

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room B**, Town Hall, Crawley, on **Tuesday 8 November 2016** at **7.30pm**

Nightline Telephone No. 07881 500 227



Head of Legal and Democratic Services

Membership:

Councillors I T Irvine (Chair), C Portal Castro (Vice Chair), B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, B McCrow, M Pickett, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant

Please contact Roger Brownings (Legal and Democratic Services Division) if you have any queries regarding this agenda.

Telephone number: 01293 438283

Email: roger.brownings@crawley.gov.uk

Published 28 October 2016

Emergency procedure for meetings will be circulated to Members and visitors attending this meeting. Please familiarise yourself with these procedures and the location of fire exits.

The order of business may change at the Chair's discretion

Business - Part A

1. Apologies for Absence

2. Lobbying Declarations

The Planning Code of Conduct requires Members who have been lobbied, received correspondence or been approached by an interested party with respect to any planning matter should declare this at the meeting which discusses the matter. Members should declare if they have been lobbied at this point in the agenda.

3. Members' Disclosures of Interest

In accordance with the Council's Code of Conduct, members of the Council are reminded that it is a requirement to declare interests where appropriate.

4. Minutes

To approve as a correct record the minutes of the meeting of the Committee held on 10 October 2016 (**Enclosure A**).

5. Planning Applications

To consider report PES/210 of the Head of Economic and Environmental Services, (**circulated separately as Enclosure B**).

Public speaking rights as agreed by the Council will apply to applications referred to in this report.

Background Paper:- Crawley Borough Local Plan 2015-2030

Please note that any necessary pre-committee site visits for applications to be considered at this meeting will be held on **Thursday 3 November 2016 at 10.00am**. Please be aware that members of the public are not to approach members of the Committee or Council officers to discuss issues associated with the respective planning applications on these visits.

6. Supplemental Agenda

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

7. Exempt Information – Exclusion of the Public

The Committee is asked to consider passing the following resolution:-

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it

involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

Business – Part B

- 8. ENF/2016/0170 Proposed Enforcement Action at Southways Business Park, London Road, Langley Green, Crawley, West Sussex.
(Exempt Paragraph 6 – notice/order)**

To consider report PES/224 of the Head of Economic and Environmental Services
(Enclosure C).

This information is available in different formats and languages. If you or someone you know would like help with understanding this document please contact the Democratic Services Team on 01293 438549 or email: democraticservices@crawley.gov.uk

Crawley Borough Council



Minutes of Planning Committee 10 October 2016 at 7.30pm

Present:

Councillor	I T Irvine (Chair)
Councillor	C Portal Castro (Vice-Chair)
Councillors	B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, B McCrow, M Pickett, T Rana, A C Skudder, P C Smith and J Tarrant

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Clem Smith	Head of Economic and Environmental Services
Hamish Walke	Principal Planning Officer

Apology for Absence:

Councillor M A Stone

27. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors B J Burgess, D Crow, R S Fiveash, F Guidera, I T Irvine, K L Jaggard, S J Joyce, B McCrow, M Pickett, C Portal Castro, A C Skudder, P C Smith and J Tarrant had been lobbied regarding application CR/2016/0156/FUL.

28. Members' Disclosure of Interests

No disclosures of interests were made.

29. Minutes

The minutes of the meeting of the Committee held on [30 August 2016](#) were approved as a correct record and signed by the Chair.

30. Planning Applications List

The Committee considered report [PES/209](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/209](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 001

CR/2016/0156/FUL

Land adj Lowfield Heath Service Station, London Road, Northgate, Crawley.

Use of undeveloped land for off-airport car parking for a temporary period of 5 years, including the provision of a new vehicular access, associated reception facilities, toilets, perimeter fencing, CCTV cameras, associated lighting, road scalping hardstanding and landscaping (amended description).

Councillors S J Joyce, M Pickett and J Tarrant declared they had visited the site.

The Principal Planning Officer, Marc Robinson, provided a verbal summation of the application and advised the Committee that the following wording should be included under paragraph 5.5 of the report:

“The Council is now clear that the inspector’s decision on the City Place appeal was incorrect. The inspector in the decision did not explain how the application satisfied the requisite demonstrable need in the context of proposals agreed between GAL and the Council in the Surface Access Strategy for a more sustainable approach to surface transport access. The application, and the decisions that followed, were contrary to Policy GAT8 – Airport Related Parking of the Local Plan 2000 as there was no need for off-airport provision “*in the context of proposals for achieving a more sustainable approach to surface access*” (GAT8) because those Proposals showed that all need could and would be met on airport. This was discussed and then accepted by the Local Plan Inspector in his report on the examination into the Crawley Local Plan 2015-2030. Even if the GAT8 policy still existed it would not justify this proposal for the same reasons. The airport is also the most sustainable location and this proposal is in the countryside.”

The Principal Planning Officer, Marc Robinson, informed the Committee that updated correspondence had been received from the Agent regarding ecology, drainage and public transport levy, and that the information had subsequently been considered by the relevant Council’s departments. However, the Officers’ objections, outlined in report PES/209, remained for the following reasons:

- Drainage – Officers still did not feel satisfied that the application would not cause a flood risk.
- Ecology – Officers were not satisfied that information received from the Agent addressed the concerns raised within the report.
- Public transport levy – the application did not pass the Community Infrastructure Levy (CIL) test and therefore the Council would not be able to justify seeking a contribution.

The Head of Legal and Democratic Services drew the Committee's attention to paragraph 4.33 of the report (GAT3: Gatwick Airport Related Parking) and advised the Committee that a High Court action had been brought under Section 113 of the Planning and Compulsory Purchase Act 2004 which challenged Local Plan Policy GAT3, with the Council as the first defendant. The Committee was advised that the case would be heard in the High Court at the end of November 2016 and that until the case was heard and judgement given, Policy GAT3 of the adopted Local Plan remained current and relevant when determining the planning application before the Committee.

The Agent, Mr Tim North, addressed the Committee in support of the application.

The Committee then considered the application and were of the view that safeguarding and flooding were important issues and the Local Plan needed to be rigorously defended. The Principal Planning Officer, Marc Robinson, advised that, if approved, the proposed application could impact on a second runway at Gatwick

Refused for the reasons outlined in report [PES/209](#).

Item 002

CR/2016/0664/FUL

9 Denchers Plat, Langley Green, Crawley.

Erection of single storey rear extension.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application. Following a query from the Committee, the Principal Planning Officer, Marc Robinson, advised that the eave height was sufficient to allow clearance for the average vehicle.

Permitted subject to conditions set out in report [PES/209](#).

Item 003

CR/2016/0682/LBC

Ifield Water Mill, Hyde Drive, Ifield, Crawley.

Listed building consent for repair/replacement works to rear bridge link including temporary support works to rear entrance porch structure of a grade II listed building.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application.

Consent subject to conditions set out in report [PES/209](#).

Item 004

CR/2016/0735/RG3

Worth Park, Milton Mount Avenue, Pound Hill, Crawley.

Installation of 3 no. life-sized oak cow sculptures in the meadow area of the park.

Councillor K L Jaggard declared she had visited the site.

The Principal Planning Officer, Marc Robinson, provided a verbal summation of the application.

The Committee then considered the application. In response to comments made by the Committee, the Principal Planning Officer, Marc Robinson, advised that the sculptures would be secured to a concrete base in the ground, and that management of the sculptures would be the responsibility of the Park.

Permitted subject to conditions set out in report [PES/209](#).

31. Execution of Works under Section 209 of the Town and Country Planning Act 1990 for Non-Compliance with a Tree Replacement Notice: TRN/2015/0203

The Committee noted that report PES/221 had been withdrawn from the agenda with the agreement of the Chair.

32. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.10pm.

I T IRVINE
Chair

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 8 November 2016
REPORT NO: PES/210



<u>ITEM</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>RECOMMENDATION</u>
001	CR/2015/0552/NCC	FORGE WOOD, NORTH EAST SECTOR, CRAWLEY	PERMIT
002	CR/2016/0089/FUL	CAR PARK ADJACENT TO CRAWLEY COLLEGE NORTHGATE AVENUE, NORTHGATE, CRAWLEY	PERMIT
003	CR/2016/0114/ARM	PHASE 2D, FORGE WOOD (NORTH EAST SECTOR), POUND HILL, CRAWLEY	APPROVE
004	CR/2016/0170/FUL	SOUTHWAYS BUSINESS PARK, LONDON ROAD, LANGLEY GREEN, CRAWLEY	REFUSE
005	CR/2016/0325/FUL	QUALITY DRY CLEANERS AND LAUNDERETTE, 10 POUND HILL PARADE, POUND HILL, CRAWLEY	PERMIT
006	CR/2016/0568/FUL	BUTTS END & 1, BUTTS CLOSE, WEST GREEN, CRAWLEY	REFUSE
007	CR/2016/0693/ADV	VERGE ADJACENT TO TILGATE DRIVE, TILGATE, CRAWLEY	CONSENT
008	CR/2016/0695/FUL	4 ATHELSTAN CLOSE, POUND HILL, 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 (UPDATED NOISE ASSESSMENT INFORMATION AS PART OF ENVIRONMENTAL STATEMENT - RECEIVED 09/09/2016)

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, T261/09 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, 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/667.175 Rev F Master Plan - received 29th February 2016, T261/99 Rev B Proposed Site Access Junction 12A, CS/000916/Figure 1 Rev A Flood Plain/Extents, 0560/SK/124 Rev D M23 Junction 10 Improvements, 0560/SK/131 Works to Roundabout at Junction of Gatwick Road/Fleming Way (Toucan Crossing), 0560/SK/105 Rev E Balcombe Road/Radford Road Junction - Traffic Signal, 0560/SK/120 Rev C Balcombe Road North East Site Access, 0560/SK/130 Location of Existing Bus Shelters - Real Time Information to be Installed, 0560/SK/132 Tinsley Lane On-Road Cycle Route, 0560/SK/133 Combined Cycleway/Footway Along Eastern Side of Haslett Avenue East, TC17/1A Installation of Bus Shelters on Northern Side of Haslett Avenue East, CSA/667/031 Rev B Railway Goods Yard Buffer

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was considered at the 11th April 2016 meeting of the Committee. A copy of this Committee report is attached, which includes the conditions as initially proposed to be varied.
- 1.2 Members will recall that it was resolved to grant outline planning permission subject to the following:

- satisfactory comments from WSCC Highways,
- revisions to condition 6 (listing the approved RM applications),
- amendments to condition 31 (fire service infrastructure), and,
- an up-to-date list of plans.

- 1.3 Since the April meeting discussions have been ongoing in order to resolve these issues and to agree the detail of the wording for the conditions.
- 1.4 The agent has also requested further revisions to condition 1 regarding the density of the development, condition 22 regarding BREEAM, condition 23 relating to sustainable energy requirements, conditions 43 and 43 relating to the timings of the highways works to the M23 and other highway junctions and condition 63 regarding affordable housing.
- 1.5 In addition, following concerns regarding noise issues for Phases 2B and 2C, and specifically the relationship between the railway line, Crawley Goo'ds Yard and the new dwellings; it has become apparent that a revised and updated noise report and chapter for the Environmental Statement (ES) was required to inform the current s73 application, which has necessitated the re-wording of condition 34. The precise details of the noise mitigation for the proposed dwellings are to be subsequently submitted with the relevant reserved matters applications.
- 1.6 The revised noise details for the s73 and ES have been submitted and these have been subject to publicity through a press advert and site notices. Re-consultation with consultees has also taken place.
- 1.7 Furthermore, since the original Committee resolution, the Council has now adopted CIL, which came into effect on 17th August 2016 and there is a need to now consider the CIL liability for this development.
- 1.8 For these reasons it is necessary for this application to be reported back to the Committee, so that it may consider these specific matters.

PUBLICITY AND CONSULTATIONS

- 2.1 Relevant consultees and parties were notified on 12.9.2016. The application has been advertised by Site Notices dated 15.9.2016 and a Press Notice dated 21.9.2016. The statutory consultation period has expired.

RESPONSES RECEIVED:-

- 3.1 Consultee responses following the most recent consultation and publicity regarding the revised noise details:
- | | | |
|----|--------------------------------------|---|
| 1. | GAL - Aerodrome Safeguarding | no objections. |
| 2. | GAL - Planning Department - | no comments to make on the amended noise assessment and masterplan proposals as they concern the industrial noise from the rail goods yard. However, details of measures to protect homes in northern areas of the site from existing and potential future aircraft noise need to be covered in the condition discharge applications. |
| 3. | Network Rail | no further observations |
| 4. | Environment Agency | no comments received |
| 5. | National Air Traffic Services (NATS) | no objections. |
| 6. | Mid Sussex District Council | no comments received |
| 7. | Natural England | no comments received |
| 8. | Gatwick Diamond GROW Group | no comments received |
| 9. | Police | crime prevention advice will be provided at reserved matters |

- stages.
10. Highways England no objections
 11. WSCC - Highways no further highways comments to make
 12. WSCC – Education no comments received
 13. WSCC – Surface Water Drainage no comments received
 14. CBC - Drainage Officer no comments received
 15. CBC - Housing Enabling & Development Manager - no comments received
 16. CBC - Planning Arboricultural Officer No objections
 17. CBC – Environmental Health The Environmental Health Team have been involved in dialogue with the applicant’s noise consultants and other interested parties for a number of months. A final scheme of noise mitigation dealing with acoustic performance measures and the timing of the same has now been agreed in principle, and the wording of Condition 34 has been amended accordingly. The said amendments have been considered in regards to the National Planning Policy Framework and associated guidance namely using conditions to prevent problems for established local businesses arising from existing noisy operations such as the Goods Yard in close proximity to the west of the site whilst balancing this with the need to ensure any noise sensitive development such as housing is appropriately protected. As a result of these discussions, and subject to the detail of the condition being agreed it is recommended that the application be approved and no objections are raised in connection with the potential erosion of residential amenity due to local existing industrial/commercial undertakings.
 18. CBC – Amenity Services – no comments received
 19. Cycle Forum – no comments received
 20. Homes & Communities Agency (HCA) no comments received
 21. Metrobus – no comments received
 22. Sport England – no objections.
 23. Thames Water no comments received
 24. Southern Water no objections
 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 no comments received
 31. Woodland Trust no comments received

3.2 Representations have been received on behalf of the occupiers of Crawley Goods Yard. It is stated that *‘we would certainly acknowledge that the additional information submitted in the ES is a positive step forward in terms of addressing the operators objections, and that we welcome the amended design of the employment building as now detailed in the reserved matters application’* However, their objection is maintained, with the key areas of concern being:

- the issue of phasing and timing of the noise mitigation measures in relation to the housing proposals,
- that a mechanism needs to be provided to require the employment building to be built ahead of the residential development that it is designed to protect,
- the recommendations set out in the revised documents needs to be expressly referenced in a condition attached to the current application
- querying the sound power levels for the train unloading in the noise report
- the footprint/location of the employment building needs to be set/confirmed and not subject to any potential amendment

- amendments to condition 34 are essential to potentially resolving the objections which remain

PLANNING CONSIDERATIONS:-

4.1 This report considers the specific matters that have arisen since the application was previously discussed by the Committee, namely:

- WSCC highways comments and wording of condition 51 relating to junction 12A; and wording of conditions 43 and 46 relating to J10 of the M23 and other highway junctions
- Condition 6 – listing approved RM applications
- Condition 31 – fire service infrastructure
- Noise issues and wording of condition 34
- Density – condition 1
- BREEAM – condition 22
- Energy – condition 23
- Affordable housing – condition 63
- CIL

Highways

- 4.2 Part of the revised proposals under this application includes a new access and junction off Balcombe Road to serve the residential development on the north eastern part of the site (Phase 4). This would be known as junction 12A and would result in further works to junction 12 (where Steers Lane meets Balcombe Road) which itself has relatively recently been upgraded to a traffic light junction. As currently constructed a no right turn from Balcombe Road into Steers Lane is in force. The new arrangements would permit a right turn and involves revisions to the traffic lights. The applicant has requested this change due to land ownership issues.
- 4.3 When this was considered at the Committee meeting in April 2016, this specific junction was still under assessment by WSCC Highways, including the technical papers and Road Safety Audit (RSA).
- 4.4 WSCC Highways raised some issues arising from the RSA with regard to the position of a side road T junction with the main junction and cycleway provision. Amended plans have since been submitted addressing these concerns. The T junction has been deleted and the cycleway extended. The detailed traffic signals design will also need to be submitted to WSCC Highways as part of the s278 road agreement process.
- 4.5 WSCC Highways have confirmed that their concerns have now been addressed and the design layout is acceptable in principle. Condition 51 is to be amended to refer to the new drawing number.
- 4.6 The applicant has also recently raised concerns that the current proposals for the Smart Motorway works to the M23 may affect the extent and timing of the highway works that are associated with this development and so the wording of the relevant conditions may need to be revised. Highways England are the body responsible for the M23 and it is now understood that the Forge Wood works to J10 are not affected by the Smart Motorway Scheme. However, the timings will need to be adjusted for when that work is undertaken.
- 4.7 The works to J10 are linked to other junction works and a trigger point of the occupation of 300 dwellings had previously been agreed. Any changes to the delivery trigger will be for Highways England to decide upon. It is hoped that further clarification on this matter will be available by the time of the Committee meeting. In these circumstances, the condition as set out in this report is in draft form as suggested by the applicants, and is worded to give flexibility on this matter. A verbal update will be given at the Committee meeting.

Condition 6 – listing approved RM applications

- 4.8 This condition has been revised to list the reserved matters applications that have already been approved (i.e. parts of Phase 1 and Phase 2) and restates the time limits for the remaining phases (Phases 3 and 4). The new wording also states that the development shall accord with the conditions set out in the new permission, apart from the condition discharge requests that have already been approved, which are detailed on a new schedule (schedule B).

Condition 31 – fire service infrastructure

- 4.9 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.
- 4.10 As set out in the April 2016 report, 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, 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.
- 4.11 Members were verbally informed at the previous Committee meeting that WSCC had advised that the existing fire station has to be revised to accommodate these changing requirements. This is to include training facilities and the construction of a specialist training rig. It was resolved that condition 31 be reworded to refer to these facilities and to require a scheme to secure them.
- 4.12 Since that time officers have been liaising with WSCC and the applicants to agree a suitable wording and in particular to identify a timetable or the trigger point of the number of occupations when the scheme would be required to be submitted and also when the contributions of £50k towards the project are to be made.
- 4.13 The applicant has submitted a draft framework document, setting out this current position and which would be a background paper to this application. This could then be referred to in condition 31. At the time of writing this report, the scheme and contribution amount are agreed between the parties, but further negotiations are continuing with regard to the timing for the scheme to be submitted and the payment date. It is hoped that this will be concluded before the Committee meeting. In these circumstances, the condition as set out in this report is in draft form as suggested by the applicants, and a verbal update will be given at the Committee meeting.

Noise issues and wording of condition 34

- 4.14 Following concerns regarding noise issues for Phases 2B and 2C, and specifically the relationship between the railway line, Crawley Goods Yard and the new dwellings; it has become apparent that a revised and updated noise report and chapter for the Environmental Statement (ES) was required to inform the current s73 application. Furthermore, condition 34, which requires the submission of a scheme to protect the dwellings from noise, needed to be reworded. The precise details of the noise mitigation for the proposed dwellings will be subsequently submitted as a condition discharge request in association with the relevant reserved matters applications.
- 4.15 In relation to this application, revised noise details for the s73 and ES have been submitted and have been the subject of consultation and publicity. These set out that a combination of mitigation measures are required including a 100m noise exclusion zone/buffer at the western boundary where dwellings are not permitted and the erection of a non-residential building to act as a barrier block to screen the dwellings from the industrial noise. Other measures will also include the design, internal layout and siting of the new dwellings, sound insulation measures, and where necessary appropriate mechanical ventilation.
- 4.16 The non-residential building which is to be the noise barrier along the western part of the site is the commercial employment building. This was shown as such in the original Masterplan and so is part of the approved layout for the development in this part of Forge Wood. The erection of the

commercial employment building has thus always formed part of the noise mitigation proposals that are required for this location, as otherwise residential development here would be unacceptable on environmental grounds.

- 4.17 Condition 34 is to be reworded to cover these aspects in more detail and to clearly state the requirements for noise protection for the occupiers of the dwellings from aircraft noise, road noise, rail noise and industrial noise, all of which have different criteria and standards. The wording as originally drafted was open to various interpretations and so the aim has been to provide for a clearer and specific wording. It has been the subject of extensive discussions between all parties involved and it is proposed that this will provide a more structured and specific framework against which all future condition discharge applications for noise mitigation for the dwellings can be assessed. Environmental Health raise no objections given the revised information and subject to the detail of the condition being agreed.
- 4.18 Negotiations on the detail of the precise wording for condition 34 are still progressing at the time of finalising this report, but it is hoped that agreement will be reached by the time of the Committee meeting. In these circumstances the condition as set out is in draft form as revised by Officers and a verbal update will be given at the Committee meeting.
- 4.19 As the main element of the noise mitigation measures for the western part of the development relates to the erection of a building to act as a barrier, together with the more usual construction specification for the dwellings themselves, it is considered that the reserved matters applications for the employment building, plus those for the relevant dwellings (Phases 2B and 2C) and the precise mitigation scheme should be considered together, rather than in isolation. The new wording for condition 34 also requires the agreement of a mechanism and a sequence of works/events to ensure that the appropriate mitigation is in place before occupation of the dwellings occurs. These particular applications will thus be brought together to the Committee for consideration in due course. In addition, Officers consider that a s106 legal agreement is essential to secure the delivery of all these elements as combined package of measures, because whilst the matters are all inter-related, they would comprise separate applications.
- 4.20 At the time of writing this report, the employment building application was submitted on 12th October 2016 (CR/2016/0858/ARM). Revised plans are awaited for Phase 2B (CR/2015/0718/ARM) and Phase 2C (CR/2016/0083/ARM). It is anticipated that the condition 34 discharge request application for the noise mitigation would be submitted once this s73 application has been determined.

Density – condition 1

- 4.21 Condition 1 limits the average density of the development to 41 dwellings per hectare (dph) in respect of the net residential area. Condition 4 imposes a maximum of 1900 units.
- 4.22 The original outline pp has a net developable area of 46ha, so at a density of 41dph, this gives a total of 1886 units – correlating with the 1900 maximum set out in condition 4. Thus condition 1 and condition 4 work together.
- 4.23 The new masterplan involved with the current application results in a revised net developable area of 38.68ha, with much of the site area lost to a remodelled floodplain and drainage mitigation measures. At a density of 41dph, this would total 1586 units. In order to achieve the 1900 units, the density would have to be 49dph.
- 4.24 It is considered that the aim is to achieve as close to the 1900 units as possible, and to achieve the most effective use of the land to provide housing. The imposition of 41dph would not achieve that and thus it is considered that the reference to 41dph is not now appropriate.
- 4.25 The applicants had asked that the 41dph be deleted from condition 1. Whilst condition 4 provides for a maximum number of units, there would not then be a limitation on the minimum number of units and so it would be possible to build less and/or at lower densities, which is not what is required

from this new neighbourhood. Therefore a reference to density is still required in condition 1, but the wording is recommended to read ‘... built out at an average density *no lower than* 41dph...’

BREEAM – condition 22

- 4.26 The condition in the outline permission required a ‘very good’ BREEAM standard across the board for the non-residential building(s) as a whole, whilst the new Local Plan policy (ENV6) requires BREEAM ‘excellent’ for energy and water credits. It has been accepted when this application was considered in April that the earlier approach and lower requirement should remain in place as it had been argued that this was part of the overall concepts and viability of the scheme and so the condition was not proposed to be varied.
- 4.27 The applicants’ now wish to revise the latter part of the condition relating to the submission of the post-construction certificate. It is agreed that this can be re-worded to be more flexible and is an approach that has been adopted with other commercial schemes in the Borough.

Energy – condition 23

- 4.28 As set out in the April 2016 report, renewable energy was covered by condition 23 and as originally worded 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 did 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.
- 4.29 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. 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.
- 4.30 A revised wording for condition 23 was agreed at the April 2016 meeting which would allow for both options to be incorporated and which 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. However, a slight amendment to the wording is now suggested to refer specifically to the residential elements of the neighbourhood, as the non-domestic buildings are covered under the BREEAM requirements set out in condition 22.

Affordable housing – condition 63

- 4.31 The provision of affordable housing is covered by conditions 62 and 63.
- 4.32 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.
- 4.33 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 had previously sought to vary the wording to include reference to ‘sub phase’. As set out in the April 2016 Committee report, Officers had felt that this would reduce flexibility across a phase and so that wording was not agreed.
- 4.34 However, the applicants have requested that this be reconsidered. The main reasons are to avoid delays in approval for the sub phases and delays in the delivery of the units. This would occur if the 2 developers are working on different parts of the site within a phase and the affordable housing scheme for the whole phase is not agreed. The original wording would prevent one developer progressing with their own sub phase, until the details for the whole phase are agreed.

- 4.35 As revised each sub phase would need to meet its own affordable housing requirements and would need to be delivered as part of that sub phase, rather than relying on the phase as a whole. Thus the 40% requirement and the limitation on occupations would apply to each sub phase as well as across each phase as a whole. Whilst this reduces flexibility across the phase, it would mean that each sub phase would meet its own affordable housing requirements.
- 4.36 Given the pre-application plans and proposals that are under informal discussion, it would appear that the sub phases for 3 and 4 would meet the 40% requirement in themselves and the applicants are aware of this requirement for the future phases.
- 4.37 The main issue relates to Phase 2, as Phase 2A which has been approved has less than 40%. The balance is required to be made up in Phase 2B and 2C, but these are still under discussion due to the associated noise issues. This is a matter that can be resolved under the current condition discharge application for Phase 2 which will require a mechanism to ensure the 40% for the remainder of Phase 2. The applicants consider that this can be resolved in the near future as the details and layouts for 2B and 2C are now being revised following the amended noise report. The affordable housing scheme documents could then reflect what is proposed for the later phases.
- 4.38 It is therefore considered that in these circumstances the new wording for the condition is acceptable.

CIL

- 4.39 If this application under section 73 of the Town and Country Planning Act 1990 is approved, it would result in the issue of a new planning permission and the Community Infrastructure Levy (CIL) is charged on new development. The Council adopted CIL on 17th August 2016 and thus the charges apply to new planning permissions for residential and retail floorspace granted after that date. However, there can be transitional cases, where the original planning permission was granted before a levy charge came into force in the area, and a s73 permission is granted after the charge comes into force. Such a situation applies to Forge Wood.
- 4.40 In this case liability to CIL will arise in respect of this development, but in these circumstances, regulation 128A (as amended by the 2014 Regulations) provides for the section 73 consent to only trigger levy liability for any additional floorspace it introduces to the development. Thus the development would be CIL liable but it would not be chargeable as long as it is clear that there is no overall increase in floorspace.
- 4.41 The section 73 application does not seek to change the quantum of development. However, whilst the outline permission limits the number of dwellings to not more than 1900 (via condition 4 as originally worded), it does not have a maximum floorspace limit, which is the measurement used to calculate the levy charge or 'chargeable amount' according to regulation 40. Levy rates are expressed as pounds per square metre and are applied to the gross internal floorspace (GIA) of the net additional development liable for the levy. Thus the key issue is in calculating the chargeable amount.
- 4.42 It will therefore be necessary to ensure that no more consented GIA is created than that authorised by the 2011 permission as a whole, so that no CIL charge applies and to give some certainty around potential future liability for all parties involved.
- 4.43 The CIL Regulations give rise to two barriers to certainty, resulting from the need to wait until the approved GIA is known (i.e. until reserved matters are approved for siting); and the need to do so on a scheme-wide rather than a phase-by-phase basis.
- 4.44 In order to address this issue and to establish the GIA figures and to address any potential issues around uncertainty and future liability for CIL in future RM applications, calculations have been undertaken based on the known floorspace for the approved residential layouts and projected

forward for the remaining phases, with the incorporation of a 15% buffer. Condition 4 is thus varied to include this figure.

- 4.45 For the retail floorspace, condition 28 restricts total site-wide floorspace to 2,500 sqm. The condition has thus been adjusted to refer to gross and net figures.
- 4.46 It is considered that this will be sufficient to demonstrate that there is no notional change in the gross chargeable value of the new consent relative to the old, and therefore that regulation 128A applies (and no commencement or other CIL notices would be required).

CONCLUSIONS:-

- 5.1 As set out in the April 2016 report, 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.
- 5.2 It is considered that these changes are acceptable and in addition, the updated situation with regard to noise and other matters as set out in this addendum report, together with the following conditions, as now revised, reflect the current position and previous discussions about the concepts to guide this new neighbourhood for the Borough. This will then provide a more robust outline planning permission against which subsequent reserved matters applications can be judged and determined.

RECOMMENDATION RE: CR/2015/0552/NCC

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 no lower than 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 or sub 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 or sub 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, except where superseded by the requirements of condition 34 in connection the provision of the employment building as part of a noise mitigation scheme ahead of residential dwellings under Phase 2b and 2C.
4. No more than 1900 dwellings shall be constructed on the site pursuant to this planning permission and the total residential floorspace provided by the development shall not exceed 194,343 sqm GIA, which includes garages.
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) Phase 1 (including the primary school) and sub phase 2A of the development hereby approved shall be implemented in accordance with the previously approved Reserved Matter applications set out below and the plans and documents listed as approved therein:-

- Phase 1 Infrastructure : ref CR/2102/0357/ARM, dated 06.12.2012
- Phase 1A : ref CR/2013/0610/ARM, dated 14.03.2014
- Phase 1B : ref CR/2014/0061/ARM, dated 23.03.2015
- Phase 1C : ref CR/2014/0062/ARM, dated 16.06.2014
- Primary School : ref CR/2016/0048/ARM, dated 07.06.2016
- Phase 2 Infrastructure : ref CR/2015/0628/ARM, dated 04.01.2016
- Phase 2A : ref CR/2015/0740/ARM, dated 07.06.2016

For the avoidance of doubt the development hereby approved including that in Phase 1 (including the primary school) and sub phase 2A as listed above, shall accord with the conditions set out in this planning permission, except for the condition discharge approvals pursuant to planning permission CR/1998/0039/OUT as detailed in Schedule B.

(ii) 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.

(iii) 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. Phase 1A of the development hereby approved shall be carried out in accordance with the approved Construction Management Plan approved under CR/1998/0039/CC10.

Before subsequent phases of the development hereby permitted are 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 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 ongoing requirements as detailed in 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. Any subsequent minor changes from the approved drainage strategy must be submitted to and approved in writing by the Local Planning Authority before development on that phase commences.
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. Phase 1 of the development hereby approved shall be carried out in accordance with the approved archaeological evaluation (CBC ref CR/1998/0039/CC1) and the ongoing requirements as detailed in the approval letter dated 1st August 2014.

Before the development hereby permitted is commenced in any subsequent 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.

Within three months of the completion of any non-residential building hereby permitted, a post-construction report shall be submitted to the Local Planning Authority for approval, verifying that that the building has achieved a “very good” rating, unless the Local Planning Authority gives written consent to any variation.

23. Prior to the commencement of development comprising the erection of any residential building in any Phase or sub phase, an assessment shall be undertaken to quantify the amount of energy likely to be required by the residential 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 residential 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, (excluding those associated with the primary school) 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, unless an alternative timetable for provision is agreed with the Local Planning Authority .
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) (2,622 square metres gross) 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 listed 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 any residential dwellings within 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. No more than 300 dwellings shall be occupied until a scheme for the provision of new fire and rescue infrastructure to serve the development hereby permitted has been submitted to and approved in writing by the local planning authority. The scheme shall be in substantial accordance with the Framework for Fire Infrastructure document dated xx. The scheme shall be carried out as approved.
32. Within one month of the date of this permission, 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 works comprising the erection of dwellings commence in each phase or sub phase of the development hereby permitted a scheme shall have been submitted to and approved in writing by the local planning authority to protect dwellings within that phase or sub 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) industrial noise sources including the Goods Yard located immediately to the west of the London/Brighton railway line.

For the purposes of (a), (b) and (c) (transportation noise sources) the scheme shall include:

- (i) a plan identifying the dwellings within that phase or sub 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 35 dB L(A)eq 16hr (between 0700 and 2300) and no more than 30dB L(A)eq 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 45 dB L(A)Max between 2300 and 0700 using.

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.

For the purposes of (d) (industrial noise sources) the scheme shall include:

- (iv) A noise assessment in accordance BS4142:2014 Methods for rating and assessing industrial and commercial sound. The assessment shall be in accordance with the approach taken in the assessment included in the Environmental Statement Updated Noise Chapter (Addendum) Technical Appendix 13.29 dated September 2016 and shall identify the dwellings within that phase or sub phase which will require protection from existing industrial noise sources;
- (v) A detailed scheme of noise mitigation measures to protect the living rooms and bedrooms of those affected dwellings and which as a minimum accords with the recommendations set out in paragraphs 6.10, 6.11 and 6.12 of the Environmental Statement Updated Noise Chapter (Addendum) Technical Appendix 13.29 dated September 2016.
- (vi) Where the identified noise mitigation measures require windows to be closed to achieve acceptable internal noise levels, the scheme must include means by which adequate ventilation will be provided for those dwellings.

(vii) A timetable and sequence of works in relation to the construction of the employment building and dwellings demonstrating that the necessary mitigation including the employment building will be in place prior to the substantial completion that would enable occupation of any dwelling likely to be affected by industrial noise

(viii) That employment building shall be substantially completed to provide the approved attenuation prior to the occupation of any dwelling for which it is required to mitigate noise.

Each phase or sub phase of the development shall be carried out in accordance with the approved scheme in respect of that phase or sub phase. No dwelling hereby permitted shall be substantially complete that would enable occupation until the approved mitigation scheme has been implemented in respect of that dwelling. The approved noise mitigation shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

35. The school hereby permitted shall not be constructed otherwise than in accordance with the approved scheme in relation to noise protection as approved under CR/1998/0039/CC20 unless an alternative scheme of noise protection which achieves the same noise protection objectives is submitted to and approved in writing by the Local Planning Authority.
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. Unless otherwise agreed in writing, 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, unless in the case of item (iii) an alternative number of occupations is agreed in writing:
- (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 T261/99B have been completed and are open to traffic.
52. No more than 300 dwellings within the development hereby permitted shall be occupied until items (i), (ii) and (iii) listed below 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. The scheme shall also outline how items (iv) and (v) are to be delivered.
- (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. The scheme shall also outline how item (v) is to be delivered:
- (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. Within one month of the date of this permission, 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), and as updated and amended as required by that approval, 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 (CBC ref CR/1998/0039/CC6), 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) the 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 sub phase is commenced a scheme for the provision of affordable housing within that sub 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 sub 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 sub phase of the development shall be occupied until all affordable housing within that sub 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.

INFORMATIVES

1. Following the grant of outline planning permission CR/1998/0039/OUT various applications for Approval of Reserved Matters were submitted for determination. Those which have been approved prior to the grant of this s.73 planning permission have been carried forward into this permission (see condition 6) to avoid the need to secure those same approvals again. The development will be controlled through the conditions attached to this planning permission except where details have already been submitted and approved as detailed in Schedule B.
2. Any applications for Approval of Reserved Matters that were submitted pursuant to outline planning permission CR/98/0039/OUT but which remained undetermined at the time that this planning permission was granted will need to be re-advertised (and will be the subject of public consultation) so

that they can be treated as being made pursuant to this latest planning permission. Thereafter those Approvals of Reserved Matters will be treated as being approved pursuant to this planning permission.

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 to enable approval of detailed works. More information can also be obtained from their 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.

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 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.

CR/2015/0552/NCC

SCHEDULE B - CONDITION DISCHARGE APPROVALS PURSUANT TO CR/1998/0039/OUT

Condition 10 – Construction Environmental Management Plan

CR/1998/0039/CC10 – Phase 1A – approved 10.7.2014

Condition 20 - Contamination

CR/1998/0039/CC4 – approved 7.2.2014

Condition 30 – Fire Hydrants

CR/1998/0039/CC16 – Phase 1 – approved 26.6.2015

Condition 35 – Protection from Noise (School)

CR/1998/0039/CC20 – approved 11.8.2016

Condition 38 – Materials

CR/1998/0039/CC13 – phase 1A – approved 27.2.2015

CR/1998/0039/CC17 – phase 1C – approved 25.9.2015

CR/1998/0039/CC18 – phase 2A

CR/1998/0039/CC21 – school

Condition 49 – Traffic Speed Check Location

CR/1998/0039/CC8 – approved 20.11.2013

Condition 57 – Bus Services

CR/1998/0039/CC5 – approved 17.12.2013

Condition 63 – Affordable Housing Scheme

CR/1998/0039/CC11 – Phase 1 – approved 6.8.2015

CR/2105/0552/NCC Annex C – SCHEDULE - LIST OF APPROVED PLANS

- CSA/667/025 Revision A (application site boundary)
- CSA/667/175 Revision F (Master Plan)
- P.1036_13D-2 Phasing Plan
- CS/000916/Figure 1 Revision A (flood plain)
- 0560/SK/124D (works to junction 10 of the M23)
- T260/2 Rev C Junction 5 – Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/121C (works to junction of Steers Lane and proposed access road into west of appeal site)
- T261/13 Rev B Junction 4 – Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/112B (works to junction of Gatwick Road/Radford Road/James Watt Way)
- T261/06 Rev B Junction 3 - Comparison of Proposed Highway Improvements with approved layout 0560/SK/116B (works to junction of Radford Road and Steers Lane)
- T261/09 Rev C - Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/122D (works to combined footway/cycleway in respect of Radford Road railway bridge)
- T261/10 Rev D - J12 (works to junction of Balcombe Road and Steers Lane)
- 0560/SK/131 (works to roundabout at the junction of Gatwick Road and Fleming Way)
- T262.40B (works to the junction of Gatwick Road/Hazelwick Avenue/Crawley Avenue:Hazelwick roundabout)
- T263/06 Rev C Junction 11 – Comparison of Proposed Highway Improvements with Approved Layout Drawing 0560/SK/119D (works to junction of Balcombe Road and Heathy Farm)
- 0560/SK/105E (works to junction of Balcombe Road and Radford Road)
- T263/5 Rev A - J1 (works to junction of Balcombe Road and Antlands Lane)
- 0560/SK/120C (works to junction of Balcombe Road and north east access to the appeal site)
- 0560/SK/130 (locations of existing bus shelters to which real time information will be installed)
- T258/18 rev A (proposed footway/cycleway at Radford Road)
- 0560/SK/132 (cycle route along Tinsley Lane)
- 0560/SK/133 (combined footway/cycleway along eastern side of Hazelwick Avenue)
- TC17/1A (installation of bus shelters on north side of Haslett Avenue East)
- 0560/SK/135 (combined footway/cycleway on Tinsley Lane)
- CSA/667/031 Rev B (railway goods yard buffer)
- T261/99 Rev B proposed site access Junction 12A
- T264/1 Rev A condition 49 Speed Monitoring Locations

- T255/03 Rev G Flood Storage Compensation Areas

REPORT CONSIDERED AT 11 APRIL 2016 COMMITTEE

CRAWLEY BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE - 11 April 2016

REPORT NO: PES/183

ITEM NO: 001

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 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 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 (WSCC/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 (ii) 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 40dB LAeq30min 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.

Date 5 September 2016

Approx. Scale 1:1,250

FORGE WOOD, NORTH EAST SECTOR, CRAWLEY



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 5 September 2016

REFERENCE NO: CR/2016/0089/FUL

LOCATION: [CAR PARK ADJACENT TO CRAWLEY COLLEGE NORTHGATE AVENUE, NORTHGATE, CRAWLEY](#)

PROPOSAL: ERECTION OF A PART 8 AND PART 6 STOREY BUILDING TO PROVIDE A TOTAL OF 90 FLATS, WITH ASSOCIATED PARKING, LANDSCAPING AND FRONTAGE SERVICE BAY ON CAR PARK LAND FRONTING NORTHGATE AVENUE

TARGET DECISION DATE: 4 May 2016

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Arcus PDC

AGENTS NAME: Stiles Harold Williams

PLANS & DRAWINGS CONSIDERED:

Site Section 200_PLN_330 A, Block Plan 200_PLN_100 A, Site Plan 200_PLN_101 A, Existing Elevations 200_PLN-031 A, Existing Site Plan 200_PLN_002 A, Existing Elevations 200_PLN_030 A, Existing Site Plan 200_PLN-020 A, Location Plan 200_PLN_001 A, Proposed Elevations 200_PLN_300 A, Proposed Elevations 200_PLN_301 A, Site Section 200_PLN_330 A, Ground Floor Plan 200_PLN-200 D, First Floor Plan 200_PLN_201 C, Second Floor Plan 200_PLN_202 C, Third Floor Plan 200_PLN_203 C, Fourth Floor Plan 200_PLN_204 C, Fifth Floor Plan 200_PLN_205 C, Sixth Floor Plan 200_PLN_206 C, Site Access General Arrangement SK1573-001, Seventh Floor Plan 200_PLN_207 C, Roof Plan 200_PLN_208 C

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|---|---|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to conditions |
| 2. | National Air Traffic Services (NATS) | No objection raised subject to condition and informatives |
| 3. | WSCC - Highways | No objection subject to conditions and the implementation of a Travel Plan |
| 4. | Thames Water | No objection |
| 5. | CBC - Drainage Officer | Comments provided and advice given |
| 6. | CBC - Planning Arboricultural Officer | No objection |
| 7. | Crawley Cycle Forum and CTC Right to Ride | Suggested cycle network improvements |
| 8. | CBC - Contaminated Land | No objection subject to assessment of contamination risks |
| 9. | CBC - Crawley Homes | No comments received |
| 10. | CBC - Refuse & Recycling Team | Bin store should be increased in size and double yellow lines required at layby |
| 11. | Southern Water | No objection |
| 12. | CBC - FP - Energy Efficiency & Sustainability | Comments provided and advice given |
| 13. | CBC - FP - Urban Design | Comments provided and advice given |
| 14. | Ecology Officer - Mike Bird | No objection |
| 15. | WSCC - Surface Water Drainage (SWD) | No objection subject to conditions |
| 16. | CBC - FP - Housing | Comments on viability provided and advice given |
| 17. | CBC - Env Health | Comments provided and advice given |
| 18. | Police | Advice given on security issues |

NEIGHBOUR NOTIFICATIONS:-

A site notice was displayed at the site on 8th March 2016. A local press notice was advertised on 24th February 2016.

RESPONSES RECEIVED:-

Following public notification 31 letters of representation were received objecting to the proposal. The main issues raised were as follows:

- Loss of light resultant from the development.
- Over development of the site
- Insufficient parking provision
- Noise pollution
- Loss of privacy
- Disruption to local wildlife
- Increased rubbish
- Increase in flooding
- Poor design and lack of a children's play area
- Increased pressure on local schools
- Impact on property prices
- Site should be used for education, not residential
- Would encourage more anti-social behaviour in adjoining alleyway

REASON FOR REPORTING TO COMMITTEE:-

The application is major development and number of representations against the officer recommendation.

THE APPLICATION SITE:-

- 1.1 The application site forms the north-eastern part of the wider Central Sussex College site on the corner of Northgate Avenue and College Road. The landmark College tower building is situated close to the western boundary of the application site. The College's tall boiler room chimney is situated to the south-west of the application site.
- 1.2 The application site has an area of 0.43 hectares, the majority of which is currently in use as a staff car park providing 79 spaces. There are also two single storey buildings positioned in the western part of the application site. A belt of trees runs along the eastern site boundary and there is a wide grass verge along Northgate Avenue. There are two existing vehicular routes into the application site, the main entrance from Northgate Avenue and a secondary access from the south of the site which is accessed through the college grounds.
- 1.3 The neighbouring buildings are a mix of scales, with the most substantial being the main Central Sussex College tower building at eleven storeys. This is the tallest building in Crawley. There are smaller single, two and three storey College buildings adjoining the site to the south and west. Crawley Police Station (four storeys) is situated on the opposite side of Northgate Road and to the north west of the application site are the lower County Buildings (formerly Crawley Library).
- 1.4 Two storey residential properties are located to the east within Friars Rookery and Priors Walk. There is a public footpath running north-south to the east of the application site, which is lined by a number of trees. There is an area of amenity land between the College site and Friars Rookery/Priors Walk, which contains a number of protected trees.

- 1.5 The boiler room for the College lies to the south-west of the application site. It and adjoining buildings contain the existing chimney and a number of other extraction/ventilation flues/ducts. Some of these contribute significantly to noise levels in the area.
- 1.6 The site lies within the Town Centre boundary defined in the Crawley Borough Local Plan 2015-2030 and partially within a defined Priority Area for District Energy Networks.

THE PROPOSED DEVELOPMENT:-

- 2.1 This application seeks planning permission for the development of a total of 90 flats consisting of 32 x 1 beds and 58 x 2 beds. The flats would be formed within a single 'L-shaped' block of two distinct sections positioned on the northern and western edges of the application site. The tallest element, fronting Northgate Avenue, would comprise eight stories and have a height of 25.25 metres. The other section, along the western portion of the site, would be six stories tall and have a height of 18.5 metres.
- 2.2 The development would include a landscaped roof terrace located on the 6th floor, with pockets of ground level amenity space around the site. The proposal would provide a total of 53 car parking spaces which would be located centrally within the courtyard area and along the eastern site boundary. The car park would be accessed from Northgate Avenue. A further 238 secure cycle bays are to be provided within the proposed building.

PLANNING HISTORY:-

- 3.1 The application site has no relevant planning history for residential development.

PLANNING POLICY:-

- 4.1 National Planning Policy Framework (NPPF):

The National Planning Policy Framework (NPPF) was published in March 2012 and 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.

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.

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.

Part 7 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. Design codes can be used to achieve high quality outcomes, and decisions should promote and reinforce local distinctiveness without imposing forms, styles or particular tastes on development. Paragraph 56 states that 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 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 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 to 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 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. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.
- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH7: (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping, which runs along the footpath to the east of the site.
- Policy CH8: (Important views) requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. Northgate Avenue and The Boulevard are defined as Linear Contained Views and the site is within the Long Distance View Splay from Tilgate Park.
- Policy EC6: (Development Sites within the Town Centre Boundary) states that sites within the Town Centre Boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough. The Central Sussex Tower (East of the Tower) site is identified for mixed- use town schemes comprising main town centre uses and/or residential development.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H2 (Key Housing Sites) this policy demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the borough between 2015 and 2030.
- 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. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first- time buyers.
- 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 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport): Advises that 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.
- 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 ENV1 (Green Infrastructure): advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through the following measures. I. development which protects and enhances Green Infrastructure, ii. Development proposals should take a positive approach to designing green infrastructure. Iii. Proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified.
- Policy ENV5 requires development to make provision for open space and recreational facilities.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically 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 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.
- Policy ENV11 (Development and Noise): Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.

4.3 Supplementary Planning Guidance and Documents

The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application. The Supplementary Planning Documents were all adopted in October 2016:

- Planning and Climate Change – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
- Urban Design – With specific reference to Crawley’s character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- Green Infrastructure – Sets out the Council’s approach to trees, open space and biodiversity. The Local Plan identifies Northgate Avenue as a key Structural Landscaping link into the town centre from the north-east and the SPD gives guidance on supporting and enhancing Structural Landscaping. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling.
- Town Centre – Supports regeneration and development to promote the economic growth, vitality and viability of the town centre, which forms a sustainable location for development. The SPD specifically identifies the Central Sussex College (East of Tower) site as suitable for mixed use development comprising main town centre uses and/or residential development. Design principles are set out, including creating a gateway to the town centre, forming a medium rise dense development to complement the College tower and establishing a stronger Northgate Avenue frontage.
- Developer Contributions Guidance Note (Adopted July 2016) Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council’s approach to securing contributions towards infrastructure provision.
- SPGN10 Affordable Housing (Adopted 2002)

PLANNING CONSIDERATIONS:-

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

- Principle of the development
- Impact upon the operational needs of the College
- Design and impact on visual amenity
- Impact upon neighbouring residential amenity
- The adequacy of accommodation and living environment for future occupiers
- Highway and parking
- Sustainability
- Drainage
- Affordable housing
- Infrastructure contributions

Principle of the development

5.2 The proposal site is situated in a highly sustainable location on the edge of the town centre, where residential use is encouraged by the NPPF. Policy EC6 and the Town Centre SPD specifically identify the site as being suitable for a mixed-use scheme comprising main town centre uses and/or residential development. The proposed development accords with the newly adopted Local Plan policy and the SPD and is therefore considered to be acceptable in principle.

Impact upon the operational needs of the College

5.3 The proposal would involve the loss of a car park providing 79 staff parking spaces at present. Two single storey buildings, which appear to be in use for building trade related training, would also be demolished.

- 5.4 Central Sussex College adopted a Travel Plan for the site in 2012, which states that the existing North car park is used by assessors and construction/maintenance staff. The College considers the Travel Plan to have been a success in encouraging travel by sustainable means and reducing car travel. As a result, they consider that the car park is no longer needed and that the implications of the loss of the car parking spaces can be addressed through the Travel Plan. The Local Highway Authority accepts this view and recommends securing the implementation of the Travel Plan by appropriate means.
- 5.5 There are a number of ventilation/extraction ducts/flues, including the tall Boiler House chimney on walls/roofs adjacent to the application site. These will need to be relocated or their noise levels mitigated before occupation of any flats. The noise issues are addressed later in the report.
- 5.6 The applicant's Planning Statement states that the funds generated from the sale of the land will enable further investment in Central Sussex College.

Design and impact on visual amenity

- 5.7 The proposed building footprint forms an 'L' shape which consists of two distinct sections. The north-eastern section of the building (fronting Northgate Avenue) would be primarily eight storeys tall with a height of 25.25 metres, while the south-western section of the building (closest to the adjacent college building) would be six storeys tall with a height of 18.5 metres. The Town Centre SPD seeks a building on this site that relates well to the main Central Sussex College building, which is an 11 storey tower, and that also forms a gateway on this edge of town centre site. The height of the building is considered appropriate in this context, creating a clear increase in density and mass to highlight the approach to the town centre along Northgate Avenue. The scale of the building is considered appropriate and in keeping with its neighbours, which have a broad mix of scales and include the tallest building in Crawley.
- 5.8 In terms of siting, the building is considered appropriately set back from the Northgate Avenue frontage. There is a wide grass verge at this point and the proposed building would be set back 4.6 metres from the pavement. This would contribute to a good sense of openness, which is characteristic of this part of Northgate Avenue and would satisfactorily address the street scene.
- 5.9 The detailed design and choice of materials reflects the character of Crawley. The acute north-eastern corner of the 8 storey element gives an interesting contemporary appearance, whilst the introduction of balconies, gives articulation to the overall development. The scheme would have horizontal concrete bands marking floor levels, with brick panels between. The brickwork would generally be laid horizontally, but with some vertical areas to add visual interest. The building's entrance would be extensively glazed, helping to create an active frontage, and the building would sit over the vehicular entrance providing some screening for the car park behind. Window layout varies across the elevations, but is grouped to form some consistency. Most flats would have a recessed balcony, providing further visual interest and relief to the building. Full details of proposed materials can be secured by condition. Given the prominence of the building and the lack of detail shown on the elevation drawings, it is also appropriate to restrict the potential installation of pipework, flues and other features that could have a significant and discordant visual impact on the overall scheme.
- 5.10 The existing College tower building is located within a prominent location, visible from some distance and it forms a landmark building at the eastern end of The Boulevard. The proposed block of flats is considered to be of a compatible design which would enhance the character of the area and sit comfortably alongside the tower.
- 5.11 Officers consider that the design and appearance of the building represents a significant visual enhancement of the site and are satisfied that the size, height, design and scale of the building would be appropriate. It would create an improved frontage to Northgate Avenue and create visual interest at this entrance to the town centre. The proposed development is considered acceptable in terms of design and visual impact.

Impact upon neighbouring residential amenity

- 5.12 The nearest residential properties are located to the east within Friars Rookery and Priors Walk. At its closest point to these properties, the proposed building would be 47 metres from No. 17 Friars Rookery. There are a limited number of windows proposed on the east elevation, but they do light bedrooms and living areas. The eastern side elevation of the proposed building would provide a minimum window to window separation distance of 49.5 metres to houses in Friars Rookery. In itself, this separation distance is considered sufficient to avoid overlooking. However, in addition to the physical separation, the eastern side boundary of the site is defined by a belt of semi-mature trees. The amenity land between the houses in Priors Walk/Friars Rookery and the application site also has a number of mature trees of substantial height. The presence of these significant trees, up to 22 metres in height and defined as Structural Landscaping in the Local Plan, would provide a significant degree of natural screening and a visual barrier. The separation distances and the substantial vegetation screening combine to mean that no significant loss of privacy would result, despite the step change in scale proposed on this edge of town centre site.
- 5.13 The applicant has also provided some shading diagrams to assess impact of any loss of light. These diagrams demonstrate that the existing trees already cause some shadowing on the houses to the east. The proposed building would cast an afternoon shadow to the east, but not sufficient to further affect the houses in Friars Rookery.
- 5.14 Other adjoining properties are in commercial, education or public sector uses. The shading drawings show limited overshadowing impact to the north, other than to a small part of the County Buildings site on winter mornings. The separation distances, upwards of 36 metres from the Sussex Police building and over Northgate Avenue, are sufficient to avoid any overlooking issue. There would be no shadowing of the College site. Habitable room windows of the proposed flats would overlook the College site. However, the College tower windows would be at least 40 metres away and most other buildings in the adjacent part of the site have now windows looking towards the application site. It is not considered that the proposed building would cause any loss of amenity to the adjoining non-residential uses.
- 5.15 Overall, the proposed development is not considered to adversely impact upon the amenities enjoyed by the occupants of neighbouring properties. The proposed building, whilst of a considerable size, would not result in significant loss of privacy, overbearing impact or loss of light to the occupants of adjoining properties, in particular to the residents within Friars Rookery.

The adequacy of accommodation and living environment for future occupiers

- 5.16 Policy CH5 (Standards for All New Dwellings (including conversions) of the Crawley Borough Local Plan 2015-2030 advises that 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 Building Regulations. Having reviewed the accompanying floor plans of the application, all flats would meet the minimum room requirements set out in Policy CH5.
- 5.17 The submitted plans show that the development has incorporated pockets of landscaped amenity areas around the site. At the site frontage along the northern elevation, a paved seating area is proposed in addition to a rectangular strip of grassed amenity land. The largest section of private amenity space would be the 389m² provided immediately around the six storey block towards the south western corner of the site. Whilst varying parts of this would be in shadow through the day, it would be segregated from road noise and provide some communal outdoor space for residents. In addition to this an external courtyard area is proposed on the roof of the six storey building. The landscaped roof terrace on the 6th floor would have an area of 189m² and its implementation pre-occupation can be secured by condition.
- 5.18 Many of the apartments would have accessible balconies which would provide a degree of private amenity space to some of the apartments. It is considered that balconies are an appropriate form of

amenity space for future occupants given the site's location. In addition to the areas of soft landscaping and the provision of a number of balconies, it is noted that the Memorial Gardens are located a short walk away from the development site which would provide the occupants of the development with easily accessible public amenity space. In accordance with the Council's policy requirements, a contribution towards enhancement of children's play space is sought.

- 5.19 One flat (Flat 0.06) on the ground floor western elevation would have a poor outlook. The flat's windows all face west, approximately five metres from a solid brick wall approximately five metres in height. The outlook would be somewhat oppressive and the amenity area outside the flat would be significantly overshadowed. The adjoining ground floor flat to the south and the first floor flats above would also be affected by the adjoining building to a lesser extent. Whilst this adverse impact is unfortunate, it relates to a limited number of the proposed flats and should be considered in the context of the overall scheme.
- 5.20 Central Sussex College has a range of existing extraction and ventilation equipment on and around its adjoining buildings, which include a kitchen, classrooms and a boiler room. A Noise Assessment was commissioned by the applicant to investigate likely noise levels within the proposed flats. The Assessment found predicted noise levels exceeding the World Health Organisation (WHO) guideline levels for different rooms of 35 dBA (day) and 30 dBA (night). The dominant source of noise, mainly affecting proposed flats on the south elevation, was the kitchen range hood supply fan and duct situated on the adjacent flat roof to the west. No silencers are currently fitted to this equipment. The noise report recommends fitting silencers both outside (for the benefit of the proposed flats) and inside (for employees within the kitchen) to reduce noise levels. Subject to these works, noise levels outside the proposed flats on the south façade would be sufficiently low to allow natural ventilation using windows within the flats. Environmental Health are satisfied with these findings and recommend a condition to secure these attenuation measures. However, the adjoining equipment lies outside the application site and so these measures cannot be controlled by planning condition. Central Sussex College can, as adjoining landowner, however, be party to a Section 106 agreement to secure implementation of the recommended silencers. The recommendation later in the report is made on this basis.
- 5.21 Noise assessment work also identified an issue with road traffic noise from Northgate Avenue. The study found that predicted daytime noise levels on some flats on the proposed Northgate Avenue elevation would be up to 64 dBA, exceeding the WHO level. The applicant's report states that the required sound reduction index (SRI) can be achieved through "readily-available glazing configurations and with off the shelf attenuated ventilators." Environmental Health have reviewed these findings and agree that, subject to a condition requiring details and subsequent implementation of these attenuation measures, an acceptable environment would be created for future residents of the flats. Balconies may be subject to road noise levels above the WHO guidelines, but residents will have choice in when they use the balconies. Predominant use is likely to be at times when traffic levels on Northgate Avenue may be lower. The proposed roof terrace at seventh floor level would not suffer traffic noise levels in excess of the WHO guidelines. In this case, the required works would be within the proposed flats themselves and can be addressed by condition.
- 5.22 Finally on noise concerns, the applicant's planning statement acknowledges an issue regarding noise from the nearby classrooms which are used for building, woodworking and joinery. The College proposes to relocate these teaching spaces, and associated ventilation systems, elsewhere as part of the preparations for developing the car park site. The existing adjoining classrooms would then be used for quieter teaching activities prior to occupation of the development. The College appears to have a contractual obligation to implement these measures as part of the agreement to sell the site to the potential developer. However, it is also appropriate that the implementation of this relocation to address potential noise issues is formally secured through the planning process. This can be achieved through a Section 106 agreement, to which the College would need to be a party.

- 5.23 Overall, subject to both conditions and provisions within a Section 106 agreement, the road, equipment and teaching related noise issues can be satisfactorily addressed to create an acceptable living environment within the proposed flats.

Highway, access parking and servicing

- 5.24 The application site has an existing vehicle access from Northgate Avenue (A2004) serving the staff car park. This access currently takes the form of a priority junction with a short length of right turning lane for vehicles entering the site from the west. As part of the development, the access is proposed to be relocated a short distance eastwards. West Sussex County Council (WSSCC), as highway authority, has advised that, based on the information supplied within the Transport Assessment, there would be no significant intensification of use as a consequence of this proposal.
- 5.25 The applicant has demonstrated visibility splays of 2.4 by 43 metres. In light of the 30mph speed limit and the wide verges/footways adjoining the access, it is apparent that more than adequate visibility can be achieved.
- 5.26 The application has been accompanied by a Transport Assessment (TA) and a Framework Travel Plan. Revisions to the originally proposed layout of the lay-by for refuse vehicles on the Northgate Avenue frontage have been secured to prevent vehicles entering it from the west. At the request of WSSCC, the applicant has undertaken a Stage One Road Safety Audit to support the proposed amendments to the servicing lay-by. WSSCC is satisfied with these changes and they will be secured by WSSCC through a Section 278 agreement.
- 5.27 As the proposed flats would be sited within Crawley College's existing staff car park, there will be a resultant loss of parking spaces. At present the car park provides 79 spaces, the proposal would provide a total of 53 parking spaces (3 disabled), which equates to a loss of 26 spaces. The Council's indicative minimum standards would seek provision of 90 car parking spaces on site for the flats and require justification on site-specific grounds for lower levels of provision.
- 5.28 WSSCC considers that the development site is located in a highly accessible location with a wide range of services, including frequent passenger transport, within a short walking distance. WSSCC has advised that residents of the proposed development would have realistic alternative transport choices for all day to day requirements, and would not be reliant upon the use of the private car which may result in lower car ownership among residents. The area around the application site is within the Crawley Controlled Parking Zone and parking is restricted at all times along Northgate Avenue. A Travel Plan for residents has also been drafted to promote more sustainable means of transport and its implementation can be secured by condition. WSSCC are satisfied that parking demands associated with this proposal can be accommodated without resulting in any detriment to highway safety.
- 5.29 In addition to the 53 parking spaces, the development would include the provision of a cycle store which would provide the secure storage of 238 cycles. The Urban Design SPD requires one cycle per one bedroom flat and two per two bedroom flat, with an additional one space per eight dwellings for visitors. The proposed level of cycle parking exceeds the Council's standard of 160 spaces.
- 5.30 With regard to staff car parking, the College consider that the Travel Plan adopted in 2012 has been sufficiently successful that the existing staff parking spaces are no longer required. Consideration was underway by the College at that time with regard to releasing the site for development. The 2012 Travel Plan states in paragraph 1.8:

"The area of North car park over which the new residential building will extend will not result in significant loss of parking spaces, as this is currently used by assessors and construction/maintenance staff for ease of access only and not because parking does not exist elsewhere. The new capital proposals if successful will include an element of reconfiguration of the car park to provide the same parking spaces and also prioritise staff

permit parking with student parking continuing to be offered at the same levels whilst also offering alternative travel arrangements.”

- 5.31 The Travel Plan demonstrates a keenness to support sustainable travel, through measures such as promotion of travel information and journey planning, car sharing, cycling to work and other measures. The College also has a permit system to control use of car parks. WSCC is satisfied with the proposed loss of the staff car park subject to securing the review and implementation of the College's Travel Plan.
- 5.32 Subject to the imposition of conditions and S106 provisions relating to highway safety issues, a Construction Management Plan and to secure the Travel Plans for the College campus and the proposed residential development, the proposal would not have a detrimental impact on the highway network and the overall parking provision is considered acceptable. WSCC have advised that all outstanding matters have now been addressed, and therefore in the absence of objection from the Highway Authority, the proposed development is considered acceptable in this regard.

Sustainability

- 5.33 In support of this application the applicant has provided an 'Energy and Sustainability Statement'. The Statement sets out the sustainable features to be incorporated, to improve overall environmental performance, through good building design and energy efficiency measures. It states that the proposed design achieves a 19% reduction in energy demand and 11.5% reduction in CO₂ emissions compared to the baseline standards of the Building Regulations. The scheme is further enhanced through the proposed use of a PV array, which will result in a total reduction of 28.6% in energy consumption and 31.9% in CO₂ emissions.
- 5.34 Local policy is contained within policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the related Planning and Climate Change SPD.
- 5.35 The Energy and Sustainability Statement suggests the use of gas fired combination boilers within each flat for heating and hot water. It considers a Combined Heat and Power plant not to be cost effective in this case. With regard to policy EN7, it states that communal heating and a District Energy Network are not warranted for space, potential future overheating and viability reasons. The comments of the Planning Policy team on sustainability advise that this issue has not been adequately addressed. A District Heating Network is proposed for this area under policy ENV7 of the Crawley Borough Local Plan and the Planning and Climate Change SPD. The proposed network is the subject of active feasibility work at present. Whilst it is accepted that the proposed development on its own would not justify implementation, significant development is anticipated in the near future on a number of neighbouring sites. It is therefore considered appropriate that a condition be attached requiring details of measures to ensure that the development is 'network ready' for connection to a future District Heating Network in the interests of energy efficiency and sustainability.
- 5.36 With regard to the PV array, the site's proximity to Gatwick Airport generates a need for caution to avoid an adverse impact upon aviation. Further details in this respect can be secured by condition. Although it has been phased out, a Code for Sustainable Homes pre- assessment has also been carried out and it is included within the accompanying report. It is broadly considered the objectives of adopted development plan policy have been adequately addressed within this report.
- 5.37 The applicant has submitted information seeking to address energy efficiency and sustainability within the building. Further information has been requested regarding the District Energy Network and communal heating. The response will be reported at the Planning Committee meeting. Subject to conditions relating to details of the PV array, implementation of sustainability measures and making the development ready for a future District Energy Network, the scheme is considered acceptable in energy, water use and sustainability terms.

Drainage

- 5.38 The application has been accompanied by a Drainage Strategy, which confirms that ground attenuation would be used to restrict the run off from the development. In considering the acceptability of the drainage strategy, WSCC, as the Lead Local Flood Authority, has advised that, on the assumption that infiltration would not be possible, the proposed strategy would meet the requirements of the NPPF, PPG and associated guidance documents. However, development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus 30% for climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.
- 5.39 The Borough Council's Drainage Engineer supports the proposed reduction in 1:100 year flood flows from the site. However, he has raised some issues regarding impact of any flow of flood water off-site including on the adjacent Thames Water system, appropriate allowance for climate change, water quality and ongoing maintenance of the implemented drainage system. He is satisfied that these can be addressed by a condition requiring full drainage details to be agreed and implemented pre-occupation.

Affordable Housing

- 5.40 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.
- 5.41 The applicant has provided a viability appraisal in this case, which has been independently scrutinised by the DVS (District Valuer Services). The submitted viability appraisal states that the development cannot support any affordable housing provision or additional infrastructure contributions. The District Valuer's assessment confirms that the scheme, taking into account all financial considerations including infrastructure contributions through CIL/Section 106 and developer profit, shows a deficit. Despite this, the applicant has made an offer of £200,000 towards off-site affordable housing provision and, notwithstanding his own assessment, the District Valuer recommends that serious consideration is given to this offer. The DVS has also suggested that the Local Planning Authority should also consider a mechanism whereby the viability of the development can be reviewed, given the potential for changing viability over the normal three year time limit covered by a full permission. This could be incorporated into any Section 106 agreement.
- 5.42 In terms of financial considerations, the land would be sold by Central Sussex College and the finance gained would be used by the college to enhance its education provision. Although details of the benefits to the college have not been submitted in detail and could not be secured through the planning process, the potential benefit to the College does stand in support of the scheme.
- 5.43 To conclude on viability, the applicants and the DVS (on behalf of CBC) have agreed that a viable scheme on this site cannot make an affordable housing contribution at the present time. Whilst this is disappointing and will not help to address the Borough's affordable housing needs, this must be considered alongside all other material planning considerations.
- 5.44 Due to the commercially sensitive nature of the viability report, should Members wish to scrutinise this conclusion in further detail, the meeting will need to move to Part B (Exempt item) where the report can be discussed in further detail.

- 5.45 Policy H3 requires housing development to provide a mix of dwelling types and sizes to address local housing needs and market demands. The scheme would only provide 1 and 2 bedroom units. A significant proportion of local need is for smaller units and it is considered on balance to be an acceptable mix on this sustainable town centre site.

Other issues

- 5.46 The responses received from neighbouring properties raised a number of other issues. Increased demand for school places and play areas can be addressed through developer contributions through CIL and a Section 106 agreement. There is no evidence that the proposal would increase anti-social behaviour in the adjoining alleyway and it could have a positive impact by increasing natural surveillance. The site has no significant wildlife interest, but protecting the existing trees, particularly along the eastern boundary, will help to protect the natural environment. There is no requirement for the site to remain in educational use if no longer required and any impact upon property values is not a material planning consideration.

Community Infrastructure Levy and Other Infrastructure Contributions

- 5.47 Policy IN1 of the Crawley Borough Local Plan 2015-2030 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will be implementing a Community Infrastructure Levy (CIL). Crawley's CIL took effect from 17 August 2016. The likely CIL contribution has been calculated as around £830,000 and this figure was used by the District Valuer in assessing the applicant's viability appraisal.
- 5.48 For other contributions, the Borough Council seeks £15,928 towards open space to be spent enhancing Memorial Gardens and/or Southgate play areas. As set out in the Green Infrastructure SPD, 90 trees would need to be provided on site or as payment in lieu (£700 per tree) of this provision. On this basis, a contribution a formula for payment will need to be included in the S106 Agreement as the basis for the commuted sum (90 units minus the number of trees to be provided on site x £700). This would give a maximum contribution of £63,000.

CONCLUSIONS:-

- 6.1 The application site has been identified for development as one of four key opportunity sites in the Crawley Local Plan 2015-2030 and the Town Centre SPD. The proposal accords with the policy requirements and would provide a significant number of new residential units in a sustainable location on the edge of the town centre. The proposal is considered to achieve a high standard of urban design and would be an attractive addition to this area. The proposed development is policy compliant in terms of its use, design and residential standards and, subject to measures to address noise impacts, would create a satisfactory residential environment. The proposal, subject to appropriate controls, is also acceptable in highways and parking terms.
- 6.2 It is concluded that the development would meet the objectives of the NPPF and would comply with the policies in the Local Plan. Having weighed up the social, environmental and economic impacts of the proposal, it would represent a sustainable development. It is therefore recommended that the scheme is granted planning permission subject to the conclusion of a Section 106 Agreement to secure
- a contribution of £200,000 towards provision of affordable housing within the Borough;
 - the open space (£15,928) and tree mitigation (£63,000) infrastructure contributions;
 - implementation of measures, including the relocation or mitigation of existing College related intake fans, ducts and flues and the relocation of existing teaching space for potentially noisier activities such as joinery, to prevent noise and other disturbance to future residents;
 - the implementation of measures through a Travel Plan to address the resultant loss of car parking for the College's staff members; and
 - the early review of the scheme's viability and related affordable housing provision after eighteen months if the development has not been implemented.

6.3 However, in the event that the Section 106 Agreement is not completed by 15 January 2017 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 Policies IN1, CH6 and H4 of the Crawley Borough Council Local Plan 2015-2030 and the Green Infrastructure SPD.

RECOMMENDATION RE: CR/2016/0089/FUL

PERMIT - Subject to the conclusion of a Section 106 agreement to secure the infrastructure contributions and provisions set out in paragraph 6.2 and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls and roofs of the proposed building 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 and the Urban Design SPD.
4. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the North, West or East elevations of the development hereby approved unless details have been submitted to and approved in writing by the Local Planning Authority. REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
5. 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.
6. No development shall commence on site until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been submitted to and approved in writing by the Local Planning Authority. The Radar Mitigation Scheme (RMS) shall thereafter be implemented and operated in accordance with the approved details.
REASON: In the interests of the safe operation of Gatwick Airport and NATS and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
7. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/policycampaigns/operationssafety/). The Bird Hazard Management Plan shall be

implemented as approved, upon completion of the roofs and shall remain in force for the life of the 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 roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

8. Development shall not commence until details of the PV solar energy scheme have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids, surveillance equipment and glint/glare to pilots and in accordance with Policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
9. Development shall not commence on site until details of a scheme to ensure that the development hereby approved is “network ready” for connection to a District Energy Network on construction or at some point after construction have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To ensure the development addresses energy efficiency and climate change and in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
10. Development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus 40% for climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.
REASON: To prevent the increased risk of flooding and in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
11. Development shall not commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details.
REASON: To ensure the long term maintenance of the drainage system, prevent the increased risk of flooding and in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
12. Development shall not commence until details of measures to divert the existing public water supply main have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed measures unless otherwise agreed in writing by the Local Planning Authority.
REASON: To protect water supply infrastructure and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.
13. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. 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 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 tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.

14. Before the development hereby permitted is commenced, a scheme shall have been submitted to and approved in writing by the Local Planning Authority to protect dwellings against the noise from Northgate Avenue. For the purposes of this condition the scheme shall include:
- (a) the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB(A) Leq16hr (between 0700 and 2300) and no more than 30dB(A) Leq 8hr (between 2300 and 0700); and
- (b) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700. Where the standards in (a) and/or (b) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which adequate ventilation will be provided. No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling. For the purposes of this condition 'adequate ventilation' would include the provision of mechanical ventilation which can effectively deal with summer warming and purge ventilation.
- REASON: In the interests of residential amenity by ensuring an acceptable noise level for future occupants and in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 - 2030.
15. No development shall commence until a scheme to provide combined television reception facilities and superfast broadband for all dwellings within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
- REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
16. 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.
17. 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); and
 - details of public engagement both prior to and during construction works.
- REASON: In the interests of highway safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

18. The burning of materials obtained by site clearance or from any other source shall not take place within six metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.
REASON: To protect trees and vegetation from fire damage in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.
19. No part of the development shall be first occupied until the covered and secure cycle parking spaces shown on the approved drawings have been fully provided and made available for use by residents.
REASON: To encourage sustainable travel options and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD 2016.
20. The building shall not be occupied until the parking spaces, manoeuvring and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, manoeuvring 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 policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD.
21. No part of the development shall be first occupied until the proposed loading bay on Northgate Avenue has been constructed in accordance with the details indicatively shown on drawing number SK21573-001 revision D and a construction specification submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety and in accordance with policy IN3 of the Crawley Borough Local Plan 2015-2030.
22. No part of the development shall be first occupied until a Travel Plan for the site 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, and the framework travel plan submitted with the approved planning application.
REASON: To encourage and promote sustainable transport and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.
23. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that each unit 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 and the Planning and Climate Change SPD.
24. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.
25. Prior to the first occupation of the flats hereby approved, the sixth floor outdoor landscaped terrace and the ground level outdoor amenity areas shall be fully implemented and made available for use

by residents. The terrace and amenity space areas shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To create a high quality residential environment for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

INFORMATIVES:

1. Cranes have the potential to affect radar through causing an obstruction to the signal or causing reflections and false targets. Accordingly it would be advisable for the applicant to submit a Crane Operation Plan to NATS for assessment and to enable NATS to manage any predicted impact.
2. Alterations to the dimensions, coordinates or height of the proposal have the potential to affect the detail of the Gatwick Airport related mitigation required. Accordingly any envisaged alterations to the scheme/elevation (e.g. inclusion of solar panels) should be submitted to NATS for advice in advance of any planning amendments or construction being undertaken.
3. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from www.aoa.org.uk/policy-campaigns/operations-safety/)
4. It is important that details of any aerials or satellite dishes are submitted to Gatwick Airport Ltd, before they are installed, as they have the potential to interfere with navigational aids at the airport.
5. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed 'No Entry' and 'Unloading and Loading' restrictions for the servicing lay-by. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.
7. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
8. There are public sewers crossing or close to the application site. 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 three 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 extension to existing buildings. The applicant is advised to contact Thames Water Development Services on 0800 009 3921 to discuss the options available at this site.
9. With regard to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water 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.

10. Whilst the Local Planning Authority considers the potential for bat roosts in existing buildings to be low and has not therefore required a survey to support this application, the applicant is reminded that all bats are legally protected and it is illegal to damage or destroy their roosts unless this is carried out under licence. Therefore, if at any stage of site clearance, bats or signs of bat use such as droppings are discovered, any further works that could affect them must cease until advice has been obtained, and acted upon, from Natural England or a consultant ecologist specialising in bat work.
11. The water efficiency standard required under condition 19 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
12. 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 Council's Environmental Health Team in advance.

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.
- 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.



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

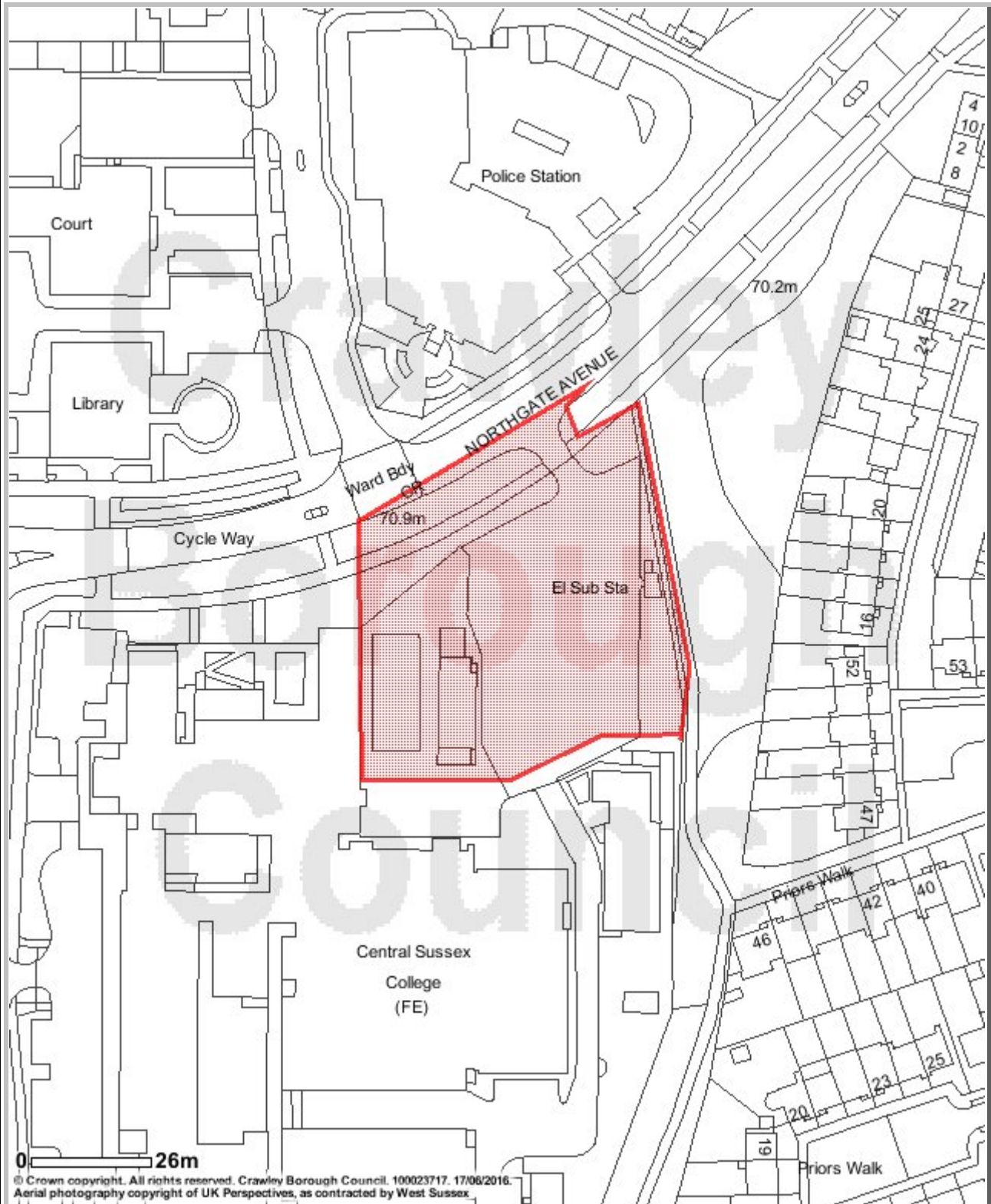
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0089/FUL

Date 15 June 2016

Approx. Scale 1:1,250

**CAR PARK ADJACENT TO CRAWLEY COLLEGE
NORTHGATE AVENUE, NORTHGATE, CRAWLEY**



© Crown copyright. All rights reserved. Crawley Borough Council. 100023717. 17/06/2016.
Aerial photography copyright of UK Perspectives, as contracted by West Sussex

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 15 June 2016

REFERENCE NO: CR/2016/0114/ARM

LOCATION: [PHASE 2D, FORGE WOOD \(NORTH EAST SECTOR\), POUND HILL, CRAWLEY](#)
PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 2D FOR THE ERECTION OF 75 DWELLINGS, CAR PARKING INCLUDING GARAGES, INTERNAL ACCESS ROADS, FOOTPATHS, PARKING AND CIRCULATION AREA, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS AND NOISE BARRIER COMPRISING BUND AND ACOUSTIC FENCE PURSUANT TO OUTLINE PLANNING PERMISSION CR/1998/0039/OUT FOR A NEW MIXED USE NEIGHBOURHOOD (REVISED APPLICATION SITE, AMENDED PLANS, AND DOCUMENTS RECEIVED).

TARGET DECISION DATE: 16 May 2016

CASE OFFICER: Mr R. Leal

APPLICANTS NAME: Persimmon Homes & Taylor Wimpey

AGENTS NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

P1142 05 Rev A Materials Palette, P1142 14 Enclosure Details, P1142 16 Sheet 1 Architectural Details - Tile Hanging, P1142 16 Sheet 2 Architectural Details - Decorative Barge Board, P1142 16 Sheet 3 Architectural Details - Canopies, P1142 16 Sheet 4 Architectural Details - Window Styles, P1142 16 Sheet 5 Architectural Details - Stone/Brick Coursing, P1142 16 Sheet 6 Architectural Details - Window Headers, P1142 16 Sheet 7 Architectural Details - Window Cills, P1142 16 Sheet 8 Architectural Details - Chimneys, P1142 16 Sheet 9 Architectural Details - Weatherboarding Details, P1142 17 Plot by Plot Schedule, P1142 13-1 Hanbury House Type - Elevations & Floor Plans, P1142 13-2 Piccadilly House Type - Elevations & Floor Plans, P1142 13-4 Knightsbridge House Type - Elevations & Floor Plans, P1142 13-5 Mayfair House Type - Elevations & Floor Plans, P1142 13-8 Regent House Type - Elevations, P1142 13-9 Regent House Type - Floor Plans, P1142 13-10 WP2420A - Elevations & Floor Plans, P1142 13-11 WP2420A - Elevations & Floor Plans (V2), P1142 13-12 WP3520A - Elevations & Floor Plans, P1142 13-13 WP3520A - Elevations & Floor Plans (V2), P1142 13-14 WP3520C - Elevations & Floor Plans, P1142 13-21 Garages, P1142_13-7 Rev A Harley House Type - Elevations & Floor Plans, P1142_13-19 Rev A Bin Stores, P1142_13-20 Rev A Cycle Stores, P1142_13-22 Rev A 3B5P - Elevations & Floor Plans (V2), P1142_13-23 Rev A Sheds, P1142_15 Rev A Street Scenes, P1142_01 Rev M Phase D Site Layout, P1142_04 Rev C Materials Plan, P1142_07 Rev B Garden Sizes Plan, P1142_08 Rev B Affordable Housing Plan, P1142_09 Rev B Character Areas, P1142_10 Rev B Building Heights Plan, P1142_11 Rev B Refuse Strategy Plan, P1142 13-3 Rev A Downing House Type - Elevations & Floor Plans, P1142_13-15 Rev B 3B5P - Elevations & Floor Plans, P1142_13-17 Rev B Apartment Block A - Elevations & Floor Plans, P1142_13-18 Rev B Apartment Block B - Elevations & Floor Plans, CSA-667-218 Rev D Hard Landscape Proposals Sheet 1 of 3, CSA-667-219 Rev D Hard Landscape Proposals Sheet 2 of 3, CSA-667-220 Rev D Hard Landscape Proposals Sheet 3 of 3, CSA-667-221 Rev D Soft Landscape Proposals Sheet 1 of 4, CSA-667-222 Rev D Soft Landscape Proposals Sheet 2 of 4, CSA-667-223 Rev D Soft Landscape Proposals Sheet 3 of 4, CSA-667-257 Rev D Soft Landscape Proposals Sheet 4 of 4, 7827-2D-02 Rev D Tree Protection Plan, P775-25 Rev E Vehicle Swept Paths - Refuse Vehicles, P775-81 Rev D Finished Levels Plan, P775-82 Construction Details, P775-83 Rev D Drainage Plan, P775-84 Rev A Longitudinal Sections, P775-85 Rev D Surface Finishes, P775-86 Typical Detail of Storage Tank, P1142_06 Rev B Site Location Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. Environment Agency No objection to revised proposal. Informatives regarding attenuation pond capacity and long term maintenance.
2. Crawley Borough Council, Drainage Engineer - No objection to revised scheme.
3. Ecology Officer No objection subject to compliance with outline planning permission conditions 10 and 14.
4. Crawley Borough Council, Environmental Health - Revised scheme, including acoustic fencing acceptable in the context of noise mitigation overall. Site is not within the nearby designated Air Quality Management Area.
5. Crawley Borough Council, Housing Enabling & Development Manager – Comments regarding internal layout and some windows. Applicant has agreed that these matters can be subject to further discussion with the HA and resolution. Also comments in respect of external flues will be taken into account.
6. GAL Safeguarding No safeguarding objection. Crane informative recommended.
7. Crawley Borough Council, Urban Design Various comments in respect of design and residential environment, many of which have been addressed. It is considered that overall the development is now acceptable.
8. Crawley Borough Council, Refuse & Recycling – Objection to revised scheme due to communal collection point(s). Applicant considers communal collection points are acceptable, since refuse vehicles can satisfactorily reverse down the roads for collection. It is considered that this is an acceptable arrangement since carry distances or ease of access are not therefore issues.
9. WSCC Highways No objection to revised scheme.
10. Sussex Police No objection to revised scheme.
11. Crawley Cycle Group Request an additional cycle route linkage. This is not possible due to ownership issues and in any event there is a linkage provided, although less direct than the additional linkage requested.
12. Gatwick Airport Planning No objection. Dwellings are located outside of areas where noise predicted from a potential second runway would be deemed to be unacceptable. Attention is drawn to condition 34 and the requirement to ensure that all occupants will not be subjected to unacceptable noise levels and no development should be commenced until this requirement is met.
13. Network Rail No objection.
14. Thames Water Has identified an inability of the existing waste water infrastructure to accommodate the needs of the application and recommends a Grampian style condition and comment that the developer will be required to finance an impact study of the larger development area.
15. Sussex Building Control partnership No comments received.
16. Southern Water Not within Southern Water's statutory area for drainage and waste water services. Water supply services are the responsibility of independent Water Networks Ltd
17. Crawley Borough Council, Energy Efficiency and Sustainability - Recommends a Water Stress Condition.
18. National Air Traffic Services No objection on safeguarding.

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised in the press and by way of site notices. In addition, nearby businesses which might impact on the development have been advised of the application.

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

The application relates to major development regarding the Forge Wood neighbourhood in which CBC has a land interest.

BACKGROUND:-

Outline planning permission (CR/1998/0039/OUT) was granted by the Secretary of State in February 2011 for the North East Sector neighbourhood, now known as Forge Wood. This established the principle of a mixed use neighbourhood to include up to 1900 dwellings, 5,000m² of employment floorspace, 2,500m² of net retail space, a local/community centre, primary school, recreational open space, landscaping, the relocation of a 132KV power line adjacent to the M23 and other associated works.

The principle of the new neighbourhood, the quantum of development, as well as the access arrangements and principal road junctions have therefore been established.

THE APPLICATION SITE:-

- 1.1 The site is 4.7 hectares in area and is located on the southern edge of the wider Forge Wood neighbourhood. It is triangular in shape and is bounded by woodland. The Phase 1 Spine Road provides access to the application site and runs along the north eastern boundary and it separates the site from the ancient woodland to the north east. It is separated from the rest of Phase 2 by woodland and a former gas storage facility to the northwest. Crawley Avenue (A2011) lies to the south.

THE PROPOSED DEVELOPMENT:-

- 2.1 This application seeks reserved matters approval for the siting, design, external appearance and associated landscaping of a residential development of 75 dwellings. The application is supported by a Design and Access Statement, a Sustainable Surface Water Strategy, an Ecological Assessment and a Landscape Management Plan. The original outline planning permission for this development (CR/1998/0039/OUT) is subject to a further Section 73 application (CR//2015/0552/NCC) to be reconsidered at this meeting which proposes changes to the Design Statement, Masterplan and conditions. Condition 1 of the outline planning permission requires the development to be in substantial accordance with the approved Masterplan and the approved Design Statement. The details of this reserved matters application have been developed in accordance with the new masterplan and design statement and this application has been assessed accordingly during the process.
- 2.2 The scheme as amended has been the subject of revisions to endeavour to address a range of issues including design, street scene impact, layout, hard and soft landscaping, highway matters, circulation within the site for vehicles and pedestrians and cycleway linkages.
- 2.3 The site as revised has an area of 4.7ha, this has increased from the original 3.3ha and this has been due to the inclusion of additional land to the south to provide for noise bunding, acoustic fencing, an attenuation pond and landscaping, however no additional housing development has been proposed.

- 2.4 The proposal is for a mix of affordable and open market housing, affordable housing is to be market rent and discounted market sale. Density would be 42 dwellings per hectare. The housing mix is to be:

Open Market Housing

4 x 2 bed flats
34 x 2/3 bed houses
4 x 4 bed houses
Total = 45

Affordable Rent

6 x 2 bed flats.
2 x 2 bed houses
11 x 3 bed houses
Total = 21

Discounted Market Sale

4 x 2 bed houses
5 x 3 bed houses
Total = 9

- 2.5 This phase also includes two attenuation ponds, one to the west adjoining existing woodland set within a largely unwooded part and a second to the south east adjoining the new Spine Road.
- 2.6 Overhead power cables are to be relocated by undergrounding them.
- 2.7 As required by Condition 62 of the outline permission this sub phase will provide 40% affordable housing (30 dwellings).

PLANNING POLICY:-

The National Planning Policy Framework 2012 (NPPF)

- 3.1 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.
- 3.2 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.
- 3.3 Relevant paragraphs 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.

3.4 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 2030: The Crawley Borough Local Plan 2015-2030

3.5 The plan was adopted on 16th December 2015.

3.6 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.

3.7 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).

3.8 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.

3.9 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.

- 3.10 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 3.11 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).
- 3.12 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.
- 3.13 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.
- 3.14 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.
- 3.15 Policy EC4 requires that where development is proposed adjacent to main employment areas, the economic function of the employment area is not restrained.
- 3.16 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.
- 3.17 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.
- 3.18 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).
- 3.19 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.
- 3.20 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.

3.21 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

3.22 The following documents are also relevant in the consideration of this application:

- Urban Design Supplementary Planning Document, Adopted October 2016
- Planning and Climate Change Supplementary Planning Document, Adopted October 2016
- SPGN10 Affordable Housing (Adopted 2002)

PLANNING CONSIDERATIONS:-

4.1 The principle of the new neighbourhood, the quantum of development and the main access arrangements have been established with the grant of the original outline planning permission (CR/1998/0039/OUT) and the subsequent variation of conditions application if permitted (CR/2015/0552/NCC). This current NCC application, if permitted, would result in the issue of a new outline planning permission for Forge Wood.

4.2 This application is for the approval of Reserved Matters, that is, for detailed design and layout only and the LPA cannot refuse it on grounds which go to the principle of the development but can only consider detail relevant to that particular application.

4.3 The key issues to consider in determining this application are:

- Is the proposal in substantial accordance with the approved Masterplan and Design Statement?
- Design approach and links with existing and subsequent phases of the development, including consistency with Urban Design SPD
- Affordable housing: quantum, design and mix
- 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

Is the proposal in substantial accordance with the approved Masterplan and Design Statement?

4.4 This application for Phase 2D is substantially in accord with the Master Plan and Design Statement as amended under the CR/2015/0552/NCC. The Masterplan and Design Statement for Forge Wood sets out the general structure of the overall development and identifies character areas. As previously stated, design objectives are:

- Mainly 2 storey with occasional 3 storey;
- Darker recessive materials to be used on dwellings backing onto the woodland;
- New woodland planting within the development envelope to complement the existing woodland;
- Housing oriented to minimise noise and light pollution on neighbouring woodland; and
- External materials to be complimentary to the woodland setting.

4.5 The proposal comprises a mix and 2 and 3 storey development and a materials palette generally suitable for a development backing onto woodland and in a woodland setting. The layout, overall design are considered to be such that as far as is possible for a residential development, noise and light impact are minimised.

4.6 In respect of density condition 1 as revised requires the development to be an average of not lower than 41 dph in respect of the net residential area. Phase 2D which is the subject of this application has a density of 42 dph.

4.7 The density of 2A is 31 dph. Whilst 2B and 2C are yet to be determined, it is likely that the average 41 dph density for the phase 2 as a whole can still be achieved. The wider Phase 2 development is therefore still likely to compensate for the previously approved lower density in Phase 2A and on this basis is the current Phase 2D application and the development overall is considered to accord with condition 1.

Design approach and links with existing and subsequent phases of the development, including consistency with Urban Design SPD

- 4.8 The proposed layout of 2 storey houses and 3 storey flats continues the overall design approach established in earlier phases of Forge Wood. The house types and designs are generally similar to those that were approved previously, but with some variations to address the character area they are to be located within. The proposed detailing and palette of materials are also broadly in line with the approved Design Statement. Materials can also be further considered and agreed in more detail through the discharge of condition 38 on the outline planning permission.
- 4.9 Whilst the proposed scheme, as revised, does not entirely address all detailed urban design issues raised with the applicants, overall it is considered to comprise an acceptable scheme. It is disappointing that the applicant feels unable to accommodate a gateway feature at the main access point by providing flats of similar design on each side of the access. However, the slightly more unbalanced and less 'symmetrical' appearance this will give the access point is not unduly harmful or unacceptable. Similarly, the applicants wish not to hip back the south facing gable on the flat block, whilst it would reduce visual impact, would not result in development that would be unduly intrusive or harmful in the street scene leading up to the junction. Cycleway linkage is considered acceptable and the additional linkage which has been sought is not deliverable for ownership reasons.
- 4.10 The proposal has been revised in many respects to meet this Council's concerns in respect of design and layout issues. It has not been possible to secure all of the revisions that might have been made, although it has been agreed that a number of more minor issues can be addressed by conditions. These include detailed materials and finishes and detailed boundary treatments in some areas of the site.
- 4.11 A particular outstanding issue is the matter of the provision of boilers internally which are shown to be set against front elevations, these will result in the potential for the provision of vents and flues on the front elevations of the affordable units and gas flues on flats. This situation has the potential to result in an unsatisfactory visual impact and in addition to contribute to a reduction in the established tenure blind approach to development. It is considered that this matter can however be dealt with by a condition relating to boiler location and external vents and flues. In addition, there have been concerns previously with Phase 1 relating to the siting and finishing of the external gas pipes on the blocks of flats and again this can be addressed by a condition.
- 4.12 The proposed bunding to the south of the site and the relocation of the acoustic fencing, together with associated landscape planting are considered to be acceptable and will provide an acceptable noise and visual environment for the development. Relocation of the acoustic fencing has been agreed, together with landscaping to mitigate visual impact to an acceptable level.
- 4.13 Garden sizes (amenity areas) are for the most part in accord with the SPD, as are separation distances between dwellings. Internal space standards have been generally met. The residential environment which will result is considered to be satisfactory.
- 4.14 Overall it is considered that the development proposed is in accord with policy. It results in an acceptable residential environment in design terms, delivers satisfactory linkages to the wider Phase 2 area and taken as a whole the layout and design is acceptable.

Affordable housing: quantum, design and mix

4.15 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

4.16 The currently proposed Phase 2D is in accord with the delivery of an overall 40% affordable housing at Forge Wood and is therefore considered to be acceptable. Dwelling and tenure mix is considered to be acceptable and is generally in accord with this Council policies.

4.17 Whilst in some senses it might be more desirable not to concentrate affordable housing in the southern part of the site and to mix it with the market sale housing, design of the affordable dwellings is very similar to the market housing and therefore a good degree tenure blindness will be achieved. The revision of the scheme to include fuller pedestrian and vehicular circulation with the site further ensure that affordable housing is more likely to be tenure blind and not an obviously different element of the development.

4.18 The proposal is therefore considered to be acceptable in terms of quantum, design and mix.

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

4.19 Units generally 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 units in line with garden space standards. Given the location of the site and surround open space and woodland, the development will also benefit significantly from additional nearby open space and a generally high quality residential and amenity environment. The garden space provided is of usable shape and layout and some units have a more open outlook onto/towards open space and woodland. In these circumstances, a very slight under provision is considered acceptable. The location of flats is such that open space and/or woodland is readily accessible in generally close proximity. The layout proposed is considered to be generally satisfactory and acceptable.

4.20 Parking spaces within the development are generally in accord with standards and are readily accessible. Refuse and cycle storage is also provided for the units in line with standards.

4.21 Information has been provided to demonstrate that vehicles can manoeuvre satisfactorily and provision for refuse vehicles and collections is considered to be acceptable, including carry distances.

Noise impacts and sustainable design considerations

4.22 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. In addition, mitigation of traffic noise is required in relation to Crawley Avenue. Condition 34 requires a scheme to demonstrate the dwellings have sufficient protection against noise.

4.23 Consultee responses have indicated that the development proposed will result in a generally acceptable noise environment in aircraft and traffic respects. The noise assessment for the development indicates that there will generally not be an unacceptable impact from aircraft or traffic noise, although a ventilation strategy is proposed, as with windows open the noise criteria for living rooms and bedrooms would exceed thresholds. A system of ventilation compliant with the Building Regulations will therefore be required and provided throughout the site.

- 4.24 The provision of the proposed bund to the south of the site and the acoustic fencing proposed will satisfactorily mitigate the impact of traffic noise, particularly from Crawley Avenue.
- 4.25 In respect of condition 23, 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. A 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

- 4.26 An ecological report was provided with the application and has been updated during the application process following revisions to the proposed development. The application is also accompanied by an arboriculture impact assessment and a landscape management plan/strategy.
- 4.27 Generally the land is species poor improved grassland. The ecological assessment accompanying the application does not consider there to be any significant adverse effects on any statutory or non-statutory sites interest and the application site and wider site has been surveyed for bats, badgers, birds, dormice, reptiles and great crested newts. Habitats are of some limited ecological value for faunal species but the ecological value of the habitats is limited on account of the fact that they are species poor. No roosting of bats has been recorded in relation to trees and adjacent trees and there is no evidence of badgers. Habitats for reptiles are sub-optimal, 1 grass snake was recorded in 2011 within the site and 1 grass snake along the boundary in 2006 and a low population of these has been recorded across the wider site of Phase 2. Habitat works will be undertaken to remove suitable vegetation and ensure reptiles are not present. Enhancements and mitigation within the site will ensure all wildlife is protected and that the site provides benefits post development.
- 4.28 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 will ensure that species are not harmed and translocation measures can be implemented.
- 4.29 The Council's ecological advisor raises no objection. Conditions 10 (CEMP) and 14 (Biodiversity Management Plan) of the outline permission and as updated in the current S.73 adequately cover ecology matters on a site wide basis rather than in regard to a particular area of an individual reserved matters application.
- 4.30 Other previously approved reserved matters applications have stipulated that the development is to proceed in accordance with the submitted Ecological Report and it is recommended that a condition to this effect is imposed.
- 4.31 The proposal does not result in significant tree loss and is accompanied by landscaping proposals which are considered to mitigate loss, enhance landscape and mitigate impact of development generally.
- 4.32 It is accepted that as a greenfield site and through the outline approval of the masterplan layout that there will generally be a loss of countryside and trees. Within phase 2D loss of trees will not be significant and adjoining woodland is preserved for the most part. 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.
- 4.33 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 tree loss as part of the landscaping within open space, along streets and in the areas of the bund and attenuation ponds.

Drainage

- 4.34 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. This is controlled by condition 16 of the outline planning permission which requires the submission of a site wide drainage strategy which includes details of the ongoing management and maintenance. Revised outline application condition 8 will require a detailed surface water strategy for each phase or sub-phase.
- 4.35 The Forge Wood site, as a whole, is split into a number of smaller sub catchments. Each will deal with its own surface water drainage before discharging into the downstream sub-catchment and ultimately into the Gatwick Stream. Within each sub catchment, flows will be attenuated through the provision of an off-line grassed detention basins, on-line tank sewers and off-line cellular storage.
- 4.36 The Phase 2D drainage strategy incorporates a grassed detention basin located to the northern edge of the site and underground tank sewers and a storage tank, in order to attenuate the surface water to greenfield runoff rates which discharge to the downstream sewer systems constructed as part of Phase 1.
- 4.37 The proposed drainage strategy would ensure that surface water arising from the developed site would be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the site itself and elsewhere, taking climate change into account.
- 4.38 The principles of the site wide drainage strategy have been agreed. The outstanding strategy 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 to be agreed as part of this condition.
- 4.39 In respect of climate change and the recently adopted SPD, the applicant considers that the site was granted planning consent prior to the updated Climate Change allowances being published. The government's guidance includes a section outlining the transitional arrangements for sites where "development plans or proposals are well advanced" as is the case here. The applicant therefore considers that the updated allowances do not apply to the Forge Wood Reserved Matter applications.
- 4.40 Notwithstanding the above however, and without prejudice to this, and in the interests of moving matters forward for Phase 2d, the applicants are keen to come up with a solution that both parties can agree to. Under the updated guidance, it is stated that the peak rainfall intensity allowance for climate change is to be used to assess the range of impact. The applicants have rerun the disposal system with a 40% allowance for climate change. This results in a small increase in water level in the detention basin (51mm) and a small increase in the outflow rate from 11.7 l/s to 11.9 l/s. This outflow rate is still below the Qbar value of 12.1 l/s shown in the report.
- 4.41 This matter has been discussed with the Councils Drainage Engineer and the development has been agreed on this basis in, its' revised form, as being acceptable. The explanation is considered to be satisfactory as increase is minimal. Re-grading of attenuation pond slopes around the sides for maintenance purposes is not considered to be essential and these can remain as proposed. The Drainage Engineer does not consider that further conditions to Phase 2D are required as maintenance, etc. are covered elsewhere (Condition 16).

Foul drainage

- 4.42 Thames Water has consistently 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. The applicants are in any event required to make satisfactory provision for waste water and will have to reach agreement with Thames Water. This can be achieved outside of this reserved matters application.
- 4.43 The applicants have confirmed that they already have a foul drainage strategy and agreement with Thames Water which covers the whole development including Phase 2D which comprises 2 connections, one each side of the Balcombe Road to serve the neighbourhood.

CONCLUSIONS:-

- 5.1 This application for Phase 2D at 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.
- 5.2 The design and layout is considered to follow the approach established with the 'reserved matters' in previous phases and whilst this is a separate and different character area there is still a degree of overall consistency. A generally cohesive development pattern and distinctive character to Forge Wood will still be delivered. The design details and dwelling styles are generally considered appropriate.
- 5.3 All the dwellings are considered to comply generally with the adopted 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.
- 5.4 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.
- 5.5 This application was initially submitted pursuant to the original outline planning permission CR/1998/0039/OUT. However, the proposed scheme, layout, design, etc. comply with the new masterplan and design statement under the revised application CR/2015/0552/NCC and the application has been assessed and developed on this basis.
- 5.6 Should the NCC application be approved, the description of this reserved matters application will need to be revised to refer to CR/2015/0552/NCC and further consultation and publicity will be required to be undertaken.

RECOMMENDATION RE: CR/2016/0114/ARM

- 6.1 The recommendation is to **APPROVE** this reserved matters application subject to the approval of CR/2015/0552/NCC, amendment of the description of this application, further publicity and consultation if required and subject to the imposition of conditions including but not limited to:
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 Before the properties approved in this phase are occupied, details of the design and location of lighting to be provided in the parking areas shall be submitted to and approved in writing by the Local Planning Authority, and the lighting 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.
- 5 The secure cycle store(s) and refuse stores shown on the approved drawings shall be constructed and operational prior to the first occupation of the dwellings which they are intended to serve.
REASON: To safeguard the appearance of the development and the amenities of the area and to ensure the operational requirements of the development in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.
- 6 No solar panels or renewables which may be required pursuant to the discharge of a condition on the outline planning permission 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.
- 7 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 the approved drawing(s) and submitted details 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.
- 8 The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment dated January 2016 as amended by Addendum dated October 2016 – Phase 2D – Residential 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.
- 9 All landscaping works shall be carried out in accordance with the approved drawings and details. 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 2D 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.

Together with further any further conditions and informatives required as a result of consultee responses still awaited and also conditions/informatives relating to:

12 Drainage

13 Water Stress

14 Boilers, Gas Pipes & Flues

15 Noise

16 Bund & Acoustic Fencing Details

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 This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

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.



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

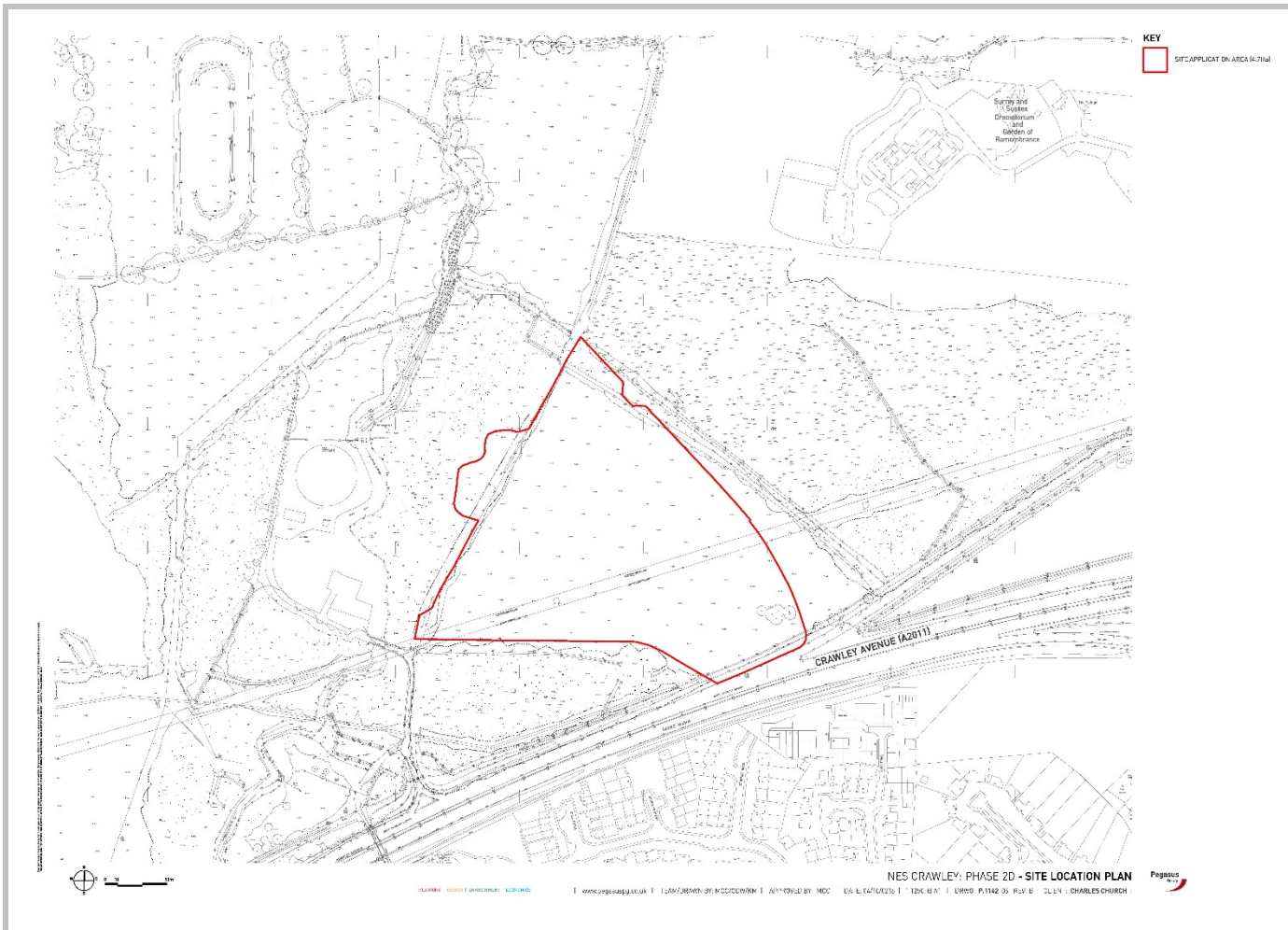
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0114/ARM

Date 20 October 2016

Approx. Scale 1:1,250

**PHASE 2D, FORGE WOOD (NORTH EAST SECTOR),
POUND HILL, CRAWLEY**



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 20 October 2016

REFERENCE NO: CR/2016/0170/FUL

LOCATION: [SOUTHWAYS BUSINESS PARK, LONDON ROAD, LANGLEY GREEN, CRAWLEY](#)

PROPOSAL: CONTINUED USE OF SITE FOR AIRPORT PARKING TOGETHER WITH RETENTION OF ASSOCIATED OFFICE BUILDING FOR A TEMPORARY PERIOD OF 3 YEARS, TO INCLUDE EXTENDED PARKING AREA IN LIEU OF OFF AIRPORT PARKING SITE PERMITTED AT SITE E2, CRAWLEY BUSINESS QUARTER, NORTHGATE UNDER CR/2014/0080/FUL.

TARGET DECISION DATE: 10 June 2016

CASE OFFICER: Mr M. Robinson

APPLICANTS NAME: Ace Airport Parking Ltd
AGENTS NAME: PROwe Planning Solutions

PLANS & DRAWINGS CONSIDERED:

PL 01 Proposed Site Plan, JMT/14/3/2 Block Plan, 1034-D1000 Existing Site Plan, CBC0001 Portacabin Elevations and Floor Plan, EX02 - Existing Portacabins, EX01 - TOPO Survey

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	GAL –Planning	Objection
2.	GAL – Aerodrome Safeguarding	No objection
3.	WSSC - Highways	Objection
4.	National Air Traffic Services (NATS)	No objection
5.	Mid Sussex District Council	No objection
6.	Thames Water	No comment received
7.	Mole Valley District Council	No comment received
8.	Horsham District Council	No comment received
9.	Tandridge District Council	No objection
10.	Reigate and Banstead Borough Council	No comment received
11.	Gatwick Diamond GROW Group	No comment received
12.	CBC Drainage Officer	Objection

NEIGHBOUR NOTIFICATIONS:-

The application was advertised as a departure from the Local Plan via a site notice at the entrance and a notice in the local press.

RESPONSES RECEIVED:-

No other representations have been received.

REASON FOR REPORTING TO COMMITTEE:-

The application is a major development and a departure from the Local Plan, with an objection from statutory consultee.

THE APPLICATION SITE:-

- 1.1 Situated to the west of the A23 London Road dual carriageway and accessed from the northbound carriageway via a left in left out junction, the site is primarily flat and has now been cleared and laid to hardstanding. At the time of the site visit it was apparent that the area indicated on the planning application as a landscape buffer to the front of the site had been cleared and was being used for additional parking. There was no 10m deep landscape margin around the boundaries of the site and an unauthorised bund had been erected from excavated soils along the northern boundary very close to the original hedgerow boundary. The parking therefore goes far beyond the previously developed areas of the site. The overspill staff parking area to the south had also been enlarged and was being used for customer block parking. The site is operating at 2/3 times the size of the 2013 temporary approved layout.
- 1.2 There are two portable buildings close to the southern boundary of the site.
- 1.3 There is some woodland to the north east of the site screening the parking from Brookfield Children's Nursery. There are open fields to the north, west and south of the site. On the eastern side of the road is the Gatwick Manor public house and associated hotel. The immediately surrounding area is rural in character.
- 1.4 The site lies outside the built up area boundary within the Upper Mole Farmlands Rural Fringe. The site is wholly within the area safeguarded for a second potential runway at Gatwick Airport and also falls within a long range view arc from Tilgate Park.

THE PROPOSED DEVELOPMENT:-

- 2.1 This application seeks planning permission for an increase to 1000 off airport car-parking spaces from the current 442 previously temporarily permitted in 2013. This application is retrospective, the works having been undertaken, and the areas are already being used for parking. The application includes the laying of substantial areas of hardstanding on areas previously laid to grass. The applicant has undertaken these works.
- 2.2 Ten metre wide landscape buffers are indicated around the north, west and southern boundaries of the site on areas currently being used for car-parking, and a landscape buffer between the main parking area and the A23 London Road is also proposed on these areas of unauthorised car-parking.

PLANNING HISTORY:-

- 3.1 In 2009 outline planning permission was granted for the erection of two single storey office buildings comprising 3241sqm office floor-space, 110 car parking spaces and associated landscaping. Ref CR/2008/0446/OUT. There is also a legal agreement restricting the number of parking spaces on site and the areas which could be developed.
- 3.2 Since the granting of outline permission all reserved matters (ref. CR/2011/0033/ARM) and pre-commencement conditions have been discharged, the site has been cleared and building operations to implement the permission undertaken. This was confirmed via a lawful development certificate issued on the 24th January 2013. Ref CR/2013/0008/192.
- 3.3 In 2013 planning permission was granted for a temporary period of 3 years for the previously developed parts of the site to be used for up to 442 airport related cars to be parked. This comprised a much reduced area compared to the current application and centred on hardstanding in the west of the site. The development also included the siting of a portable building. Ref. CR/2013/0194/FUL.

- 3.4 The areas of the site not subject to the previous temporary planning permission are subject to an enforcement notice and a stop notice preventing airport car-parking. These therefore still apply to a large part of the site currently being used for airport car-parking. In addition the whole area was previously the subject of an injunction preventing the site being used for airport car-parking. This however applied to a different landowner/applicant.

PLANNING POLICY:-

National Planning Policy Framework (2012)

Introduction

- 4.1 Para 2. states *Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.*
Para 12 *“This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.*

Core planning principles

- 4.2 Para 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking.

Building a strong, competitive economy

- 4.3 Para 21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.

Promoting sustainable transport

- 4.4 Para 29. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- 4.5 Para 30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 4.6 Para 31. Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas.
- 4.7 Para 32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- 4.8 Para 33. When planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this Framework as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.
- 4.9 Para 34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

- 4.10 Para 37. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Meeting the challenge of climate change, flooding and coastal change

- 4.11 Para 94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change.
- 4.12 Para 103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding.

Conserving and enhancing the natural environment

- 4.13 Para 109. The planning system should contribute to and enhance the natural and local environment.
- 4.14 Para 118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.

Crawley Borough Local Plan 2015-2030

- 4.15 The Crawley Borough Local Plan 2015-2030 was adopted on 15th December 2015.
- 4.16 CH3: Normal Requirements of all New Development:
Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include: views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surrounds in terms of scale, density, height massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause unreasonable harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and where any are lost replacement tree planting should accord with the standards set out in policy CH6.
- 4.17 CH4: Comprehensive Development and Efficient use of Land:
Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.
- 4.18 CH6: Tree Planting and Replacement Standards:
Sets out that where development would result in the loss of trees these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere.
- 4.19 CH7: Structural Landscaping:
Areas of soft landscaping that make an important contribution to the town and its neighbourhoods should be protected and if appropriate enhanced.
- 4.20 CH8: Important Views:
Important views identified on the Local Plan Map should be protected and or enhanced. In this case Long Distance views must remain unobstructed by development in the foreground or protect views of

identified features. The site falls within the Target Hill and Tilgate Park Long distance views from close to the southern boundary of the Borough.

4.21 CH9: Development Outside the Built-Up Area:

This policy seeks to ensure that Crawley's compact nature and attractive setting is maintained. Where harm to the landscape cannot be avoided appropriate mitigation or compensation will be required. All proposals must recognise the individual character and distinctiveness and the role of these areas. The site is within the Upper Mole Farmlands Rural Fringe and this states that proposals which do not create or are able to adequately mitigate visual/noise intrusion are generally supported. This area has an important role in maintaining the separation between Gatwick Airport from Crawley. The policy further sets out that development may alter one or more important element that makes up the Character Area and this can only be acceptable if its overall character and role is not compromised. Proposals which alter the overall character of the area must demonstrate that the need for the development clearly outweighs the impact on landscape character and is in accordance with national and local policy.

4.22 EC1: Sustainable Economic Growth:

The Council will ensure that suitable opportunities within the borough are fully explored to enable existing and new businesses to grow and prosper. Minor extensions in the vicinity of Manor Royal may be appropriate but any strategic employment sites will be of a scale and function that helps meet the identified quantitative and qualitative needs for business development and will complement the established role of the Manor Royal as a strong and competitive business district. The preferred location for future strategic employment within the borough is identified to the north of Manor Royal and south and east of Gatwick Airport and this is identified as the Area of Search on the Key Diagram. It is however recognised that this area is currently safeguarded for a possible second runway for Gatwick Airport and until the Government has issued a final decision on additional runway capacity in the UK work will not be undertaken to identify appropriate sites within this area.

4.23 ENV1: Green Infrastructure:

Crawley's multi-functional green infrastructure, both urban and rural will be conserved and enhanced.

4.24 ENV2: Biodiversity

All development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features.

4.25 ENV8: Development and Flood Risk:

Development proposals must avoid areas which are exposed to flooding and must not increase the risk of flooding elsewhere.

4.26 ENV10: Pollution Management and Land Contamination:

Development must not result in a significant increase in levels of pollution or hazards unless the impacts can be mitigated.

4.27 IN1: Infrastructure Provision:

Development will be permitted where it is supported by the necessary infrastructure both on and off site, including through CIL and Section 106 agreements.

4.28 IN3: Development and Requirements for Sustainable Transport:

Development should be located in locations where sustainable travel patterns can be achieved through the use of the existing transport network including public transport and the cycling and walking network.

4.29 IN4: Car and Cycle Parking Standards:

Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meets its needs.

4.30 GAT1: Development of the Airport with a Single Runway:

Supports the provision of a single runway, two terminal airport at Gatwick to provide for up to 45 million passengers per annum.

4.31 GAT2: Safeguarded Land:

The site is within the area identified in the Local Plan Map which will be safeguarded from development which would be incompatible with expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy). Proposals for development such as changes of use and small scale building works may be acceptable, and permission maybe granted on a temporary basis where appropriate, however Gatwick Airport will be consulted on all applications within the safeguarded area.

4.32 GAT3: Gatwick Airport Related Parking

The provision of additional or replacement airport parking will only be permitted within the airport boundary. All new proposals must be justified by a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport. Whilst there has been a formal notification of a legal challenge to this policy, it will remain a policy of the Local Plan until and unless the challenge is accepted.

PLANNING CONSIDERATIONS:-

5.1 The main consideration in the determination of this application is whether the principle of change of use of land outside the airport boundary to off-airport parking is acceptable.

5.2 The following other considerations are relevant to the determination of this application:

- The impact on safeguarded land for a second runway at Gatwick Airport
- The impact upon the delivery of employment floor-space;
- The impact upon visual amenity, and the character of the area;
- The impact upon the operation and safety of the Highway;
- The impact on neighbouring occupiers amenities;
- The impact on trees;
- The impact upon ecology;
- Drainage/flooding;

5.3 The two statements in Policy GAT3 are interrelated and the policy does not provide an either or option. The first statement that "*The Provision of additional or replacement airport car-parking will only be permitted within the airport boundary*" expressly states that new or replacement airport car-parking will only be allowed within the boundary of Gatwick Airport. The second part of the policy "*All new proposals must be justified by a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access*", then provides the considerations against which new or replacement airport car-parking will be considered within the airport boundary. The policy clearly states that all new and replacement airport related car-parking must be on airport. As the proposed airport related car-parking is not on airport, it is therefore directly contrary to this policy, and cannot therefore be acceptable in principle at this location outside the airport boundary notwithstanding the previous decision taken to grant a temporary permission on a part of the site prior to the adoption of the current Local Plan.

5.4 The Council is now clear that the inspector's decisions on the City Place appeals which allowed a temporary planning permission for airport car-parking was incorrect. The inspector in the decision did not explain how the application satisfied the requisite demonstrable need in the context of proposals agreed between GAL and the Council in the Surface Access Strategy for a more sustainable approach to surface transport access. The application, and the decisions that followed, were contrary to Policy GAT8 – Airport Related Parking of the Local Plan 2000 (LP2000) as there was no need for off-airport provision "in the context of proposals for achieving a more sustainable approach to surface access" (GAT8) because those Proposals showed that all need could and would be met on airport. This was discussed and then accepted by the Local Plan Inspector in his report on the examination into the Crawley Local Plan 2015 - 2030. Even if the GAT8 policy still existed it would not justify this

proposal for the same reasons. The airport is also the most sustainable location for parking and this proposal is in the countryside.

5.5 The applicant contends that the development would be in accordance with the Development Plan, and that other material considerations justify why the development would be acceptable. These are set out below:

- The applicant argues that the principle of this type of development is acceptable as it has been previously accepted through earlier temporary permissions granted at part of this site and other off-airport sites around Gatwick Airport.
- That the proposal would constitute sustainable economic development and therefore accords with the NPPF 2012.
- That it promotes sustainable transport and that GAL cannot meet the requirements for airport related parking within the airport boundary given the rise in passenger numbers at Gatwick Airport.
- That off airport proposals would lead to a real decrease in kiss and fly/taxi trips to the airport and long term off and on airport parking in environmental terms should be the preferred.
- That GAL operates in a monopolistic/dominant role and curtails customer choice. The proposal would add to choice and competition for airport parking in the area.
- The proposal would not result in harm to the character of the countryside;
- The proposal would not conflict with safeguarding for the delivery of a second runway at Gatwick Airport.

Consideration of previous airport car-parking planning permissions including on part of the application site.

5.6 The applicant argues that a number of other planning permissions granted by Crawley Borough Council, neighbouring authorities including Horsham District Council and Tandridge District Council, as well as the decisions taken by the Planning Inspectorate in relation to the City Place and Brook Lane House appeals provides precedent for development at this location. The sites were all subject to consideration against different policy frameworks and differing contexts and they are not considered to be relevant to the determination of this proposal.

5.7 With specific regard to the temporary permission granted on this site in 2013, it should first be recognised that the site permitted was less than ½ the size of the current proposal and was limited very strictly to the exiting areas of hardstanding on site. As noted above the decision was taken on a temporary basis in relation to what is now considered to be an incorrect interpretation of the previous policy GAT8 (LP2000). This has been superseded by GAT3 of the Crawley Borough Local Plan 2015-2030, that clearly sets out that additional or replacement airport car-parking should be provided on-airport. The current application for additional/replacement airport car-parking at this off-airport site is therefore contrary to the adopted Local Plan policy GAT3.

The sustainability of traditional airport car-parking at this location and the Public Transport Levy

5.8 The applicant argues that off airport car-parking at this site is sustainable as it is closer to Gatwick Airport compared to some other off-airport sites. The Local Plan Inspector however considered the relative sustainability of on airport car-parking and concluded that the airport can accommodate all parking needs to meet the sustainable transport objectives. On-airport is therefore more sustainable than off-airport car-parking and this forms part of the basis for policy GAT3 that was considered by the Local Plan Inspector in 2015.

5.9 The distances between valet parking on-airport and park and ride at the applicant's site have been compared. The applicant does not factor where the majority of passengers drive from to get to the applicant's site and therefore comes to the wrong conclusions:

5.10 The following distances are based on car arrival from M23 Southbound as around 80% of on-airport parking comes from this direction (Fig 2.2 of the 2013 Gatwick Car Parking Strategy).

Meet and Greet at applicant's site

M23 slip road to/from south terminal: 1.5miles (North terminal: 2.2miles).
South Terminal to/from car park – approx. 5.6m
North Terminal to/from car park – approx. 4.6m

These distances lead to a total car distance of **14 miles** for the south terminal and **13.6 miles** for the north terminal.

Valet Parking – on-airport

Drop car off opposite departure terminal. Car is stored in valet area. Car is returned in car park opposite terminal.

M23 slip road to/from south terminal: 1.5miles (North terminal: 2.2miles).
South Terminal to car park: 0.6miles (North Terminal 1.6m).
Car park to South Terminal: 0.6miles (North Terminal 1.6m)

These distances lead to a total car distance of **4.2 miles** for the south terminal and **7.6 miles** for the north terminal.

- 5.11 The above comparison shows that the site would result overall in vehicles having to be driven 2-3 x times further than if on airport facilities were used, creating significantly greater Co2 emissions. This shows that on-airport valet parking is more sustainable than meet and greet parking at the applicant's site. The above assessment therefore confirms the Local Plan Inspector's reasoning of "obvious logic" that car parks close to the terminals will minimise the length of car journeys for most people.
- 5.12 In conclusion, there is no sustainability argument to justify a temporary permission for additional/replacement airport parking at this site and it is therefore against Policy GAT3 of the Crawley Local Plan.

The accuracy of previous requirements for airport related parking and actual on airport car parking capacity.

- 5.13 The applicant has submitted information relating to the capacity for on and off airport car-parking at Gatwick Airport and the requirement for off airport car-parking to meet this capacity. The 2015 Gatwick Airport Long term car Parking Monitoring Statement September 2015, undertaken on 10th September 2015, identified that there were still up to 7000 unused authorised car-parking spaces available around Gatwick Airport. Notwithstanding the information and forecasts set out in the Gatwick Airport Car Parking Strategy 2013, Crawley Borough Council is satisfied that GAL have in recent years provided adequate on site car-parking and can meet their future on-airport car parking demands whilst maintaining the 40% of passenger modal split travelling by public transport to/from the airport. This was accepted by the Inspector when considered in detail during the Local Plan Inquiry.

Competition and economic justification

- 5.14 The applicant also contends that off-airport parking can provide customer choice compared to the near monopolistic offer that would exist in their absence. As identified in the Gatwick Airport Long term Parking Monitoring Statement 2015, out of 62784 identified authorised car-parking spaces, 39183 are within the Airport Boundary and the remaining 23601 are off-airport at a number of sites within Crawley, Horsham, Mid Sussex, Mole Valley and Reigate and Banstead providing a range of different offers including traditional park and ride as well and meet and greet/valet services.
- 5.15 It is therefore considered that there is a significant range of existing authorised alternative sites off-airport that provide parking for customers, offering a range of products and these will continue to provide an important alternative to on-airport parking.

- 5.16 A consultation on issues affecting passengers' access to UK airports currently being undertaken will investigate a number of issues including the provision of airport car-parking at UK airports and competition.
- 5.17 Crawley Borough Council however contends that the aim of policy GAT3 is not to restrict competition, but to ensure that Airport Car Parking is provided for Gatwick at the most sustainable location, which is within the Airport.

Conclusion

- 5.18 Off-airport car-parking at this location is contrary to policy GAT3 of the Crawley Borough Local Plan 2015-2030 and the Town and County Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It is not considered that there are material considerations to justify a departure from the recently adopted policy GAT3 of the Local Plan, and the principle of the development is therefore now unacceptable at this location.

The impact on safeguarded land for a second runway at Gatwick Airport

- 5.19 The proposed site is located wholly within the area safeguarded for a potential second runway for Gatwick Airport. Notwithstanding the Government's preferred choice for increasing airport capacity within the south-east of England is at Heathrow, there is a continued requirement for land to be safeguarded at Gatwick, (until formal notification is given that the safeguarding can be lifted), and this area is still therefore subject to protection from inappropriate development that would prejudice the delivery of a second runway at this location in the future. Policy GAT2 of the Crawley Local Plan 2015-2030 reflects this position and seeks to restrict development within this area to minor development, such as changes of use and small scale building works such as residential extensions.
- 5.20 The applicant has undertaken development including the regrading of land, erection of bunds, the laying of hardstanding and the erection of temporary buildings with their services/bases etc. in addition to the rather more limited areas of the site that were already laid to hardstanding left as a consequence of the demolition of the previous buildings on site. This development is not minor in scale and it is therefore considered to conflict with the overall objectives of GAT2.
- 5.21 Significant weight however has to be given to the history of the site in particular the extant planning permission for 3241 sqm of office floor-space including 110 car-parking spaces and extensive landscaping that the owner has begun to implement by installing a kerb stone for the revised access. Ref. CR/2013/0008/192. It is accepted therefore that the full implementation of this extant office development would have a greater impact upon the delivery of a second runway at Gatwick Airport than the current retrospective application under consideration. The applicants themselves contend that due to the on-going uncertainty over the future development at Gatwick, the owner of the land is unlikely to fully implement the office development permission. (However they should have been aware of this if they bought the site in 2006 as the Aviation White Paper published in 2003, reinforced the requirement to safeguard the land for a second runway and this was clear at the time of their 2008 application for planning permission to develop the offices).
- 5.22 It is therefore considered that even including the previously undeveloped areas of the site to the west that would be landscaped if the office development was completed, the applicant's use of the site for off airport car-parking has less impact upon the potential delivery of a second runway at Gatwick Airport than the extant planning permission would, and on this basis the use proposed would not have an adverse impact on the position of the safeguarded land.

The impact upon the delivery of employment floor-space:

- 5.23 The Crawley Borough Local Plan 2015-2030 policy EC1 also identifies this site as being located within the Area of Search for Future Employment Land where the Council would seek to meet B

Class employment needs if safeguarding is lifted. There is also an extant planning permission for a low density 3241sqm office development on the site, although the applicant is advising that this will not be built out due to the uncertainty over a second runway at Gatwick Airport. It is however considered that if the site is being used for off airport car-parking for a further 3 years then this would certainly be likely to be a further constraint upon the delivery of the office unit and would be detrimental to the Local Plans aspirations to provide employment floor-space within the boundaries of the Borough of Crawley. It is considered that the continued uncertainty that the site faces due to being located within the safeguarded area for a second runway for Gatwick Airport would not result in a definite future provision of the offices and a refusal reason cannot therefore be substantiated.

The impact upon visual amenity and the character of the area;

- 5.24 The application is for temporary permission on an area of land partially previously developed and comprising originally hardstand areas and grass land with hedgerow boundaries. The site has been predominantly cleared and is now laid to hardstanding although some hedges/trees have been retained around the boundaries. It is generally surrounded by a 2-2.4m high fence with some lighting, security cameras and temporary administrative buildings. An area shown to be retained as landscaping towards the front/east of the site adjacent to the A23 has been laid with road scalplings and is now being used for car-parking, although this is outside the application site.
- 5.25 Notwithstanding the proposed landscaping, the scale of the development is highly visible from nearby public view points including the A23 London Road to the east and public bridleway to the south, and as only a temporary permission is proposed for 3 years, there would be little time for the proposed landscaping to become established before the use would have to cease, and the land returned to its original condition.
- 5.26 The Council's Landscape Character Assessment 2009 identifies the area as the Upper Mole Farmlands, a flat low lying, pastoral landscape area between the urban zone of Manor Royal Industrial Estate and open environment of Gatwick Airport containing scattered farm buildings. It identifies that the rural quality of the area has been significantly impacted upon by neighbouring land uses and the intensification of modern farming that has resulted in the loss of hedgerows, a reduction in tree cover and the formalisation of field boundaries.
- 5.27 The value of the area to the overall setting of the town is set out in policy CH9 of the Crawley Borough Local Plan highlights the importance of the area in maintaining the separation and distinct identity of Gatwick Airport from Crawley, and the recreation links from northern neighbourhoods into the countryside. The policy also accepts that certain types of development that alter the character of the Character Area maybe acceptable if its overall character and role is not compromised and the impact can be mitigated. Policy CH2 which seeks to ensure good design in the town also includes a requirement for development to respond to and reinforce locally distinctive patterns of development and landscape character, and policy CH3 includes requirements to consider context and ensure development relates sympathetically to its surroundings.
- 5.28 The proposal has resulted in covering of a significant area of over 1ha of land with hardstanding, and buildings to allow the block parking of cars. It has an unattractive urbanising appearance and its scale is harmful to the character of the area. Notwithstanding the vehicle movements claimed by the applicant, the proposal also results in a significant level of activity with vehicles entering and leaving the site.
- 5.29 It is considered that the poor visual quality of the development and lack of meaningful landscaping provided would be in stark contrast to the planning permission granted for the two office buildings under refs CR/2008/0446/OUT and CR/2011/0033/ARM. The plans for this development show that the two single storey structures would be erected towards the north and west boundaries of the site, within extensive landscaped areas, and there would be significant landscaping retained between the buildings and the east boundary with London Road. It can therefore be reasonably argued that the erection of these buildings with their landscaped setting would be significant improvement to the environmental quality of this area compared to its current appearance. This development does not

therefore provide justification for the harm caused to visual amenity/the character of the area caused by the current level of use on the site for airport car-parking.

- 5.30 It is not considered that this level of development could be adequately mitigated, as its overall extent of hardstanding, parked cars and access roads, lighting, fencing, and the associated level of activity is clearly visible within this area and significantly harms its rural character. The development is not sympathetically related to its distinct rural context or its landscape setting. The development therefore causes harm to the countryside amenity of this area, and this in turn undermines its current identified role of providing a rural setting to the town and separation from Gatwick Airport as set out within the recently adopted Local Plan. The development would therefore be contrary to policies CH2, CH3, and CH9 in this regard.

The impact upon the operation and safety of the Highway;

- 5.31 The development has a left in/left out access directly onto the A23 dual carriageway to the east. There are currently short decelerating and accelerating lanes either side of the access track into the site. The current operation with 1000 vehicles proposed, is at a significantly higher level, (i.e. more than twice as many vehicles) as the 442 cars permitted on site under the previous temporary permission granted in 2013.
- 5.32 The application is therefore supported by a Transport Statement provided by Gateway TSP. Consideration of the submitted information by the Highways Department at West Sussex County Council concluded that the access as it currently stands is not acceptable for the proposed number of vehicles and the following comments have been provided:

“From a highway point of view, the main concern with this application is with the access point and that the existing temporary permission is being extended for a further 3 years and more than doubling the number of cars parked on site. Whilst the peak hour traffic flows generated by a 1,000 car airport car park may not necessarily exceed the peak hour flows for the consented office development, the requirement for access improvements is based upon the total daily number of traffic movements. In this respect, I am somewhat surprised that the TS figures only use predicted traffic flows rather than evidence of actual flows as the site has now been operating as airport car parking for some time. Indeed, at the time of our relatively short site inspection of 10 minutes, 5 vehicles were seen either entering or leaving the site, so the quoted average of 12 vehicles per hour would appear rather conservative. WSCC is therefore not satisfied that sufficient evidence has been provided of existing traffic flows associated with the existing airport car parking which could then be used as a more realistic basis for assessing the proposed increase in airport car parking on the site. As you will appreciate, in addition to the consented office development on the Southways site, both the children’s nursery to the north and the recent Tesco Dot Com development on the southbound carriageway opposite were required to improve their accesses to make them safer. It is WSCC’s view that a proposal which would more than double the airport car parking on the site would move the site beyond the traffic movement threshold justifying improvements to the existing access. In the circumstances, a highway objection is raised:”

- 5.33 As this is now a retrospective application it is therefore considered that the development is having an unacceptable impact upon the highway network. The increase in the number of vehicles being parked on site cannot therefore be supported as the use represents a potential hazard to users of the busy A23 70mph dual carriageway until the applicant has undertaken the works to improve the access in accordance with the permission granted for the office development. The development therefore conflicts with policies IN3 and CH3 in that it cannot meet safely its own access requirements.

The impact on neighbouring occupiers’ amenities;

- 5.34 Notwithstanding that the use of the site has resulted in an increase in noise and disturbance in the area, compared to its previously recent (pre 2013) unused condition, it is considered that the retained woodland to the north-east provides adequate screening to prevent a harmful impact on the operation

of the adjacent children's nursery. The closest residential properties are approximately 150m away to the south and it is not considered that their amenities are being harmed by the current use of the site.

The impact on trees and ecology;

- 5.35 A number of trees have been damaged to provide the hardstanding areas and it is not possible to identify how many may have been removed. However, from viewing aerial photographs it would not appear that there has been a significant impact on trees and the impact of the proposals are therefore considered to be acceptable and further planting could be made a requirement of landscaping conditions.
- 5.36 In terms of ecology it is accepted that about ½ of the site previously comprised hardstanding, and the rest was laid to grass/scrub. Whilst it is not possible to now know what was exactly over all the parts of the site is considered unlikely that the works undertaken have had a significant impact upon the ecology of the area.

Flooding

- 5.37 The Council's Drainage Officer has considered the information submitted and highlights that there are drainage/flooding issues within the area. The issue raised relate to that the area is known to remain waterlogged and there is known flooding both immediately up & downstream of this site. The developer needs to provide a comprehensive, Flood Risk Assessment (FRA) & Drainage Statement including full construction details, adequately supported with site investigation & calculations together with proposals for future maintenance of a system, for the consideration by the Planning Authority in order for them to determine the suitability of the proposals
- 5.38 It is not therefore considered that the applicant has supplied sufficient information to prove that the development will not result in increased flooding upstream/downstream that will exacerbate existing flooding, and on this basis it is considered that the development would be contrary to policy ENV8 of the Crawley Borough Local Plan 2015-2030 and Section 10 of the NPPF 2012, both of which require development to ensure that it does not increase the risk of flooding elsewhere.

Other

- 5.39 It should be noted that the submitted plans do not cover the full extent of parking and hardstanding within the red-line delineating the application site. The applicant has not confirmed that they wish to include these other parking areas within the application and has not provided any additional plans to show these areas. The application is therefore being considered on the basis of the plans submitted and not on the basis of what is actually on site. Further consideration of the areas outside of the application site and other development undertaken within the red-line area is made in the associated enforcement report.

CONCLUSIONS:-

- 6.1 It is considered that the proposal fundamentally conflicts with policy GAT3, therefore the principle of off airport car-parking at this location is unacceptable. The site is not considered to be as sustainable as on airport sites and the applicant has not demonstrated any material considerations that could outweigh the Local Plan Policy
- 6.2 The development also prejudices the future development of the land for alternative and more efficient economic development and therefore conflicts with Local Plan Economic Growth policy as it restrict the development of the site for B1(A) offices, although it is not considered that this is significant enough to warrant a refusal reason given the position of the site within land safeguarded for a second runway at Gatwick Airport.
- 6.3 The total works themselves (including the areas outside the application site and previously paved areas) have covered over 2ha of land in hardstanding, parked with cars, which results in a

significantly harmful impact upon the rural character of the area and therefore conflicts with countryside policies.

- 6.4 The development results in a significant increase in the use of the existing substandard vehicular access onto the A23 London Road which is considered deficient in terms of its layout and visibility to the detriment of highway safety contrary to policies CH3 and IN3 of the Crawley Borough Local Plan.
- 6.5 The applicant has also not demonstrated to the satisfaction of the LPA that the development would not exacerbate existing flooding issues nearby.
- 6.6 It is therefore considered that the material considerations raised by the applicant are not so significant to overcome the provisions of the Development Plan. The development is a departure from the Local Plan and conflicts with the policies within the Local Plan:
- 6.7 It is also recommended that as the development is retrospective consideration should be given to further enforcement action relating to the land being used for airport car-parking without permission outside the areas covered by the extant enforcement and stop notices, to prevent to on-going harm to issues of recognised importance.

RECOMMENDATION RE: CR/2016/0170/FUL

REFUSE for the following reasons:

1. The development by virtue of its scale and location outside the airport boundary has resulted in the creation of unsustainable off airport car-parking contrary to the NPPF 2012 and policy GAT3 of the Crawley Borough Local Plan 2015-2030.
2. The development by virtue of its scale, siting and the level of activity within the Upper Mole Farmlands Rural Fringe, results in a significant harmful urbanisation of this area that adversely detracts from the separation between Crawley and Gatwick Airport, contrary to policies CH2, CH3 and CH9 of the Crawley Borough Local Plan 2015-2030.
3. The development results in a significant increase in the use of the existing substandard vehicular access onto the A23 London Road which is considered deficient in terms of its layout and visibility to the detriment of highway safety contrary to policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.
4. Insufficient information has been provided that the siting and scale of the development in an area of locally recognised flooding issues would not result in a significant increase in the risk of harmful flooding elsewhere contrary to policy ENV8 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE

1. For the avoidance of doubt it is noted that the plans submitted are not an accurate representation of the current parking, hardstanding areas and bunds etc. that have been provided within the site.

NPPF Statement

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

- Providing advice in a timely and manner through pre-application enforcement related discussions.
- Liaising with members, consultees, respondents and the agent, and discussing the proposal where considered appropriate and necessary 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.
- Informing the applicant of identified issues that are so fundamental that it has not been possible to negotiate a satisfactory way forward due to the harm that is being caused.

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

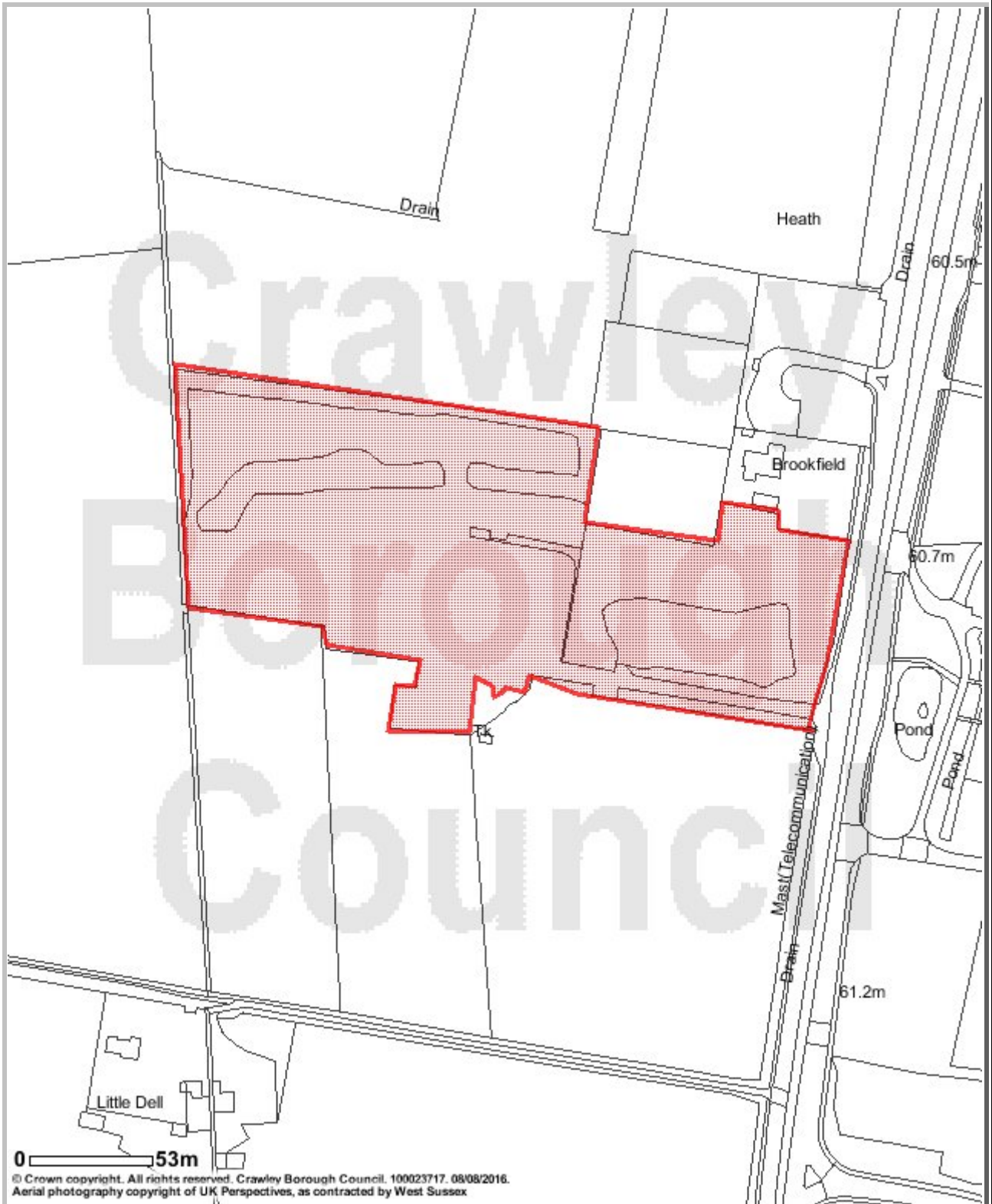
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0170/FUL

Date 8 August 2016

Approx. Scale 1:1,250

**SOUTHWAYS BUSINESS PARK, LONDON ROAD,
LANGLEY GREEN, CRAWLEY**



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 4 July 2016

REFERENCE NO: CR/2016/0325/FUL

LOCATION: [QUALITY DRY CLEANERS AND LAUNDERETTE, 10 POUND HILL PARADE, POUND HILL, CRAWLEY](#)

PROPOSAL: DEMOLITION OF REAR LEAN-TO AND SUB-DIVISION OF EXISTING UNIT AND CHANGE OF USE FROM DRY CLEANERS/LAUNDRETTE (SUI GENERIS) TO DRY CLEANERS/LAUNDRETTE (SUI GENERIS) & HOT FOOD TAKEAWAY (A5) (INCLUDING VENTILATION AND FILTRATION SYSTEM; INSTALLATION OF NEW SHOPFONT, ERECTION OF TWO CHIMNEYS ON THE ROOF TO PROVIDE EXTRACT OUTLETS, ALTERATIONS TO REAR ELEVATION TO PROVIDE ADDITIONAL REAR ACCESS DOORS (AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 8 June 2016

CASE OFFICER: Mr M. Edwards

APPLICANTS NAME: Mr M Vahora

AGENTS NAME: RDjW Architects Limited

PLANS & DRAWINGS CONSIDERED:

4885-001 Site Location & Block Plans, 4885-002 Rev C Existing, Demolition and Proposed Plans, 4885-003 Rev C Existing and Proposed Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|--------------------------------|---|
| 1. | Thames Water | No Objection |
| 2. | CBC - Property Division | No Objection subject to contract |
| 3. | CBC - Environmental Health | No Objection subject to conditions on ducting |
| 4. | CBC - FP - Retail & Employment | No Objection |
| 5. | WSCC - Highways | No Objection |
| 6. | Town Access Group | Ask that level access be provided |

NEIGHBOUR NOTIFICATIONS:-

Hairsmiths, 9 Pound Hill Parade, Pound Hill; Stark, 11 Pound Hill Parade, Pound Hill; 12 to 17 Pound Hill Parade, Pound Hill.

RESPONSES RECEIVED:-

4 letters of objection/concern have been received citing the following issues:

Noise and disturbance from existing washing machines made worse, cooking smells would bother neighbours, and extract ducting is unsightly and there is already 1 at the rear of the property which is an eyesore. Constant traffic and activity at rear of building would cause disturbance to neighbours; negative impact on already limited parking; security concerns regarding rear access if it is open to public, already 4 hot food take-away shops on the parade and more would damage the existing businesses.

REASON FOR REPORTING TO COMMITTEE:-

4 or more objections to the application

THE APPLICATION SITE:-

- 1.1 The application relates to a single storey 'retail' unit situated at the northwest end of Pound Hill Parade which lies to the north of Worth Road and west of Pound Hill Place. The unit is currently occupied by a laundrette and dry cleaning business. At the rear of the property is a single storey extension with a flat roof where the plant and extraction serving the dry cleaners is sited. A "temporary" lean-to structure has also been erected at the rear, and there is a small rear service yard with and access to the parking area/ highway at the rear of the parade.
- 1.2 Immediately adjacent to the west of the site land levels drop and there are two storey residential maisonettes/flats, and to the east is a single storey retail unit currently in use as a hairdresser. Beyond to the north are the rear gardens of residential properties.
- 1.3 The parade includes a mixture of A1, A3 and A5 uses including, the hairdresser, shops, bakery, pharmacy, Chinese take away, fish and chip shop, Domino's Pizza- all at ground level with two storey residential maisonettes above. The parade is served by a communal parking area to the front. There are no identified site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 It is proposed to demolish the existing rear lean-to and to sub-divide the existing unit with a change of use from the dry cleaners/laundrette to two separate units comprising the dry cleaner laundrette and a hot food takeaway (A5 Use).
- 2.2 The proposal would include the installation of a new shopfront to both units and the erection of two brick chimneys on the roof to provide outlets for the ventilation/extract systems for each of the separate units. There would also be alterations to the rear elevation to remove the unauthorised extract ducting, and to provide new double door accesses for each of the units.
- 2.3 The application has been amended during the course of its consideration in response to concerns regarding the extract/ventilation facilities originally proposed, and to incorporate the new brick chimneys and shopfront.

PLANNING HISTORY:-

- 3.1 CR/1993/0426/COU- Change of use from Video Shop to Restaurant- refused due to concerns about noise and activity being prejudicial to neighbouring residential amenity.
- 3.2 CR/202/70- Extension of Shop Area and conversion of store to WC. Approved
- 3.3 CR/60/70- Extension and alterations to the unit- Approved

PLANNING POLICY:-

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

National Planning Policy Framework (2012):

- 4.2 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.
- 4.3 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.
- 4.4 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.
- 4.5 Paragraph 120 states that in order to prevent unacceptable risks from pollution planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account.
- 4.6 Paragraph 123 states that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life; mitigate and reduce to a minimum other adverse impacts arising from noise, and recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

Crawley Borough Local Plan (2015-2030):

- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 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 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.
- 4.11 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.
- 4.12 ENV12 (Air Quality) states development proposals that do not result in a material negative impact on air quality will normally be permitted.

PLANNING CONSIDERATIONS:-

- 5.1 The main considerations in determining the application are as follows:-;
- Principle of the change of use

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

Principle of the change of use

5.2 Pound Hill Parade comprises a good mix of convenience retail uses including a newsagent, supermarket, bakery, pharmacy, hardware store, hairdressers as well as 4 fast food take away restaurants. Given the range of uses, it is not considered that the sub division and change of use to form a further A5 Unit would undermine the ability of the Parade to cater for the day-to-day needs of residents, and (contrary to concerns expressed by a commercial neighbour) would not undermine the viability /vitality of the parade, particularly as the dry cleaner /laundrette would be retained. The proposal therefore complies with Policy EC8 of the Local Plan 2015-2030 and responds positively to NPPF requirements to support economic growth and the principle of change of use is considered acceptable.

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

- 5.3 The existing shopfront would be removed and replaced with a new glazed shopfront with separate entrances to the front of each unit. The fascia would be positioned to generally align with the neighbouring unit and as such the design of the shopfront is considered compatible with the design of other units within the parade and would not detract from either the appearance of the parade or the wider surrounding area. The proposed signage would need to form the subject of separate applications for advertisement consent.
- 5.4 To the rear of the building the existing temporary lean-to structure would be removed as would the existing extract ducting currently serving the dry cleaner/laundrette. Two new 1m high brick chimneys in a matching design to neighbouring buildings would be formed on the roof, through which the existing laundrette extract system, and new hot food take away extract ventilation would be routed. No new ducting would be visible from outside the premises, and the removal of the existing unsightly ducting would address some of the neighbour concerns expressed regarding this eyesore. Two new rear access doors would be formed to provide access to each of the separate units. Therefore it is considered that the external appearance of the building would be enhanced as a result of the proposal and would not have any negative impact on the visual amenities of the street scene.
- 5.5 The existing pavement outside the laundrette slopes downwards towards the west. The existing door, at the eastern end of the shopfront, has level access. The proposed elevation shows a wider door with level access for the new laundrette entrance at the western end of the shopfront, but does not show the change in levels outside the unit. It is not clear whether level access is proposed to be achieved using an internal ramp or by alterations to the public highway outside the unit. A condition requiring further details to be submitted, approved and implemented is recommended to ensure that level access is provided, but in a way that does not have an adverse visual impact on the parade or impinge free movement outside the unit.

Impact on amenity of neighbouring occupiers

- 5.6 As previously stated there are residential properties directly to west of the unit and the demolition of the lean-to and removal of the existing extract duct to the rear would be an improvement in terms of the outlook of these properties.
- 5.7 Concerns were raised by neighbouring residential and commercial occupiers regarding the potential for the new use to emit cooking odours, and, on the advice of Environmental Health officers, the

applicant submitted amended drawings indicating the installation of a ventilation and extract ducting system to ensure that cooking odours do not cause disturbance and a loss of amenity.

- 5.8 The Environmental Health Department was consulted and produced a schedule of minimum requirements for a specification which have been agreed by the applicant and incorporated into the amended proposal drawings. Appropriate conditions can be imposed in the event that members were minded to grant planning permission, to ensure that appropriate extract and ventilation equipment is installed and maintained in accordance with this technical information so that there would be no detrimental impact on the amenity of the nearby residential properties in terms of noise or fumes.
- 5.9 Concerns have also been expressed with regard for the potential for noise and disturbance from traffic and other activities associated with the new use. However, there are a number of other fast food takeaways already operating on the parade (one of which was granted earlier this year) and it is not considered that the addition of this small unit would have so significant an impact on residential amenity as to warrant a refusal of planning permission. The Environmental Health Department has expressed no objection on this issue, subject to the imposition of a condition regarding noise from fans within the extract ducting systems.
- 5.10 In terms of hours of trading the applicant has not specified any hours of use as there is no specified user at this stage. However, given the existing residential uses to the west and those above the shops to the east, it is considered that in order prevent harm to neighbours amenities, similar hours should be applied to this unit as to those imposed on the trading hours of the Domino's Pizza and Chinese take away units within the parade, (which is restricted to 11pm at night). Again no objections were expressed by the Environmental Health Department with regard to these matters.

Operational requirements of the development

- 5.11 No on-site parking facilities are proposed for either staff or customer parking. However, none of the existing units on the parade have any such facilities and there is a communal parking area in front of the parade that caters for customers of the existing parade. The nature of the proposed A5 Uses are such that the busiest trading period is likely to be early- late evening when some of the other retail users and local businesses would be closed, and overall demand for parking would be less.
- 5.12 Discussions with WSCC have concluded that, (as was the case for the recent application for Domino's Pizza Shop at No.7 Pound Hill Parade) the A5 use is not likely to have a significant increase in vehicular activity that would warrant a refusal of planning permission.

Other issues

- 5.13 Concerns have been raised relating to competition with existing business within the parade, however such issues relating to competition are not material planning considerations for consideration in the determination of this application.

CONCLUSIONS:-

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

RECOMMENDATION RE: CR/2016/0325/FUL

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice, (including the removal of the existing unauthorised extract ducting), 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 proposed chimneys hereby permitted shall match in colour and texture those of the existing building.
REASON: In the interests of amenity in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030.
4. The A5 unit will only be open to customers between the hours of 08.00-23.00 seven days a week.
REASON: In the interests of residential amenity in accordance with Policy CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
5. The A5 use hereby permitted shall not be commenced unless and until details of the means of ventilation for the extraction and disposal of cooking and other odours (and measures to control noise from it) and its installation, maintenance and replacement have been approved in writing by the Local Planning Authority. The approved means of ventilation and the brick chimney shown on the approved plans shall thereafter be fully installed (prior to commencement of the use) and subsequently maintained and replaced in accordance with the approved details.
REASON: In the interests of residential amenity in accordance with Policy CH3, ENV11 and ENV12 of the Crawley Borough Local Plan 2015-2030.
6. No development shall commence until detailed plans showing access for disabled people to the launderette unit hereby approved have been submitted to and approved in writing by the Local Planning Authority. Access shall be provided in full accordance with the agreed details before the launderette unit hereby approved is brought into use.
REASON: To ensure adequate access provision for disabled persons in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

1. The detailed scheme for the extract ducting shall demonstrate that there is a positive indication there will be no adverse impact from the ventilation and extract system (and any other plant associated with the development). This will be achieved by assessing the impact of the noise at any residential property in accordance with British Standard 4142:2014. With the acceptable rating level of the noise, which will normally include corrections for tonality and impulsivity, being at least equivalent to the background noise level (LA90) or below.

NPPF Statement

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by: Seeking amended plans/additional information to address identified issues during the course of the application.

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



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

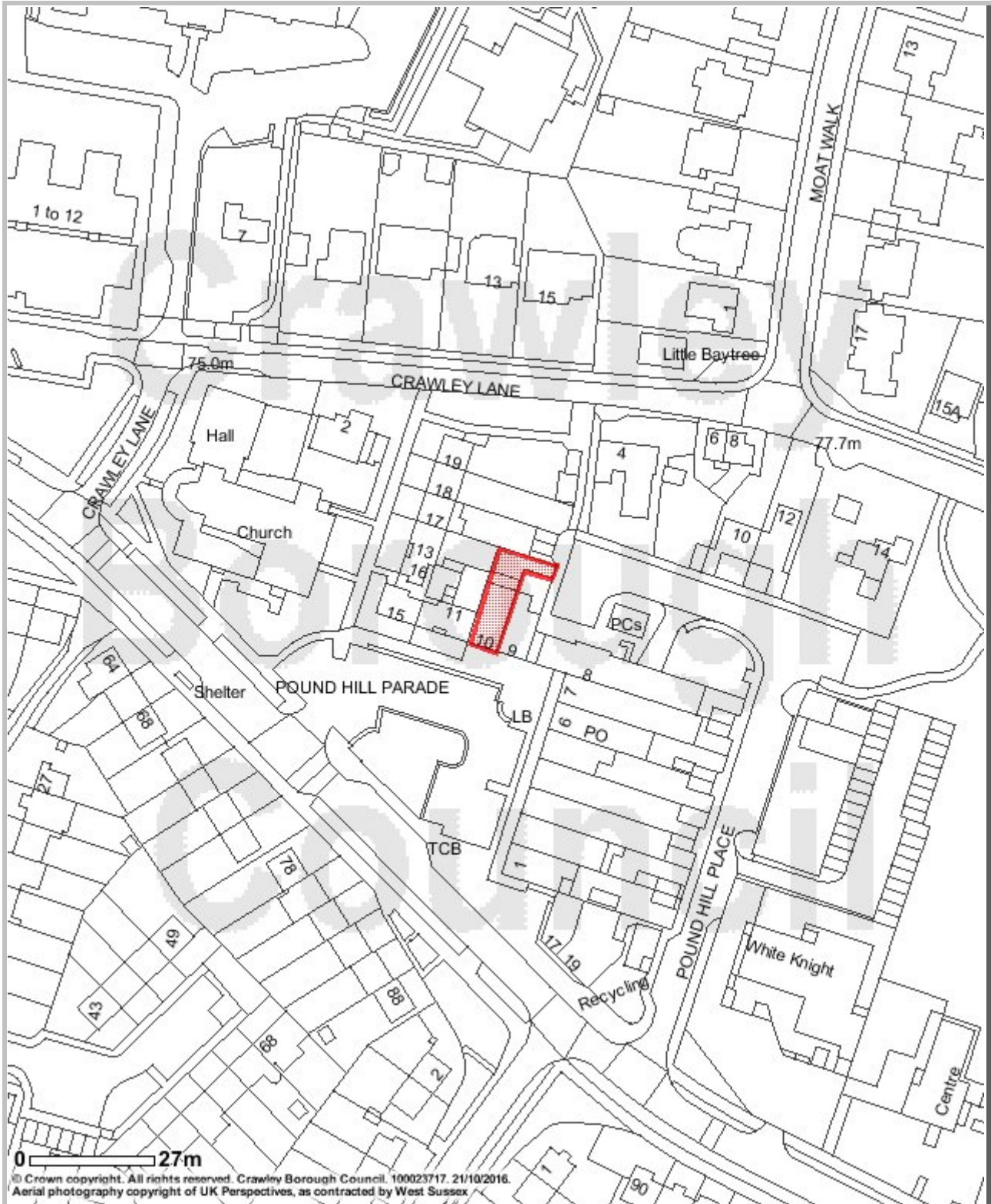
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0325/FUL

Date 20 October 2016

Approx. Scale 1:1,250

**QUALITY DRY CLEANERS AND LAUNDERETTE,
10 POUND HILL PARADE, POUND HILL, CRAWLEY**



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 20 October 2016

REFERENCE NO: CR/2016/0568/FUL

LOCATION: [BUTTS END & 1, BUTTS CLOSE, WEST GREEN, CRAWLEY](#)
PROPOSAL: ERECTION OF SINGLE STOREY FRONT PORCH, FIRST FLOOR SIDE AND ROOF EXTENSION, CONVERSION OF GARAGE AND GARDEN ROOM TO HABITABLE SPACE (1 BUTTS CLOSE). NEW PITCHED ROOF OVER ADJOINING PROPERTIES AT 1 BUTTS CLOSE AND BUTTS END

TARGET DECISION DATE: 15 August 2016

CASE OFFICER: Mr M. Edwards

APPLICANTS NAME: Mr G K & Mrs J L Hobden
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

GH01 Rev A Site Location & Existing Block Plan, Existing Ground, First & Second Floor Plans & Elevations, CBC 0001 Proposed Second Floor Plan, GH02 Rev A Site Location & Proposed Block Plan, Proposed Ground & First Floor Plans & Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

None

NEIGHBOUR NOTIFICATIONS:-

2, and 5 to 8 Butts Close, West Green; Davids Sandwiches, 7 Deerswood Road, West Green; 9 Deerswood Road, West Green

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

The applicant is a Council Employee

THE APPLICATION SITE:-

- 1.1 The site comprises a two storey detached house and garage (Butts End), and an extended two storey semi-detached house (No. 1 Butts Close) with garage and rear "garden store" located at the junction of Butts Close and Deerswood Road. No.1 has a large flat roofed dormer on its rear roof slope. Although not shown on the submitted drawings there is also a single storey pitched roof "out-building" in the rear garden, (approximately 20 square metres in area) next to the rear boundary for which there is no record of planning permission having being granted.
- 1.2 Butts Close is a cul-de-sac with similar two storey semi-detached properties. Deerswood Road features similar two storey semi-detached dwellings, as well as terraced properties.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposal is for the erection of a single storey front porch extension, a 1st floor side extension and roof extension to 1 Butts Close; the conversion of the existing garage and garden store into habitable rooms with a pitched roof over both at 1 Butts Close, and the erection of a pitched roof over the garage of the detached property at Butts End.
- 2.2 According to the drawings submitted the proposed single storey front extension would be a maximum of 3.7m wide x 1.5m deep x 2.4-2.6 m high to the eaves with a maximum height to the top of the pitched roof of 3.6-3.7m.
- 2.3 According to the drawings submitted the proposed 1st floor side and roof extension would be 2.3m wide, and would have a half-hipped design.
- 2.4 It is also proposed that the existing garage is converted to a habitable room, and a new false pitched roof (1m high) is erected on top. The roof would also extend across the neighbouring garage at Butts End. There would also be a new pitched roof to the rear across the “garden store” which is to be converted to a kitchen/breakfast room.
- 2.5 The application details state that the proposed external materials would be tile, timber and brick.
- 2.6 Amended plans were requested to address some inaccuracies on the drawings and concerns with regard to the design of the front porch. However, the amended plans submitted propose no design changes, still contain inaccuracies with regard to existing window positions, and the plans and elevations do not match in some instances.

PLANNING HISTORY:-

- 3.1 CR/498/1982- Erection of two-bedroomed detached house with garage- Permit
- 3.2 CR/687/1987- Erection of three bedroom detached house and garage- Permit
- 3.3 CR/2013/0288/192- Certificate of lawfulness for hip to gable roof extension & loft conversion with rear dormer- Granted

PLANNING POLICY:-

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

National Planning Policy Framework (2012):

- 4.2 The NPPF has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development. The NPPF states that there are three dimensions to sustainable development and the planning system performs an economic, social and environmental role. These roles are mutually dependent. The Framework requires applications to be determined in accordance with the development plan.
- 4.3 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.

- 4.4 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.
- 4.5 Paragraph 61 states that “although the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment”.

Crawley Borough Local Plan 2015-2030:

- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 Policy CH5 (Standards for all new dwellings (including conversions)) sets out minimum floorspace standards for new dwellings and states that residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements; suitable for the likely level of occupancy. The Urban Design SPD provides further advice on provision of appropriate external space.
- 4.10 Policy IN4 (Car and Cycle Parking Standards) states that car parking standards for residential development will be based on the accessibility of the area, levels of car ownership, and the size of any new dwellings
Urban Design Supplementary Planning Document (SPD)
- 4.11 The relevant sections dealing with householder extensions state that an extension with good design in mind will relate appropriately to the parent dwelling’s character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering the extension it is important to think about the impact the development may have on neighbours and the wider area.
- 4.12 Extensions should consider existing roof pitches. A house extension with a roof pitch that is different to the existing one can look out of place, while an extension with a matching roof pitch will likely be more suitable.
- 4.13 Any development should reflect the existing dwelling by ensuring that new window apertures are of a matching size and situated in line with existing ones.
- 4.14 A porch or front extension can be one of the most significant alterations to the appearance of a house and to the street in which it stands. Therefore, consideration should be given to designing a porch with sensitivity towards neighbouring houses and the street scene. This is especially important for terraced houses where an unsuitable porch or front extension can negatively impact the look of a whole row.

- 4.15 Front extensions should project no more than 1.5m from the original front wall of the main dwelling and be in keeping with the character of the area and property. As with a front extension, an extension on the side of a property will be prominent. Therefore, it is important that it should work successfully with its surroundings. The filling up of the gaps between houses by the construction of two-storey side extensions can make detached, or semi-detached, houses in a street look like terraced houses. This can change the character of a street quite dramatically and is known as 'terracing'. The junction of a side extension with the existing building will have to be considered and resolved through good design.
- 4.16 The roof form above an extension will contribute to the appearance of the extension and the dwelling as a whole. A roof design that sits in harmony with the existing roof will usually be more acceptable. Roof extensions should not dominate by being too large and flat roofs are generally discouraged unless they are in harmony with the existing dwelling. The conversion of a garage into a habitable room may result in the loss of onsite parking, which in turn could create pressure for on street parking around a dwelling. If you intend to convert a garage into a room, you should consider how cars will be accommodated on site.
- 4.17 A dormer window should be kept well below the ridge line, smaller than the overall width of the roof and away from the edges. It is recommended that a dormer window be centred on the window lines below and that the dormer take up no more than half the width of the dwelling.
- 4.18 The conversion of a garage into a habitable room may result in the loss of onsite parking, which in turn could create pressure for on street parking around a dwelling. If you intend to convert a garage into a room, you should consider how cars will be accommodated on site.

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations are;
- the impact of the proposed development on the visual amenities and character of the buildings, the street scene and the wider character of the area;
 - the impact on the amenities of neighbouring occupiers;
 - highways considerations

Character and Visual Amenity

- 5.2 This semi-detached property has a substantial full width and (near) full height rear dormer and hip to gable end roof extension, which was built under permitted development rights, and therefore did not require a planning application.
- 5.3 The pair of semi-detached properties occupy a prominent position close to the junction of Butts Close and Deerswood Road, and can be seen clearly from approaches along both roads.
- 5.4 The original pair of semi-detached houses were of a distinctive design with matching hipped roofs, and each with a single storey side projection with catslide roof. The roof conversion and 1st floor extension at No. 1 converted the hip of the main roof into a gable end design which has unfortunately unbalanced the appearance of the pair within the street scene, losing the catslide roof feature. Given the siting of the property, the large dormer extension in itself constitutes an extremely prominent and discordant feature within the street scene especially when viewed from Deerswood Road.
- 5.5 The current proposal is to extend the width of the 1st floor and the roof by a further 2.3m, and would incorporate a half-hipped roof design. The applicant suggests that this would assist in lending the existing box dormer roof extension a more subordinate appearance on the roof, as it would no longer occupy such a large proportion of it.

- 5.6 However, it is considered that the proposed 1st floor and roof extension would only exacerbate the prominent and discordant appearance of the whole building within the street scene, further unbalancing the appearance of this pair of semi-detached dwellings and introducing a further roof design with the half hipped element. The submitted drawings show that the 1st floor extension would be tile hung introducing a further discordant element within the street scene. In addition, the increased width of the building would reduce the existing gap to the neighbouring property and further erode the once spacious relationship between the two properties.
- 5.7 Overall it is considered that the appearance of this aspect of the proposal would be harmful to the visual amenities of the street scene and, given its prominent siting, the overall character of the surrounding area, and therefore should be refused.
- 5.8 The other main element of the application is the proposed front porch extension. It is considered that although the porch roof design does not match or complement the existing building, the impact of the porch on the visual amenities of the street scene would not be so significant as to warrant a refusal on these grounds.
- 5.9 The remaining elements of the application are the conversion of the existing garage and garden store at 1 Butts Close to habitable rooms. A pitched roof would be formed over the converted garden store. A false pitched roof would be erected over the converted garage which would also extend across the neighbouring garage at Butts End, both of which currently have flat roofs. Subject to the use of appropriate matching materials it is considered that there would be no harmful effect on the visual amenities of the street scene.

Impact on the amenities of neighbouring occupiers

- 5.10 The proposal would not result in the loss of daylight or sunlight to any neighbouring occupiers and no new windows are proposed that would have any implications with regard to loss of privacy or overlooking.
- 5.11 Therefore, it is considered that there would be no harmful impact on the amenities of neighbouring occupiers.

Highways considerations

- 5.12 The proposed conversion of the garage would lead to the loss of a parking space. However, no additional bedrooms are proposed and there is sufficient room on site to provide adequate parking facilities and in the event that planning permission were to be granted an appropriate condition could be imposed to ensure that parking facilities could be provided and maintained.

CONCLUSION:-

- 6.1 Given the prominent position of the application site within the street scene, which is clearly visible from both Butts Close and Deerswood Road, it is considered that the proposed roof and first floor extension would simply exacerbate the already unsympathetic appearance of the existing large box dormer and gable end extension which was constructed under permitted development rights. It is considered that the proposal would result in a harmful impact on the visual amenities of the pair of semi-detached buildings, the street scene and the appearance and character of the wider area.

RECOMMENDATION RE: CR/2016/0568/FUL

REFUSE planning permission for the following reason:

1. The proposed roof and first floor extension due to its size, prominence and unsympathetic design would exacerbate the unbalanced appearance of the two semi-detached properties (Nos. 1 and 2 Butts Close) in addition to closing the gap between the host dwelling and the adjacent dwelling to the south west (Butts End) and creating a discordant feature which would be harmful to the visual

amenities of the street scene and to the character and appearance of the pair of semi-detached dwellings and the wider area. It would therefore be contrary to Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

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:

Informing the applicant of identified issues that are so fundamental that it has not been possible to negotiate a satisfactory way forward due to the harm that would be caused.

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/2016/0568/FUL

Date 1 September 2016

Approx. Scale 1:1,250

**BUTTS END & 1, BUTTS CLOSE, WEST GREEN,
CRAWLEY**



© Crown copyright. All rights reserved. Crawley Borough Council. 100023717. 05/09/2016.
Aerial photography copyright of UK Perspectives, as contracted by West Sussex

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 1 September 2016

REFERENCE NO: CR/2016/0693/ADV

LOCATION: [VERGE ADJACENT TO TILGATE DRIVE, TILGATE, CRAWLEY](#)
PROPOSAL: ADVERTISEMENT CONSENT FOR ERECTION OF FREE STANDING POLE
MOUNTED DIRECTIONAL/INFORMATION SIGN

TARGET DECISION DATE: 2 November 2016

CASE OFFICER: Mr A Taylor

APPLICANTS NAME: Crawley Borough Council
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

CBC 0001 Site Location Plan, CBC 0002 Block Plan, CBC 0003 Rev A Sign Details

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. CBC - Property Division - No objection

NEIGHBOUR NOTIFICATIONS:-

None required

RESPONSES RECEIVED:-

No responses received

REASON FOR REPORTING TO COMMITTEE:-

The applicant is Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 The application site is part of the grass verge adjacent to Tilgate Drive near the junction serving the K2 Leisure Park.
- 1.2 The area of land subject to this planning application is owned by Crawley Borough Council. The site is highly visible in the locality and there are long-distance views east and west along Tilgate Drive.

THE PROPOSED DEVELOPMENT:-

- 2.1 This application seeks advertisement consent for the erection of a free standing pole mounted directional/information sign. The advertisement would be made up of three signs 1.5m in width and 0.25m in height. These three signs would be displayed horizontally and mounted on two posts 1.6m off the ground.
- 2.2 The sign will display directions to various activities within Tilgate Park and would be set back slightly from the road. The sign would be made from seasoned Oak and the colour of the text would be black. The sign is to be non-illuminated.

PLANNING HISTORY:-

3.1 No relevant planning history found

PLANNING POLICY:-

National Planning Policy Framework (2012):

4.1 Paragraph 67 of the NPPF advises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Crawley Borough Local Plan (2015-2030)

4.2 Policy CH3 (Normal Requirements of All Development) states that proposals should comply with any relevant supplementary planning guidance produced by the Council on signs and advertisements.

Supplementary Planning Guidance and Documents

Urban Design Guide Supplementary Planning Document (October 2016)

- 4.3 (3.83) Advertising and signs should not impact the visual amenity of the surrounding area and should not pose any danger to highway safety.
- 4.4 (3.84) The material, lighting, colour and scale of the advertisements should relate to the building and development they are attached to. Applicants are advised to think about advertisements and signs at the drawing board stage of a new building or shopfront and integrate them at the earliest possible moment. The following guidance should be applied:
- Main advertisements and signs should normally be located on the most prominent frontage of the premises.
 - Smaller adverts may be appropriate on other elevations, but should be kept to a minimum.
 - Signs should be of an appropriate size for the building on which they are displayed and should not seek to dominate or visually detract from those buildings.
 - The visual clutter of a mixture of sizes and styles of signs and advertisement boards must be avoided.

PLANNING CONSIDERATIONS:-

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

- Visual Amenities
- Public safety

Visual Amenities

5.1 The proposed development will be used to direct drivers to various activities within Tilgate Park. The proposed location is considered to be appropriate for this use and the sign would be clearly visible from Tilgate Drive.

- 5.2 The application site is a grass verge which is owned and maintained by Crawley Borough Council. The installation of this sign will only take up a small area of land and would not harm the overall character of the area due to the modest size and design.
- 5.3 In conclusion, it is considered that the proposal conforms to planning guidance outlined in the adopted Urban Design SPD (October 2016) and will be of high quality, improving navigation around Tilgate Park and street scene thereby conforming with policy CH3 of the CBC Local Plan (2015-2030) and guidance in the Urban Design SPD.

Public safety

- 5.4 The signage would not be illuminated and due to the modest size and appearance is considered to be in accordance with policy CH3 of the CBC Local Plan (2015-2030) and the Urban Design SPD and would not cause any adverse impact on highway safety.

CONCLUSIONS:-

- 6.1 In conclusion it is considered that the proposal is acceptable in terms of amenity and public safety. Therefore the proposal is in accordance with the policies outlined in the Crawley Local Plan 2015-2030 and the adopted Urban Design SPD (October 2016) and it is recommended to grant consent subject to conditions.

RECOMMENDATION RE: CR/2016/0693/ADV

CONSENT subject to 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. Standard Advertisement Conditions.
 - A. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - B. No advertisement shall be sited or displayed so as to:
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - C. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - D. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - E. Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASONS: (A) to (E) - To comply with Schedule 2 of the Town & Country Planning (Control of Advertisements) Regulations 2007.

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

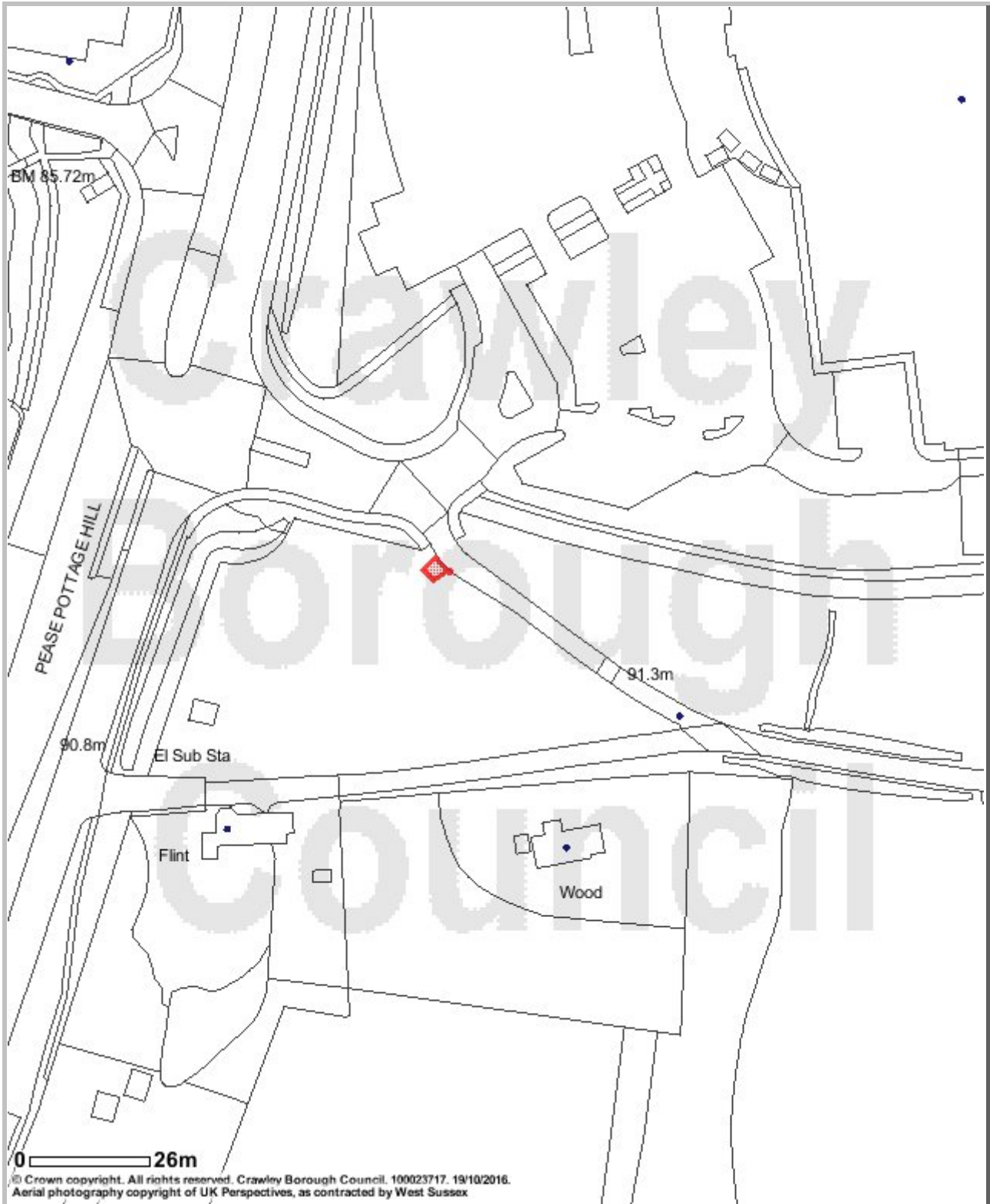
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0693/ADV

Date 14 October 2016

Approx. Scale 1:1,250

**VERGE ADJACENT TO TILGATE DRIVE, TILGATE,
CRAWLEY**



© Crown copyright. All rights reserved. Crawley Borough Council. 100023717. 19/10/2016.
Aerial photography copyright of UK Perspectives, as contracted by West Sussex

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 14 October 2016

REFERENCE NO: CR/2016/0695/FUL

LOCATION: [4 ATHELSTAN CLOSE, POUND HILL, CRAWLEY](#)
PROPOSAL: ERCECTION OF FIRST FLOOR SIDE EXTENSION ABOVE EXISTING GARAGE

TARGET DECISION DATE: 1 November 2016

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Mr S Edwards
AGENTS NAME: Hawthorne Archtectural Designs

PLANS & DRAWINGS CONSIDERED:

PL [05] 816 REV D Existing and proposed floor and elevation plans, site location plan and block plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

None received.

NEIGHBOUR NOTIFICATIONS:-

1 to 3 and 5 to 11 and No 15 Athelstan Close Pound Hill.

RESPONSES RECEIVED:-

Query received from a neighbouring house about the size of the proposed first floor bathroom window on the side elevation. Subsequent confirmation that they have no objection to an obscure glazed window for this bathroom.

REASON FOR REPORTING TO COMMITTEE:-

The applicant has a relative who is a Crawley Borough Council employee.

THE APPLICATION SITE:-

- 1.1 This application relates to a two storey detached house at No. 4 Athelstan Close. The house is constructed from red brick with some tile hanging on the front elevation and has a tiled roof. There is a former garage to the side which is set slightly forward of the main front elevation, with a pitched roof over, and has been converted into a habitable room. There is a pedestrian access to the rear garden along the side of the house. The house has a driveway to the front with space for two cars. There is a conservatory to the rear, with the back garden beyond.
- 1.2 No. 4 is situated in a row of five detached houses towards the northern end of the cul-de-sac. The neighbouring house to the east, No. 5, is situated approximately 1.5 metres away on a similar building line. To the west are two detached houses orientated perpendicular to No. 4. The front elevations of these two houses, Nos. 2 and 3, face the side elevation of No.4, with the driveways of Nos. 2 and 3 in the intervening gap between them and No. 4. Their front elevations are approximately ten metres from the side boundary of No. 4. No. 4 has three existing ground floor side windows and a high level side bathroom window on the first floor facing Nos. 2 and 3.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for a first floor side extension with front rooflight. It would be set back slightly from the main front elevation, so would retain much of the existing front roofslope over the former garage. The first floor extension would be set down approximately 0.3 metres from the main roof ridge. The extension would increase the size of two existing bedrooms and a bathroom. There would be a second window to the front and rear bedrooms and a replacement bathroom window on the side elevation. The extension would have a depth of 9.5 metres and a width of 2.5 metres. The extension would be constructed from brickwork and tiling to match the existing house.
- 2.2 The application has been amended since submission to remove a rear dormer and three front rooflights.

PLANNING HISTORY:-

- 3.1 There is no recent planning history for the house. The house was constructed as part of a new estate to the rear of Church Road, Worth in the 1990s.

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 CH2 (Principles of Good Urban Design) seeks to assist in the creation, retention or enhancement of successful places in Crawley, new 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.
- 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.

4.3 Urban Design Supplementary Planning Document

The Urban Design Supplementary Planning Document was adopted in October 2016. It sets out the principles of good urban design and includes related guidance and examples. It states:

- (3.5) An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood.
- (3.12) Extensions should consider existing roof pitches. A house extension with a roof pitch that is different to the existing one can look out of place, while an extension with a matching roof pitch will likely be more suitable.
- (3.16-3.19) This section deals with side extension and seeks a set back from the front elevation to avoid a terracing effect. Paragraph 3.19 seeks to maintain a 10.5 metre distance from a side gable wall to habitable rooms in an adjoining property.

PLANNING CONSIDERATIONS:-

5.1 The main planning considerations are:-

- The design and appearance of the proposal; and
- The impact upon residential amenity enjoyed by neighbouring houses.

Design and appearance of the proposed extension

5.2 The proposed first floor side extension would be set down slightly from the main ridge and set back from the front elevation. Its roof pitch would match that of the main roof. The applicant has confirmed that the extension would be built from brick and tiles to match the existing property. The design and appearance of the proposed extension would respect the character of the existing house and remain subservient to it. The design and scale of the proposed extension is considered appropriate and in keeping with the character of the house and surrounding street scene.

Impact of the proposal on the neighbouring properties

5.3 The proposed extension would be 10.5 metres from the closest front ground floor window in No. 3 Athelstan Close, which projects forward of that house's main frontage. The main front elevation of No. 3 would be approximately 12 metres away. These distances are acceptable under the guidance within paragraph 3.19 of the Urban Design SPD. The proposed extension would extend an existing wall and it is not considered that any significant overbearing impact upon Nos. 2 or 3 would result.

5.4 The proposal includes a replacement first floor bathroom window in the side elevation. This window would face Nos. 2 and 3. To protect the privacy of the occupants of Nos. 2, 3 and 4, it is recommended that an obscure glazing condition is attached to any permission. In addition, it is recommended that permitted development rights are removed to restrict the creation of any other openings in this wall in future. Subject to these controls, the proposed window is considered acceptable and would not result in a significant loss of amenity to the occupants of Nos. 2 and 3 Athelstan Close.

5.5 The proposed front and rear bedroom windows would have a similar outlook to the existing windows at No. 4 and are considered acceptable. The extension would have no significant impact upon any other neighbouring houses in Athelstan Close.

CONCLUSIONS:-

6.1 In conclusion, it is considered that the design and appearance of the proposed first floor extension is acceptable and, subject to conditions, would not have a harmful impact on the residential amenity of neighbouring houses. The proposal is considered in accordance with the policies contained within the Crawley Borough Local Plan 2015-2030 and with guidance in the Urban Design SPD. It is therefore recommended to grant permission.

RECOMMENDATION RE: CR/2016/0695/FUL

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice.
REASON: For the avoidance of doubt and in the interests of proper Planning.
3. The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

REASON: In the interests of amenity in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side (west) elevation wall of the extension facing Nos. 2 and 3 Athelstan Close without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities of adjoining residential properties, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The first floor bathroom window on the side (west) elevation of the extension facing Nos. 2 and 3 Athelstan Close 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.

NPPF Statement

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



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

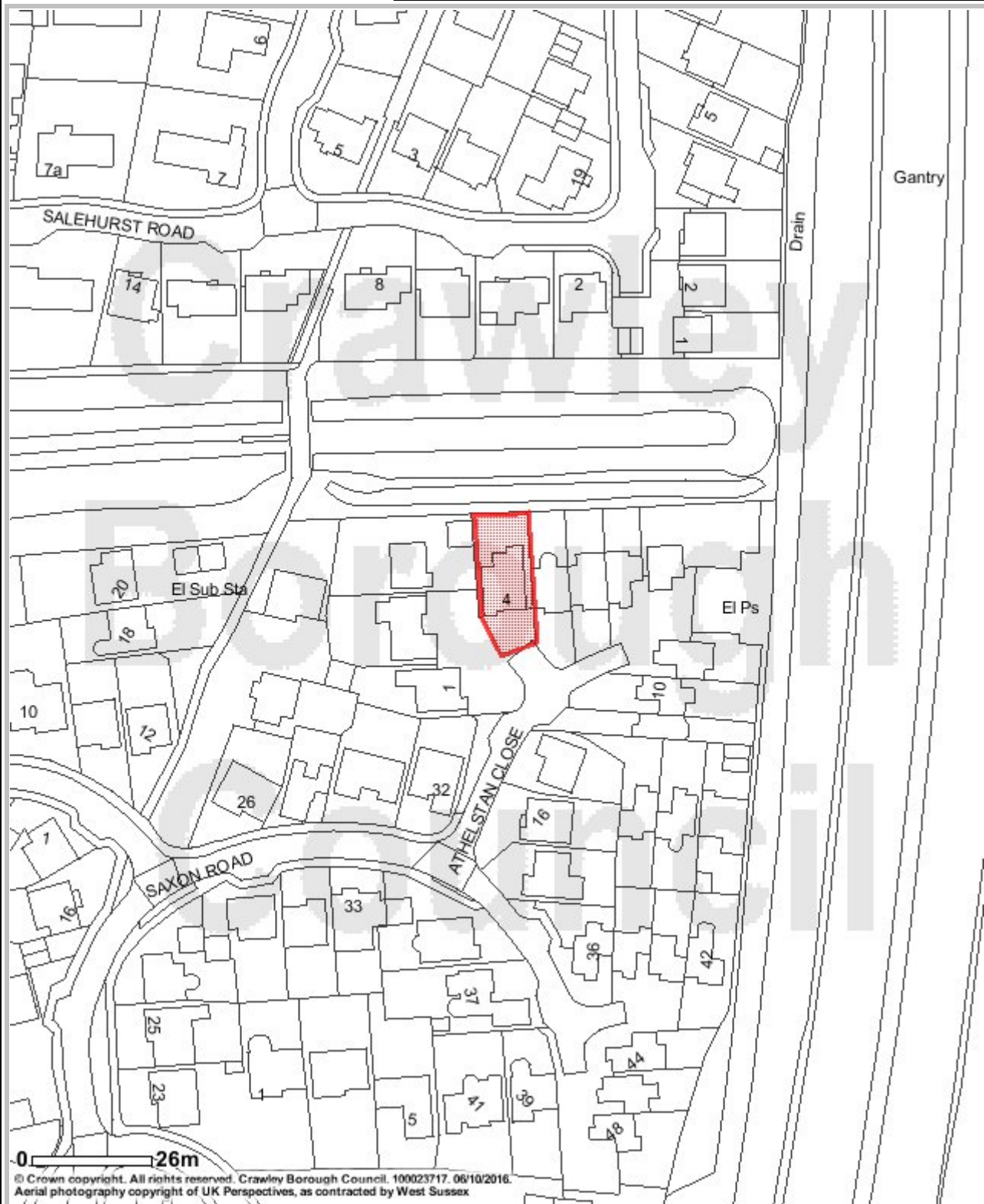
Tel: 01293 438000
Fax: 01293 438603

CR/2016/0695/FUL

Date 21 October 2016

Approx. Scale 1:1,250

4 ATHELSTAN CLOSE, POUND HILL, CRAWLEY



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 21 October 2016

