**CRAWLEY BOROUGH COUNCIL** PLANNING COMMITTEE - 1 August 2016 REPORT NO: PES/206



<u>ITEM</u>	REF NO	LOCATION	RECOMMENDATION
<u>001</u>	CR/2016/0372/FUL	LANGLEY GRANGE, LANGLEY WALK, LANGLEY GREEN, CRAWLEY	PERMIT
<u>002</u>	CR/2016/0384/FUL	9 & 11 HOME CLOSE, POUND HILL, CRAWLEY	PERMIT
<u>003</u>	CR/2016/0394/RG3	RIDLEYS COURT, MILTON MOUNT AVENUE, POUND HILL, CRAWLEY	PERMIT
<u>004</u>	CR/2016/0395/LBC	RIDLEYS COURT, MILTON MOUNT AVENUE, POUND HILL, CRAWLEY	CONSENT

#### REFERENCE NO: CR/2016/0372/FUL

LOCATION: LANGLEY GRANGE, LANGLEY WALK, LANGLEY GREEN, CRAWLEY PROPOSAL: CHANGE OF USE FROM HOSTEL ACCOMMODATION TO A SINGLE DWELLING

TARGET DECISION DATE: 20 June 2016

CASE OFFICER: Mr M. Robinson

**APPLICANTS NAME:**Crawley Borough Council**AGENTS NAME:**GWP Architects

#### PLANS & DRAWINGS CONSIDERED:

15/134/sk05 Site Location Plan, 15/134/sk05 Block Plan, 15/134/sk01 Existing Ground & First Floor Plans, 15/134/sk04 Existing Elevations, 15/134/sk21 Proposed Ground & First Floor Plans, 15/134/sk22 Second Floor & Roof Plan, 15/134/sk23 Proposed Elevations

#### **CONSULTEE NOTIFICATIONS & RESPONSES:-**

- 1. GAL Aerodrome Safeguarding
- 2. WSCC Highways
- 3. National Air Traffic Services (NATS)
- 4. Sussex Building Control Partnership
- 5. CBC Property Division
- 6. Listed Building Officer

### **NEIGHBOUR NOTIFICATIONS:-**

N/A Advertised through site notice and press advert.

#### **RESPONSES RECEIVED:-**

One question has been raised by Cllr B Smith regarding the requirement for cycle parking.

#### **REASON FOR REPORTING TO COMMITTEE:-**

Crawley Borough Council is the applicant.

#### **THE APPLICATION SITE:-**

- 1.1 Langley Grange is a Grade II Listed building located to the north west of Langley Walk. The site is flat and is access by a CBC access track. There are ditches forming the eastern and southern boundaries of the site. There is a detached garage to the north east of the building.
- 1.2 The building itself is in use as a Hostel.
- 1.3 Listing description Early C17 3 bay timber-framed house, altered and enlarged in C19. Two storeys. Ground floor painted brick. First floor tile hung with bands of fishscale tiles. Hipped modern tiled roof broken on the north side by a timber-framed stair vyse with exposed timberwork. Three modern leaded casements. Fine projecting chimneybreast at east end, the lower courses of local dressed

No objection No objection No comment received No objection No comment received. stone, the upper portion of brick, the stack rebuilt. West gable end tile hung. C19 2-storey additions, red brick on north side. Interior has stair vyse with newel post which extends from the ground to the second floor.

# THE PROPOSED DEVELOPMENT:-

- 2.1 This planning application seeks permission for a change of use of the building into one dwelling house. The building is currently in use as a hostel. The resultant building would have 5 bedrooms on the 1<sup>st</sup> floor and two store rooms within the loft that could potentially also be used as bedrooms. It would be surrounded by an area of land that would be allocated as a private garden for the property.
- 2.2 No alterations to the building are proposed in this application.

## PLANNING HISTORY:-

- 3.1 In 2012 a Listed Building application was submitted to restore and repair a number of unauthorised alterations made to the building. Red. CR/2012/0371/LBC. This has been granted consent.
- 3.2 In 2016 Listed Building Consent was granted for minor reinstatement works to interior and to external elevations. Ref. CR/2015/0834/LBC. These works are proposed to restore the building to a condition prior to its use as a hostel, and includes the removal of roof-lights, and internal partitions and the rebuilding of chimney stacks amongst many other small scale alterations.

## PLANNING POLICY:-

### The National Planning Policy Framework 2012

- 4.1 The National Planning Policy Framework (NPPF) was adopted in March 2012. The core principles introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.
- 4.2 Paragraph 47 & 49 (Delivering a wide choice of high quality homes) applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 4.3 Chapter 12 addresses conserving and enhancing the historic environment. Paragraph 131 sets out that it is desirable to sustain and enhance the significance of heritage assets and use them for viable uses consistent with their conservation value and that they make a positive contribution to local character and distinctiveness. Paragraph 132 highlights the importance of considering the significance of the heritage asset and that any harm or loss should require clear and convincing justification. Para. 134 further expands upon this and requires the harm caused to be weighed against the public benefits.

#### Crawley Borough Local Plan 2015-2030.

- 4.4 Policy SD1 (Presumption in Favour of Sustainable Development) states development will be supported where it complements Crawley's character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel; provides a safe and secure environment for its residents and visitors; and accords with the policies and objectives set out in this Plan unless material considerations indicate otherwise.
- 4.5 Policy CH2 (Principles of Good Urban Design) New development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character.

- 4.6 Policy CH3 (Normal Requirements of All Development) states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate "Secure by Design" principles and demonstrate how the Building for Life 12 criteria would be delivered.
- 4.7 Policy CH5 (Standards for All New Dwellings) (including conversions) states all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents through the application of the Lifetime Homes Standards. The minimum size for each dwelling should be based on the National internal and local external space standards.
- 4.8 Policy CH9 (Development Outside the Built Up Area Boundary) seeks to protect the setting of the town by restricting development outside the built up area to that, that will not harm the visual, noise, or light amenity of the countryside/landscape or generate inappropriate levels of traffic and activity incompatible to its rural setting. The site is within the Upper Mole Farmlands Rural Fringe which has an important role in maintaining the separate identity of Gatwick Airport from Crawley whilst providing recreational links into the countryside.
- 4.9 Policy CH12 (Heritage Assets) seeks to ensure heritage assets are not lost to development and the impact on their setting is acceptable.
- 4.10 Policy CH15 (Listed Buildings and Structures) recognises that the Council will ensure that works to Listed Buildings are consistent with their character, appearance, heritage value and setting. All changes must preserve or enhance the design and character of the Listed building.
- 4.11 Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- 4.12 Policy H4 (Affordable and Low Cost Housing) Affordable housing will be required from all residential developments. For sites of 5 dwellings or fewer or less 0.2ha a commuted sum towards off site affordable housing provision will be sought.
- 4.13 Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- 4.14 Policy ENV6 (Sustainable Design and Construction)
- 4.15 Policy IN3 (Development and Requirements for Sustainable Transport). Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety. Developments will be permitted unless the cumulative impact on the transport network is *severe* and cannot be satisfactorily mitigated.
- 4.16 Policy IN4 (Car and Cycle Parking Standards) states development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards.

#### Supplementary Planning Guidance and Documents

- 4.17 Relevant SPD's/SPG's are (SPG) Note 4 'Private Outdoor Space'; (SPG) Note 17 'Higher Density Housing' and The Planning Obligations and Section106 Agreements Supplementary Planning Document 2008 which includes parking standards and details of required infrastructure mitigation.
- 4.18 Technical Housing Standards Nationally Described space standards which outlines minimum standards of accommodation for development and private outdoor amenity space.

4.19 The following emerging Supplementary Planning Documents are also considered to be a consideration in the determination of this application:

a./ Planning and Climate Change – Provides guidance on sustainability requirements for developments.

b/. Urban Design SPD – Includes heritage advice, parking standards and external amenity spaces standards for developments.

## PLANNING CONSIDERATIONS:-

- 5.1 The building is currently in a hostel use. This does not fall within a recognised use class but does form a type of temporary housing. There are no specific policies that would relate to the loss of hostel accommodation. Policy H1 states that the Council will positively consider proposals for the provision of housing to meet local housing needs subject to ensuring other policies within the Local plan are complied with, and policy H3 sets out that development of housing should provide a mix of dwelling types. On the basis therefore that the proposed development would relate in creation of one 4 + bed dwelling it is considered that in in principle the development could be acceptable.
- 5.2 The determining consideration for this application are therefore:
  - The impact on neighbouring occupiers amenities;
  - Whether the development would provide an acceptable standard of accommodation for future occupiers;
  - The impact on the special architectural and historic character of the Listed Building and its setting;
  - The impact on the character of the Countryside;
  - Affordable Housing;
  - Sustainability matters;

## The impact on neighbouring occupier's amenities;

5.3 A single dwelling house is likely to result in lower levels of activity at the site compared to its current use as a hostel. It is not therefore considered that the development would not have any harmful impacts on neighbouring occupier's amenities.

## Whether the development would provide an acceptable standard of accommodation for future occupiers;

- 5.4 The largest dwelling size within the nationally Described Space Standards requires a minimum floorspace of 138sqm for a 3 storey, 6 bedroom, 8 person dwelling. The resultant building would have a floor space in excess of the 290sqm (including the loft spaces but excluding ground floor stores and the garage). Each living/bedroom room would have an outlook, although in the loft rooms this would be limited. It is therefore considered that the accommodation within the building would provide for a generous sized dwelling and it is therefore acceptable in this regard.
- 5.5 The building would also be surrounded by a predominantly grassed area bordered by hedges and ditches that would create natural and defined boundaries to a proposed garden. The garage would provide general storage, cycle storage and car-parking. There is also an area provided for off road parking for at least 5 vehicles. It is therefore considered that the development could provide an adequate level of accommodation for future residents.

## The impact on the special architectural and historic character of the Listed Building and its setting;

5.6 No alterations to the building are proposed that have not been granted consent under the previous listed building applications submitted to repair and restore the building. It is not therefore considered that the change of use would have a physical impact on the fabric of the Listed Building.

- 5.7 The proposal would be provided with a garden within a defined area around the building, bounded by trees, hedgerow and ditches. No outbuildings area proposed and no fencing/additional boundary treatment is proposed. The rural setting of the building within the countryside would therefore be retained. Any outbuildings that future occupiers may wish to erect within the curtilage of a listed building would require planning permission under the terms of the current legislation.
- 5.8 It is therefore considered that the use would not harm the fabric or the setting of the Listed Building.
- 5.9 There is however a concern that there is potential for the building to be converted into a C4 House in Multiple Occupation without a requirement for planning permission and that this could lead to numerous alterations to the building that would affect its special architectural and historic character. It is therefore considered that in order to ensure control over the future use of the Listed Building buito prevent potential damaging alterations a condition will require the building to remain as a single dwelling house.

### The impact on the character of the Countryside;

5.10 The proposed use would be likely to result in a lower level of activity at the site than the existing hostel use and notwithstanding the use would be likely to result in the addition of domestic paraphernalia within the proposed garden area, the surrounded woodland, fields and rural boundaries would be retained. The use is therefore considered appropriate to this location outside the built up area boundary.

### Affordable Housing

- 5.11 Crawley Borough Local Plan Policy H4, in respect of Affordable Housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less a commuted sum towards off-site affordable housing provision will be sought.
- 5.12 National Planning Policy, established through a Ministerial Statement and Appeal Court Judgement since the adoption of the Local Plan, has introduced a threshold for size of development below which affordable housing contributions should not be sought. This states that residential developments of ten dwellings or less, or which have a maximised combined gross floor-space of no more than 1000sqm, should not have to provide affordable housing.
- 5.13 Whilst Crawley Borough Council continues to believe there are specific local circumstances which are strong material considerations to be considered against the Ministerial Statement, it is recognised that the financial contribution sought and the balance to address the disproportionate burdens and ensure small house builders are not dis-incentivised to deliver housing in Crawley should be explained and justified in the Affordable Housing Supplementary Planning Document (SPD), and published for consultation.
- 5.14 At this stage, as the SPD in relation to this policy has not yet been published, officers consider it would be unreasonable to expect affordable housing contributions in relation to the application.

#### Sustainability matters

5.15 Policy ENV6 would usually require information to be submitted with the application relating to the sustainability of the building and measures that could improve upon its energy efficiency. The building is listed and clearly many alterations to comply with this policy could result in significant harm to the special architectural and historic character of the building. It is therefore considered that due to the significance of this constraint, it is not necessary in this specific case to require sustainability measures.

#### CONCLUSIONS:-

6.1 The principle of the change of use is acceptable and the standard of accommodation proposed would meet the needs of future occupiers. The impact on the special architectural and historic character of

the listed building and its wider countryside setting would be protected. It is therefore considered that the development would accord with the relevant development plan policies.

## RECOMMENDATION RE: CR/2016/0372/FUL

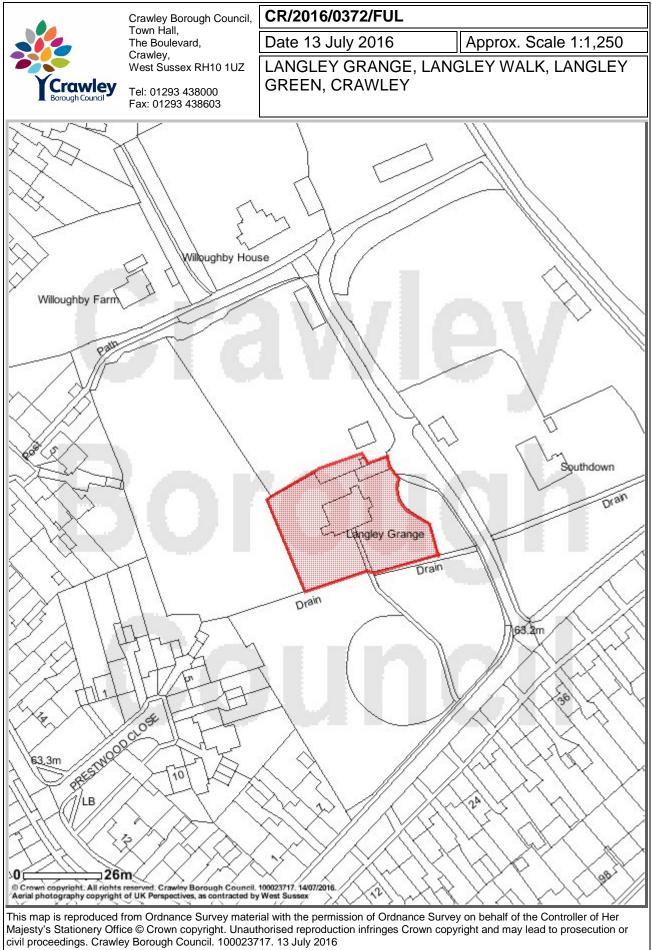
Permit subject to the following conditions:

- 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 proposed building/premises shall be used as a C3 single dwelling house and for no other purpose (including any other purpose in classes C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order, 1989). REASON: To ensure the use of the building does not result in harm to the special architectural and historic character of the Listed Building, in accordance with policy CH15 of the Crawley Borough Local Plan 2015-2030.

### **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.



## REFERENCE NO: CR/2016/0384/FUL

#### LOCATION: <u>9 & 11 HOME CLOSE, POUND HILL, CRAWLEY</u> PROPOSAL: ERECTION OF THREE DETACHED DWELLINGS AND SINGLE DETACHED GARAGE WITH ACCESS OFF PEMBROKE ROAD

TARGET DECISION DATE: 6 July 2016

CASE OFFICER: Ms E. Wachiuri

**APPLICANTS NAME:**Barclay Developments Ltd**AGENTS NAME:**MAJ Architects

#### PLANS & DRAWINGS CONSIDERED:

D16081 A 1000 Rev P1 Site Location Plan, D16081 A 1003 Rev P1 Ground Floor Site Plan, D16081 A 1004 Rev P1 First Floor Site Plan, D16081 A 1010 Rev P1 Plot 1 Proposed Floor Plans, D16081 A 1011 Rev P1 Plot 1 Proposed Elevations, D16081 A 1012 Rev P1 Plots 2 & 3 Proposed Floor Plans, D16081 A 1013 Rev P1 Plots 2 & 3 Proposed Elevations, D16081 A 1015 Rev P1 Plot 1 Proposed Detached Garage, D16081 A 1020 Rev P1 Site Sections S1 S2, D16081 A 1021 Rev P1 Site Sections S3 S4, D16081 A 1022 Rev P1 Site Sections S5 S6, 7919 Site Survey, D16081 A 1005 Rev P1 Block Plan, D16081 A 1002 Rev P1 SP Layout, D16081 A 1001 Rev P2 Site Layout

#### **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1.	GAL - Aerodrome Safeguarding
----	------------------------------

- 2. Environment Agency
- 3. WSCC Highways
- 4. National Air Traffic Services (NATS)
- 5. Sussex Building Control Partnership
- 6. CBC Planning Arboricultural Officer
- 7. CBC Contaminated Land
- 8. CBC Drainage Officer

No objection No comments Amended plans received and no objection raised subject to conditions. No safeguarding objections No response received No Objection. Provided works are in accordance with the Arb Method Statement and Tree Protection Plan No objection subject to condition Conditional. No specific information has been provided to ensure that the proposed development does not exacerbate known flooding downstream. There have been unconfirmed reports of existing drainage issues in the surrounding area. Consequently further investigation would be necessary to ascertain the extent of any drainage liabilities. Therefore, a relevant condition to ensure that any future drainage issues are appropriately mitigated prior to any actual development of the site.

### **NEIGHBOUR NOTIFICATIONS:-**

2 to 48 (even nos) and 1 to 49 (odd nos) Trinity Close, Pound Hill;

- 1 to 23 (odd nos) Home, Close, Pound Hill;
- 1 to 13 (odd nos) and 12 to 24 (even nos) Pembroke Road, Pound Hill;
- 1 to 9 (odd nos) and 2 to 10 (even nos) Ruskin Close, Pound Hill;
- 66, 66A, 68, 70, 72, 72A, 74, 76, 80 Grattons Drive, Pound Hill;

15 to 23 (odd nos) and 20 to 30 (even nos) Somerville Drive, Pound Hill; 1 Lakeview, Pound Hill;

# **RESPONSES RECEIVED:-**

28 letters of objections received raising the following concerns:

- New junction onto Pembroke Road would be dangerous due to poor visibility and being a blind spot.
- Increased parking and traffic problems.
- Insufficient parking on the new development will cause an overspill onto surrounding roads.
- The proposed dwellings in terms of materials and design are not in keeping with the area.
- Loss of privacy due to proximity to neighbouring rear gardens and due to loss of existing trees.
- Noise from traffic going in and out of site during construction and after.
- Air pollution from exhaust fumes and refuse disposal.
- Overdevelopment and excessive density on site compared to the surrounding area.
- Loss of trees and wildlife habitat.
- Gardens in adjacent properties are soggy and the loss of trees would cause more drainage issues.
- The application site floods and the proposed development would increase the water table in surrounding back gardens and lead to increased risk of flooding to surrounding properties.
- Methane gas seepage.
- Plot 2 is only 16m from corner of neighbouring house and would cause loss of privacy.
- 3 storey houses are out of character of the area.
- 3<sup>rd</sup> floor windows would cause overlooking and loss of privacy.
- The development has no access via a public road to allow trade vans and deliveries.
- The access road is not sufficient for emergency and refuse services.
- Loss of light.
- Overlooking from openable en-suite windows onto facing habitable rooms and rear gardens of adjacent properties.
- Misleading information on application site address as access is from Pembroke Road and indicating that no new/modified access to the site.
- Some neighbours not consulted.
- Position of no.7 Home Close is missing from all the plans of the proposed site.
- How would the foul sewage be disposed off?
- The proposal will set a precedent for back land development.

# **REASON FOR REPORTING TO COMMITTEE:-**

The number of objections received and the recommendation to permit.

# THE APPLICATION SITE:-

- 1.1 The application site comprises part of the rear gardens of 9 and 11 Home Close, which were recently cleared following years of lying overgrown and unkempt. The application site also includes the existing vehicle access from Pembroke Road and part of the long drive serving Lakeside Cottage on the northern boundary. The site is accessed via a long drive from Pembroke Road, which is flanked by trees and woodland with a small pond to the north.
- 1.2 There are residential dwellings to the west (Grattons Drive), south (Home Close) and east (Trinity Close) of the access drive to the east. The drive has a double metal gate with brick pillars either side set back 4.5m from the pavement and 7.5m back from Pembroke Road.
- 1.3 The development site comprises land totalling approx. 0.24ha. The remaining land to the rear of nos. 9 and 11 will be retained and maintained as private garden space for these properties.

- 1.4 The site includes a number of mature trees which are protected by Tree Preservation Order Crawley Borough (Home Close No2) P16.7.43 confirmed in 2008. There is also another Order covering the trees surrounding the pond to the north namely Crawley Borough Council (Lakeside Cottage Grattons Drive) Tree Preservation Order 1988 P16.7.18.
- 1.5 The site level falls 1m below the boundaries to the east, west and south with the centre of the site being the lowest point.

# THE PROPOSED DEVELOPMENT:-

- 2.1 Permission is sought for the erection of three detached dwellings (2 with integral garages and 1 with a single detached garage) all with access off Pembroke Road.
- 2.2 The site has been divided into 3 plots. Plot 1 consists of a 1no five bedroom house and plots 2 & 3 would consist of 2no 4 bedroom houses. The properties would consist of two storeys with further accommodation within the vaulted roof space. The gross internal area would be as follows:
  - Plot 1- 5x bedroom 176 sqm
  - Plot 2- 4x bedroom 167 sqm
  - Plot 3- 4x bedroom 167 sqm

Each property would have a good sized rear garden.

- 2.3 Plot 1 has a detached garage whilst plot 2 & 3 both have single integral garage spaces. A total of 6 car parking spaces and 9 cycle spaces to be stored within the proposed garages are also being proposed according to the design and access statement. 2 parking spaces made of grasscrete surfacing are also proposed.
- 2.4 The development would be accessed via the existing access from Pembroke Road and part of the long drive serving Lakeside cottage on the eastern boundary. The drive will be retained but widened to 4.5m in its current location for the first 20m and the diverted slightly closer to the eastern boundary to create a greater space separation of landscaping between the drive and the pond. A passing point has been incorporated along half the length of the drive. The site layout has been amended by widening the access drive from the existing gates to 4.5m and creating a 5 metre widened section 40 metres from the entrance to allow vehicles to pass at the entrance as well as halfway along the drive.
- 2.5 A turning head is also proposed which is situated at the entrance to the main development area of the site. The access drive continues adjacent with the eastern boundary feeding individual drives in front of the three dwellings. The turning head north of plot 3 has been widened to facilitate emergency and large vehicle turning.
- 2.6 In terms of landscaping the existing trees and hedge screening along the eastern and western boundaries would be retained. The western boundaries would also be treated with 1.8m high timber fence. The eastern boundary along the access drive shared with properties along Trinity Close would have a new laurel hedge.

## 2.7 **AMENDMENTS**

During the course of the application, the following amendments were made to the site layout.

- The access drive from the existing gates has been widened to 4.5m for the first 20 metres.
- The turning head north of plot 3 has been widened to facilitate emergency and large vehicle turning
- Provision of 2no. visitor parking space to the north-east of plot 3 to be constructed on cellular confinement material (with gravel infill)

# PLANNING HISTORY:-

3.1 The site has a history of similar applications:

- CR/2008/0592/FUL Erection of three dwellings with access off Pembroke Road. This application was refused by the LPA because s106 agreement was not completed on time.
- CR/2008/0591/FUL Erection of four dwellings with access off Pembroke Road. This application
  was refused by the LPA because it was considered overdevelopment, impact on trees,
  inadequate outdoor space and for lack of s106 agreement.
- CR/2008/0258/FUL Was withdrawn following concerns regarding the proposed access arrangements impact on the protected trees and neighbouring dwellings and inadequate provision for private outdoor space for the proposed new dwellings.

# PLANNING POLICY:-

- 4.1 <u>National Planning Policy Framework (2012)</u> 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. 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.
- 4.2 Relevant sections are:
  - Paragraph 14: Presumption in favour of sustainable development
  - Paragraph 17: Core planning principles
  - Part 6 applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. It also promotes sustainable development within rural areas that avoids new isolated homes in the countryside
  - Paragraph 50: Delivering a wide choice of high quality homes
  - 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.

# 4.4 Crawley Borough Local Plan 2015-2030 (Adopted December 2015):

- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- 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 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. They should also comply with internal standards for new dwellings as set out in policy CH5, retain individual groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens so that there would not be overshadowed by tree canopies; and proposals should ensure that rooms within buildings would receive adequate daylight.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents.

- Policy CH6 (Tree Planting and Replacement Standards) states that trees make an important contribution to the character and appearance of the borough and that Landscape proposals for residential development should contribute to the character and appearance of the town including at least one new tree for each new dwelling.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments.
- 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 IN2 (Strategic Delivery of Telecommunications Infrastructure) states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- 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 being assessed against the borough council's car and cycle parking standards.
- Policy ENV6 (Sustainable Design and Construction) in order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations.
- Policy ENV 8 (Development and Flood Risk) 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) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- ENV10: Pollution Management and Land Contamination seeks to prevent development from unacceptable risks from environmental pollution and land contamination.
- ENV11 (Development and Noise) seeks to protect occupiers from unacceptable noise impacts, from noise generating development and where applicable applications should be accompanied by a noise impact assessment and propose suitable mitigation if required.
- 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.

# 4.5 <u>Supplementary Planning Guidance and Documents</u>

The Council's following Supplementary Planning Documents are also relevant to this application:

- SPG Note 3: Standards for New Housing Development
- SPG Note 4: Standards for Private Outdoor Space
- SPG Note 6: Trees
- SPG Note 17: Higher Density Housing, Achieving High Quality Designs
- 4.6 The Council is in the process of revising and updating its Supplementary Planning Guidance to reflect the new policies in the now adopted Local Plan. The following documents have been subject to public consultation and are progressing towards adoption in Autumn 2016.
  - Green Infrastructure'
  - 'Planning and Climate Change'- which provides guidance and justification for the sustainability policies in the Local Plan.
  - 'Urban Design'- includes further guidance and examples on public design and sets out guidance on outdoor amenity space standards.

# PLANNING CONSIDERATIONS:-

- 5.1 The site is situated within the building up area and although not currently developed was formerly part of a residential curtilage. The application seeks planning permission for three detached dwellings, which reflect the type and scale of residential development within the surrounding area. The scheme has been the subject of lengthy negotiations following the concerns raised to the previously submitted proposals. The properties have therefore been laid out having regard to the physical constraints of the site which included retaining the outlook, privacy and amenity of adjoining residential properties and the protecting the trees covered by Tree Preservation Orders. The layout is therefore now generally considered acceptable. Therefore, the main considerations in the determination of this application are:
  - Impact on the street scene and the character of the area
  - Impact upon neighbouring residential amenity
  - The adequacy of accommodation and amenity space for future occupiers
  - Adequacy of parking provision/impact on highway
  - Sustainability
  - Impact on Trees
  - Flooding & Drainage
  - Contamination
  - Infrastructure contributions

### Design and appearance & visual impact on the street scene and the character of the area

- 5.2 The proposed detached properties would be of similar high quality modern design to complement one another within an area of predominantly detached houses. They would form a small cul-de-sac type development at the end of the long access drive. The proposed materials are red and buff facing brick and the angled glazing feature. The stair core projection would be clad in contrasting zinc coated metal standing seam sheets. The windows would be powder coated aluminium. No samples of materials are submitted at this stage and would normally be the subject of a condition of any planning permission. It is therefore considered the development would be acceptable given the context of the site and the fact that they will not be viewed from any of the surrounding streets.
  - 5.3 The proposed dwellings are 2 storey in nature with accommodation in the roofspace. There is a 1m drop in site level in relation to the surrounding areas, and the proposed dwellings would not therefore be noticeably higher than the surrounding properties. The surrounding area mainly comprises of two-storey dwelling houses of varied scale and design and therefore the proposal is in character with the area.

### Impact upon neighbouring residential amenity

- 5.4 Previously the scheme has been the subject of lengthy negotiations given its potential impact on neighbouring properties. The dwellings have been designed with angled and recessed windows and obscure glazed top level windows to prevent overlooking/loss of privacy to the rear of nos. 39 and 40 Trinity Close, 9,11 & 13 Home Close and 66A Grattons Drive. The single storey garage to plot 1 would be the closest point to the rear boundary of nos.38, 39 and 40 Trinity Close.
- 5.5 The proposed layout would site the buildings close to the centre of the site which would provide at least 20m separation from the closest building (66a Grattons Drive) to the rear/west and at least 16m from the front elevation to the closest dwelling in Trinity Close to the east. The angled first floor main windows and obscure glazing of other upper floor windows are designed to prevent direct views of other upper floor windows. It is considered that adequate window to window separation distances from the neighbouring properties in accordance with SPG4 Guidance Note would therefore be provided and the development would not therefore result in a harmful loss of privacy or overlooking issues.
- 5.6 The dwellings would be screened by both the existing trees and the additional screen planting proposed on the site's boundaries. In addition, due to the 1m drop in site level the proposed

dwellings would sit much lower than the surrounding properties reducing the bulk. The separation distances between the surrounding properties and the proposed development would meet the standard in SPG3 Guidance note and the local policies. The single storey garage to plot 1 would be the closest point to the rear boundary of no.38, 39 and 40 Trinity Close but given the difference in site levels and the roof being designed with a pitch roof that angles away from the common boundary. Therefore, whilst the views expressed in response to the application are acknowledged there are not considered sufficient grounds to refuse the application although it is accepted that the outlook to these properties would be significantly changed given that this is currently an undeveloped site.

5.7 Whilst concerns regarding noise from the proposed driveway have been noted, it is not however considered that the noise from vehicles on a private drive leading to a proposed development of only 3 dwellings within a cul-de-sac would be a harmful to nearby residents.

### The adequacy of accommodation and amenity space for future occupiers

5.8 The proposed dwellings would meet the Council's floor space standards for two storey dwellings and living rooms would all have an outlook. Each property would be provided with a private garden space measuring 353sqm for plot 1, 170sqm for plot 2 and 300sqm for plot 3 all of which would exceed the Local Plan standards.. The proposals would therefore accord with policies CH3 and CH5 of Crawley Borough Local Plan 2015-2030 and SPG3 and SPG4 and adequate accommodation would be provided for future occupants.

### Adequacy of parking provision/impact on highway

- 5.9 Notwithstanding the concerns raised by the representations, West Sussex County Council have raised no objection to the proposals and have confirmed there are no visibility issues at the point of access onto Pembroke Road. Following the revised site plan (D16081\_A\_1001 Rev P2) the applicants have demonstrated a widened access driveway with improved ability for vehicles to pass and ability for refuse/emergency vehicles to turn on site.. In respect of refuse collection/emergency access, the amended site layout plan has added an emergency vehicle turning area for vehicles to enter the site in a forward direction, reverse into the hammer head and exit in a forward direction. With regards to refuse collection point adjacent to the site entrance. The applicant proposes that a management service will move refuse on the day of collection. West Sussex County Council were re-consulted and they have advised that they have no further concerns with regard to vehicle passing on the access driveway and ability for refuse/emergency vehicles to turn on site.
- 5.10 The amended plans also provide 2 additional visitor spaces within the layout in addition to the 3 spaces provided for each dwelling a total of 11 spaces (including the garages). In terms of cycle parking, the provision of the proposed garages would meet this requirement. The parking and access arrangements for the development are therefore considered to be acceptable.

#### Sustainability measures

- 5.11 The Design and Access Statement includes a section on Sustainability which can be taken as a Sustainability Statement. This identifies a number of passive design and construction features intended to reduce the CO2 emissions associated with the construction and use of the dwellings, which are considered acceptable for the circumstances of the site.
- 5.12 It appears that the applicant has considered a variety of energy measures but no firm details have been submitted at this stage and would be secured via a condition of any planning permission.

#### Impact on Trees/Landscaping

5.13 The Council's Arboriculture Officer has confirmed he has no objections to the scheme which would not result in the loss of any protected trees and respects the root protection zones to the protected trees. According to the Design & Access Statement, any part of the access drive that penetrates

through the Root Protection Plan will be constructed in accordance with the submitted Arboricultural Impact Assessment and reinstated with cellular confinement system. There is therefore no objection to the works provided they are implemented in accordance with Arboricultural Impact Statement.

5.14 The widened access and the passing places required by West Sussex County Council as shown on the revised site layout drawing no. D16081\_A\_1001\_P2 has been assessed by the CBC-Arboricultural Officer and would not have any detrimental impact on the trees and woodland situated on either side of the access/drive. The proposal is therefore considered to accord with policies CH6 and CH7 of the Crawley Local Plan 2015-2030 in this regard.

## Flooding & Drainage

5.15 The Council's Drainage Officer was consulted and he commented that no specific information has been provided to ensure that the proposed development does not exacerbate known flooding downstream and consequently further investigation would be necessary to ascertain the extent of any drainage liabilities. He has recommended a condition to ensure that any future drainage issues are appropriately mitigated prior to any actual development of the site.

## **Contamination**

5.16 Following the concerns raised regarding possible site contamination and presence of methane gas on the application site, the Council's Environmental Health Department were consulted and they advised that site is a former pond that has been backfilled with unknown material and is therefore potentially contaminated. The department recommends a pre-commencement condition to deal with the contamination of the land and/or ground water.

## Infrastructure contributions

- 5.17 Crawley Borough Local Plan Policy H4, in respect of Affordable Housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less a commuted sum towards off-site affordable housing provision will be sought. National Planning Policy, established through a Ministerial Statement and Appeal Court Judgement since the adoption of the Local Plan, has introduced a threshold for size of development below which affordable housing contributions should not be sought. This states that residential developments of ten dwellings or less, or which have a maximised combined gross floor space of no more than 1000sqm, should not have to provide affordable housing.
- 5.18 Whilst Crawley Borough Council continues to believe there are specific local circumstances which are strong material considerations to be considered against the Ministerial Statement, it is recognised that the financial contribution sought and the balance to address the disproportionate burdens and ensure small house builders are not dis-incentivised to deliver housing in Crawley should be explained and justified in the Affordable Housing Supplementary Planning Document (SPD), and published for consultation. At this stage, as the SPD in relation to this policy has not yet been published, officers consider it would be unreasonable to expect affordable housing contributions in relation to the application.
- 5.19 WSCC were consulted and no TAD contributions are sought for this proposal as there is a net threshold of +10 Dwellings for TAD contributions and since the proposal is only for 3 dwellings, the development would not meet this threshold.

# **CONCLUSIONS:-**

6.1 The development protects the amenities of the adjoining residents and would provide a satisfactory environment for future occupiers. The development proposed for this site is considered to comply with the relevant the relevant policies of the Crawley Borough Local Plan 2015-2030. It is therefore recommended that planning permission be granted.

# RECOMMENDATION RE: CR/2016/0384/FUL

**Permit** subject to the following conditions:

- 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 to be used for external walls (and roofs) of the proposed building(s) have been submitted to and approved by the Local Planning Authority. REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 4. 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 windows (other than those shown on the plans hereby approved shall be constructed in the east, west and south elevation of the buildings hereby permitted which adjoins the side boundary with no.38-41 Trinity Close, no.66A Grattons Drive and no.9 and 11 Home Close without the prior permission of the Local Planning Authority on an application in that behalf. REASON: To protect the amenities and privacy of the adjoining property in accordance with Policy CH3 of Crawley Borough Local Plan 2015-2030.
- The first floor side windows on the south elevation of the buildings hereby permitted shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.
   REASON: To protect the amenities and privacy of the adjoining properties, in accordance with

policy CH3 of the Crawley Borough Local Plan 2015-2030.

7. The second floor level non-accessible flat roof on the western (rear) elevation of the buildings hereby permitted shall be implemented and retained in accordance with the approved plans and at no time shall be the flat roofs be used as a balcony or terrace nor shall any access be formed thereto.

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

- 8. Notwithstanding the provisions of Schedule 2, Part 1, Class B and Class C of the Town and Country Planning General Permitted Development Order 2015 or orders amending or revoking and re-enacting the same, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf. REASON: To protect the amenities and privacy of the adjoining properties, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 9. No part of the development hereby permitted shall be occupied until the garages, parking spaces and turning facilities shown on the approved plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy CH3 of Crawley Borough Local Plan 2015-2030 and in the interest of road safety.

10. The vehicle parking areas and new areas of hardstanding as shown on approved plans drawing numbers D16081-A-1001 Rev P2 shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

REASON: To reduce the potential for surface water run-off in accordance with policy ENV8 of Crawley Borough Local Plan 2015-2030.

11. Detailed plans and particulars of the roads, footpaths, and vehicular parking areas and the foul and surface water drainage and means of disposal shall be submitted concurrently with the detailed plans of the buildings hereby permitted and no building shall be occupied until all work has been carried out in accordance with such details and particulars as approved by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of the proper overall planning of the site.

- 12. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that the units shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. REASON: In the interests of sustainable design and efficient use of water resources in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030
- 13. Development shall not begin until a flood risk mitigation measures and surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with the Environmental Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include soakaway testing to BRE 365 to determine the suitability of the ground conditions for infiltration. Groundwater monitoring should also be carried out. Details of how any subsequent scheme should be maintained and managed after completion should also be included.

Any infiltration device should be lined with a permeable membrane, and should be installed with a base no less than 1m above the underlying groundwater level. The design should also include subbase material that would act as a filter for waterborne contaminants.

REASON: This is to comply with the Crawley TCN Revised Supplementary Planning Document, the Crawley Strategic Flood Risk Assessment Development Control Recommendations and to ensure future maintenance of the surface water drainage system. Additionally, the underlying Upper Tunbridge Wells Sands aquifer may hold groundwater only 2m to 3m below ground level. This condition is to reduce the risk of a discharge of water directly to the groundwater and to reduce the risk of contaminants polluting the groundwater.

- 14. No development shall commence until a scheme to deal with the contamination of the land and/or ground water has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in the agreed scheme have been fully implemented. The scheme shall include all the following measures:
  - A Desk Study (including Conceptual Model of potential pollutant linkages) and the following stages where required;
  - A Detailed Site Investigation.
  - Remediation.
  - Post Remediation Verification Testing and Report.

(based on a staged a staged risk assessment as set out in CLR11 – Model Procedures for the Management of Land Contamination), unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

REASON: To safeguard the environment in accordance with policy ENV10 of the Crawley Borough Local Plan 2015-2030.

- 15. The development hereby permitted shall by implemented in accordance with the measures outlined in the Arboriculture Method Statement prepared by John Cooban and dated April 2016. REASON: To ensure the retention of the trees important to the visual amenity, /the ecological quality and for the environment of the development in accordance with Policy CH3 and CH7 of the Crawley Borough Local Plan 2015-2030.
- 16. Any excavations carried out in the root protection area of any trees shall be carried out in accordance with the provisions laid out in BS 5837: 2012 Trees in relation to design, demolition and construction.
- 17. No trees / or bushes / growing / and to be retained / on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until two years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure the retention of vegetation important to the visual amenity / the ecological quality / and for the environment of the development.

- 18. No development shall take place until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation. REASON: In the interests of the amenity and of the environment of the development in accordance with policy CH3 and CH7 of the Crawley Borough Local Plan 2015 2030.
- 19. 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 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 measures to ensure existing trees are retained and protected on site,

• the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway.

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.

#### **INFORMATIVES**

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

The permitted hours for noisy construction work in the Borough of Crawley are as follows: 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturday.

With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Years' Day.

The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'.

Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

- 2. The water efficiency standard required under condition XX is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD)Building Regulations (2015), at Appendix A paragraph A1
- 3. A desk-top study carried out by a competent person. The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the LPA.
- 4. A site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA see note above.
- 5. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.
- 6. Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points desk-top study, site investigation and remediation statement.
- 7. Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.
- 8. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at <a href="https://www.aoa.org.uk/policy-campaigns/operations-safety/">www.aoa.org.uk/policy-campaigns/operations-safety/</a>

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 in a timely and manner through pre-application discussions/correspondence

•Providing advice in a timely and manner through pre-application discussions/correspondence.

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

•Seeking 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.



### REFERENCE NO: CR/2016/0394/RG3

LOCATION: RIDLEYS COURT, MILTON MOUNT AVENUE, POUND HILL, CRAWLEY PROPOSAL: PERMISSION FOR REPLACEMENT OF WHITE UPVC WINDOWS FOR DARK GREEN SOFTWOOD TIMBER DOUBLE GLAZED WINDOWS; REPLACEMENT OF UPVC DOWNWARD PIPES AND GUTTERS WITH HERITAGE CAST IRON; NEW EXTERNAL LIGHTING AND NEW ENTRANCE PANEL

TARGET DECISION DATE: 13 July 2016

CASE OFFICER: Mr G. Kellett

**APPLICANTS NAME:**Crawley Borough Council**AGENTS NAME:**GWP Architects

### PLANS & DRAWINGS CONSIDERED:

Location Plan & Block Plan - 15/136/skLP, Existing Ground Floor - 15/136/sk01, Existing First Floor - 15/136/sk02, Existing External West Elevation - 15/136/sk03, Existing External North Elevation - 15/136/sk04, Existing External South Elevation - 15/136/sk05, Existing External East Elevation - 15/136/sk06, Existing West Courtyard Elevation - 15/136/sk07, Existing North Courtyard Elevation - 15/136/sk08, Existing South Courtyard Elevation -15/136/sk09, Existing East Courtyard Elevation - 15/136/sk08, Existing Tower Elevation - 15/136/sk11, Existing Timber Window Frame Details - 15/136/skW1, Proposed Ground Floor - 15/136/sk20a, Proposed First Floor - 15/136/sk21a, Proposed External West Elevation - 15/136/sk22a, Proposed External North Elevation - 15/136/sk25b, Proposed External South Elevation - 15/136/sk26, Proposed External East Elevation - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk27b, Proposed First Floor - 15/136/sk27b, Proposed First Floor - 15/136/sk27b, Proposed First Courtyard Elevation - 15/136/sk27b, Proposed First Floor - 15/136/sk29a, Proposed Fi

#### **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1. CBC - Property Division

No objection

#### SITE & PRESS NOTICE:-

Site notice displayed on the 26 May 2016 (See photograph on file) and press advert dated the 25 May 2016.

#### **NEIGHBOUR NOTIFICATIONS:-**

1 to 7 Ridleys Court, Milton Mount Avenue, Pound Hill; Worth Park Visitor Centre, Ridleys Court, Pound Hill.

#### **RESPONSES RECEIVED:-**

One letter of objection has been received commenting:

- Wooden windows and cast iron guttering would require increased maintenance and are less sustainable
- Disruption during insertion of windows
- External lighting on outside is unnecessary and would cause light pollution and be a nuisance
- No evidence of display of a site notice

The following non related planning matters include:

• Restoring the spire to the clock tower. This does not form part of this application and would be subject to a separate a listed building consent application.

# **REASON FOR REPORTING TO COMMITTEE:-**

Crawley Borough Council is the applicant

## THE APPLICATION SITE:-

- 1.1 Ridley's Court is the former stables to Worth Park and was built for Sir Francis Montefiore in 1882. The Grade II Listed building is located at the northern end of Milton Mount Avenue. It is owned by the Council. The upper floor is in use as flats.
- 1.2 The building has an internal courtyard and is single and two-storey in nature, with a 14.5metre high central three storey square clock tower. The building is red brick building with stone dressings and a slate tile roof. The original windows were wooden casements with a central mullion and transom. The majority of the existing windows to the external and internal elevations are currently white PVC additions.
- 1.3 The building was listed on 27 February 2008 (Historic England List Entry 1392429). The reason for listing being that *"It is a good quality large classical style purpose-built stable wing to Worth Park dated 1882, substantially intact and with a readable plan form. Since the demolition of Worth Park mansion in 1968 this is the major surviving estate building, apart from the garden structures by the firm of James Pulham and Son, and was contemporary and in the same style as the main house. It forms part of a group with some of the most significant and intact contemporary garden structures to the former Worth Park, of which three are listed".*

## THE PROPOSED DEVELOPMENT:-

2.1 This application seeks listed building consent to replace sixty two existing white uPVC windows with softwood timber windows coloured dark green to match the profile of existing timber windows noted on site; the replacement of the existing uPVC downward pipes and gutters with heritage cast iron; eighteen new external lights on the fabric of the existing building and four new entrance panels to the courtyard area. No alterations to the clock tower are proposed.

## PLANNING HISTORY:-

- 3.1 CR/2012/0255/LBC LISTED BUILDING CONSENT FOR THE REPLACEMENT OF SOME WINDOWS & DOORS AT GROUND, FIRST & SECOND FLOORS, REMOVAL OF SOME INTERNAL WALLS, 2 NEW FLAT ROOFS, REPAIRS & PART REPLACEMENT OF EXTERNAL STONEWORK IN CONNECTION WITH REFURBISHMENT & CHANGE OF USE COUNCIL DEPOT PLANNING PERMISSION APPLICATION CR/2012/0254/RG3 – PERMIT
- 3.2 CR/2012/0254/RG3 CHANGE OF USE OF PART OF THE COUNCIL DEPOT TO PROVIDE OFFICE, INTERPRETATION SPACES, COMMUNITY ROOMS, STORES & PUBLIC TOILETS. WORKS TO LISTED BUILDING COMPRISING OF REPLACEMENT OF SOME WINDOWS & DOORS AT GROUND, FIRST & SECOND FLOORS, REMOVAL OF SOME INTERNAL WALLS, 2 NEW FLAT ROOFS, REPAIRS & PART REPLACEMENT OF EXTERNAL STONEWORK. GENERAL LANDSCAPING WORKS INCLUDING RESURFACING & REVISIONS TO CAR PARK, REINSTATEMENT OF BOUNDARY GATES & ASSOCIATED LANDSCAPING WORKS – PERMIT
- 3.3 CR/2016/0395/LBC PERMISSION FOR REPLACEMENT OF WHITE UPVC WINDOWS FOR DARK GREEN SOFTWOOD TIMBER DOUBLE GLAZED WINDOWS; REPLACEMENT OF UPVC DOWNWARD PIPES AND GUTTERS WITH HERITAGE CAST IRON; NEW EXTERNAL LIGHTING AND NEW ENTRANCE PANEL – PENDING CONSIDERATION

# PLANNING POLICY:-

## National Planning Policy Framework 2012:

- 4.1 Paragraph 14 Presumption in favour of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 4.2 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.
- 4.3 Section 7 Requiring good design. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.4 Paragraph 131 sets out that it is desirable to sustain and enhance the significance of heritage assets and use them for viable uses consistent with their conservation value and that they make a positive contribution to local character and distinctiveness.
- 4.5 Paragraph 132 highlights the importance of considering the significance of the heritage asset and that any harm or loss should require clear and convincing justification.
- 4.6 Paragraph 133 provides guidance on where a proposed development will lead to substantial harm or total loss of a heritage asset. It states that: *"Local Planning Authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss".*
- 4.7 Paragraph 134 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

## Crawley Borough Local Plan 2015-2030.

- 4.8 Policy CH2- Principles of Good Urban Design Policy; which states that development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets.
- 4.9 Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area, be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings, and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- 4.10 Policy CH12 (Heritage Assets) states all development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource, and that their key features or significance are not lost as a result of development.
- 4.11 Policy CH15 (Listed Buildings and Structures) recognises that the Council will ensure that works to listed buildings are consistent with their character, appearance and heritage value. All changes must preserve or enhance the design and character of the listed building.
- 4.12 Policy CH17- Historic Parks and Gardens which states that the Council will support development, unless it will have a negative impact upon the historic setting and character of the designated Historic Park

## PLANNING CONSIDERATIONS:-

5.1 The main determining considerations in this application is whether the proposal would have an acceptable impact on the special architectural and historic character of this Grade II Listed building and the impact on residential amenities.

Impact on the special architectural and historic character of this Grade II Listed building and Worth Park.

- 5.2 In principle the works proposed would restore the building back to its original condition and are therefore acceptable. The proposed replacement of the existing white uPVC windows with softwood timber windows; replacement uPVC downward pipes and gutters with heritage cast iron; new external lightning and new entrance panels would enhance the façade of the building and make a positive contribution to the listed nature of Ridley's Court and the historic Worth Park
- 5.3 The proposal would therefore be in accordance with the aims and objectives of the National Planning Policy Framework and policy CH17, CH12 and CH3 in the Crawley Borough Local Plan.

## Impact on residential amenities

5.4 The comments received from a resident are noted. The external lighting would not be sited above first floor level and would not be different to existing lighting currently in place. It is therefore considered the lighting would not cause a harmful impact to residents. Any potential disruption generated from the proposal would be only during the insertion of the windows and is envisaged would be for a limited period of time. Given Crawley Borough Council is the landlord any issues arising from this including maintenance or disruption during implementation would be dealt by the housing manager for Ridley's Court in consultation with the residents.

## RECOMMENDATION RE: CR/2016/0394/RG3

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

- 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.
- 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 and CH15 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVE

- 1. All new rainwater goods and lighting shall be fixed to the building using existing fixing points. Where new fixing points are required, they should be formed through the mortar joint and not through the brick.
- 2. All existing wiring runs and conduits should be used as per the existing arrangement and as shown on the submitted plans. Where new wiring runs are required, details should be submitted to and approved in writing by the local planning authority .by way of an application.

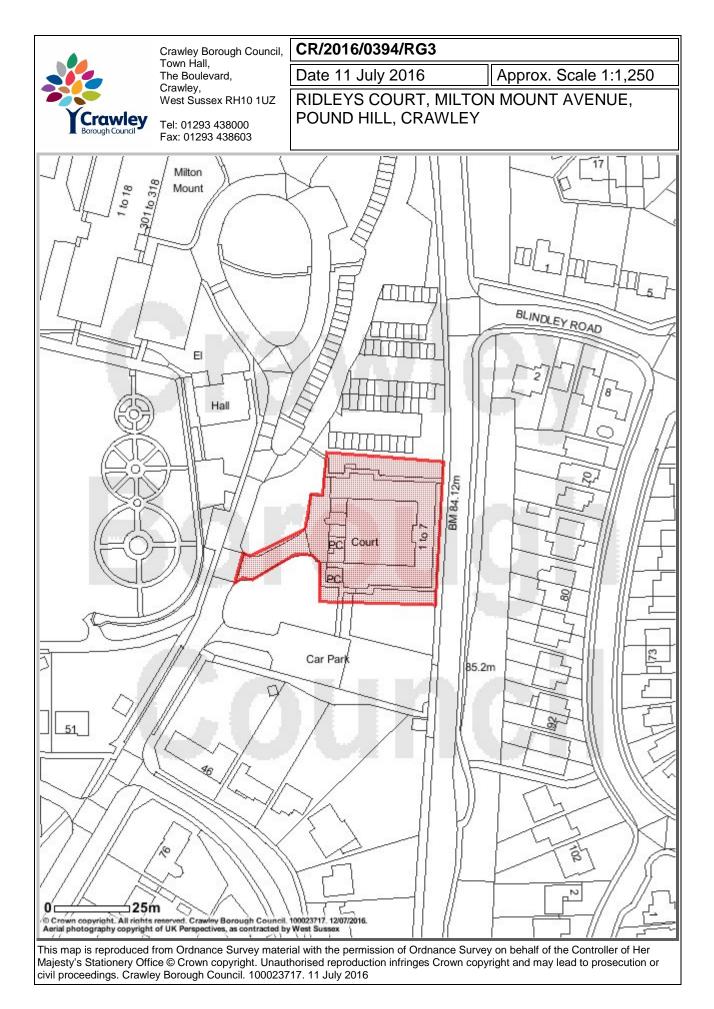
### 1. NPPF Statement

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:

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

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

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



### REFERENCE NO: CR/2016/0395/LBC

LOCATION: RIDLEYS COURT, MILTON MOUNT AVENUE, POUND HILL, CRAWLEY PROPOSAL: LISTED BUILDING CONSENT FOR REPLACEMENT OF WHITE UPVC WINDOWS FOR DARK GREEN SOFTWOOD TIMBER DOUBLE GLAZED WINDOWS; REPLACEMENT OF UPVC DOWNWARD PIPES AND GUTTERS WITH HERITAGE CAST IRON; NEW EXTERNAL LIGHTING AND NEW ENTRANCE PANEL

TARGET DECISION DATE: 13 July 2016

CASE OFFICER: Mr G. Kellett

**APPLICANTS NAME:**Crawley Borough Council**AGENTS NAME:**GWP Architects

## PLANS & DRAWINGS CONSIDERED:

Location Plan & Block Plan - 15/136/skLP, Existing Ground Floor - 15/136/sk01, Existing First Floor - 15/136/sk02, Existing External West Elevation - 15/136/sk03, Existing External North Elevation - 15/136/sk04, Existing External South Elevation - 15/136/sk05, Existing External East Elevation - 15/136/sk06, Existing West Courtyard Elevation - 15/136/sk07, Existing North Courtyard Elevation - 15/136/sk08, Existing South Courtyard Elevation - 15/136/sk09, Existing East Courtyard Elevation - 15/136/sk08, Existing Tower Elevation - 15/136/sk11, Existing Timber Window Frame Details - 15/136/skW1, Proposed Ground Floor - 15/136/sk20a, Proposed First Floor - 15/136/sk21a, Proposed External West Elevation - 15/136/sk22a, Proposed External North Elevation - 15/136/sk25b, Proposed External South Elevation - 15/136/sk26, Proposed External East Elevation - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed External Elevation - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed External Elevation - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk27b, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed South Courtyard Elevation - 15/136/sk28a, Proposed East Courtyard Elevation - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed First Floor - 15/136/sk29a, Proposed South Courtyard Elevation - 15/136/sk29a, Proposed First Floor -

#### **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1.	CBC - Property Division	No objection
2.	Listed Building Officer	No objection subject to condition

## SITE & PRESS NOTICE:-

Site notice displayed on the 26 May 2016 (See photograph on file) and press advert dated the 25 May 2016.

## **RESPONSES RECEIVED:-**

One letter of objection has been received commenting:

- Wooden windows and cast iron guttering would require increased maintenance and are less sustainable
- Disruption during insertion of windows
- External lighting on outside is unnecessary and would cause light pollution and be a nuisance
- No evidence of display of a site notice

The following non related planning matters include:

• Restoring the spire to the clock tower. This does not form part of this application and would be subject to a separate a listed building consent application.

# REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

# THE APPLICATION SITE:-

- 1.1 Ridley's Court is the former stables to Worth Park and was built for Sir Francis Montefiore in 1882. The Grade II Listed building is located at the northern end of Milton Mount Avenue. It is owned by the Council. The upper floor is in use as flats.
- 1.2 The building has an internal courtyard and is single and two-storey in nature, with a 14.5metre high central three storey square clock tower. The building is red brick building with stone dressings and a slate tile roof. The original windows were wooden casements with a central mullion and transom. The majority of the existing windows to the external and internal elevations are currently white PVC additions.
- 1.3 The building was listed on 27 February 2008 (Historic England List Entry 1392429). The reason for listing being that *"It is a good quality large classical style purpose-built stable wing to Worth Park dated 1882, substantially intact and with a readable plan form. Since the demolition of Worth Park mansion in 1968 this is the major surviving estate building, apart from the garden structures by the firm of James Pulham and Son, and was contemporary and in the same style as the main house. It forms part of a group with some of the most significant and intact contemporary garden structures to the former Worth Park, of which three are listed".*

# THE PROPOSED DEVELOPMENT:-

2.1 This application seeks listed building consent to replace sixty two existing white uPVC windows with softwood timber windows coloured dark green to match the profile of existing timber windows noted on site; the replacement of the existing uPVC downward pipes and gutters with heritage cast iron; eighteen new external lights on the fabric of the existing building and four new entrance panels to the courtyard area. No alterations to the clock tower are proposed.

# PLANNING HISTORY:-

- 3.1 CR/2012/0255/LBC LISTED BUILDING CONSENT FOR THE REPLACEMENT OF SOME WINDOWS & DOORS AT GROUND, FIRST & SECOND FLOORS, REMOVAL OF SOME INTERNAL WALLS, 2 NEW FLAT ROOFS, REPAIRS & PART REPLACEMENT OF EXTERNAL STONEWORK IN CONNECTION WITH REFURBISHMENT & CHANGE OF USE COUNCIL DEPOT PLANNING PERMISSION APPLICATION CR/2012/0254/RG3 – PERMIT
- 3.2 CR/2012/0254/RG3 CHANGE OF USE OF PART OF THE COUNCIL DEPOT TO PROVIDE OFFICE, INTERPRETATION SPACES, COMMUNITY ROOMS, STORES & PUBLIC TOILETS. WORKS TO LISTED BUILDING COMPRISING OF REPLACEMENT OF SOME WINDOWS & DOORS AT GROUND, FIRST & SECOND FLOORS, REMOVAL OF SOME INTERNAL WALLS, 2 NEW FLAT ROOFS, REPAIRS & PART REPLACEMENT OF EXTERNAL STONEWORK. GENERAL LANDSCAPING WORKS INCLUDING RESURFACING & REVISIONS TO CAR PARK, REINSTATEMENT OF BOUNDARY GATES & ASSOCIATED LANDSCAPING WORKS – PERMIT
- 3.3 CR/2016/0394/RG3 PERMISSION FOR REPLACEMENT OF WHITE UPVC WINDOWS FOR DARK GREEN SOFTWOOD TIMBER DOUBLE GLAZED WINDOWS; REPLACEMENT OF UPVC DOWNWARD PIPES AND GUTTERS WITH HERITAGE CAST IRON; NEW EXTERNAL LIGHTING AND NEW ENTRANCE PANEL – PENDING CONSIDERATION

# PLANNING POLICY:-

## National Planning Policy Framework 2012:

- 4.1 Paragraph 131 sets out that it is desirable to sustain and enhance the significance of heritage assets and use them for viable uses consistent with their conservation value and that they make a positive contribution to local character and distinctiveness.
- 4.2 Paragraph 132 highlights the importance of considering the significance of the heritage asset and that any harm or loss should require clear and convincing justification.
- 4.3 Paragraph 133 states that Local Planning Authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 4.4 Paragraph 134 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

## Crawley Borough Local Plan 2015-2030.

- 4.5 Policy CH12 (Heritage Assets) states all development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource, and that their key features or significance are not lost as a result of development.
- 4.6 Policy CH15 (Listed Buildings and Structures) recognises that the Council will ensure that works to listed buildings are consistent with their character, appearance and heritage value. All changes must preserve or enhance the design and character of the listed building.

## **PLANNING CONSIDERATIONS:-**

- 5.1 The determining consideration in this application is whether the proposal would have a harmful acceptable impact on the special architectural and historic character of this Grade II Listed building.
- 5.2 In principle the works proposed would restore the building back to its original condition and are therefore acceptable. The proposed replacement of the existing white uPVC windows with softwood timber windows; replacement uPVC downward pipes and gutters with heritage cast iron; new external lightning and new entrance panels would enhance the façade of the building and make a positive contribution to the listed building of Ridley's Court.
- 5.3 The proposal would therefore be in accordance with the aims and objectives of the National Planning Policy Framework and policy CH12 and CH15 in the Crawley Borough Local Plan and it is recommended consent be granted subject to conditions relating to the submission of a method statement and joinery details prior to commencement.

## RECOMMENDATION RE: CR/2016/0395/LBC

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

- The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.
   REASON: To comply with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas) 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 works shall commence on any window until a detailed method statement describing the removal of the existing windows and insertion of new wooden windows, including specification for making good have been submitted to and agreed in writing by the Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the agreed statement. REASON: To protect the special character of the listed building in accordance with policy CH15 of the Crawley Borough Local Plan 2015-2030
- 4. Details of all external joinery of each window type shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works including materials and finishes, method of opening and large scale plans showing sections through mullions, transoms and glazing bars (1:10 elevations and 1:1 or 1:2 vertical and horizontal sections). The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the special character of the listed building in accordance with policy CH15 of the Crawley Borough Local Plan 2015-2030.

- 5. 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 policy CH15 of the Crawley Borough Local Plan 2015-2030.
- 6. Upon completion of the work for which Listed Building Consent is hereby granted, any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

REASON: To preserve the special character of the building for the future in accordance with policy CH15 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVE

1. All new rainwater goods and lighting shall be fixed to the building using existing fixing points. Where new fixing points are required, they should be formed through the mortar joint and not through the brick.

All existing wiring runs and conduits should be used as per the existing arrangement and as shown on the submitted plans. Where new wiring runs are required, details should be submitted to and approved in writing by the local planning authority by way of an application.

