

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 5 May 2017
REPORT NO: PES/234

B

<u>ITEM</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>RECOMMENDATION</u>
001	CR/2017/0070/FUL	63 TINSLEY LANE, THREE BRIDGES, CRAWLEY	PERMIT
002	CR/2017/0072/FUL	EEZEHAUL UNIT 3, THE DRIVE, THREE BRIDGES, CRAWLEY	PERMIT
003	CR/2017/0078/FUL	FIRST CHOICE HOUSE, LONDON ROAD, NORTHGATE, CRAWLEY	REFUSE
004	CR/2017/0228/FUL	UNIT 3, LAND AT FARADAY ROAD, NORTHGATE, CRAWLEY	PERMIT

REFERENCE NO: CR/2017/0070/FUL

LOCATION: [63 TINSLEY LANE, THREE BRIDGES, CRAWLEY](#)
PROPOSAL: ERECTION OF SINGLE STOREY AND TWO STOREY REAR EXTENSIONS
(AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 21 March 2017

CASE OFFICER: Miss D. Angelopoulou

APPLICANTS NAME: Mr R Waites

AGENTS NAME: Mr John Tidd

PLANS & DRAWINGS CONSIDERED:

CBC 0001 - Location Plan, 070516 SHT 6 Issue 9 - Block Plan & Existing and Proposed First Floor Plans, 070516 SHT 1 Issue 6 - Existing & Proposed Rear Elevations, 070516 SHT 2 - Existing & Proposed Front Elevations, 070516 SHT 3 Issue 6 - Existing & Proposed Side Elevations, 070516 SHT 4 Issue 6 - Existing Ground Floor Plan, 070516 SHT 5 Issue 6 - Proposed Ground Floor Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

None.

NEIGHBOUR NOTIFICATIONS:-

59, 61, 65, 67 and 92 Tinsley Lane, Three Bridges;
1 to 5 The Laurels, Tinsley Lane, Three Bridges;
IBM UK Pension Trust Ltd, Unit 5, Meadowbrook Industrial Centre;
Pelican Cargo Ltd, 6 Meadowbrook Industrial Estate.

RESPONSES RECEIVED:-

Five letters from the occupiers of nearby properties and one letter from 'Tinsley Lane residents' have been received raising objections to the proposal on the following grounds:

- Loss of light and privacy.
- Overlooking issues from the first floor windows.
- Overbearing impact from the pitched roof and height of the extensions.
- The application site has already been extended and the whole character of the building will be overpowering and will dominate the neighbouring gardens and surrounding properties.
- The property is used as a nursery in the guise of a child minding service and at present there are three 'sessions' of child minding carried out at the property.
- This development would turn a family home into a business and have impact on quality of life as a result of additional noise and traffic.
- Impact on car parking arrangements and especially regarding the nursery business.

One letter from a nearby occupier has been received stating that the home is not being used as a nursery.

Re-consultation of the above-mentioned neighbours regarding the amended plans: 29/03/2017 for 14 days with expiry date: 12/04/2017.

Two letters of objection have been received stating that all the previous comments for overdevelopment and use of the site still stand, privacy will be affected and the roof is excessive and overbearing.

In addition, one of the objections states that a glass element has been added to the single storey extension and this would reflect the sun onto their property and look obtrusive.

It should be noted that the amended drawings do not show any glazed roof element. The submitted details confirm that matching materials would be used.

REASON FOR REPORTING TO COMMITTEE:-

The number of objections received to a recommendation to permit.

THE APPLICATION SITE:-

- 1.1 The application site relates to a two storey semi-detached dwelling, located on the western side of Tinsley Lane within the neighbourhood of Three Bridges. The properties here are within spacious plots incorporating long rear gardens.
- 1.2 The property benefits from a two storey side extension on its northern side with a ground floor projection of 1.4 metres to the front. The application property has a raised patio area to the immediate rear of the house, with the rest of the house laid to lawn, and a shed at the end of its rear garden. The boundary to the north is marked by 1.8m high fence and to the south by high bushes and 1.8m high fence. The area to the front of the property has space to accommodate at least 4 vehicles.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of single storey and first floor rear extensions. The proposal has been amended, since the application was submitted, by reducing the depth of the single storey rear extension by 2 metres. It should be noted that an amended block plan has also been received to accurately show the footprint of the adjacent property No.65 Tinsley Lane.
- 2.2 The proposed single storey rear extension would project 4 metres from the existing rear elevation and would extend across the full width of the property. It would have a flat roof and would measure 2.8 metres in height. The extension would be set away from the rear site boundary by nearly 35 metres. It would include bi-fold doors on its rear elevation. Internally, it would form an extended kitchen breakfast room.
- 2.3 The first floor rear extension is proposed above part of the proposed single storey rear extension. It would measure 3 metres in depth and 7.7 metres in width. It would rise up to the existing ridge line and would maintain the existing eaves level. Following internal alterations, the additional first floor accommodation would not increase the number of bedrooms, but would provide a larger fourth bedroom.
- 2.4 The extensions would be constructed in materials to match the existing.

PLANNING HISTORY:-

- 3.1 The most recent relevant planning history is as following:
 - CR/2016/0529/FUL – Erection of single storey rear extension and two storey rear extension – Withdrawn.
 - CR/460/1990 – Double storey extension to side of house – Permitted and Implemented.

PLANNING POLICY:-

National Planning Policy Framework (2012) (NPPF)

- 4.1 The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. More specifically:
- Paragraph 14 – Presumption in favour of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
 - 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.
 - 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.

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

- 4.2 The relevant policies include:
- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
 - Policy CH2: Principles of Good Urban Design in order to assist in the creation, retention or enhancement of successful places.
 - Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council including residential extensions.

Urban Design Supplementary Planning Document (adopted October 2016)

- 4.3 The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. It contains guidelines on the standards the Council expects for the public design and the design of extensions. In particular, it states that:
- *‘Overshadowing or dominating neighbours’ houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and the gardens in which they stand.’*
 - *‘A rear extension should not consume the entirety of a dwelling’s private amenity space. A garden should be retained with a minimum depth of 10.5m measured from the extension’s rear external wall to the property’s rear boundary in length, in order to ensure adequate private outdoor space.’*
 - *‘Applying the 45° guide test: The guide test can be applied to detached, semi-detached and terraced houses. A single storey extension should not encroach into an area measured by drawing a 45° angle from the nearest edge of a neighbour’s window or door aperture.’*
 - *‘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 an extension it is important to think about the impact the development may have on your neighbours and the wider area’.*

- *'Development should incorporate materials and colours that match the existing dwelling'.*
- *'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'.*

It also includes the Crawley Borough Parking Standards and as such the minimum parking standards for this application are 2-3 spaces.

PLANNING CONSIDERATIONS:-

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

- The design & appearance of the proposal and its impact on the dwelling, street scene & wider area
- The impact on neighbouring properties and amenities
- Parking considerations
- Other matters

The design & appearance of the proposal and its impact on the dwelling, street scene & wider area

5.2 The proposed single storey and first floor rear extensions would not have any impact on the street scene since they would be positioned to the rear of the property and would be screened by the existing dwelling. The proposal is not considered to dominate the existing dwelling since it would still appear as a subservient element to the host dwelling and would use matching external materials. In addition, given that the property would retain 35 metres length of rear garden, it is also considered that more than adequate outdoor rear amenity space would remain in accordance with the Urban Design SPD.

5.3 To conclude, the proposed development would satisfactorily integrate within the character of the existing property and would not be harmful to the street scene. It would therefore be in accordance with the relevant Local Plan Policies, the design guidance in the Urban Design SPD and the relevant paragraphs of the NPPF.

The impact on neighbouring properties and amenities

5.4 The properties most affected by the proposed rear extensions are No. 65 Tinsley Lane to the north and No.61 Tinsley Lane to the south.

5.5 No.65 Tinsley Lane is a two storey detached dwelling which is set forward by nearly 4 metres from the application property and has a single storey rear/side extension which projects 1.4m beyond the rear wall of No.63.

5.6 The proposed single storey rear extension would measure 4 metres in depth and would have a flat roof of 2.8m height. It would retain the 0.8m gap on the shared boundary with No.65 Tinsley Lane. The proposed first floor rear extension, which is set in from either side, would measure 3 metres in depth and would have 3.5m gap to the boundary of No.65 and 4m gap to No.65's extension. The Urban Design SPD requires that rear extensions should satisfy the 45 degree test as a means to determine their acceptability in terms of overshadowing and loss of light. The proposed extensions would not encroach into the area measured by drawing a 45 degree angle from the nearest edge of No.65's windows. No windows have been proposed along the north flank (side) elevations and a condition has been recommended to prevent the insertion of first floor windows along this particular elevation. There is currently a 1.8m high fencing on this shared boundary. Given this relationship, it is considered that the proposal would not cause unreasonable harm to the amenity of No.65 Tinsley Lane.

- 5.7 No.61 Tinsley Lane is a bungalow which projects 5m beyond the rear wall of the application site. The proposed single storey rear extension would retain the gap to the shared boundary with No.61, whereas the first floor rear element would be set away by 5.4 metres from the shared boundary and 8 metres from the dwelling. No windows have been proposed along the north flank (side) elevations and a condition has been recommended to prevent the insertion of first floor windows along this particular elevation. There is currently a 1.8m high fencing along with high bushes on this shared boundary. Therefore, given the separation distance and the relationship with No.61, it is considered that no undue impacts would result to the amenities of the residents of this neighbouring property.
- 5.8 Despite the expressed concerns regarding overlooking from the rear elevation, the proposed first floor rear windows would be centrally located and would have direct views onto the rear garden of the application site itself, with oblique views across to the rear gardens of adjacent properties. As such it is considered that no additional material overlooking issues would occur.
- 5.9 Overall, in terms of neighbouring amenity, the proposal is not considered to have any detrimental impact on the amenities enjoyed by the occupants of neighbouring properties and would accord with the relevant Local Plan Policies, the Urban Design SPD and the NPPF.

Parking considerations

- 5.10 The proposal would not affect the level of on-site car parking as the property would retain at least four parking spaces to the area to the front of the property. The proposal would not create any additional bedrooms and the property would remain as a 4 bedroom dwelling. According to the Urban Design SPD the minimum parking standards for a 3 plus bedroom dwelling in this location are 2-3 spaces. As such the parking arrangements are considered satisfactory and would accord with the guidance for a dwelling of this size and location and with the Local Plan Policy CH3 and the NPPF.

Other matters

- 5.11 With regard to the comments about a child-minding or nursery use, it should be noted that this application is a householder application and relates to extensions to an existing dwellinghouse comprising a breakfast room, enlarged bedroom and internal alterations. The extensions do not relate to commercial activities or floorspace. Thus the objections relating to a business use are not relevant to this particular application.
- 5.12 In respect to the use of the property, the applicants have confirmed that the child minding activities are at a low level and that they do not run a nursery. This has been the subject of an Enforcement investigation which has confirmed that the child minding is operated at a scale that does not require planning permission. Thus no breach of planning control has occurred. Any application for change of use to nursery would be considered on its own individual merits.

CONCLUSIONS:-

- 6.1 In conclusion, it is considered that the scale and design of the proposal is acceptable, would not have an adverse impact on the character and appearance of the dwelling and the street scene and would not have any detrimental impact on the parking arrangements and the amenities enjoyed by the occupants of neighbouring properties. The proposed development as amended is considered to accord with the policies outlined in the NPPF (2012), the Crawley Borough Local Plan (2015-2030) and the Urban Design SPD (2016), and it is recommended to grant permission for this application subject to conditions.

RECOMMENDATION RE: CR/2017/0070/FUL

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls and roofs of the buildings hereby permitted shall match in colour and texture those of the existing building.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No windows shall be constructed in the northern and southern elevations of the first floor rear extension hereby permitted which adjoin the side boundaries with No.65 Tinsley Lane and No.61 Tinsley Lane without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining property in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

NPPF Statement

1. 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 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 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

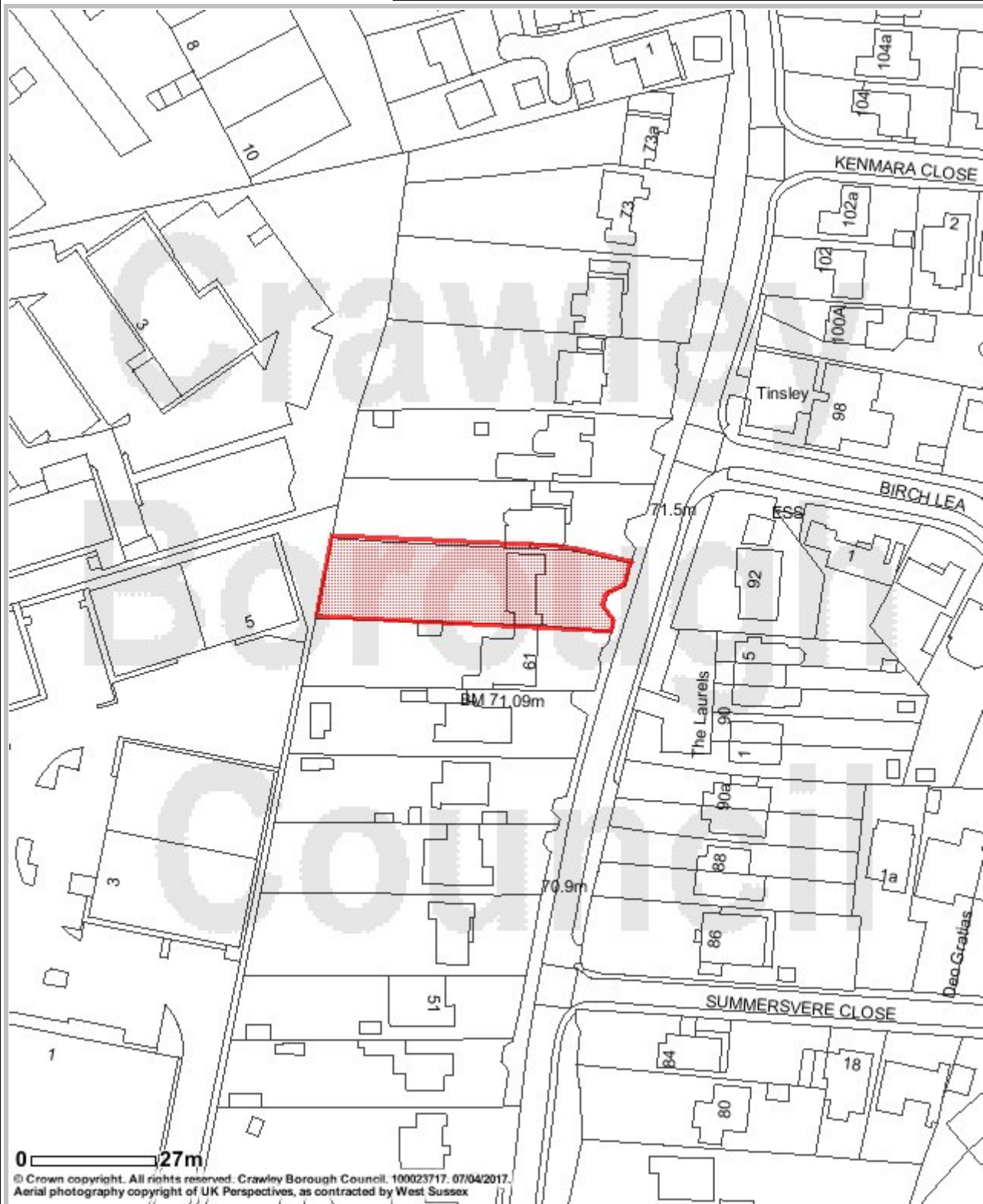
Tel: 01293 438000
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CR/2017/0070/FUL

Date 6 April 2017

Approx. Scale 1:1,250

63 TINSLEY LANE, THREE BRIDGES, CRAWLEY



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REFERENCE NO: CR/2017/0072/FUL

LOCATION: [EEZEHAUL UNIT 3, THE DRIVE, THREE BRIDGES, CRAWLEY](#)

PROPOSAL: ERECTION OF STRUCTURE TO REAR SERVICE AREA FOR COVERED LOADING.

TARGET DECISION DATE: 12 May 2017

CASE OFFICER: Mrs K. Palmer

APPLICANTS NAME: Eezehaul

AGENTS NAME: Lauralu/Planning & Design

PLANS & DRAWINGS CONSIDERED:

PDS/16/22/1-SITE LAYOUT PLAN, SITE LOCATION PLAN, LAURALU/PDS/16/22/3-PROPOSED PART PLAN & ELEVATIONS, LAURALU/PDS/16/22/2- EXISTING PART PLAN AND ELEVATIONS

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	WSCC - Highways	No objection
2.	CBC - Drainage Officer	No comments received
3.	CBC - Contaminated Land	No comments received
4.	CBC - Environmental Health	No objection
5.	CBC - FP - Urban Design	No objection
6.	CBC - FP - Manor Royal	No objection
7.	CBC - FP - Energy Efficiency & Sustainability	No objection
8.	Police -	No objection -Recommend roller shutter conforms to LPS 1175 SR2 and consideration given to installing an intruder alarm.

Applicant's response to Police comments-

Confirm that all the shutter doors on the premises conform to the standards quoted and also have the following security features in place:

- an existing intruder alarm system, linked to a central security monitor and the police which has detectors around the area near the canopy as well as the rest of the building
- full CCTV around the site
- frequent security patrols during non-operating hours (3 per night)

NEIGHBOUR NOTIFICATIONS:-

The application was publicised by press notice and site notices.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

The application is 'major' development.

THE APPLICATION SITE:-

- 1.1 The application relates to Eezehaul Ltd, a logistics company that provides distribution and storage services to businesses (Use Class B8), situated at the junction of Gatwick Road with The Drive on the southern boundary of the Manor Royal Business District. To the front of the site there is staff parking, with landscaping and trees adjacent to the road and to the rear is a loading bay.
- 1.2 The site has two vehicular/pedestrian access points. The site's main entrance is via Tinsley Lane at its junction with Gatwick Road, and there is also access via The Drive, a private access road directly to the north of the building which adjoins to the highway at Fleming Way Roundabout. The site boundary is enclosed by 2 metre high galvanised steel paling fencing.
- 1.3 To the south is the Oakwood Industrial Park and the Tinsley Lane residential neighbourhood. To the north and west are business uses, including Sussex Manor Business Park to the west. Directly to the north of the site, at the rear is a warehouse building and beyond that are the railway tracks.
- 1.4 The area is commercial in character. The site is located within the Manor Royal Business District (Main Employment Area), as designated on the local plan.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks planning permission for the erection of a new structure to the rear service yard to create a covered loading area.
- 2.2 The frame of the proposed structure would be attached to the rear elevation of the main building, it would be 50 metres wide and would have a staggered rear wall to reflect the rear boundary wall, with an average depth of 27 metres. It would be set a maximum of 1.9 metres from the rear boundary wall of the site. It would have a gabled roof with an eaves height of 6 metres and a ridge height of 10.6 metres.
- 2.3 The structure would be supported by a metal frame with a white PVC roof. Both side elevations and the front elevation, attached to the building would be open, and the rear (northern elevation) would be enclosed by sheets of grey profiled metal cladding.
- 2.4 The structure would be installed to provide to the business with a more functional loading area and to enable ease of maintenance regardless of weather conditions.

PLANNING HISTORY:-

- 3.1 This site has a long planning history, however none of the applications are considered directly relevant to this proposal. The most recent relevant applications are the following:
 - Temporary planning permission was granted under reference CR/2009/0370/COU for the change of use of the premises from sui-generis (car-sales display) to storage and distribution for a period of 5 years. This permission was personal to Eezehaul.
 - Permanent change of use to storage and distribution (B8) from car-sales (Sui-Generis) was granted under reference CR/2014/0454/FUL.

PLANNING POLICY:-

- 4.1. The National Planning Policy Framework 2012 (NPPF) has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development and promote good design.

The Framework requires planning applications to be determined in accordance with the development plan.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

- 4.2 Policy SD1: (Presumption in favour of Sustainable Development).
- 4.3 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.
- 4.4 Policy CH3: (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- 4.5 Policy EC3: (Manor Royal) states that Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. All development should contribute positively to the overall setting and environment of the Main Employment Area.
- 4.6 Policy EC4: (Employment Development and Residential Amenity) states that proposals for development of sites adjacent to residential areas will be permitted where there is no adverse harm to the local amenity or function of the surrounding residential area.
- 4.7 Policy ENV6: (Sustainable Design and Construction) requires all development to achieve BREEAM excellent for water and energy credits where viable.
- 4.8 Policy ENV7: (District Energy Networks) identifies the site with a priority area where major development should consider developing its own system, consider the use of site-wide communal energy systems or be 'network ready' unless the objectives cannot be achieved due to technical or financial viability or due to site or development constraints.
- 4.9 Policy IN1: (Infrastructure Provision) development will be permitted where it is supported by the necessary infrastructure both on and off site and CIL or S106 agreements where appropriate will address site specific issues.
- 4.10 Policy IN4: (Car and Cycle Parking Standards) States that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough Councils car/cycle parking standards.

Supplementary Planning Documents

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

PLANNING CONSIDERATIONS:-

5.1 The main considerations in the determination of the application relate to:

- the principle of the development;
- the impact that the proposed new structure would have on the character and appearance of the building and surrounding area;
- highways issues and the impact on the operational requirements of the building;
- sustainability and environmental impacts;
- infrastructure contributions.

Principle of Development

5.2 The site is located within the Manor Royal Main Employment Area defined by the Local Plan which requires development to be compatible with the area's economic function and role in the wider sub-region and contribute positively to the overall setting and environment of the Main Employment Area. The proposed structure would aid the functioning of the building, providing a compatible use. Therefore the principle of this development would be acceptable and would comply with the objectives of Policy EC3 of the Crawley Borough Local Plan 2015-2030.

Visual Amenity and Character

5.3 In relation to the design and visual impact, the proposal is considered to be in scale with the existing building. The gabled roof would reflect the roof style of the main building and although the ridge of the structure would be slightly higher than the existing building, due to the scale of the building, it would not be readily noticeable. In addition the structure would incorporate one solid elevation and a PVC roof, appearing more light-weight than the surrounding warehouse buildings. It is therefore considered that the structure would remain subservient to the main building and would not detract from its overall appearance. The structure would be located to the rear of the building and would not be visible from Tinsley Lane or Gatwick Road. Although it would be visible from the access road of The Drive, it is not thought that it would appear incongruous or imposing within the context of its surroundings, which are characterised by industrial uses and large warehouse buildings. It is also considered appropriate given the building's siting and context within the Main Employment Area and would accord with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.

Amenities of neighbouring occupiers

5.4 With regards to residential amenity, given the structure would essentially provide a roof over an existing loading area, with no alterations proposed to the layout or function of the site, it is not considered to raise any further impact in terms of noise generated from the building. Also due to separation distance between the new structure and the nearest residential property in Tinsley Lane (approximately 120 metres), it is not considered to result in any detrimental impact on neighbouring amenity in terms of overlooking, loss of privacy, loss of day light and sunlight and would comply with policies CH3 and EC4 of the Crawley Borough Local Plan 2015-2030 this regard.

Highways Issues

5.5 In this case there are no impacts on the parking or operational requirements for the building. The design is such that the enclosed area would retain its current use as a loading area and, as it would be open-ended would allow for lorries to park and pass through this area, as per the existing arrangements. The proposals would not create an increase in employees or activity at the building. There is no requirement for additional parking for staff and therefore the operational requirements of the building are not affected. In addition the existing car-parking provision would be unaffected. WSCC Highways department have been consulted on the proposals and wish to raise no objection. Therefore, the proposals would be acceptable in this regard and would comply with policy INV4 of the Crawley Borough Council Local Plan 2015-2030.

Energy Efficiency & Sustainability

- 5.6 In respect of sustainability measures the creation of over 1000sqm of internal floorspace would usually trigger the requirements of policy ENV6 and ENV7 to provide a sustainability statement addressing sustainability objectives. However in this case the structure is for the purpose of providing cover, rather than a properly enclosed internal environment, and there is little or nothing in the way of energy-intensive activities or energy-consuming building services proposed within the building. Therefore in these circumstances there would be negligible opportunity to undertake sustainability measures as part of the scheme and the proposals would satisfy the intentions of policies ENV6 and ENV7 of the Crawley Borough Council Local Plan 2015-2030. In addition Crawley Council's Sustainability department have been consulted on the proposals and wish to raise no objection.

Infrastructure Contributions

- 5.7 In respect to infrastructure contributions (Manor Royal public realm S106 contribution) required by Policy IN1, this is calculated on the basis of the creation of new floorspace. In this case, the new covered structure would be open-sided and would not create any additional floor-space or capacity for new employees. Crawley Council's Forward Planning Department have advised that given the circumstances, additional contributions are not considered appropriate in this instance, citing several examples in which additional 'non-enclosed' floor space has not been treated as floorspace for the purpose of levying the Manor Royal Contribution.

CONCLUSIONS:-

- 6.1 In conclusion it is considered the proposed structure is considered visually acceptable, does not alter the operational requirements of the building and would not have a harmful impact on the residential amenity of the neighbouring properties, as a result it is considered that the proposal accords with all the relevant development plan policies and planning permission should be granted.

RECOMMENDATION RE: CR/2017/0072/FUL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The covered loading bay area structure hereby approved shall remain open-ended as shown on the approved plans and shall not be altered or enclosed to create additional internal floorspace.
REASON: To ensure that the building can meet its operational requirements in respect of loading and parking provision in accordance with policy IN4 of the Crawley Borough Local Plan 2015-2030.

NPPF Statement

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

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



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

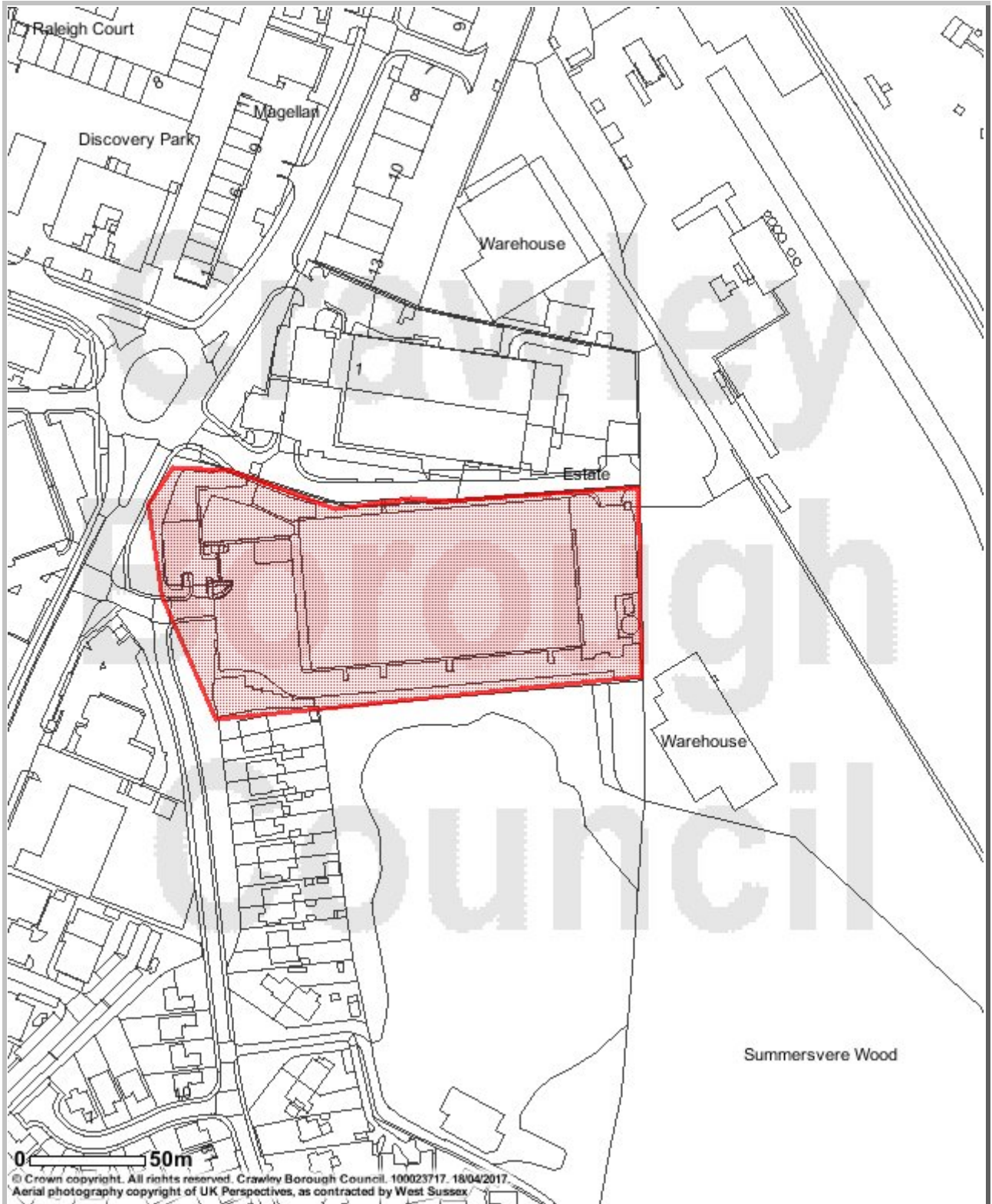
Tel: 01293 438000
Fax: 01293 438603

CR/2017/0072/FUL

Date 11 April 2017

Approx. Scale 1:1,250

**EEZEHAUL UNIT 3, THE DRIVE, THREE BRIDGES,
CRAWLEY**



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REFERENCE NO: CR/2017/0078/FUL

LOCATION: [FIRST CHOICE HOUSE, LONDON ROAD, NORTHGATE, CRAWLEY](#)
PROPOSAL: CONVERSION OF GROUND FLOOR ASSOCIATED STORAGE INTO 12 FLATS

TARGET DECISION DATE: 17 May 2017

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Boston Meadows Property Company Ltd

AGENTS NAME: RDjW Architects Limited

PLANS & DRAWINGS CONSIDERED:

5017-001 Rev A Site Location & Block Plans, 5017-002 Existing Ground Floor Plan, 5017-003 Existing West Elevation, 5017-004 Existing South Elevation, 5017-005 Existing East Elevation, 5017-006 Existing North Elevation, 5017-007 Rev A Proposed Ground Floor Plan, 5017-008 Rev A Proposed West Elevation, 5017-009 Proposed South Elevation, 5017-010 Proposed East Elevation, 5017-011 Proposed North Elevation, 5017-012 Existing Basement Floor Plans, 5017-013 Proposed Open Space, 30-EX-16 Existing Second to Fifth Floor Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|---|---|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to an informative |
| 2. | WSCC - Highways | No objection subject to conditions |
| 3. | Thames Water | No objection |
| 4. | Sussex Building Control Partnership | No response |
| 5. | Sussex Police | Advice given on security matters |
| 6. | CBC - Drainage Officer | No response |
| 7. | West Sussex Fire Brigade | No response |
| 8. | CBC - Housing Enabling & Development Manager | No response |
| 9. | UK Power Networks | No response |
| 10. | CBC - Contaminated Land | No response |
| 11. | CBC - Environmental Health | Objection on noise grounds |
| 12. | Cycle Forum | Inadequate cycle parking and access to cycle routes |
| 13. | CBC - Refuse & Recycling Team | No objection |
| 14. | CBC - FP - Energy Efficiency & Sustainability | Object due to lack of specific information on sustainability. Recommend water usage condition. |
| 15. | CBC - FP - Retail & Employment | Concerned about introduction of residential use in this employment area but, given conclusions of Inspector for previous appeal, no objection in relation to Policy EC3. Concerns raised about residential amenity. |
| 16. | CBC - FP - Urban Design | No response |
| 17. | WSCC - Surface Water Drainage (SWD) | No objection |

NEIGHBOUR NOTIFICATIONS

Site Notices were erected to the front of the application site on 2 March 2017. The application was also advertised in the press on 1 March 2017.

RESPONSES RECEIVED

None received.

REASON FOR REPORTING TO COMMITTEE

The proposal is 'Major' development based on the number of units proposed.

THE APPLICATION SITE:-

- 1.1 The application site comprises a six-storey building located on the eastern side of London Road (A23) just to the north of the junction with Betts Way and Fleming Way. The building was originally constructed for office use. The upper floors of the building have since been converted to residential use under the Prior Approval system and are now occupied. The upper floors contain 47 one bed flats and 45 two bed flats.
- 1.2 The current application relates to the ground floor area, which is currently used for storage of building materials related to the residential use. It was originally an undercroft parking area for the office building and subsequently for the flats created within the building.
- 1.3 Vehicular access to the site is from a single point of access immediately to the south of the building comprising a left only turn in and left only exit onto the London Road A23 dual carriageway. There is a basement car park and surface level parking to the south and east of the building, providing a total of 115 spaces. A refuse and recycling store lies in the south-east corner of the site.
- 1.4 Immediately to the south and east is Eastman House occupied by a car sales business and to the north is the Ibis Hotel. To the west on the opposite side of London Road is the White House and to the south-west is Astral Towers, both of which are office buildings.
- 1.5 The application site is located within the Manor Royal Main Employment area, which is predominantly occupied by employment uses within the 'B' Use classes. The site lies just south of the Gatwick Airport safeguarded area. There are no other identified site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the creation of twelve one and two bed flats at ground floor level. They would be created by in-filling of the existing storage area and inserting new windows into the external ground floor elevations. The proposed flats would be accessed through pedestrian entrances to the south side and to the rear of the building. The proposal would result in a total of 104 flats within the building.
- 2.2 A total of 115 off-street car parking spaces would be provided on the site, most of which would be provided at basement level. The other car parking spaces would be located at ground floor level to the rear of the building. There would be no change to the vehicular access to the site.

PLANNING HISTORY:-

- 3.1 The most relevant planning history is as follows:

CR/581/85: Erection of offices. Planning permission granted.

CR/94/0658/FUL: Modifications to car parking provisions including addition of new plant rooms.

CR/2011/0095/FUL: Change of Use of the first and second floors from B1 (Office) to D1 (Dental Clinic). Permission granted but not implemented.

CR/2013/0359/PA3: Prior Approval for change of use from B1 Office to C3 Residential (75 flats). Prior Approval was given.

CR/2014/0122/PA3: Prior Approval for change of use from B1 Office to C3 Residential (80 flats). Prior Approval was given.

CR/2014/0321/PA3: Prior Approval for change of use from B1 Office to C3 Residential (91 flats). Prior Approval was given.

CR/2014/0524/PA3: Prior Approval for change of use from B1 Office to C3 Residential (94 flats). Prior Approval was given.

Due to the applicant not complying with the prior approval requirements the existing flats although occupied do not have planning permission.

CR/2014/0826/FUL: Creation of 14 x flats (3 on the roof and 11 on the ground) following prior approval CR/2014/0524/PA3 for 94 flats, including alterations to parking, new windows and boiler floor cladding on the elevations. Invalid application due to discrepancies between the description and details shown on the plans.

CR/2015/0234/FUL: Installation of new windows and boiler flue cladding on elevations. Planning permission granted and implemented.

CR/2015/0446/FUL: Creation of 12 new 1 & 2 bedroom apartments on ground floor car park undercroft and new bin store. Refused 10 November 2015. Subsequent appeal dismissed 3 November 2016.

The application was refused on the grounds of:

- undermining the business and employment function of Manor Royal;
- unsatisfactory internal space, external amenity space and parking layout combining to create an unacceptable residential environment;
- failure to demonstrate that future residential amenity would not be harmed by noise;
- insufficient to demonstrate highway and pedestrian safety; and
- failure to secure appropriate infrastructure contributions.

The Inspector for the appeal considered that, given the residential conversion of upper floors, there would be no loss of employment floorspace and that the proposal would not undermine the business function. Considering internal space, outdoor amenity space and noise, the Inspector concluded "that the building would not provide suitable living conditions for future occupiers." The Inspector did not agree that the proposal would have a harmful impact upon highway safety, but supported the Council's view that contributions should be made towards education and open space although not the Manor Royal contribution.

PLANNING POLICY:

National Planning Policy Framework (NPPF) (2012)

- 4.1 The National Planning Policy Framework 2012 (NPPF) 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

NPPF states that there are three dimensions to sustainable development and the planning system performs an economic, social and environmental role. These roles are mutually dependent. The Framework requires applications to be determined in accordance with the development plan.

4.2 Relevant sections are:

- Paragraph 14: Presumption in favour of sustainable development – this means that development that accords with the development plan should be approved without delay, or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts which would outweigh the benefits or it would be contrary to the policies in the NPPF
- The core planning principles of the NPPF (paragraph 17) states that planning should proactively drive and support sustainable economic development to deliver the homes 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.
- 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 high quality design for all development and advises 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
- Section 8: Promoting healthy communities – this section discusses the importance of facilitating social interaction and creating healthy, inclusive communities.
- Section 11: Conserving and enhancing the natural environment – states that planning decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

4.3 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 CH4 (Comprehensive Development and Efficient Use of Land) states that development must use land efficiently, not prejudice either the potential of adjoining land or the proper planning and phasing of wider development.
- 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 EC1 (Sustainable Economic Growth) confirms that the site is within the Main Employment Area. The policy seeks to protect and enhance Crawley's role as the key economic driver in the Gatwick Diamond and identifies Manor Royal as the preferred location for strategic employment in the Borough and wider area.
- Policy EC2 (Economic Growth in Main Employment Areas) supports employment growth in the main employment areas and to resist proposals which result in a net loss of employment floorspace.
- Policy EC3 (Manor Royal) relates to the Manor Royal Estate and encourages development in the B-Use Class (Business). Proposals that are not for B Use Class development will be permitted if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.'
- Policy EC4 (Employment Development and Residential Amenity) states that where residential development is proposed within or adjacent to Main Employment Areas, the principal concern will be to ensure that the economic function of the area is not constrained. Paragraph 5.47 states that 'to promote the continued functionality of Main Employment Areas, where residential development is proposed within or adjacent to Main Employment Areas, regard will be had to the potential impact on the operation of existing economic uses as well as the amenity of future residents.'
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. 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 ENV2 (Biodiversity) states that all developments will be required to incorporate features to encourage biodiversity.
- Policy ENV5 requires development to make provision for open space and recreational facilities and confirms that the Community Infrastructure Levy will be used to enhance open space to mitigate the impact of increased population.
- 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 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.
- 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.

Article 4 Direction

- 4.4 The Local Plan sets a clear policy direction to ensure that the business function of Manor Royal is protected, and is not undermined by the inappropriate introduction of uses that are not consistent with the overall economic objectives of the plan as set out in Policies EC3 and EC4 of the adopted Local Plan. The Council has made two Article 4 Directions that came into force on 29 July 2016.
- 4.5 The Directions remove permitted development rights that allow change of use from B1(a) - offices and B8 - warehouse to residential (C3) within the Manor Royal Employment Area without the need to obtain planning permission. The two directions respond to the significant demand for business land in Crawley, the supply of which is being significantly undermined by the loss of B1(a) office premises and B8 warehouses to residential uses under the current Prior Approval process. The directions respond to concerns raised by the Council and local business groups that the introduction of residential uses into Manor Royal is undermining the economic function of the main employment area.
- 4.6 A further Article 4 Direction controlling potential changes of use from B1(c) light industrial use to residential (C3) is due to come into force on 16 October 2017, subject to consideration of consultation responses and subsequent confirmation by the Council.

Supplementary Planning Guidance and Documents

- 4.7 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. It 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.
 - 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.

PLANNING CONSIDERATIONS:-

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

- Principle of additional residential units within this Main Employment Area
- Impact on the character and appearance of the building and surrounding streetscene
- Residential amenity

- Impact on neighbouring amenities
- Impact on highways, access and parking
- Sustainability
- Affordable housing and infrastructure contributions
- Other matters

It should be noted that these relate solely to the additional residential units proposed at ground floor level and the related material alterations described as part of the application.

Principle of additional residential units within this Main Employment Area:

- 5.2 Manor Royal is a planned employment district and is not designed to accommodate residential development. The area is a key strategic employment area with businesses operating 24 hours a day and is in close proximity to Gatwick Airport. The area does not benefit from the amenities and services required to support a residential community which are found in all the other neighbourhoods within Crawley and the application site is in a commercial and relatively isolated location in terms of access to amenities. Furthermore, the surrounding environment is relatively noisy and urbanised in form due to the surrounding uses. Manor Royal is not considered a high quality and well planned environment for future residents.
- 5.3 The building is located within the Manor Royal Main Employment Area defined by the Local Plan and, within which, employment uses are sought. However, the principle of conversion for residential use of this building has already been established through the permitted development rights afforded by the GPDO and the associated prior approval under reference CR/2014/0524/PA3. The adopted Local Plan contains clear policies for the protection of this important business area as set out in Section 4 above.
- 5.4 The upper floors are now occupied for residential purposes. The current application solely relates to the ground floor storage area. Whilst formerly used as part of the office car park, it is no longer in employment use.
- 5.5 The Council argued at the recent appeal that the proposed residential use of the ground floor would fail to protect employment land and represent a further constraint upon adjoining employment uses. Whilst recognising the site's location within the Main Employment Area, the Inspector considered that "the site's position on the northern edge of the MREA, its neighbouring uses and the scale of development" meant that the conversion of the ground floor would not adversely impact upon the "future function of the MREA as a whole." Given the Inspector's views, it is not considered sustainable to recommend refusal of the current application on the grounds of adverse impact upon Manor Royal's employment generating uses. Whilst not assisting with the current case, it is worth noting that the Council has subsequently adopted an Article 4 Direction to prevent such office conversions happening in the Main Employment Area in future without a planning application.

Impact on the character and appearance of the building and surrounding streetscene

- 5.6 The proposal would infill the ground floor to create twelve new flats. The ground floor currently has no windows, so new fenestration is proposed. The new windows would be located on all elevations of the building. To the front and north elevations, sloping louvered areas would be removed to open up lightwells outside the windows. Two metre acoustic barriers are proposed along the site frontage to London Road. No details of the appearance of the barriers has been provided, but they would be at ground floor level alongside a busy dual carriageway in a commercial area and would be highly visible. The acoustic barriers would be substantial and would not have a positive impact upon the visual appearance of the building and the wider character of London Road.
- 5.7 The acoustic fencing if provided would be harmful to the character of the area, but overall, the physical changes proposed to the building are considered relatively minor and would be acceptable.

Residential amenity

- 5.8 The proposed scheme incorporates six 2-bed and six 1-bed flats. One of the one bedroom flats fails to meet the Council's adopted minimum floorspace standards for new dwellings, as it has a floorspace of only 37 square metres. The drawings indicate it to be a one person unit. However, the floorspace is highly contrived, with a substantial store located outside the bedroom in a way that does not feature in any other proposed unit. This store appears to have been solely incorporated to lower the bedroom area below the Local Plan defined size for a double bedroom, and therefore that of a two person flat. Regardless of that, even if it were treated as a one person studio, the proposed floorspace is only 37 square metres against a required 39 square metres for a one person studio with bathroom. This flat would also have an outlook from two windows directly onto the car park. This flat, due to its cramped size and poor outlook, is considered totally unacceptable as a new unit of residential accommodation.
- 5.9 The other proposed flats do comply with the Council's internal floor space standards and two would be dual aspect. The remainder are single aspect, facing either directly onto the car park, onto the lightwell area fronting London Road or facing north onto the lightwell between First Choice House and the Ibis Hotel. None of these single aspect units are considered to offer acceptable outlook or a resulting satisfactory level of residential amenity for new dwellings. The proposed ground floor plan appears to show that the existing lightwell structures along the front and northern (side) elevations of the building would be retained. These existing structures, due to their siting, height and overall size, would obstruct light from reaching some of the ground floor windows resulting in unacceptable levels of light and ventilation being obtained by these ground floor flats. The north facing flats would be gloomy as a result. Furthermore, the arrangement between the rear flats and the car park abutting this elevation would result in an unacceptable relationship that would harm the amenities of these future occupants due to unacceptable noise disturbance from car movements as well as unacceptable levels of glare from car headlights, some of which would shine directly into bedrooms. Many of the kitchens are located some distance from windows and would receive very limited natural light or ventilation. None of the bathrooms would have natural light or ventilation.
- 5.10 The submitted plans show a communal garden area to the rear of the building. The plans indicate a total area of 200 square metres. Size, aspect, usability and sense of enclosure all need to be taken into account in assessing whether outdoor space would provide sufficient living conditions for the future occupants. This part of the application site is currently entirely hard surfaced and already available to existing occupiers of the flats on upper floors. It does not form an attractive and usable private amenity space.
- 5.11 Council policy within the Urban Design SPD seeks a "minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 150mm, is provided for 1 to 2 person flats plus and extra 1sqm for each additional occupant." Despite six of the flats being suitable for family accommodation, no private outdoor amenity space has been provided as part of the development.
- 5.12 No planting is proposed within the application site. The proposed 200 sq m outdoor space includes a narrow strip one metre wide, sandwiched between the car park and the windows of proposed flats, which fails to meet the Council's minimum width requirements. Areas adjoining the car park are not suitable for young children to play in and would not form appropriate places for residents to relax.
- 5.13 The overall space proposed, in terms of quality and area, is unacceptable for ten flats. However, it is worth noting that the area is already available for existing residents' use. The limited and unattractive outdoor space provided is therefore expected to meet the needs of the residents of 102 flats, which it is manifestly incapable of doing. There would be no reasonable way to make the space available to the ten currently proposed flats whilst excluding existing residents. Overall, the outdoor amenity space proposed is considered unacceptable in terms both of area and quality of the space.
- 5.14 The Council's Environmental Health officer has raised very strong concerns about noise levels in this area and the severely harmful impact that they would have upon residents' health and wellbeing. The site lies on a dual carriageway close to a roundabout, in a position where vehicles

are braking and accelerating. The applicant has submitted a noise survey carried out in relation to an earlier application. This demonstrates the extremely high noise levels in the area. The report recognises the unacceptable nature of the noise levels and proposes a two metre high acoustic barrier to the north and west of the building. Even if such a barrier were effective in noise terms, it would have a wholly unacceptable effect on outlook from the flats. Residents would also be unlikely to open windows for the comfort of natural ventilation due to the noise levels.

- 5.15 The Inspector for the previous appeal upheld the Council's reason for refusal, concluding that there would be "an unsatisfactory living environment for future occupiers." Officers consider that little has been done to address the failings of the previous scheme and that the current proposal would still create a wholly unacceptable living environment for its inhabitants. Refusal is recommended for these reasons.

Impact on neighbouring amenities

- 5.16 The site is located within a non-residential area, albeit that there is a hotel immediately to the north. Given that the creation of the proposed flats relates to the ground floor level of the existing building and would not extend beyond the existing footprint, it is not considered that significant neighbour amenity concerns would arise.

Impact on highways, access and parking

- 5.17 The proposal would retain the existing vehicular access to/from London Road. The Local Highway Authority raises no objection and considers that the proposal would generate only a small increase in vehicle movements over current and recent levels. There have been no recorded accidents in the vicinity within the last three years and the access is considered to be acceptable. It is concluded that there would not be a severe impact upon the highway network arising from the proposal.
- 5.18 Overall, First Choice House would have a total of 115 car parking spaces providing for a total of 102 flats. The parking standard set out in the Urban Design SPD seeks a minimum of 1.2 spaces per one bed flat and 1.5 spaces per two bed flat. This gives a minimum requirement of 137 car parking spaces. This would represent a shortfall of 22 spaces. However, the Local Highway Authority has raised no objection on this basis and recognises the site to be in a relatively sustainable location in terms of access to public transport. It is not considered that refusal could be sustained on parking grounds.
- 5.19 The Local Highway Authority recommended conditions covering provision of car parking and a Construction Management Plan, which could be applied if the scheme were otherwise acceptable.

Sustainability

- 5.20 The applicant's Design and Access Statement makes limited reference to sustainability. It is clear that no thorough assessment has been carried out and no specific commitments are made. The Council's Forward Planning team understandably objects on this basis. Issues such as the requirement for the development to meet the BREEAM Excellent standard for energy and water credits, to achieve the Building Regulations optional requirement for tighter water efficiency and to demonstrate that it is ready for connection to a District Heat Network are a significant cause for concern. It is considered that these could be addressed by appropriate conditions if the proposal were otherwise acceptable though and refusal is not recommended on this basis.

Affordable Housing and Infrastructure Contributions

- 5.21 Policy H4 of the Crawley Borough Local Plan 2015-2030 states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less a commuted sum towards off-site affordable housing provision will be sought.
- 5.22 National Planning Policy, established through a Ministerial Statement and Appeal Court Judgement since the adoption of the Local Plan, has introduced a threshold for size of development below which affordable housing contributions should not be sought. This states that residential developments of ten dwellings or less, or which have a maximised combined gross floor space of no more than 1000sqm, should not have to provide affordable housing.
- 5.23 Whilst Crawley Borough Council continues to believe there are specific local circumstances which are strong material considerations to be considered against the Ministerial Statement, it is recognised that the financial contribution sought and the balance to address the disproportionate burdens and ensure small house builders are not dis-incentivised to deliver housing in Crawley should be explained and justified in the Affordable Housing Supplementary Planning Document (SPD), and published for consultation. At this stage, as the SPD in relation to this policy has not yet been published, officers consider it would be unreasonable to expect affordable housing contributions in relation to the application.
- 5.24 The proposed development would be liable to pay the Community Infrastructure Levy. The development would also be liable to pay the tree planting contribution set out in the Green Infrastructure SPD and an appropriate contribution towards provision of off-site open space to cater for the needs of future residents. The Inspector for the previous appeal supported the need for an open space contribution. Additional tree planting was not discussed at the Hearing as the Green Infrastructure SPD had not been adopted at that point. It forms recent and up to date guidance adopted after the Hearing though and it is appropriate that a contribution be sought from this proposal.
- 5.25 At the time of the previous appeal, the Council sought the usual Manor Royal public realm improvement commitment relating to developments in this area. Unfortunately, the Inspector took the view that this contribution was only required from employment floorspace proposals. Regardless of the fact that all employees and residents of Manor Royal would benefit from public realm improvements such as pocket parks, particularly where amenity space is inadequate, officers do not consider that refusal on this basis can be justified given the Inspector's previous comments. Education contributions were also discussed at the previous appeal hearing. The Inspector accepted the need for such contributions, but these have subsequently been covered by the Community Infrastructure Levy.
- 5.26 The applicant has not submitted a unilateral undertaking to cover the required above contributions towards open space and tree planting. In the absence of such a commitment, the proposed development fails to address the infrastructure requirements associated with it and fails to meet current local planning policy requirements. Refusal is recommended on this basis.

CONCLUSIONS

- 6.1 The proposed development would create residential accommodation incapable of meeting decent standards for residential occupiers, due to high noise levels, poor outlook, disturbance from vehicle movements and lack of acceptable outdoor amenity space. Refusal is recommended for these reasons. As it stands, the proposal also fails to meet the Council's adopted requirements for infrastructure provision.

RECOMMENDATION RE: CR/2017/0078/FUL

1. The proposed development, by reason of the unsatisfactory internal space, poor quality outdoor amenity space and poor outlook from the proposed flats, would be severely detrimental to the amenities of future occupiers of the development. The proposed scheme is therefore contrary to Policies CH3 and CH5 of the Crawley Borough Local Plan 2015-2030 and the Amenity Space Standards set out in the Urban Design Supplementary Planning Document.
2. Residents of the proposed flats would be likely to suffer unacceptably high noise levels, to the detriment of both their health and standard of amenity. The proposed mitigation, by way of substantial acoustic screening, acoustic double glazing and mechanical ventilation, would have an unacceptable and intrusive impact upon outlook from the proposed flats and would probably prevent residents being able to open their windows. The proposed development would therefore be contrary to Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
3. No agreement is in place to ensure that the appropriate infrastructure provisions, for open space and tree planting, required to support the development are secured. The proposed development is therefore contrary to Policy IN1 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the Developer Contributions Guidance Note.



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

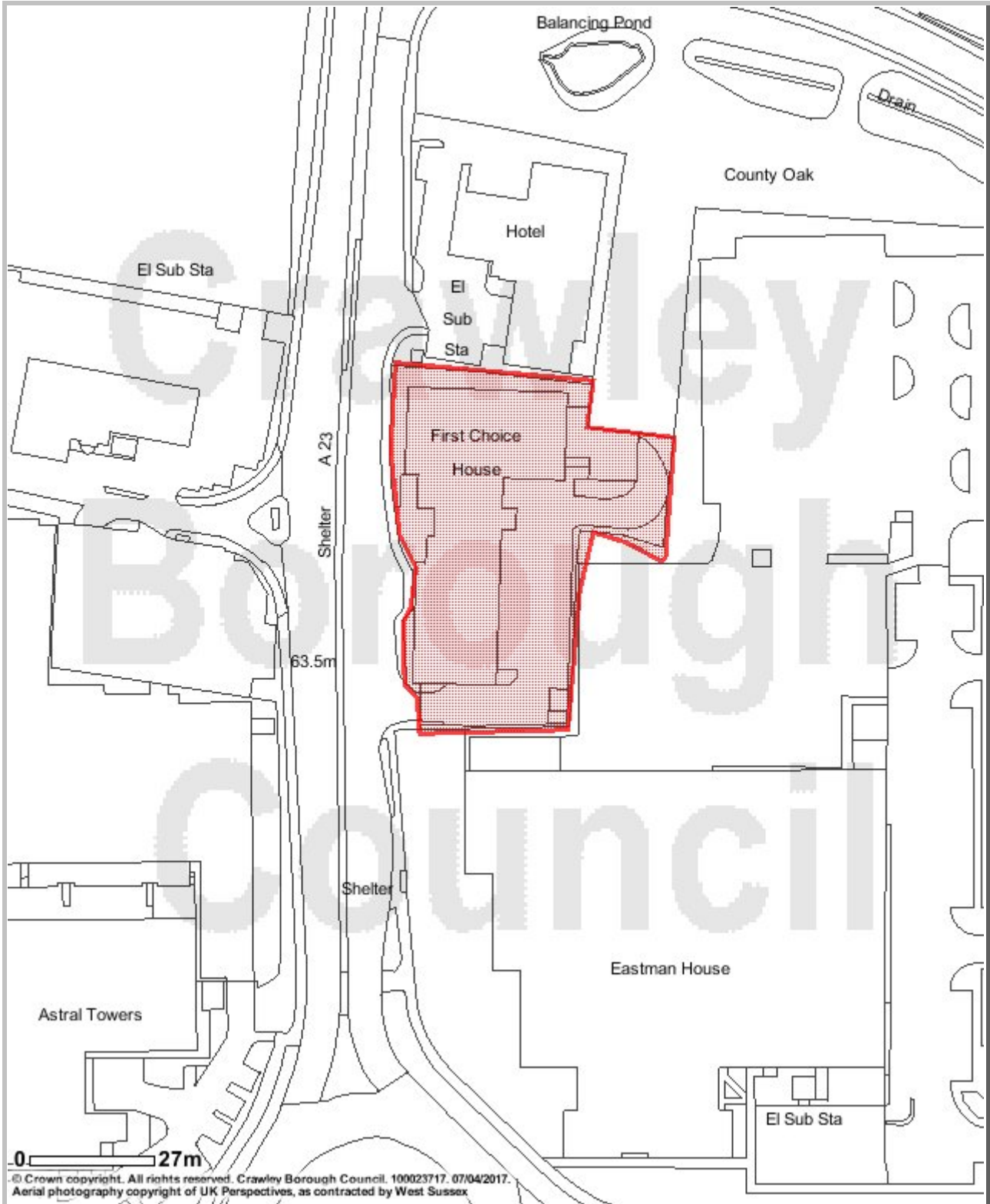
Tel: 01293 438000
Fax: 01293 438603

CR/2017/0078/FUL

Date 28 March 2017

Approx. Scale 1:1,250

**FIRST CHOICE HOUSE, LONDON ROAD,
NORTHGATE, CRAWLEY**



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REFERENCE NO: CR/2017/0228/FUL

LOCATION: [UNIT 3, LAND AT FARADAY ROAD, NORTHGATE, CRAWLEY](#)
PROPOSAL: ERECTION OF A SUI-GENERIS 24 HOUR OPERATION FLIGHT SIMULATION FACILITY, ANCILLARY MEZZANINE, CAR PARKING AND ACCESS

TARGET DECISION DATE: 13 June 2017

CASE OFFICER: Mrs J. McPherson

APPLICANTS NAME: Boeing UK Training and Flight Services

AGENTS NAME: Scott Brownrigg Planning

PLANS & DRAWINGS CONSIDERED:

16806 GA(00)002 Rev 5 Indicative Whole Site Elevations, 16806 GA(10)003 Rev 7 Building 3 Ground & First Floor Plans, 16806 GA(11)003 Rev 9 Building 3 Elevations, 16806 GA(10)013 Rev 5 Building 3 Roof Plan, 16806 GA(00)011 Rev 2 Site Location/Block Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

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|-----|---|--|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to conditions and informative. |
| 2. | Environment Agency | No comments received. |
| 3. | WSCC – Highways | No objection subject to conditions and informatives. |
| 4. | National Air Traffic Services (NATS) | No objection |
| 5. | Thames Water | No comments received. |
| 6. | Police no objection | Advice provided to applicant on secured by design. |
| 7. | CBC - Drainage Officer | No objection. |
| 8. | CBC Planning Arboricultural Officer | No objection. |
| 9. | UK Power Networks | No objection |
| 10. | CBC - Contaminated Land | No comments received. |
| 11. | CBC - Environmental Health | No comments received. |
| 12. | Cycle Forum | Level of cycle provision within the building is adequate but recommend one or two additional cycle parking stands outside entrance for visitors. Comments about bus stops, shelters and the Transport Statement. |
| 13. | Southern Water | No objection subject to informative. |
| 14. | CBC - FP - Energy Efficiency & Sustainability | No objection subject to conditions. |
| 15. | CBC - FP - Urban Design | Requested additional information on treatment of eastern elevation including signage zones and suggested training pods be visible on outside as per recently approved application. |
| 16. | WSCC - Surface Water Drainage (SWD) | No objection subject to conditions on detailed drainage design and the future maintenance and management of SUDS. |
| 17. | NHS Crawley Clinical Commissioning Group | No comments received. |
| 18. | NHS South East Coast Ambulance Service | No comments received. |
| 19. | Gatwick Diamond Grow Group | No comments received. |

NEIGHBOUR NOTIFICATIONS:-

The application was publicised by press notice and site notices.

RESPONSES RECEIVED:-

None.

REASON FOR REPORTING TO COMMITTEE:-

The application is 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site is 0.4 hectare land parcel of previously developed land which has been cleared and is now predominantly laid as hardstanding following demolition of the former industrial use. This parcel of land was part of a larger site formerly occupied by BOC Edwards and is the south eastern portion of a larger site which secured planning permission for redevelopment for 3 x B8 industrial units in January 2017 (CR/2016/0722/FUL).
- 1.2 The site is fairly level except for the eastern boundary where there is greater drop in level onto Faraday Road to the east. At the time of the site visit in March 2017 the site was vacant although it is understood ground preparation works are commencing on the wider site and surrounding land in connection with the recently permitted development CR/2016/0722/FUL. An existing southern vehicular access onto Faraday Road was in the process of being stopped up. A northern vehicular access from Faraday Road provides access to the site. The southern and eastern boundary of the site is secured by high mesh fencing. The northern and western site boundaries are open with no distinguishable boundaries.
- 1.3 The site is located on the western side of Faraday Road in the centre of the Manor Royal Business District. Faraday Road lies to the east and there is a bus stop situated on the highway verge adjacent to the site boundary. To the north is the ambulance make-ready centre, to the west is a landscaped boundary beyond which are the offices of Crawley Business Quarter. To the south is Harwoods garage which is recently completed.
- 1.4 Due to the past industrial use, the site is potentially contaminated land. There are no other major site constraints.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a sui-generis 24 hour operation flight simulation training facility with car parking and access.
- 2.2 The proposed building is 2 storey in scale and would provide 3,741 sq m of floorspace (comprising 2,488 sq m at ground floor and 1,253 sq m at first floor mezzanine level). The building would have its key windows facing east onto Faraday Road and its main entrance would be on the north elevation facing onto the car park/ service yard.
- 2.3 Access to the building would be via a shared driveway from Faraday Road. 30 parking spaces would be provided for the use within the car park/ service yard for the building with a further 2 spaces provided along the northern side of the access road. The service yard and car park for the building would be enclosed by a fence and along the western site boundary of the yard would be located the flight simulator plant, sub –station and bin store.

PLANNING HISTORY:-

- 3.1 Application CR/2016/0722/FUL was permitted on 19th January 2017 for the erection of 3 x B8 (storage and distribution) warehouses, with ancillary office space with associated parking, landscaping and fencing. The conditions pursuant to this application are in the process of being discharged. The current application if permitted would, in effect substitute Building 3 on this application. The external building footprint, service yard area and access are unchanged.
- 3.2 Application CR/2014/0615/FUL – granted planning permission for the northern part of the application site to be used for airport related parking for a temporary period of 3 years. This permission expires on the 11th November 2017 however, the use has already ceased.
- 3.3 The southern portion of the site has planning permission CR/2015/0322/FUL for car showroom and vehicle servicing workshops as part of the Harwoods car showroom. The current application land is shown as parking area /residual land on the application drawings. The wider Harwoods development is now complete.

PLANNING POLICY:-

National Planning Policy Framework

- 4.1 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.
- 4.2 The core planning principles of the NPPF (paragraph 17) state 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.
- 4.3 Section 1 emphasises the need for the planning system to deliver sustainable economic growth, support existing business sectors and plan positively for employment generation and regeneration.
- 4.4 The NPPF attaches great importance to ‘good design’ for high quality buildings and spaces and supports innovative design which may raise the standard of design more generally in the area (paragraphs 56 and 63). Measures to use renewable and low carbon sources, energy efficiency measures, green energy etc. are all encouraged.

The Development Plan – Crawley Borough Local Plan 2015-2030 (adopted December 2015)

- 4.5 Policy SD1 states that in line with the planned approach to Crawley new town, and the spatial patterns relating to the neighbourhood principles the Council will take a positive approach to approving development which is sustainable.
- 4.6 Policy CH2 sets out the principles of good urban design. Development proposals will be required to assist in the creation, retention or enhancement of successful places in Crawley. Amongst other things development will be required to: “create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas” and provide information to demonstrate how the policy principles are achieved through the development.

- 4.7 Policy CH3 requires all proposals to be based on a thorough understanding of the significance and distinctiveness of the site in its immediate and wider context, be of high quality in terms of urban, landscape and architectural design and relates sympathetically to their surroundings, retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, demonstrate how 'Secure by Design' principles have been incorporated, meet requirements for the safe and proper use of the site in particular with regard to access, circulation, manoeuvring, loading etc. and to comply with all relevant Supplementary Planning Guidance (such as the Manor Royal SPD).
- 4.8 Policy CH6 deals with tree planting and replacement standards and refers to the Manor Royal Supplementary Planning Document (MRSPD) for the relevant tree planting standards in Manor Royal.
- 4.9 Policy EC1 states that Crawley's role as the key economic driver for the Gatwick Diamond will be protected and enhanced. The policy seeks to build and protect the established role of Manor Royal as the key business location (for B Use Classes) and encourage main employment areas as the focus for sustainable economic growth.
- 4.10 Policy EC2 identifies Manor Royal as a main employment area and states proposals for employment generating development will be supported where they contribute to the specific characteristics of the main employment area.
- 4.11 Policy EC3 deals specifically with Manor Royal and states that development compatible with the area's economic function and role will be permitted if it falls within a B Use Class and would result in the reuse, intensification or change of use of the land or buildings. Proposals that are not for B Use Class development will be permitted if it can be demonstrated that they are of a scale and function that enhances the established role and function of Manor Royal and would not undermine the business district. All development should contribute positively to the overall setting and environment of the Main Employment area as a business district through high quality design and landscaping in accordance with the MRSPD.
- 4.12 ENV6 states proposals for new non-domestic buildings should achieve BREEAM Excellent (for energy and water credits) where technically and financially viable. All development should consider how it can achieve sustainability objectives such as reducing the need to consume energy, utilisation of renewable and low carbon energy technologies, minimising carbon emissions and considering the establishment of district energy networks.
- 4.13 ENV7 identifies Manor Royal as a priority area for the delivery of a District Energy Network and requires any major development to demonstrate they have considered this technology through a- considering developing its own system, or b – consider how it may include site-wide communal energy systems or be 'network ready' to connect to a future system.
- 4.14 ENV8 advises development proposals must avoid areas which are exposed to unacceptable flood risk and must increase the risk of flooding elsewhere.
- 4.15 ENV9 identifies Crawley as an area of serious water stress and requires non-residential development where technically feasible and viable to meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 4.16 ENV10 seeks to prevent unacceptable risks from environmental pollution and land contamination. Uses must not lead to a significant increase in levels of pollution or hazards and any impacts must be appropriately mitigated and must be located to avoid unacceptable disturbance or nuisance to the amenities of adjoining land uses and occupiers.
- 4.17 ENV11 seeks to protect people's quality of life from unacceptable noise impacts and manage the relationship between noise sensitive development and noise sources. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses which will not be exposed to noise impact that would adversely affect the amenity of existing and future users.

- 4.18 Policy IN1 deals with infrastructure provision and 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.
- 4.19 Policy IN2 requires all development to be designed to be connected to high quality communications infrastructure to ensure fibre optic or other cabling does not need to be retrofitted.
- 4.20 Policy IN3 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.
- 4.21 Policy IN4 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.

Supplementary Planning Documents

Manor Royal SPD July 2013

- 4.22 This document aims to support economic growth in Manor Royal, providing guidance to ensure new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. It requires all development to demonstrate the following:
- New buildings to be of high quality design and urban design
 - Proposals seek to provide active frontages to routes
 - Materials and finishes of good quality and support the principles of identity and sustainability
 - Proposals to achieve a high level of security
 - Surface Water drainage considered
 - Water efficiency measures considered
 - The development must positively contribute to the landscape and identity of Manor Royal.
- 4.23 The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. A key approach this is through achieving robust and consistent frontages along Manor Royal to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context and landscaping to reduce the visual impact of fences and barriers is encouraged.
- 4.24 Faraday Road is identified as part of the secondary road network providing links between key primary roads and has been identified as in need of improvement through tree and shrub planting to supplement the relatively narrow grassed highway verges. A requirement of 3m of planting across the entire frontage is recommended as a minimum requirement.
- 4.25 The site is also identified within area D3 – the 'BOC Edwards Opportunity Site' and specific guidance for this area states: *"The design of any proposals towards the eastern boundary of site D3 should allow for structural landscaping to enable Faraday Road to become an attractive green link between the Fleming Way area, hub facilities and Manor Royal. Development should enhance the appearance of the wider area through a robust soft landscape response to key frontages"*

Urban Design SPD – October 2016

- 4.26 This document provides further advice on the principles of good urban design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design.

- 4.27 In respect of non-residential development para 3.26 states:
“The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start”.
- 4.28 For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.
- 4.29 Annex 1 contains the Borough’s indicative minimum parking standards. There are no specific standards for a Sui Generis use such as that proposed, the requirements are considered on a case-by-case basis

Planning and Climate Change SPD

- 4.30 This provides further guidance on addressing the sustainability policies within the Local Plan with examples of best practice and how to demonstrate compliance with the policies.

Developer Contributions Guidance Note (published July 2016)

- 4.31 This sets out the Council’s approach to developer contributions post the introduction of CIL providing details on this charge and when S106 contributions will be sought. The document sets out the Manor Royal contribution requirement towards public realm in this area.

PLANNING CONSIDERATIONS: -

- 5.1 This proposal is a new application for planning permission for a flight training use in a building which is essentially the same massing and footprint as ‘Building 3’ on extant permission CR/2016/0722/FUL permitted on 19th January 2017. The key changes are to the proposed use of building, the amount of internal floorspace, the external elevational treatment of the building, the parking / layout and provision of additional plant in the service yard.
 The planning considerations for this application are:
- The principle of the proposed use,
 - Design of development, impact on street scene, landscaping and the wider area,
 - Operational requirements,
 - Impact on nearby occupiers,
 - Sustainability,
 - Infrastructure considerations.

Principle of the proposed use

- 5.2 The site is previously developed land in the heart of Manor Royal and policies EC1 and EC3 seek to promote such areas for employment (B-Use Class) development. Policy EC3 does however, allow for non-B Use Class development where it can be demonstrated that they are of a scale and function that enhance the role of the business function of Manor Royal and would not undermine the business district.
- 5.3 This application proposes the construction of a building for use as a flight simulator training facility for Boeing to complement the existing flight training facilities at Boeing House in Crawley Business Quarter which is a short distance to the west of the application site. The applicants state that the

training building would provide 25 additional jobs which respond to the relationship of Manor Royal with Gatwick Airport and the aviation industry.

- 5.4 It is considered that the proposed use is complementary to the main employment function of the Manor Royal business district and while not within the employment B-use class would not undermine the function of the business district providing additional floorspace to support an existing employer within Manor Royal. The proposal is considered to comply with policy EC3.

Design of development, impact on street scene, landscaping and wider area

- 5.5 The development is a single unit which is 2 commercial storeys in scale (measuring 8m to roof) with a flat roof. The building occupies exactly the same footprint and has the same massing as Building 3 (permitted under CR/2016/0722/FUL) and is orientated on the plot in the same manner with its entrance facing onto the service yard/ car park to the north. The north elevation retains the main entrance with a single loading door and area of cladding (although the design retains the option of adding 2 further doors into the building at some future point). Two rows of windows at ground and a first floor level are proposed on the prominent east elevation facing Faraday Road. Aesthetically, the introduction of ground floor windows is considered to introduce a more visually interesting elevation fronting onto Faraday Road and create more 'active frontage' to the street (the extant design has windows only at first floor level).
- 5.6 The Urban Design Officer has made several suggestions to further improve the aesthetics of the building however, the applicants have responded explaining the potential to alter the design is limited due to the extant permission and that additional details such as elevational treatment could be addressed via condition.
- 5.7 It is considered that while a more innovative design could have been sought for the site, the introduction of additional ground floor windows on this frontage would improve the aesthetics of the eastern elevation and create a more active and lively frontage to Faraday Road. Subject to appropriate materials and details, the design and elevational treatment is considered acceptable.
- 5.8 In respect of the street scene, the footprint of the building remains unchanged and an area of landscaping is proposed between the eastern elevation / eastern service yard boundary and the Faraday Road frontage. The space for landscaping is fairly limited however, as part of the extant permission CR/2016/0722/FUL the applicants provided a landscaping strategy which it was considered demonstrated that there is sufficient space for some meaningful robust landscaping to be established taking into account the site levels which drop from the application site onto the public footpath. The applicants at that time confirmed that the site is accurately surveyed and the area shown for landscaping is available. This detailed information was in response to specific guidance in the MRSPD in relation to the design approach for this area and in particular a desire to achieve a robust soft landscape response along the Faraday Road frontage. The applicants have confirmed that the landscaping approach agreed for the extant permission is proposed to be implemented for this site (within the application boundary).

Operational Requirements

- 5.9 While the building is the same footprint as the permitted building 3, internally an enlarged first floor mezzanine is proposed which increases the GIA of the building by 872 sq m. There are no adopted parking standards for a Sui Generis use and each case is considered on its merits. In this case, the applicant proposes 30 car parking spaces in the car park /service yard and 2 further spaces on a shared access serving the unit. Cycle parking for employees is to be provided within the building.
- 5.10 In support of the proposed level of parking, the applicants have stated that there would be 4 training simulators provided within the building. Within each simulator would be a three-person crew so a maximum of 12 training related personnel would be on site at any one time (and 24 crew at crossover period). The applicants also state that many trainees come in from Europe and stay in local hotels, and so only local trainees are likely to drive to the site. There would be a manned

reception during daytime hours and a 4 person technician crew on site during the day (so a maximum of 29 people on site at any one time). In addition and on an ad-hoc basis, there may be visitors to the site and around 10 staff from the nearby Boeing House building may also visit this facility. The applicants also propose to implement a travel plan.

- 5.11 WSCC have commented that there is no objection to the application from a highways and transport point of view as the site already has an extant permission for B8 use, the transport impact from this application would be minimal and the level of parking provided would be adequate.
- 5.12 It is considered that, based on information provided, the level of parking would be adequate for the flight training use. The layout of the car park and proposed site access are also considered adequate. Provision is made within the site car park /service yard for refuse storage, an electricity sub-station and for flight simulator plant all of which are proposed to be sited along the western boundary of the service yard. Final details of the plant, its acoustic specification and appearance of the enclosures are proposed to be secured via condition.

Impact on nearby occupiers

- 5.13 There are not considered to be any harmful impacts from the development in relation to its use, scale or layout in relation to adjacent occupiers. Adjoining units (existing or proposed) are all in commercial use and, even with 24 hour operation, it is not considered that adverse impact would result.

Sustainability

- 5.14 The development has considered sustainability measures within the building's design and has sought to address compliance with policies ENV6, ENV7 and ENV9. These include energy efficiency measures, allowing natural light into the building and incorporating some solar panels onto the roof which the agent has confirmed would not have any impact on the elevations of the building. Gatwick Airport Limited are seeking a condition to ensure details of any solar panels are agreed in advance in the interests of aircraft safeguarding. A drawing is expected in advance of the meeting to demonstrate that the development could be made 'network ready'.

Infrastructure Considerations

- 5.15 In line with policy IN1 and as set out in the Developer Contributions Guidance Note, a Manor Royal Contribution is required to be secured through a S106 Agreement (based on a figure of £2 per sq m of new floorspace). The total contribution is £7,482. The money would contribute towards the Crawter's Brook people's park.
- 5.16 In addition, if this application were implemented, Building 3 on the earlier permission (CR/2016/0722/FUL) would not be constructed. The legal agreement pursuant to that permission required a Manor Royal contribution based on the total amount of floorspace for all 3 proposed warehouse buildings and this contribution has already been paid. It is necessary therefore for this agreement to be the subject of a deed of variation to reflect the fact that the permission is now only to be part implemented and the contribution for each building calculated separately. The overpayment can be transferred over to the new permission and set against its associated s106 agreement, with the balance being payable, if this is implemented.

Other

- 5.17 The applicants have already carried out detailed site investigations into the potential contamination of the site and various reports have already been submitted and their findings agreed in order to discharge condition 3 of CR/2016/0722/FUL. Proposed condition 3 makes reference to these agreed documents.

- 5.18 Crawley Cycle Forum have commented that the relocated bus shelter outside the site would be better located adjacent to the carriageway to avoid conflict between the path and bus users. The revised bus stop location has already been agreed with WSCC as part of the discharge of conditions under the extant permission / S278 Agreement and due to the limited width of path is to remain in the similar configuration as existing. The inaccuracies highlighted in the transport statement in relation to cycle facilities are also noted but have no direct impact on the consideration of this application.

CONCLUSIONS:-

- 6.1 The application proposal is considered to be a complementary use in the Manor Royal Business Area and accords with policy EC3. The design of the building is considered appropriate and in particular the amendments to the eastern elevation (in addition to the details agreed under extant permission CR/2016/0722/FUL) are considered to be an improvement to the Faraday Road street frontage. The proposed use can meet its operational needs with sufficient space in the layout for parking, refuse and plant associated with the use and proposed level of floorspace.
- 6.2 Subject to conditions to ensure the delivery of robust landscaping and a quality finish to the building to meet the aspirations of the MRSPD to improve the public realm, it is recommended that planning permission be granted subject to the conclusion of a S106 Agreement for this application and a deed of variation for the S106 Agreement relating to the extant permission.

RECOMMENDATION RE: CR/2017/0228/FUL

Subject to the completion of a S106 Agreement to secure Manor Royal contributions as set out in 5.15 and 5.16, it is recommended to **PERMIT** with 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. The development shall be carried out strictly in accordance with the agreed information submitted to deal with any contamination of the land and /or groundwater as set out within the following documents:
 - Phase 1 Environmental Assessment – prepared by WSP Parsons Brinckerhoff – May 2016
 - Phase 2 Environmental Assessment – prepared by Ramboll Environ – August 2016
 - Phase 2 Environmental Assessment Final report – prepared by URS – December 2013
 - Interpretive Report on Ground Investigation (No G6083-16) – prepared by Ramboll Environ – August 2016
 - Drawing E16-029-221 Rev T4 – Substructure NotesThe works shall be implemented in accordance with the recommendations and details set out in these documents unless written permission is given from the Local Planning Authority for any variation.
REASON: To safeguard the environment in accordance with policy ENV10 of the Crawley Borough Local Plan 2015-2030.
4. Development should not commence until an adequately detailed surface water drainage design for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the agreed design.
REASON: The information provided to date is inadequate to demonstrate compliance with the legislative requirements and to prevent the increased risk of flooding in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

5. Development shall not commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance document 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
6. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the building, plant, the associated parking areas and landscaped areas shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. With the exception of foundation and structural works, development shall not commence 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 has 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 buildings of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
8. With the exemption of foundation and structural works, development shall not commence unless and until precise details showing the ground and 1st floor window profiles, main entrance door fenestration profiles including surround detail (including a 1:20 section of the glazing details) for the north and east elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.
REASON: To control the development in detail and to ensure a high quality development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030
9. The development hereby permitted shall be implemented strictly in accordance with all the details set out within the Faraday Road Logistics Report and Faraday Road Logistics Plan unless the Local Planning Authority give written permission for any variation to the agreed details. The details shall be implemented and adhered to throughout the entire construction period.
REASON: To minimise any impact on highway users and amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
10. The development shall not be occupied unless and until the access to the site has been designed, laid out and constructed in all respects in accordance with details to be submitted to and approved in writing by the Local Planning Authority:
REASON: To ensure the operational requirements of the site are met and in the interests of highway safety in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
11. Within 6 months of the occupation of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall be fully implemented and thereafter maintained and operated as specified in the approved document.
REASON: To encourage sustainable transport modes in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030.
12. The Bird Hazard Plan dated XXX shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority
REASON: It is necessary to manage the roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.

13. No solar panels shall be installed until full details have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved details are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids, surveillance equipment and/or glint and glare to pilots, aircrew and ATC.
14. No landscaping works shall take place until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme (hard and soft). The approved details of the landscaping shall be carried out in the first planting and seeding season, following the first occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with policy CH3 and CH7 of the Crawley Borough Local Plan 2015 - 2030.
15. The building shall not be occupied until a landscape management plan which covers a period of no less than 15 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include a programme for implementation, long term design objectives, long term management responsibility and maintenance schedules for all landscaped areas. The development shall be carried out in accordance with the approved details.
REASON: In the interests of visual amenity of the area in accordance with policy CH3 of the Crawley Borough Local Plan and the Manor Royal SPD.
16. The building shall not be occupied until the parking, turning and servicing areas for the development have been designed, laid out and constructed in accordance with drawing number GA(00)011 Rev 2 – Proposed Site Plan and thereafter retained for such use.
REASON: To ensure the operational requirements of the site are met and in the interests of highway safety in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
17. The building shall not be occupied until plans and elevational details have been submitted to and approved in writing by the Local Planning Authority for:
(i) covered and secure cycle parking spaces for employees and visitors,
(ii) details of the storage of refuse / recycling provision
(iii) details of the substation and flight simulator plant.
The agreed details must be laid out and available for prior first occupation of the unit.
REASON: In the interests of visual amenity and to ensure the operational and servicing requirements of the development are met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. Within three months of the completion of the development, a post construction report shall be submitted to and agreed in writing by the Local Planning Authority verifying that the building has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.
REASON: In the interests of sustainable design and construction in accordance with Local Plan Policies ENV6 and ENV9.
19. Before construction of the building commences, details of the provisions made within the scheme design to enable the development to be 'network ready' in the event that a District Energy Network is delivered in the vicinity shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: In the interests of climate change mitigation in accordance with Local Plan Policy ENV7.

INFORMATIVES

1. Hours of Construction

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

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

2. Section 278 Road Agreement

The applicants will be required to enter into a S278 road agreement for the construction of the new access.

3. Cranes

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 <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

4. Water Supply

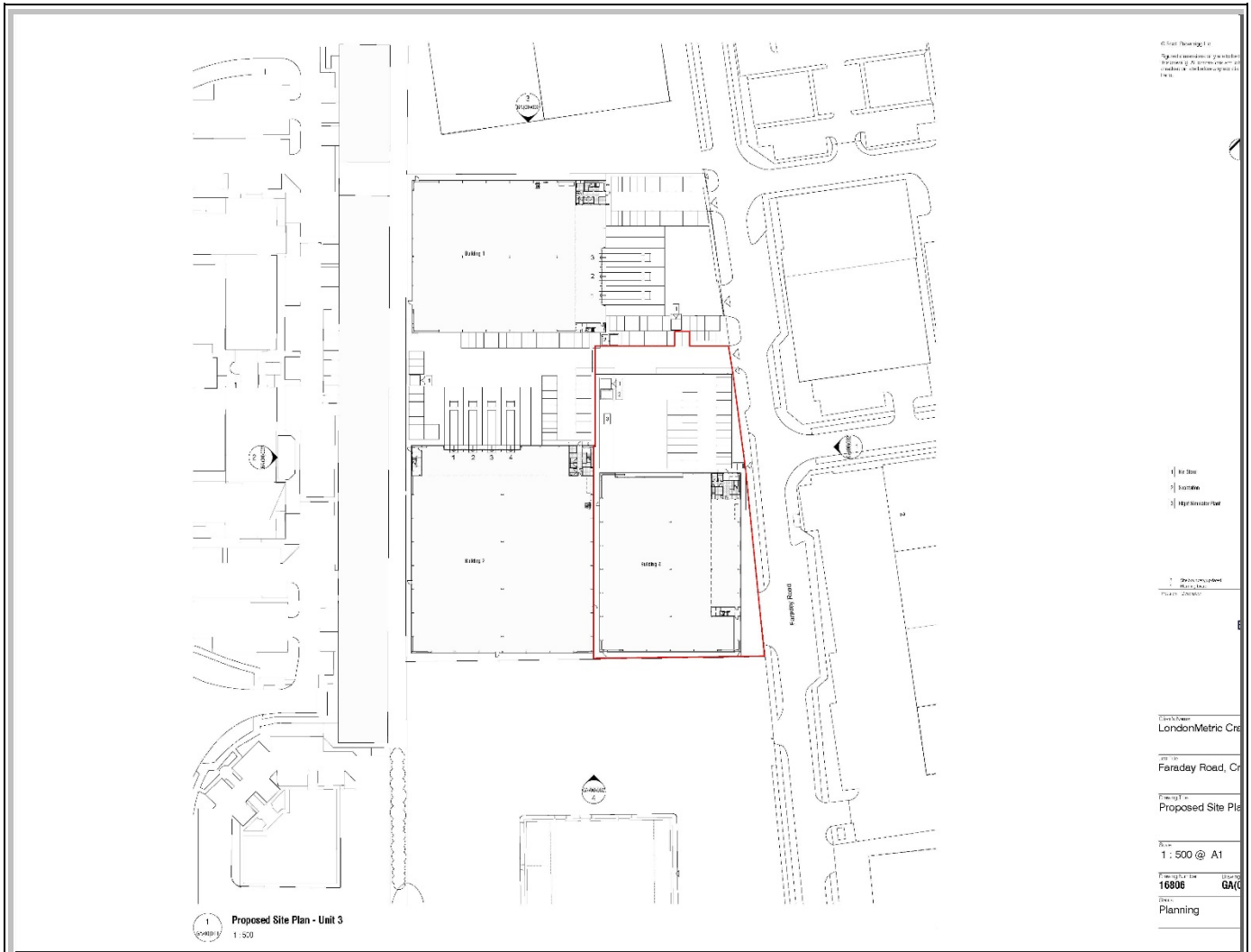
A formal application for connection to the water supply is required to service the development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

NPPF Statement

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

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



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