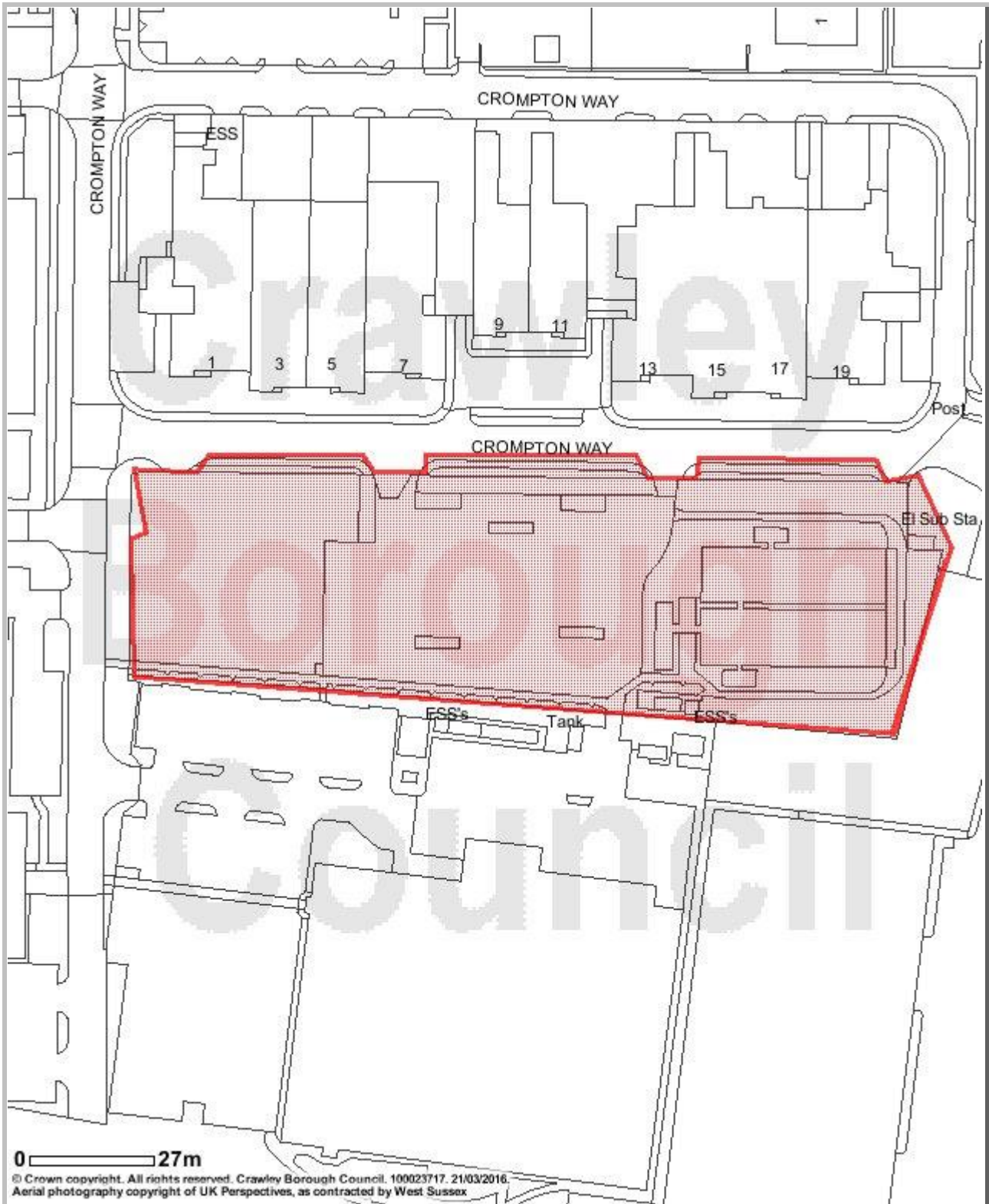
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0030/FUL

Date 21 March 2016

Approx. Scale 1:1,250

**LAND AT CROMPTON WAY, MANOR ROYAL,
NORTHGATE, CRAWLEY, RH10 9QR**



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REFERENCE NO: CR/2016/0074/FUL

LOCATION: 4 FURNACE PARADE, FURNACE GREEN, CRAWLEY
PROPOSAL: CHANGE OF USE FROM RETAIL (A1) TO CAFE/RESTAURANT (A3), INCLUDING
INTERNAL LAYOUT ALTERATIONS & INSTALLATION OF EXTERNAL FLUE

TARGET DECISION DATE: 5 April 2016

CASE OFFICER: Mrs M. Harper

APPLICANTS NAME: Mr Yusuf Buyukertas

AGENTS NAME: ADA Group

PLANS & DRAWINGS CONSIDERED:

FP- 0116-01 Existing & Proposed Ground Floor Plan, FP- 0116-02 Proposed Front & Side Elevations, FP- 0116-03 Existing & Proposed Side & Rear Elevations, Location Plan, IMG_3862 Photo of Fire Exit, IMG_3867 Photo of Shop Front, Fan Technical Details, Fan Silencer Technical Details, Filter Technical Details

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|----------------------------|------------------------------------|
| 1. | CBC - Property Division | No objection. |
| 2. | CBC - Environmental Health | No objection subject to condition. |

NEIGHBOUR NOTIFICATIONS:-

Profilo Hair Design; Frizzys Balti House; 3, 11, 21, 26 & 27 Furnace Parade.

RESPONSES RECEIVED:-

7 representations have been received objecting to the change of use of the grounds that:-

- there are already enough fast food outlets on the parade;
- the use will create more noise and litter;
- would increase activity both early in the morning and late at night;
- the proposed use would extenuate existing parking problems within Parade

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 single storey retail unit situated in the north east corner of Furnace Parade which lies to the south of Furnace Place and east of Weald Drive. To the rear of the building is a service yard with a church and school beyond whilst to the east is open amenity land.
- 1.2 The parade includes a mixture of A1, A3 and A5 uses including Take-Aways, newsagent, Chinese, accountancy shop, hairdressers, chemist, dry cleaners, flooring company and grocers. The Parade is served by a communal a parking area to the front. There is also an area of parking to the east and Furnace Place to the rear provides a service access serving units within the Parade and the commercial units and garage block behind the Parade.. There are no identified site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 Permission is sought for the change of use of the existing shop unit (A1) to café/restaurant use (A3) use. The proposals would include internal alterations to the unit and the installation of an external flue.
- 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 unit would trade as a café between the hours of 0700- 1700 hours.

PLANNING HISTORY:-

- 3.1 There is no recent relevant planning history.

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 key considerations in the determination of this application are:

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

The acceptability of the principle of the change of use of this location and its impact on the retail viability of the Town Centre;

- 5.2 The application site is located within a Neighbourhood Centre, whereby Policy EC8 states that the change of use of from A1 (Retail) to other uses would be supported provided proposals are appropriate to the established role of the neighbourhood centre in terms of scale and function; and will not adversely affect the ability of the parade to cater for the day-to-day needs 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.

- 5.3 Furnace Parade comprises a good mix of uses comprising A1, A3 and A5 uses. Given the range of uses it is not considered the change of use from A1 to A3 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.

Impact of the proposed extraction/ventilation equipment on the design and overall appearance of the Parade and surrounding area

- 5.4 To the rear of the building a new external flue is proposed to serve the extraction equipment which would be accommodated internally. Whilst this would not be visible from the Parade itself it would be visible from Furnace Place which runs to the rear. However given the size of the flue and its context within the service area the siting and appearance of the flue is considered acceptable.

The impact on amenity of neighbouring occupiers

- 5.5 The Environmental Health Department were consulted on the application and have commented that given the close proximity of residents, conditions should be attached to any consent restricting the hours of trading and when deliveries take place. They have also requested further information in respect of the proposed ventilation and kitchen extraction scheme. This has been agreed with the applicant and therefore appropriate conditions are recommended and would ensure there is no detrimental impact on the amenity of nearby residential properties in terms of noise or fumes.

Operational requirements of the development

- 5.6 The site is situated within a small Parade where there are existing mix of retail, and commercial units whilst being surrounded by residential properties. The applicant has stated that the equivalent of four full time people would be employed and the previous use of the unit for retail purposes would have attracted passing trade throughout the day. The proposed change of use is therefore not likely to result in a severe increase in vehicular activity.

Other issues

- 5.7 The representations received in response to the application are acknowledged and particular raise the issue as to whether there is a need for a further food/ café. However issues of competition are not material planning considerations in the determination of this application.

CONCLUSIONS:-

- 6.1 For the reasons outlined above, the proposed change of use, together with the internal alteration and proposed flue 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/2016/0074/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 0700-1800 seven days a week.
REASON: In the interest of residential amenity in accordance with Policy CH3 of the Local Plan 2015-2030.
4. Deliveries to the unit shall only take place between 0700-1800 Mondays to Saturdays.
REASON: In the interests of residential amenity in accordance with Policy CH3 of the Local Plan 2015-2030.

5. The use hereby permitted shall not be carried on unless and until details of the means of ventilation for the extraction and disposal of cooking and other odours, its installation, maintenance and replacement, have been approved in writing by the Local Planning Authority. The approved means of ventilation shall thereafter be installed, maintained and replaced in accordance with the approved details.

REASON: In the interests of the amenities of the locality in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. Careful consideration should be given to the type of filters to be used in such a system and further guidance on this can be sought from the Guidance on the Odour and Noise from Commercial Kitchen Exhaust Systems by Defra.
2. With regard to acceptable BS4142 criteria: Noise from the extraction and ventilation system (and any other plant associated with the development) as assessed at any residential property in accordance with British Standard 4142, shall be such that there is a positive indication that complaints are unlikely. This means that the rating level of the noise which, in the case of fan noise, will normally include an additional 5dB correction for distinct tonal characteristics must at least 10dB below the background noise level (La90).

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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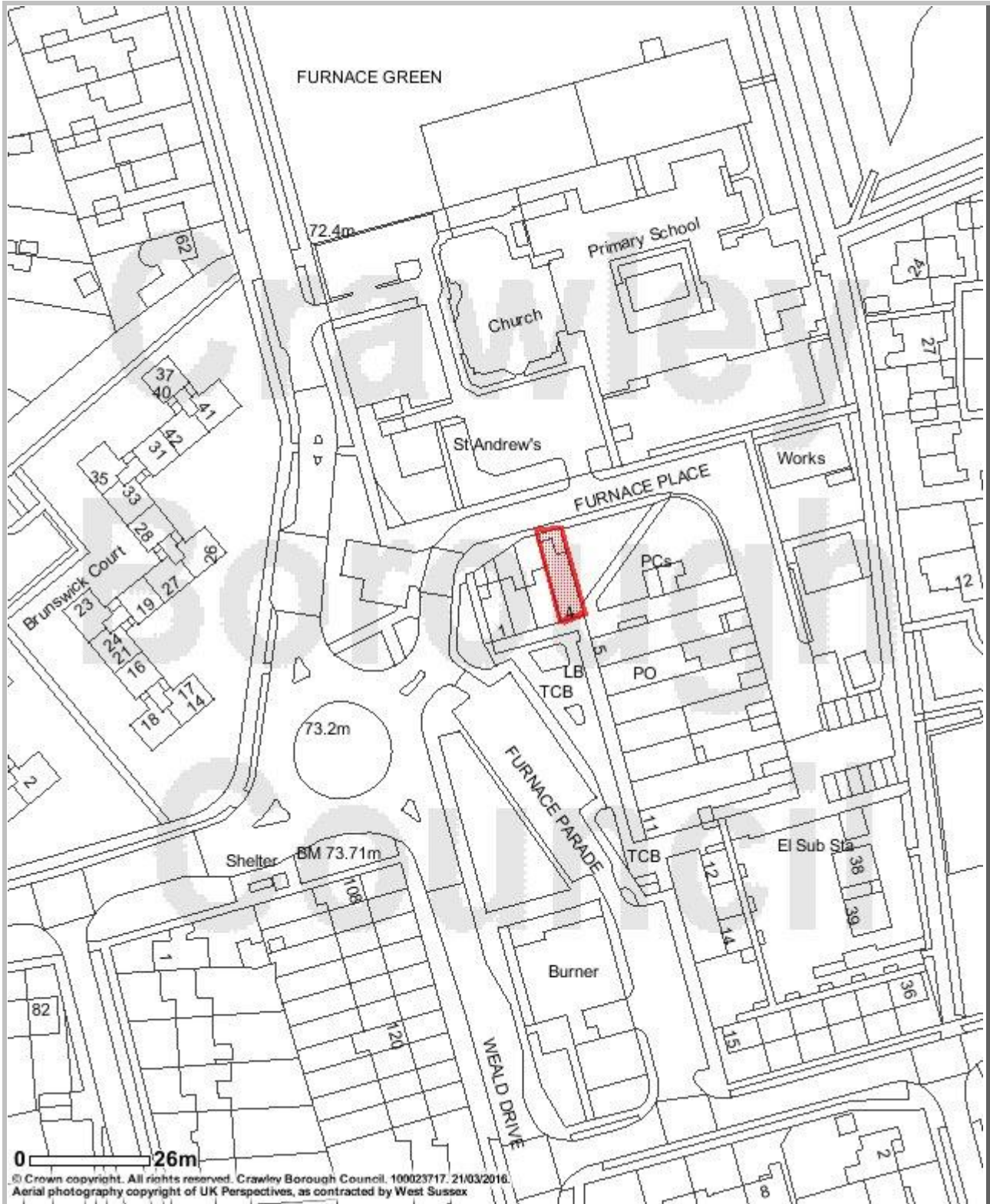
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0074/FUL

Date 18 March 2016

Approx. Scale 1:1,250

**4 FURNACE PARADE, FURNACE GREEN,
CRAWLEY, RH10 6NX**



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REFERENCE NO: CR/2016/0102/FUL

LOCATION: LAND ADJACENT TO 73 EAST PARK, SOUTHGATE, CRAWLEY
PROPOSAL: CHANGE OF USE FROM AMENITY LAND TO PRIVATE GARDEN SPACE TOGETHER WITH ERECTION OF NEW 1.8M WALL AND FENCE

TARGET DECISION DATE: 30 March 2016

CASE OFFICER: Mrs M. Harper

APPLICANTS NAME: Mr Brian Osterreicher

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

J476-001B Site Plan, Block Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. WSCC - Highways No objection subject to informative advising of the need to apply for a stopping up order.

NEIGHBOUR NOTIFICATIONS:-

1, 2, 3 and 33 Clitherow Gardens, Southgate; 71 East Park, Southgate;

RESPONSES RECEIVED:-

6 representations have been received objecting to the application on the grounds that:

- It would result in the loss of greenspace within the Close;
- Design and appearance does not fit into street scene;
- Set a precedent encouraging claims from adjoining residents;
- It should be kept as community land.

REASON FOR REPORTING TO COMMITTEE:-

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

THE APPLICATION SITE:-

- 1.1 The application site is a small triangular piece of land (25sqm) which lies to the east of 73 East Park, a semi-detached dwelling located on a corner plot at the junction of East Park and Clitherow Gardens. The application site is currently bounded by a low level fence and appears overgrown and unkempt.
- 1.2 To the south is a small development of flats whilst to the north is a vacant office building. To the west are residential dwellings. Along the northern site boundary is an existing single storage shed which occupies intervening land between the site and East Park and appears disused.

THE PROPOSED DEVELOPMENT:-

- 2.1 Permission is sought for the change of use of the land from amenity land to private garden space together with the erection of a 1.9m high wall and fence for the use of the adjoining property, 73

East Park. The area measures approx. 4.3m wide by 9.2m deep, is triangular in shape and follows the back edge of the pavement.

PLANNING HISTORY:-

- 3.1 Planning permission was granted for the change of use as now applied for under CR/2010/0293/COU. This permission was not implemented and has now expired.

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)

- 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.

PLANNING CONSIDERATIONS:-

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

- Principle of the change of use of the land;
- Impact of the change of use on the character/visual amenities of the area;
- Impact on the highway.

Principle of the change of use of the land

- 5.2 The acceptability of the change of use has already been established through the grant of planning permission in 2010 and therefore of more relevance is whether there has been a change in circumstance or policy since that time. The land lies behind a vacant storage shed and is separated from a larger area of amenity land to the east by a footpath. As such, it does not specifically contribute to the openness of the area and its current unkempt condition is considered of no particular amenity value to the wider area or street scene

- 5.3 Therefore, the principle of changing the use to private garden space is considered acceptable as it would not detract from the character and amenity of the surrounding area. Likewise whilst since the previous decision was taken the Local Plan 2015-2030 has been adopted, this Plan does not specifically include any policies which preclude the change of use of amenity land in these circumstances and the proposals therefore generally comply with Policy CH3. The proposal is therefore considered acceptable in this respect.

Impact on the site and the surrounding area, including visual impact

- 5.4 In terms of the visual impact, the loss of the space would not be detrimental to the street scene, as it currently does not contribute to the visual amenity of the surrounding area, the land is not well kept or maintained and does not provide open views. Furthermore, as previously stated, there is a wide strip of greenspace to the east of the site, which maintains the green and pleasant environment and provides space between the dwellings to the east and west, along with long views through the wider surrounding area. The enclosure of this land would therefore not erode the openness at this junction and would be in keeping with character of the surrounding area, which is largely residential.

5.5 The proposed wall would be of a similar scale to the existing wall which runs along with eastern boundary. There is also a wall in situ, which is higher than the eaves of the existing outbuilding within the curtilage of the dwellinghouse. As such the proposed wall would be lower with some fence panels and would have less impact on the surrounding area than the existing wall directly behind the application site.

Impact on the highway

5.6 The application site is set back from the road and would therefore have no impact on highway safety. The site runs parallel to a public footpath, which would be excluded from the site and would therefore be retained. WSCC have commented that the adjacent footpath is maintained as an E-classification route, and therefore, the enclosure of this land would not be anticipated to give rise to a highway safety issue in this location.

5.7 WSCC Highways also comment that the applicant should not enclose the land prior to the successful completion of a Stopping Up Order, and it is noted that this has been requested but an informative is proposed to address this.

CONCLUSIONS:-

6.1 For the reasons outlined above, the proposed change of use, together with the enclosure of the land by a 1.8m wall/fence is considered acceptable and would accord with Policy CH3 of the Local Plan 2015-2030.

RECOMMENDATION RE: CR/2016/0102/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. The materials and finishes of the external boundary wall hereby permitted shall match in colour and texture those of the existing boundary wall.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE

The applicant is reminded of the need for a Stopping Up Order to be completed prior to the works taking place to extinguish highway rights over this land.

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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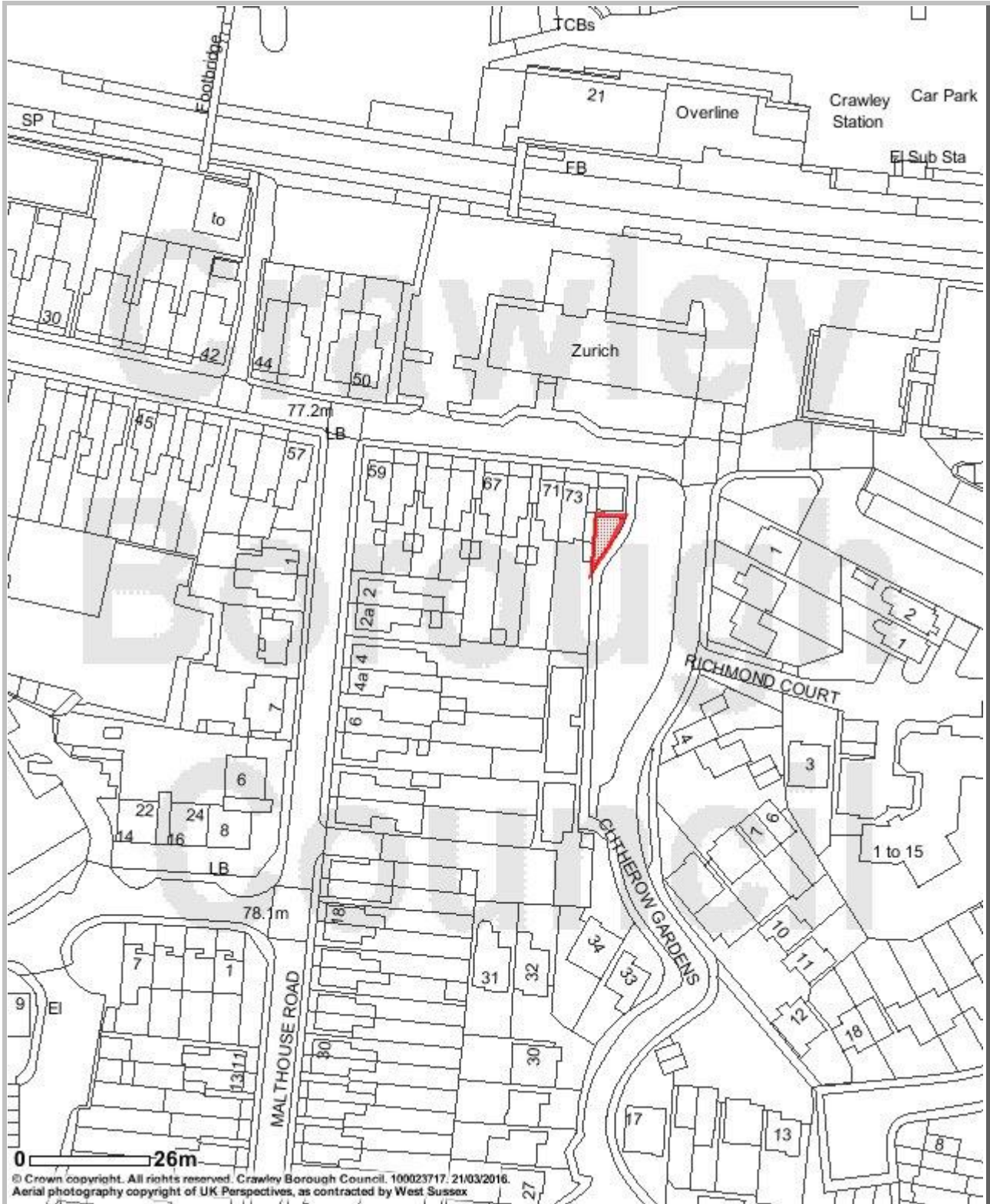
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CR/2016/0102/FUL

Date 18 March 2016

Approx. Scale 1:1,250

**LAND ADJACENT TO 73 EAST PARK,
SOUTHGATE, CRAWLEY**



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