

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room A & B - Town Hall**, on **Monday, 30 July 2018 at 7.30 pm**

Nightline Telephone No. 07881 500 227



Head of Legal and Democratic Services

Membership:
Councillors

I T Irvine (Chair), R S Fiveash (Vice-Chair), M L Ayling, A Belben,
N J Boxall, B J Burgess, K L Jaggard, S Malik, T Rana, A C Skudder,
P C Smith, M A Stone, J Tarrant, G Thomas and L Vitler

Please contact Democratic.Services@crawley.gov.uk if you have any queries regarding this agenda.

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

Part A Business (Open to the Public)

	Pages
1. Apologies for Absence	
2. Disclosures of Interest	
In accordance with the Council's Code of Conduct, Councillors of the Council are reminded that it is a requirement to declare interests where appropriate.	
3. Lobbying Declarations	
The Planning Code of Conduct requires Councillors who have been lobbied, received correspondence or been approached by an interested party with respect to any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the agenda.	
4. Minutes	5 - 12
To approve as a correct record the minutes of the Planning Committee held on 2 July 2018.	
5. Planning Application CR/2017/0519/FUL - The Imperial, Broadfield Barton, Broadfield, Crawley	13 - 34
Broadfield North	
To consider report PES/283 (a) of the Head of Economic and Environmental Services	
RECOMMENDATION to PERMIT.	
6. Planning Application CR/2018/0298/FUL - 3 Mount Close, Pound Hill, Crawley	35 - 44
Pound Hill South and Worth	
To consider report PES/283 (b) of the Head of Economic and Environmental Services.	
RECOMMENDATION to PERMIT.	

		Pages
7.	<p>Planning Application CR/2018/0330/RG3 - Southwell, Balcombe Road, Pound Hill, Crawley</p> <p>To consider report PES/283 (c) of the Head of Economic and Environmental Services.</p> <p>RECOMMENDATION to PERMIT.</p>	<p>Pound Hill South and Worth</p> <p>45 - 54</p>
8.	<p>Planning Application CR/2018/0348/FUL - 28 Kingscote Hill, Gossops Green, Crawley</p> <p>To consider report PES/283 (d) of the Head of Economic and Environmental Services.</p> <p>RECOMMENDATION to PERMIT.</p>	<p>Gossops Green</p> <p>55 - 60</p>
9.	<p>Objections to CBC Tree Preservation Order - Land Parcel Adj to Coronet Close, Pound Hill No. 02/2018</p> <p>To consider report PES/300 of the Head of Economic and Environmental Services.</p>	<p>Pound Hill South and Worth</p> <p>61 - 72</p>
10.	<p>Supplemental Agenda</p> <p>Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.</p>	

With reference to planning applications, PLEASE NOTE:

Background Paper:- Crawley Borough Local Plan 2015-2030

Any necessary pre-committee site visits for applications to be considered at this meeting will be held on **26 July 2018 at 10.00am**. Please be aware that members of the public are not to approach members of the Committee or Council officers to discuss issues associated with the respective planning applications on these visits.

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

Agenda Item 4

Planning Committee (8)
2 July 2018

Crawley Borough Council

Minutes of Planning Committee

Monday, 2 July 2018 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

M L Ayling, N J Boxall, K L Jaggard, T Rana, A C Skudder, M A Stone, J Tarrant and L Vitler

Officers Present:

Jean McPherson Group Manager (Development Management)

Hamish Walke Principal Planning Officer

Roger Brownings Democratic Services Officer

Kevin Carr Legal Services Manager

Apologies for Absence:

Councillor A Belben, S Malik, P C Smith and G Thomas

Absent:

Councillor B J Burgess

Welcome

The Chair welcomed Councillor Vitler to her first meeting of the Committee and Councillor Ayling who was returning to the Committee.

1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Boxall	CR/2017/1060/FUL - Greensleeves Retirement Home, 15 - 21 Perryfield Road, Southgate, Crawley (Minute 4)	Prejudicial Interest – Is a close friend of the occupier of a neighbouring property. Councillor Boxall left the meeting before consideration of this item and took no part in the discussion or voting on the item.

2. Lobbying Declarations

The following lobbying declaration was made by a Councillor:

Councillor Tarrant had been lobbied regarding application CR/2017/1060/FUL

3. Minutes

The minutes of the meeting of the Committee held on 5 June 2018 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2017/1060/FUL - Greensleeves Retirement Home, 15 - 21 Perryfield Road, Southgate, Crawley

The Committee considered report PES/282 (a) of the Head of Economic and Environmental Services which proposed as follows:

Erection of part two storey/part single storey side and rear extensions, infill extension, part loft conversion to create 2nd floor including raised roof levels, addition of dormers, new windows and doors (amended description and plans received).

Councillors Boxall, Irvine, Jaggard, Stone and Tarrant declared they had visited the site.

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

The Committee then considered the application. In response to issues raised, the Group Manager:

- Confirmed that the overall parking provision, including the single disabled parking space, was considered acceptable, with the provision generally being in line with the Council's Urban Design SPD minimum parking standards.
- Indicated that the existing external staircase, which was to be removed, was bulky and not adequate for use by residents, and advised that there was a proposed new internal staircase.
- Confirmed that the introduction of rooflights would provide light, whilst helping to reduce any impact on overlooking or loss of privacy.
- Advised that the overall height / scale of the proposed development was in keeping with the surrounding residential area.
- Explained that the proposed treatment room would be located on the ground floor.

RESOLVED

Permit, subject to the conditions set out in report PES/282 (a).

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2 July 2018

5. **Planning Application CR/2018/0267/RG3 - K2 Crawley Leisure Centre, Brighton Road, Tilgate, Crawley**

The Committee considered report PES/282 (b) of the Head of Economic and Environmental Services which proposed as follows:

Creation of 64 additional car parking spaces through a revised layout and removing small areas of hard and soft landscaped kerbed islands (amended plans/landscaping received).

Councillors Boxall, Jaggard, Stone and Tarrant declared they had visited the site.

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

The Committee then considered the application.

RESOLVED

Permit, subject to the conditions set out in report PES/282 (b)

6. **Planning Application CR/2018/0341/FUL - Car Park Adj Central Sussex College, Northgate Avenue, Northgate, Crawley**

The Committee considered report PES/282 (C) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a part 8/part 6 storey building to provide a total of 98 flats, with associated parking, landscaping and frontage service bay.

Councillors Boxall, Jaggard, Stone and Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and the following updates:

Amendments to recommended conditions as follows (in italics):

4. *Notwithstanding the submitted elevation, section and floorplan drawings, no above ground development shall be carried out unless and until revised elevational, section and floorplan drawings, including detailed drawings at appropriate scales of not more than 1:20, showing the proposed walls, fenestration and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.*

REASON: As insufficient detail has been provided, given changes in materials and appearance since the previous planning permission and to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

- 6 *The building hereby approved shall be constructed in strict accordance with the land levels, finished floor levels and overall building height specified on the approved drawings and in other documents submitted with the application unless otherwise agreed in writing by the Local Planning Authority.*

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REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity, aircraft safety and the operations of NATS En-route PLC in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

8. *No construction work shall be carried out above 10m AGL unless and until the approved Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.*

REASON: In the interests of aircraft safety and the operations of NATS En-route PLC in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

23. *Before any above ground works are carried out, a scheme shall have been submitted to and approved in writing by the Local Planning Authority to protect the dwellings hereby approved against noise from Northgate Avenue.*

1. For the purposes of this condition the scheme shall include:

- (i) *Identifying the level of noise exposure for each dwelling and the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB $L_{Aeq,16hr}$ (between 0700 and 2300) and no more than 30dB $L_{Aeq,8hr}$ (between 2300 and 0700); and*
- (ii) *the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45dB L_{AFMax} between 2300 and 0700.*

The standards in (i) and/or (ii) must be achieved with the use of alternative window and façade design which mitigates against the ingress of noise.

2. *Where the standards in (i) and/or (ii) above are not fully achievable then the scheme must demonstrate how the standards will be achieved with windows shut and alternative forms of natural ventilation provided, which will effectively deal with summer overheating.*

3. *If it can be demonstrated that standards in (i) and (ii) above cannot be achieved by the provision of natural ventilation then it must be demonstrated that they can be achieved with windows shut and how an alternative form of mechanical ventilation will be provided to effectively deal with the summer overheating requirements for each domestic living room and bedroom.*

No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

REASON: In the interests of residential amenity by ensuring an acceptable noise level for future occupants and in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 - 2030.

27. *The Fibre to the Premises proposal to provide superfast broadband for all dwellings within the development (set out in the Openreach letter dated 17 May 2018) and the Integrated Television Reception System (set out in the email from Buxton Building Contractors dated 21 June 2018) to provide combined television reception facilities for all dwellings with the development shall be fully implemented and made operational for each flat hereby approved*

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prior to its first occupation unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

Pre Commencement Conditions

In terms of conditions 4, 6 and 27 as amended above, these still took the form of pre commencement conditions. Conditions 7, 10, 11, 13, 14, 15 and 17 as set out in the report, were also pre commencement conditions. Should this application be approved, and to assist Officers to expedite these conditions to their agreed / final form if the required details were submitted before the Section 106 agreement was signed, the Committee was requested to grant delegated authority to the Head of Economic and Environmental Services to change those conditions where necessary.

Amendment to Paragraph 5.37 of the report

Whilst Paragraph 5.37 of the report states that “The scheme is further enhanced through the proposed use of a PV array” the Committee was advised that this had been proposed in terms of the previous scheme submitted, and not in the current application.

The Committee then considered the application. In response to issues raised, the Principal Planning Officer:

- Emphasised that the proposed building was similar to the previously approved scheme, but with an added social benefit in that it was proposed to be a wholly affordable housing scheme.
- Explained that the application proposed a communal gas-fired Combined Heat and Power plant to serve the development, instead of the individual gas boilers previously specified. The communal system would provide heating, hot water and electricity more efficiently and did, without PV panels, address local sustainability policy.
- Explained further that there were fairly advanced proposals, and a current undetermined planning application, for a District Heating Network in close proximity to the site.
- Advised that the Sustainability Statement confirmed that “the infrastructure for future connection to the energy centre is to be provided.” Further details could be secured by condition to ensure that integration with the District Heat Network took place once the system became operational.
- Confirmed that Officers had raised concern that revisions to the previously approved design had served to reduce the design quality of the scheme and its appreciation of Crawley’s character. The Applicant had been asked to consider Officers’ comments and seek to improve the appearance and visual interest of this potentially very prominent building.
- Advised that the condition 4, as amended, sought to address this design matter.
- The Environmental Health Team had not raised any concerns, including fumes emanating therefrom, regarding the College Boiler House chimney on the adjoining site.

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- Indicated that it was usual to record a date for the deadline of completion of a Section 106 Agreement.
- Emphasised that an 8 storey building had already been approved as part of the previous application for this site.
- Indicated that:
 - (a) The Boiler House chimney was 25 metres away from the nearest proposed flat.
 - (b) The pedestrian crossing in Northgate Avenue was a distance of 50 metres from the proposed lay-by.
- Confirmed that in terms of the proposals generally, the Highways Authority had no objections.
- Advised that the matter of BREEAM rating is considered in Paragraphs 5.36 to 5.40 of the report.
- Confirmed that whilst it was a Crawley Borough Council owned site, the Council was not the Applicant.

RESOLVED

1. **Permit**, subject to:

- (i) The conclusion of a Section 106 Agreement to secure the infrastructure contributions and provisions set out in paragraph 6.2 of report PES/282 (C). However, in the event that the Section 106 Agreement is not completed by 2 January 2019 and unless there are exceptional reasons for the delay agreed in writing with the Applicant, the Head of Economic and Environmental Services be authorised to refuse planning permission for the following reason:

An agreement is not in place to ensure the appropriate infrastructure provisions to support the development, and the development is therefore contrary to Policies IN1, CH6 and H4 of the Crawley Borough Council Local Plan 2015-2030 and the Green Infrastructure SPD.

- (ii) The amended conditions above.
 - (iii) The conditions set out in report PES/282 (C).
2. That in terms of the pre commencement conditions 4, 6 and 27 as amended above, and the pre commencement conditions 7, 10, 11, 13, 14, 15 and 17 as set out in the report, the Head of Economic and Environmental Services be granted delegated authority to change those conditions where necessary to their agreed / final form if appropriate details were submitted prior to the Section 106 agreement being signed.

7. **Planning Application CR/2018/0348/FUL - 28 Kingscote Hill, Gossops Green, Crawley**

The Committee considered report PES/282 (d) of the Head of Economic and Environmental Services which proposed as follows:

Erection of first floor side extension.

Councillors Irvine, Jaggard, Stone and Tarrant declared they had visited the site.

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Planning Committee (14)

2 July 2018

The Group Manager (Development Management) provided a verbal summation of the application. In so doing she advised the Committee that one further representation had been received since the publication of the report, which raised no additional objections to those outlined in that report.

The Committee then considered the application. A Member referred to a rooflight that was shown as part of the application and in this connection commented that there was no roof plan for this property or an indication that the rooflight was simply to allow additional light into the roof area or serve an additional room. Another Member questioned the 60° angle measured from the nearest edge of the neighbour's first and ground floor windows which appeared to show the proposed extension encroaching into this area.

In response, and following a discussion on these matters, the Group Manager indicated that she would seek further clarification on the issues raised, and suggested that the application be deferred for further consideration at the Committee's next meeting.

RESOLVED

That the application be deferred for further consideration at the Committee's next meeting on 30 July 2018.

8. Section 106 Monies - Quarter 4 2017/18

The Committee considered report PES/295 of the Head of Economic and Environmental Services.

The report summarised all the Section 106 (S106) monies received, spent and committed to project schemes in Quarter 4 of the financial year 2017/18.

RESOLVED

That the update on S106 monies received, spent and committed in Quarter 4 of the financial year 2017/18 be noted.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.46 pm

I T IRVINE
Chair

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 July 2018
REPORT NO: PES/283(a)

REFERENCE NO: CR/2017/0519/FUL

LOCATION: [THE IMPERIAL, BROADFIELD BARTON, BROADFIELD, CRAWLEY](#)

WARD: Broadfield North

PROPOSAL: DEMOLITION OF THE EXISTING PUBLIC HOUSE AND ASSOCIATED FLAT AND THE ERECTION OF A FIVE STOREY MIXED USE DEVELOPMENT CONSISTING OF 7 X ONE BEDROOM AND 12 X TWO BEDROOM FLATS, 1 X DRINKING ESTABLISHMENT (A4 USE) AND 2 X RETAIL UNITS (A1 USE), WITH LOWER GROUND FLOOR PARKING (AMENDED DESCRIPTION AND PLANS)

TARGET DECISION DATE: 19 September 2017

CASE OFFICER: Mr M. Robinson

APPLICANTS NAME: Metropol Homes Limited

AGENTS NAME: Appleby Architects

PLANS & DRAWINGS CONSIDERED:

19/06/2017, 15166 001 P1 Site Location Plan
19/06/2017, 15166 002 P1 Existing & Proposed Block Plans
19/06/2017, 15166 003 P1 Existing Elevations
19/06/2017, 15166 004 P1 Demolition Plan
27/07/2017, 15166 005 P3 - Proposed Ground Floor Plans
27/07/2017, 15166 006 P2 - Proposed First & Second Floor Plans
27/07/2017, 15166 007 P2 - Proposed Third Floor Plan
27/07/2017, 15166 008 P2 - Proposed Front & Rear Elevations
27/07/2017, 15166 009 P3 - Proposed Side Elevations
27/07/2017, 15166 010 P3 - Proposed Sections
19/06/2017, 15166 011 P1 Site Survey
25/09/2017, 15166 012 P1 Proposed East Elevation

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was originally considered by the Planning Committee on 9th October 2017 and it was resolved that it should be permitted subject to the completion of a S106 agreement. Negotiations regarding the S106 agreement have been on-going and within this time an additional representation has been received. The representation has raised a new issue not previously assessed within the officer report or by the Planning Committee. It does need to be considered prior to a decision being issued on this planning application. This report therefore only seeks to address the new issue.
- 1.2 There have not been any other material changes to issues since the resolution was originally taken by the Planning Committee on 9th October 2017. This report is therefore to be read in conjunction with the original report from 9th October 2017 which is appended to this document.

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PLANNING CONSIDERATIONS:-

- 2.1 The new representation has been received from a nearby landowner objecting to the proposal on the grounds that it would not be comprehensive development and would prejudice the potential development of adjoining land. The development would therefore be contrary to policy CH4 of the Crawley Borough Local Plan 2015-2030.
- 2.2 Policy CH4: Comprehensive development and Efficient Use of Land, states that “*Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.*”
- 2.3 The objector’s comments are made in relation to the potential future development of the neighbouring petrol station site to the west/north-west. The adjacent site is not included within the Local Plan as an identified development site, and no other details have been provided of its future development potential. Apart from the objection received the site has not been promoted as a development site as a part of the Local Plan and at this time it is not considered that there is evidence that there is a reasonable prospect of it being developed.
- 2.4 The petrol station site is separated from the application site by a footpath, and the impact of the petrol station upon the proposed development of this application site was considered in para 5.22 of the original Planning Committee report.
- 2.5 The development would result in a change in the relationship between the two respective sites and any future potential development of the petrol station site will need to take into account the development on The Imperial site. There would be a number of habitable room windows serving the flats in the proposed development that would face the petrol station site. However a number of the windows of the flats closest to this nearby site would serve rooms with dual aspect, or have an outlook across outdoor amenity areas or would be within units that would have windows that would not directly face the site. Development on the neighbouring site could therefore potentially be designed to take into account the facing windows and outdoor amenity areas serving these flats.
- 2.6 It is therefore considered that the proposal uses the application site efficiently, whilst not unduly restricting the unknown development potential of adjoining land. It is not therefore considered that the development would prejudice proper planning, and neither is there any phasing of development identified or supported within the wider area around this site.
- 2.7 It is therefore considered that the development does not conflict with policy CH4 of the Local Plan.

CONCLUSIONS:-

- 3.1 The green infrastructure, affordable housing and replacement public house requirements to be provided through the S106 Legal Agreement as set out in the previous Planning Committee Report still apply, and it is therefore recommended that a resolution is taken to permit this application subject to the completion of the S106 Agreement. If, however the S106 Agreement is not complete within 2 months of the date of this resolution (ie 30th September 2018), it is recommended that the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

RECOMMENDATION RE: CR/2017/0519/FUL

To **PERMIT** subject to the conditions as set out in the earlier report to the 9th October 2017 Planning Committee (as attached) and the completion of a S106 Legal Agreement to ensure the long term viability of a public house on the site, replacement and additional tree planting and the provision of affordable housing.

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If a Legal Agreement is not in place by 30th September 2018 then the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

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REPORT CONSIDERED AT 9TH OCTOBER 2017 COMMITTEE

APPENDIX

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 9 October 2017
REPORT NO: PES/240(d)

REFERENCE NO: CR/2017/0519/FUL

LOCATION: [THE IMPERIAL, BROADFIELD BARTON, BROADFIELD, CRAWLEY](#)
WARD: Broadfield North
PROPOSAL: DEMOLITION OF THE EXISTING PUBLIC HOUSE AND ASSOCIATED FLAT AND THE ERECTION OF A FIVE STOREY MIXED USE DEVELOPMENT CONSISTING OF 7 X ONE BEDROOM AND 12 X TWO BEDROOM FLATS, 1 X DRINKING ESTABLISHMENT (A4 USE) AND 2 X RETAIL UNITS (A1 USE), WITH LOWER GROUND FLOOR PARKING (AMENDED DESCRIPTION AND PLANS)

TARGET DECISION DATE: 19 September 2017

CASE OFFICER: Mr M. Robinson

APPLICANTS NAME: Metropol Homes Limited

AGENTS NAME: Appleby Architects

PLANS & DRAWINGS CONSIDERED:

15166 001 P1 Site Location Plan, 15166 002 P1 Existing & Proposed Block Plans, 15166 003 P1 Existing Elevations, 15166 004 P1 Demolition Plan, 15166 005 P3 - Proposed Ground Floor Plans , 15166 006 P2 - Proposed First & Second Floor Plans, 15166 007 P2 - Proposed Third Floor Plan, 15166 008 P2 - Proposed Front & Rear Elevations, 15166 009 P3 - Proposed Side Elevations, 15166 010 P3 - Proposed Sections, 15166 011 P1 Site Survey, 15166 012 P1 Proposed East Elevation

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|--------------------------------------|--|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to the requirement for a bird hazard management plan. |
| 2. | Environment Agency | No comment required. |
| 3. | WSCC - Highways | No objection as it is not considered there would be a severe impact on the highway network. The remodelled access onto Pelham Place would be acceptable to accommodate the anticipated level of traffic. There are no known highway capacity issues and congestion issues in the area. The 19 spaces are acceptable, would comply with WSCC Parking Demand Calculator. There is unlikely to be an increase in on road parking. This is a sustainable location well served by the Broadfield Barton neighbourhood centre and bus stops. |
| 4. | National Air Traffic Services (NATS) | No objection |
| 5. | Thames Water | No objection. A condition controlling piling is recommended. |
| 6. | Sussex Building Control Partnership | No comment received. |
| 7. | Sussex Police | The amended plans addressed some of their |

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concerns however the residential and commercial access/parking need to be kept separate and therefore the proposals could result in an increase in the opportunity for and the fear of crime. Sussex Police do not support the application.

The proposal needs to provide evidence of how it will reduce surface water run-off rates. A further update is to be made at the committee meeting.

No comment received.

No objection to the affordable housing offer of 8 units. Requests that parking is offered on a pro-rata basis. Two units need to be low cost and offered with a 10% discount.

No comment received.

No comment received

Comments that there could be potential issues with noise disturbance from the pub to future residents and fumes from extracts. Conditions to restrict the hours and noise generating activities are therefore recommended as well as requiring additional noise insulation.

Cycle parking should be provided for 31 spaces. There should also be 3 visitor cycle parking spaces. The cycle parking could be more intensively provided in the proposed space.

Agreed that the amended layout would be acceptable subject to ensuing level access to the residential bin storage area.

No objection subject to a condition to ensure a suitable level of sustainability is achieved for the development.

No objection. The provision of a replacement pub will comply with policies CH1 and IN1 of the Local Plan seeking to safeguard community facilities. The commercial floor-space in terms of layout and quantity is considered appropriate to a neighbourhood centre, and the proposal is in principle therefore considered to comply with policy EC7 of the Local Plan.

No objection.

No objection in principle. The site would provide a windfall to the level of housing provision with 40% affordable being provided.

Comments that the proposals will result in the loss of the oak tree adjacent to the development site to the west. The tree has particularly strong amenity and although part of a group it is the dominant member with the highest level of visibility. Its loss would be detrimental to the green amenity of the area. The loss of the trees in service yard is not objected to.

8. CBC - Drainage Officer

9. West Sussex Fire Brigade

10. CBC - Housing Enabling & Development Manager

11. UK Power Networks

12. CBC - Environment Team

13. CBC - Environmental Health

14. Cycle Forum

15. CBC - Refuse & Recycling Team

16. CBC - FP - Energy Efficiency & Sustainability

17. CBC - FP - Retail & Employment

18. WSCC - Surface Water Drainage (SWD)

19. CBC - FP - Housing

20.. CBC - Planning Arboricultural Officer

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NEIGHBOUR NOTIFICATIONS:-

This is a “major” application and in accordance with the Council’s protocols has been advertised by site notices erected around the site and by press advert.

RESPONSES RECEIVED:-

One representation has been received objecting to the proposal on the following grounds:

- No more over-priced small flats when good cheap family homes needed with gardens.
- Loss of pub as community facility
- A supermarket would be better on the site.

One representation has been received asking the following questions:

- How will underground parking help prevent crime and antisocial behaviour.
- What retailers will there be?

REASON FOR REPORTING TO COMMITTEE:-

The proposal is a “major” application.

THE APPLICATION SITE:-

- 1.1 Located on the north side of Broadfield Barton at its western end adjacent to the bus-stops, the site is currently occupied by The Imperial public house. This is effectively a three storey building with service yard opening onto Pelham Place to the north. The ground floor is level with the shopping parade to the south, and there is a flat above. The basement level opens onto the service yard and is not visible from the front/south. There is a significant drop in levels of approximately 4m between the front of the site and the rear access onto Pelham Place. The building itself when viewed from Broadfield Barton has a number of projecting ground floor rendered bays providing the pub façade. The 1st floor flat is situated within the roof-space. The building was erected in the 1970’s.
- 1.2 To the east is the side elevation of Poundland, a large primarily brick façade with little decoration/interest. To the south facing the site are the three storey buildings of Broadfield Barton, comprising ground floor shops/commercial uses with flats and offices above on the upper two floors. To the north-west are the bus-stops for the parade/neighbourhood centre. To the west are a number of mature trees in an area of a public amenity space that slopes down to the north. There is an access from Pelham Place to Broadfield Barton along the north-western boundary of the site separating it from a petrol station to the west. To the north of Pelham Place are the residential units in former units 1-14 Pelham Court Business Centre and the side facing elevation of commercial unit 18 Pelham Court Business Centre.

THE PROPOSED DEVELOPMENT:-

- 2.1 This planning application seeks permission to demolish the existing public house and flat on site and erect a 5 storey building comprising:
 - 2 x shop (A1 use class) units,
 - 1 x drinking establishment (public house) (A4 use class) unit,
 - 7 x one bedroom flats
 - 12 x two bedroom flats
 - Individual and communal outdoor amenity space
 - 21 x parking spaces
 - 31 cycle parking spaces
 - Commercial and residential bin stores.

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- 2.2 The building would be five storeys when viewed from Pelham Place to the north and four storeys when viewed from the south. It would cover most of the site and the trees in the north east corner of the site would be lost. The main material proposed is brick with extensive glazing and balconies to provide private outdoor amenity space. When viewed from the south, excepting the three storey projection on the south-west corner of the building would step up away from the ground floor. The ground floor would be aligned with the front of the Poundland building to the east.
- 2.3 The top floor would be set away from the main west elevation by 5.5m and it is proposed to be finished in a dark grey panel system, with opaque glass privacy screens.

PLANNING HISTORY:-

- 3.1 In 1976 outline permission was granted for housing, service industry, youth centre, public house, library and community centre. Ref. CR/46/76
- 3.2 In 1977 planning permission was granted for detailed application for the public house. Ref CR/298/77.
- 3.3 In 1977 planning permission was also granted for the erection of a canopy over external terrace and the use of the terrace for outside drinking. Ref. CR/298/77
- 3.4 In 1987 planning permission was refused and an appeal dismissed for the erection of extension to form entrance and control area for night club at lower ground floor Ref. CR/555/1987.
- 3.5 In 1989 planning permission was granted for the erection of new entrance lobby and window alterations ref. CR/634/1989.
- 3.6 In 2016 a planning application for a change of use of service yard to manual car wash was withdrawn before determination. Ref. CR/2016/0739/FUL.

PLANNING POLICY:-

The National Planning Policy Framework (2012):

- 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 Part 4 applies to promoting sustainable transport and emphasises that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. It also supports the use of travel plans, balancing land uses to minimise journey lengths and sets out considerations to take into account in relation to parking standards.
- 4.3 Part 6 applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 4.4 Part 7 emphasises the importance of good design to achieve high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes. Design codes can be used to achieve high quality outcomes, and decisions should promote and reinforce local distinctiveness without imposing forms, styles or particular tastes on development.

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- 4.5 Part 8 emphasizes the need to facilitate social interaction and create healthy, inclusive communities including strong neighbourhood centres, safe and accessible environments where crime and disorder and fear do not undermine the quality of life. It includes planning positively for community facilities such as public houses and guard against the loss of valued facilities and services.
- 4.6 Part 10 includes a requirement to ensure there is no increase in flood risk and Part 11 aims to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Conditions can be used to mitigate impacts from noise.

National Planning Policy Guidance

- 4.7 Includes a section providing guidance on how planning can manage potential noise impacts from new development, including the measures to mitigate it such as through engineering, layout, the use of planning conditions (restricting activities, at certain times, or specifying permissible noise levels), and suitable noise insulation.

The Crawley Borough Local Plan 2015-2030

- 4.8 The plan was adopted in December 2015 and the following policies are of relevance:-
- 4.9 Policy SD1 (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- 4.10 Policy CH1 seeks to protect and enhance the neighbourhood principle in the town including appropriate development in sustainable locations, retaining neighbourhood centres as the focal point for local communities and encouraging development unless it would result in the loss of local facilities and services. (This includes public houses as community facilities).
- 4.11 Policy CH2 'Principles of Good Urban Design' seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular it seeks to reinforce locally distinctive patterns of development, create continuous frontages onto streets, and create public spaces and routes that are attractive whilst integrating land uses and transport networks.
- 4.12 Policy CH3 'Normal Requirements of All New Development' states that all proposals should be based on a thorough understanding of the significance and distinctiveness of the site, be of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meets its own operational requirements and demonstrate that it addresses the principles included within both 'Secure by Design' and 'Building for Life' criteria.
- 4.13 Policy CH5 'Standards for All New Dwellings' requires development to accord with the Nationally Described Space Standards.
- 4.14 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 however, where this is not feasible commuted sums will be sought in lieu on a per tree basis.
- 4.15 Policy CH8 identifies important views which should be protected. These views are divided into two categories, linear contained and long distance views. Of particular relevance to this site are the linear views north along Brighton Road from A23/A264 junction and the long distance view from Tilgate Park.
- 4.16 Policy EC4 includes a requirement for development proposals adjacent to residential areas to not result in adverse harm to local amenity or the function of the surrounding area.

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- 4.17 Policy EC8 includes the change of use of ground floor uses and seeks to ensure that development is appropriate to the role of the neighbourhood centre in terms of scale and function, does not adversely affect the ability of the parade to cater for day to day needs of local residents, will not adversely impact upon amenity and the environment and will maintain and enhance the vitality of the parade.
- 4.18 Policy H3 states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand.
- 4.19 Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs. This includes working to overcome constraints wherever possible whilst ensuring against detrimental town cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity. All reasonable opportunities including brownfield site will be considered.
- 4.20 Policy H4 requires 40% affordable housing from all residential developments. In addition 10% low cost housing is required on developments for 15 or more dwellings. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- 4.21 In addition to supporting the provision of new necessary infrastructure policy IN1 seeks to protect existing infrastructure and services. This includes public houses which are community facilities. It also sets the background for implementing CIL and seeking S106 agreements to address site specific issues.
- 4.22 Policy IN2 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- 4.23 Policy IN3 requires development to be concentrated in locations where sustainable travel patterns can be achieved.
- 4.24 Policy IN4 sets out that the appropriate amount of car and cycle parking to meet the needs of a development is assessed against the Council's car and cycle parking standards.
- 4.25 Policy ENV5 requires development to make provision for open space and recreational facilities.
- 4.26 Policy ENV6 requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes.
- 4.27 The site is within a priority area for District Energy Networks, Policy ENV7 encourages the delivery of district energy networks and associated infrastructure or low carbon energy approach for new development.
- 4.28 Policy ENV8: (Development and Flood Risk) advises that development proposals must avoid areas which area exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 4.29 Policy ENV9 requires development to minimise its impact on water resources and promote water efficiency.
- 4.30 Policy ENV10 deals with pollution management and land contamination.
- 4.31 Policy ENV11 requires applications to be accompanied by a noise impact assessment where there is likely to be exposure to significant or unacceptable noise exposure.

Other Material Considerations:

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- 4.32 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.
- 4.33 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.
- 4.34 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.
- 4.35 The draft Affordable Housing SPD June 2017 is currently out to consultation - It provides guidance on affordable housing requirements from developments including on-site provision, tenure options, design and layout, house types and sizes,

PLANNING CONSIDERATIONS:-

- 5.1 In addition to consideration of the acceptability in principle of the demolition of an existing community facility (The Imperial Public House) and its replacement by 19 flats, 2 shop units and a new drinking establishment the following are the key matters in the determination of this application:
- The impact upon visual amenity, the street scene and the character of the area;
 - The impact upon nearby occupiers amenities;
 - The acceptability of the development for future residents.
 - The impact on highways and parking;
 - The operational requirements of the site;
 - Infrastructure impacts and the provision of affordable housing;
 - Other

The Principle of the Development.

- 5.2 There is no objection in principle to additional housing and small scale retail units being provided at a neighbourhood centre or to the increased efficiency of the use of the land from its more intensive and sustainable use.
- 5.3 The public house on the site is defined as a community facility and its loss would be contrary in principle to policies CH1 and IN1 of the Crawley Borough Local Plan 2015-2030 that seek the retention of these community facilities and the protection of the operation of the neighbourhood centres. The proposal seeks to replace the existing public house with a smaller A4 use class drinking establishment on the ground floor of the new building opening out onto the pedestrianised Broadfield Barton. In principle therefore the existing public house use would be maintained and this could accord with the direction of government advice and the Councils own policies which seek to retain these facilities where they contribute to the neighbourhood or town overall, unless an equivalent replacement or improvement to services is provided or there is suitable alternative provision. As there is no other public house use within Broadfield there is no alternative provision in the area, and it is therefore necessary to retain this use on this site in these circumstances. Notwithstanding the new A4 drinking establishment would be significantly smaller than the existing building and is not therefore an equivalent replacement it would re-provide this facility.
- 5.4 There is however a concern that the planning application would allow for the demolition of the existing building and this could result in the cessation of the use. This would be contrary to the Local Plan policies if the facility is not replaced. It is therefore considered necessary to protect the public house use, both in the short term by preventing the use ceasing and the building being

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demolished, and in the longer term to ensure that a public house use is re-provided on site to ensure the range of facilities at Broadfield Barton is not diminished. It is therefore recommended that in order to ensure the public house use is safeguarded a condition to phase the development to ensure the replacement drinking establishment is provided as quickly as possible and a S106 legal agreement will be needed to ensure the re-provision is made.

- 5.5 It is therefore considered that the positive contribution of the additional residential units and the new retail units with the re-provision of a A4 drinking establishment (public house), (although of a smaller scale than the existing facility), would on balance accord in principle with the requirements set out in the Local Plan policies relating to neighbourhood principles, housing provision, and infrastructure provision.

The impact upon visual amenity, the street scene and the character of the area;

- 5.6 The proposal seeks to utilise the whole site to provide a building up to 5 storeys in height with flats roofs. The building would step back as it rises allowing the provision of balcony/private outdoor amenity areas on the roofs of the flat below. The taller parts of the building would be situated towards the western and southern sides of the site, but would not generally be immediately adjacent to the boundaries. There would be an open courtyard area/communal garden above the 1st floor within the centre of the site. This would have an outlook to the north/rear. The ground floor shop/pub frontage would be level with the frontage of Poundland to the east.
- 5.7 In terms of materials the main wall material is shown as either a chocolate or buff brick and there would be large glazed openings and balconies on all elevations. The top floor would be in a contrasting dark grey cladding. Windows and door frames and the balustrades to balconies would have aluminium frames finished in dark grey. There would also be the limited use of cedar infill panels and some solid dark grey panels within the fenestration.
- 5.8 When viewed from Broadfield Barton to the south the building would be 4 storeys in height, with the frontage of each floor above the ground floor set back from the floor below. There would be a three storey high element at the western corner of the southern façade that would not be set back, and this would as a consequence be more prominent than the rest of the frontage and create a feature on the corner when viewed from Broadfield Barton to the east and west..
- 5.9 When viewed from the west the building would have its maximum 5 storeys in height towards the rear/north, and the bulk of the building would be set back 4m from the elevation at its most westerly point, with the intervening part of the building being up to 2 storeys in height.
- 5.10 From the rear/north a single storey element would project from a predominantly 4 storey building, with the top floor being set further to the rear. This would be 16m wide and the remaining 7.6m of the site up to Poundland would be two storeys in height with the bulk of the rest of the building 16m behind this resulting in a the creation of a significant gap.
- 5.11 The building would have a modern contemporary design, and notwithstanding it would be overall a storey taller than the buildings in Broadfield Barton facing the site to the south, it is considered that the building would be an enhancement to the area when compared to the existing public house and its large service yard.
- 5.12 The building would result in the loss of two trees within the site, close to the northern boundary in the service yard and close to Poundland. These trees do not have significant amenity due to their location and their loss would not therefore have an adverse impact on the street scene and the character of the area.
- 5.13 The Council's Arboricultural Officer has raised a concern regarding the impact of the development on an oak outside of the site but close to the western boundary within an area of amenity land. Much of the canopy of this tree, which has significant public amenity both individually and as a part of the group of trees, would have to be reduced to allow the development to proceed. Furthermore this level of reduction would be need to be maintained in order to prevent nuisance to future

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occupiers, and it is considered that the viability of this tree would be severely compromised by the development. The loss of this tree is unfortunate, however, it is not considered that the impact of the loss of this single tree would outweigh the benefit of developing this site more intensively to provide 19 flats, additional shops and a replacement pub, and on this basis it is therefore considered to be acceptable.

- 5.14 To accord with policy CH6 the trees lost would need to be replaced. As there is no room for replacement planting on site, these trees will need to be sited elsewhere, and a commuted sum would therefore be required as set out in the Green Infrastructure SPD 2016. As the oak to be lost is an urban tree it is considered that the "tree in hardstanding" figure will form the basis for the replacements.

The impact upon nearby occupier's amenities;

- 5.15 There are two main areas where there would be an impact on neighbouring occupiers, comprising the facing 3 storey buildings to the south in Broadfield Barton and the dwellings formed from the recently converted commercial office units in 1-14 Pelham Court Business Centre (Orchid Court) to the north. To the east of these dwellings is the side elevation of a building still in commercial use.
- 5.16 To the south the ground floors and upper floors still appear to all be commercial and the impact of this larger building upon the occupiers of these buildings to the south would therefore be acceptable.
- 5.17 To the north the new dwellings in the previously commercial Pelham Court Business Centre would have their front windows facing the site across the busy Pelham Place, which at this point effectively becomes a service road to the rear of commercial units in Broadfield Barton. At its closest point, no. 14 Pelham Court Business Centre (Orchid Court) would be 18.5m from the single storey element of the rear elevation and 24m from the rear 4 storey part of the proposal. The impact is increased by the slight drop in levels from the application site to these dwellings provided in the former office units.
- 5.18 The outlook to the south towards the site from these new permitted development dwellings is poor as they face a petrol station and the service area and rear elevation of the current public house. Beyond the petrol station the outlook is partially softened by the amenity of the street trees. The outlook from these dwellings would be retained across the petrol station forecourt towards the trees, excepting the outlook from no. 14 which would directly face the proposed development to the south with living and bedroom windows, with the petrol station off to the south west. The bulk and massing of the new building would have an adverse impact on the light to the front of these dwellings, but as they have no outdoor amenity space and the front is very close to the road, it is not considered that the development, even with its balcony/outdoor amenity areas, would adversely impact upon privacy. Notwithstanding the scale and location of the proposed building, the replacement of the service yard and the untidy rear elevation of The Imperial, together with the partial screening of the bulk of the blank side elevation of Poundland with the new building would in the view of your officers improve the view from these dwellings.
- 5.19 It is therefore considered that notwithstanding there would be negative impacts from the building on the occupiers of these dwellings, there would also be positive effects, and taking into account all of the impacts overall the development would not result in harm so demonstrable as to warrant a refusal on neighbour amenity grounds.

The acceptability of the development for future residents.

- 5.20 All of the proposed flats would comply in floor space terms with the Nationally Prescribed Space standards, and all living/bedrooms would have a window with an acceptable outlook. None of the flats would have windows that would directly look into neighbours flats and the general outlook to the units is outside the site. The flats would also be provided with their own outdoor amenity areas and there would also be a small communal out-door amenity area.

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- 5.21 There is only one flat with a single aspect which would have an outlook over the communal amenity area towards the north across Pelham Place. This outlook would be between the side elevation of Poundland to the east and the rest of the proposed building to the west, and although this is not ideal it would not have an impact on future occupiers that would be harmful to their amenity.
- 5.22 Views to the west towards the petrol station would be poor, particularly given the illuminated advertising on the canopy, but an outlook would be provided. Views to the south towards the three storey buildings along Broadfield Barton would be into floors currently in commercial use, and it is not considered there would be significant privacy issues. As previously noted views to the west across the amenity land, would be significantly impacted by the canopy of the adjacent tree and it is accepted that the tree would not be viable given how much would have to be cut from the canopy to implement and allow the occupation the building without branches spreading across balconies or up to windows. Overall however, the outlook from the flats is considered to be acceptable, and there would not be significant issues relating to privacy.
- 5.23 There are concerns from the Environmental Health Department regarding the potential for noise and disturbance from the drinking establishment. In order to prevent future disturbance to residents a number of conditions are recommended including control of hours, restrictions on music and a requirement for a noise insulation scheme. Whilst this would be likely to alleviate these issues, it could curtail the operation of the public house and there are concerns that this would impact adversely its viability in the future, which could result in a loss of this community facility.

The impact on highways and parking;

- 5.24 The proposal would provide vehicular access from the rear via Pelham Place. Due to the design of the building, access to the site by larger vehicles would be restricted as they could not enter the basement car-park due to the low ceiling height. On this basis only smaller commercial vehicles could enter the site and will have to stop within the car-park on the access road as there is no parking space for these vehicles. West Sussex County Council as the highway authority has commented on the access arrangements, and were specifically asked to comment on the service/delivery vehicle access. It confirmed that it had no objection to what is proposed in terms of highway safety or capacity, but that the Local Planning Authority should ensure that the waste arrangements were acceptable. On the basis that the amendment to the development to the basement level has not been objected to by the Waste and recycling team provided there is level access so bins can be wheeled to where the dustbin lorry would halt, it is considered that the access arrangements for the development would be acceptable.
- 5.25 In terms of parking, it is proposed that 21 spaces would be provided. This would include two spaces capable of providing disabled access. The Urban Design SPD 2016 parking standard for this area is for 1.2 spaces per one bed and 1.5 spaces per two bed unit. In addition, the retail units would require one space per 20sqm and the drinking establishment (if considered under the historic A3 definition) would require 1 space per 5sqm of public area and 2 spaces per bar for staff.
- 5.26 The indicative minimum parking standard for the mix of uses proposed for the site would be:
- 7 x One bedroom units x 1.2 = 8.4
 - 12 x two bedroom units x 1.5 = 18
 - 2 x a1 retail units 300sqm /20 = 15
 - 1 x Drinking Establishment (Based on half the proposed floor area and one bar being provided) (143sqm/5) + 2 = 31
- 5.27 On this basis, the Urban Design SPD 2016 guidance implies that this mixed use development as a whole could require 72 parking spaces. This however does not take into account the context of the site. The site is located within the Broadfield neighbourhood centre at Broadfield Barton and is immediately adjacent to bus stops. The neighbourhood centre is also well served by the by the Council owned public car-park to the east. The site is therefore a highly sustainable location and visitors to the proposed shops would, as with the other commercial units in the centre, use the

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Council public car-park. The drinking establishment use which currently functions as a neighbourhood pub is within a relatively short walking distance of the residents of Broadfield in addition to being well served by public transport. Visitors by car can be accommodated in the neighbourhood centre public car-park to the east.

- 5.28 In relation to the residential element of the proposals, there would be (according to the Urban Design SPD 2016), an indicative minimum of 26.4 spaces required. The applicant is proposing a total of 21. This would allow for a space for each of the 19 flats with two extra indicated as parking for visitors. Given the sites sustainability and the immediate access to local facilities within the neighbourhood centre it is considered that a parking allowance of one per unit would be acceptable. This could also allow for the remaining two spaces to be used more flexibly, including potentially being retained for the drinking establishment use to assist with its long term viability. It is therefore considered that the parking proposed for the building would be acceptable.
- 5.29 The development also provided a tall room in the basement for the storage of cycles. This originally did not provide adequate storage, however the applicant has advised of an alternative cycle parking system allowing for the parking of 38 cycles and on this basis it is accepted that the development could meet is 31 cycle parking requirement and additional visitor cycle parking could be provided within this room. In addition it should be noted that many of the flats are in excess of the Nationally Prescribed Space Standards and are provided with small outdoor amenity areas/balconies, and could therefore provide individual cycle storage themselves for residents.

The operational requirements of the site;

- 5.30 The developer is proposing the provision of rooms in the basement that can accommodate residential and commercial waste separately. The Council's Waste and recycling team have also been consulted, and whilst vehicles will not be able to fully enter the site, the arrangements for collection of residential waste in the amended plans are considered acceptable. The commercial waste area would be accessed via its own separate entrance into the car-park. Only smaller vehicles would be able to collect this waste due to the restriction caused by the height of the ceiling in this part of the building. Commercial waste collection is not however a function of the Local Authority and the future occupiers would have to organise this service themselves using smaller vehicles or have a larger vehicle stopped by the rear access to the site. . The collection of waste from the site would therefore be acceptable.
- 5.31 Internally, the development has been revised to separate residential and commercial uses. The commercial uses would have their own lift from the basement to the first floor, waste storage and access corridors. As with waste collection vehicles, deliveries to the rear would have to be undertaken using smaller vehicles due to the restricted height of the ceiling, and as access to the front of the site would be restricted due to the bus-stops at its closest point to the highway to the south west. Although difficult, it is considered that the access/delivery arrangements for the drinking establishment and shops could be achieved.
- 5.32 The internal layout at the basement and ground floor levels has been altered, and the services for the respective residential and commercial uses has been separated, so that there is no need for shared staircases, corridors, lifts and storage areas. This would allow the different uses to operate independently of one another and prevent potential conflicts between future residents and the businesses. It is however accepted that due to the layout of the vehicle access and car-park that this area would at times be shared.

Infrastructure impacts and the provision of affordable housing;

- 5.33 The proposal would be liable for the CIL.
- 5.34 Three trees would be lost due to the development and their replacement off-site (there is no tree planting proposed on site), in accordance with policy CH6 of the Local Plan and the Green Infrastructure SPD will therefore be required. The oak off site to the west and Ash and Oak in the rear service yard have diameters of 40-50cm, and this would equate to a need for 12 replacement

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trees. In addition policy CH6 also requires the provision of at least one additional tree for each new dwelling. The net increase in dwellings proposed would be 18, there is a total requirement for 30 new trees. As they cannot be replaced on site a commuted payment will be sought as set out in the Green Infrastructure SPD 2016 at a cost of £700 per tree. The infrastructure requirement for trees would therefore be for £14000.

- 5.35 The developer has also offered to provide 8 of the flats comprising 5x one bed and 3x two bed units as affordable units. This is considered to accord with the requirements of policy H4 that seeks 40% affordable housing from all residential schemes split 70% affordable rent to 30% intermediate tenures. Policy H4 also seeks 10% of all housing development with more than 15 units to be provided as low cost housing with a discount of 10% to first time buyers, and although this has not been specifically addressed in the affordable housing statement it will be a requirement of the S106 agreement.

Other

Crime prevention

- 5.36 Sussex Police do not support the application as are concerns regarding the internal layout that had spaces shared by both the commercial and residential uses. Although a number of recommendations are made as regards crime prevention measures it considers that the development could lead to an increase in crime and the fear of crime. A condition is however recommended to ensure that security measures are provided to make the development safer.

CONCLUSIONS:-

- 6.1 The development is considered to provide acceptable accommodation for future residents, and would enhance the appearance of this end of Broadfield Barton, even with the tree that would be lost. Operationally the uses could operate within the building and there would be an acceptable level of parking for future residents. The provision of new shop units is welcomed as is the potential re-provision of a public house. Sussex Police have concerns regarding the layout as regards its impact on crime and the fear of crime
- 6.2 There is also concern that the development would result in the loss of the public house which is an important community facility for Broadfield, and the replacement floor-space within the proposed building could be subject to controls that could limit its long term viability. The loss of this community facility providing the only pub in Broadfield would be contrary to the aims of providing facilities to local residents and this would be contrary to the Local Plan. It is therefore essential that there are adequate controls to ensure that the replacement A4 drinking establishment use is re-provided and the current building is not demolished and the site left empty, and it is recommended that this will require control via a legal agreement in addition to the S106 requirements. Subject to these controls and the following conditions it is considered that the development would provide additional housing including a 40% as affordable units, and it is therefore considered that the benefits of the development would outweigh the harm and on balance it is recommended that a resolution to permit be granted subject to the completion of the S106 legal agreement.

RECOMMENDATION RE: CR/2017/0519/FUL

To permit subject to the completion of a S106 Legal Agreement to ensure the long term viability of a public house on the site, replacement and additional tree planting and the provision of affordable housing.

If a Legal Agreement is not in place by 1st December 2017 then the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the

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Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

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 below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the demolition of The Imperial a phasing plan of the works to ensure the provision the A4 drinking establishment prior to the completion and occupation of the residential units shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall thereafter only be implemented in accordance with the approved phasing plan to ensure the A4 use Drinking Establishment community facility is re-provided.
REASON: To ensure the re-provision of a community facility in accordance with policies CH1 and IN1 of the Crawley Borough Local Plan 2015-2030.
4. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
5. No construction shall commence until detailed plans and particulars of the land levels and the finished floor levels of the building relative to an identified datum point have been submitted to and been approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. The no construction shall take place until details of the proposed surface water (and foul) drainage and means of disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.
REASON: To ensure that the proposed development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
7. No walls, roofs, windows doors or balconies shall be erected unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, roofs, window frames, door frames and balconies of the proposed building have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
8. Prior to the installation of any shopfronts, (including the drinking establishment), windows, doors and balconies detailed drawings of them comprising the whole element to include the reveals at a scale of 1:20 and joinery details at a scale of no less than 1:5 shall first have been submitted to and been approved in writing by the Local Planning Authority. The shopfronts, windows, doors and balconies shall thereafter be implemented only in accordance with the approved details.

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REASON: To ensure a building of quality in accordance with policy CH3 of the Local Plan 2015-2030.

9. The flats hereby approved shall not be occupied until details of combined television, DAB and FM aerial facilities to serve all flats within the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented in full in accordance with the approved details prior to the occupation of any flat.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
10. No works on the dwellings or flats shall commence until a scheme to provide superfast broadband to the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
11. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030.
12. No construction shall take place until precise details of the energy strategy and sustainability measures for the new development which are referred to in the submitted Sustainability and Energy Efficiency Statement have been submitted to and agreed in writing by the Local Planning Authority. the dwellings shall not be occupied until the agreed measures have been implemented.
REASON: To address sustainability measures required under policies ENV6 and ENV7 in the Crawley Borough Local Plan 2015-2030.
13. No part of the development shall be occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide car-parking space for the uses in accordance with policy CH3 of the Crawley borough Local Plan 2015-2030.
14. The layout of the proposed development shall provide two parking spaces for the A4 Drinking Establishment and each of the 19 dwellings shall be allocated one space each.
REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
15. Cycle storage for at least 39 cycles shall be provided prior to the occupation of any of the residential units within the room indicated for cycle storage on the approved proposed lower ground floor plan. the cycle storage shall thereafter be retained solely for the parking of cycles in accordance with the approved plans.
REASON: To ensure adequate cycle parking is provided for the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
16. Waste and recycling storage shall be provided prior to the occupation of any of the retail (A1 use), drinking establishment (A4 use) and residential units within the rooms indicated for commercial bin storage and the residential bin storage on the approved proposed lower ground floor plan. The commercial bin storage and residential bin storage shall thereafter be retained solely for the storage of waste and recycling in accordance with the approved plans.
REASON: To ensure adequate bin storage is provided for the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

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17. Notwithstanding the details shown on proposed lower ground floor plan, a dropped kerb shall be provided and thereafter maintained outside the double doors between the two lifts providing disabled access to allow the residential bins to be rolled onto the access road.
REASON: To ensure the operational requirements of the site can be met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. Notwithstanding the details shown on proposed lower ground floor plan, a level access shall be provided and thereafter maintained to the commercial bin store and goods lift from the access road immediately to the north east of space 15 and south of the staircase to allow the commercial bins and deliveries to be rolled to and from the access road.
REASON: To ensure the operational requirements of the site can be met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
19. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
 - details of public engagement both prior to and during construction works.
- REASON: In the interests of highway safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
20. No use shall commence and no dwelling occupied until security measures have been installed with details that have first been submitted to and been approved in writing by the Local Planning Authority.
REASON: To ensure opportunities to reduce crime and the fear of crime are taken in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
21. There shall be no live or amplified music in the approved drinking establishment A4 unit.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
22. Prior to the commencement of development, written proposals for a sound insulation and control scheme ("the scheme") between the commercial units and any structurally adjoining residential dwelling shall be submitted to the Local Planning Authority (the "LPA") for approval. The scheme shall include full details of all proposed sound insulation and sound control techniques, predictive calculations, assumptions and measurements made. Development shall not commence until written approval of the scheme has been given by the LPA and the scheme will be implemented in accordance with the approved details prior to the occupation of any residential unit and thereafter maintained.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
23. The opening hours for the retail units shall be only between 07:00 to 23:00.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
24. The opening hours for the Drinking Establishment A4 Unit shall only be between 07:00 to 23:30.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.

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25. There shall be no collections or deliveries to the drinking establishment and the retail units outside the hours of 07:00 to 20:00 Monday to Friday; 07:00 to 13:00 Saturday; with no collections or deliveries on Sundays and public Holidays.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.

26. Submission of a Bird Hazard Management Plan
Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.
The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.

INFORMATIVES

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at www.aoa.org.uk/policy-campaigns/operations-safety/
2. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.
3. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
4. The applicant's attention is drawn to the advice provided by Thames Water in their correspondence of 25th July 2017 in respect to their requirements for waste water disposal. If discharge is proposed into a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

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1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions and correspondence.
- Liaising with consultees, and the applicants agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans and additional information to address identified issues during the course of the application.
- Advising the applicant of conditions prior to the determination of the application.

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

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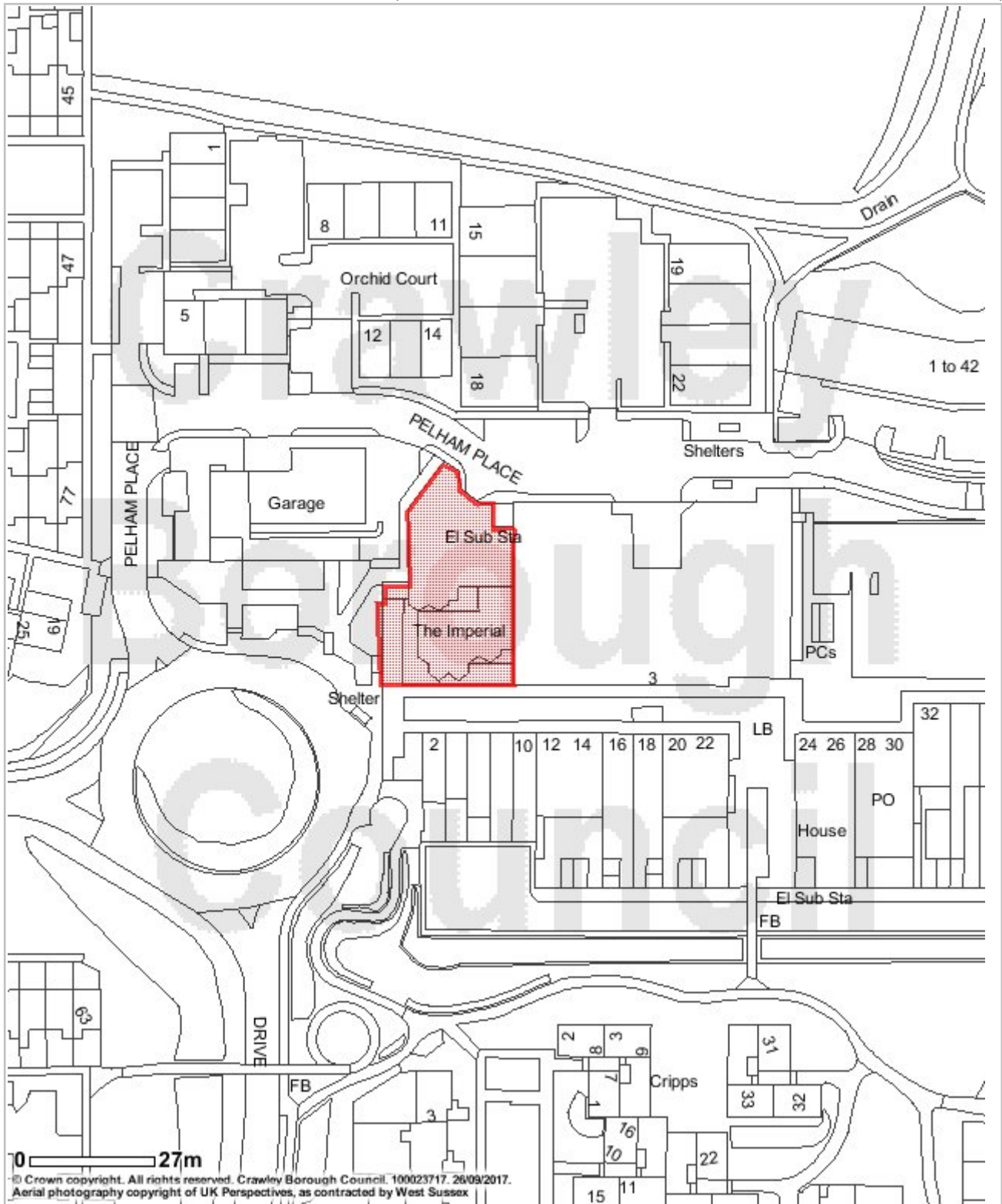
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West Sussex RH10 1UZ

Tel: 01293 438000
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CR/2017/0519/FUL

Date 26 September 2017 Approx. Scale 1:1,250

**THE IMPERIAL, BROADFIELD BARTON,
BROADFIELD, CRAWLEY**



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 July 2018
REPORT NO: PES/283(b)

REFERENCE NO: CR/2018/0298/FUL

LOCATION: [3 MOUNT CLOSE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill South and Worth
PROPOSAL: ERECTION OF A TWO STOREY REAR EXTENSION (AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 11 June 2018

CASE OFFICER: Ms K. Ingram

APPLICANTS NAME: Mr & Mrs Finnimore
AGENTS NAME: Mr Gavin Sargent

PLANS & DRAWINGS CONSIDERED:

1753.LP01, Location plan
1753.S01, Existing block/roof plan
1753.PL01, Proposed block/roof plan
1753.S02, Existing floor plans
1753.S05, Existing elevations
1753.PL02, Proposed floor plans
1753.PL05, Proposed elevation plans
1753.PL06, Section plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	National Air Traffic Services (NATS)	No objection
2.	CBC Urban Design	Comments received, no objection

NEIGHBOUR NOTIFICATIONS:-

1, 2, 4, 32 and 1A (Karanga), Mount Close;
19 Crawley Lane.

REASON FOR REPORTING TO COMMITTEE:-

The application was called into the Planning Committee by Cllr A. Belben because he considers that the proposed extension would be out of character with the property by way of its size and style and would have a detrimental impact on the character of the Mount Close Area of Special Local Character

RESPONSES RECEIVED:-

1 letter of objection was received during the initial notification period raising the following concerns:

- The two storey extension is out of keeping with the 'Arts and Crafts' designed cottages built circa 1940

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- The two storey extension is contrary to advice in the Supplementary Planning Documentation which states that extensions should relate to the parent dwelling's character and scale
- The extension will adversely impact on the light at the east end of No. 4 and this will be magnified by the fact No.4 is downhill from the application site
- There is no indication as to whether the guttering will be connected to the existing soakaways or if new soakaways will be constructed. There is a real risk of the surface water flowing downhill into the garden of No.4

Following receipt of amended plans the application was renotified. 1 letter was received objecting to the scheme on the following grounds:

- The application site is 0.43m higher than No.4 Mount Close. Therefore the extension should be reduced by a further 0.23 metres.
- An important design feature of the cottages in the Area of Special Local Character is the low eaves line just above the windows at ground floor level. In the proposal the eaves are much higher and the character of the cottage is completely lost. The side extension built at No.5 copied the low eaves height which is more appropriate
- The approximate floor area of the existing cottage is 74.3sqm and the new footprint is 107 sqm. The volume increase is probably approaching 100%, with the high eaves height increasing overshadowing and over dominance. This is contrary to the Urban Design SPD which states that 'overshadowing and domination of neighbour houses and gardens can be avoided by keeping rear extensions relatively small compared with the size of the main building'
- This will probably lead to the total loss of character of the Arts and Crafts cottages in the locality by incremental change

THE APPLICATION SITE:-

- 1.1 The application site is located on the southern side of Mount Close and is occupied by a chalet style dwelling built in the 1930s. It has a gabled porch, a half hipped roof with a low eaves height, external materials of white painted brick with brick plinth below ground floor level, diamond lighted lead windows with brick external window sills and a centrally placed gabled front and rear dormer. The dwelling has a detached side garage on the north-west side boundary with No.4 Mount Close.
- 1.2 The dwelling is set in a substantially sized plot with a large front and rear garden laid to lawn with a front driveway. There are a number of trees in the rear garden and a thick hedge along the front boundary. There is an upward slope across the site from north-west to south east (front to rear). The rear boundary of the site abuts a narrow strip of amenity land which is alongside Crawley Lane. The site is located in the Mount Close Area of Special Local Character (ASLC) as designated by Policy CH14 of the Crawley Local Plan.
- 1.3 All of the properties in Mount Close are within the ASLC. Mount Close is a triangular shaped 'loop' road. Most of the dwellings in the western side of Mount Close (Nos. 1-11 and Nos. 41, 42, 43, 32 and 33) are chalet cottages built probably around the 1930s in a traditional Arts and Crafts style. The dwellings in the eastern side of Mount Close (Nos. 12-30 and 34-40) are more modern 1 ½ to 2 storey detached dwellings built from the 1950s onwards. There is a significant upwards slope across Mount Close from north west to south east.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is seeking planning permission for the erection of a two storey rear extension. It would measure 8m wide x 3.6m deep with an eaves height of 4m and a ridge height of 6.9m (set

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down 0.2m from the main ridge) and would be flush with the north western side elevation. The roof would comprise two half-hipped gables with a dropped flat 'valley' roof between. The extension would comprise materials of painted brick work, a brick plinth and plain clay roof tiles to match existing. The extension would accommodate an extended living area and two bedrooms with a gross internal floor area of approximately 60sqm.

- 2.2 Amended plans have been submitted during assessment of the application. The depth was reduced from 4m, the height reduced from 7.1m and the eaves height reduced from 4.5m. Stacked brick brackets under the eaves of the extension were added to match the existing detailing and a vertical line of inset brick detailing was added at the join of rear wall of the dwelling and the extension on the side elevation

PLANNING HISTORY:-

- 3.1 CR/377/1971 – Erection of 2no. 4 bedroomed houses with garages at rear – refused.

PLANNING POLICY:-

National Planning Policy Framework (2012):

- 4.1 The relevant policies include:
- Paragraph 14 (Presumption in favour of sustainable development). The National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
 - Paragraph 17 (Core planning principles). Development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
 - Chapter 7 (Requiring good design). The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
 - Paragraphs 131 and 132 (Conserving and enhancing the historic environment). In determining planning applications, local planning authorities should take account of sustaining and enhancing the significance of heritage assets, the positive contribution they can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. As heritage assets are irreplaceable any harm or loss should require clear justification.

Crawley Borough Local Plan (2015-2030)

- 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, the Council will take a positive approach to approving development which is sustainable.
 - Policy CH2: Principles of Good Urban Design seeks new development proposals to respond to and reinforce locally distinctive patterns of development and landscape character.
 - 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 and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, layout, details and materials. Development must 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.

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- Policy CH14 (Areas of Special Local Character) states that all development should respect or preserve the character of the area and be designed with regard to the existing character and appearance. Development should be of an appropriate scale, design and massing and should not result in a significant adverse impact on the locality and its surrounds or vistas.

Urban Design Supplementary Planning Document (adopted October 2016)

- 4.3 This is a non-statutory document which contains more detailed guidelines on standards for the design of buildings and public works and development in Conservation Areas and Areas of Special Local Character. In regards to this application it states that:

Part 3 – Householder Development

- An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood (3.5)
- Development should incorporate materials and colours that match the existing dwelling (3.9)
- Overshadowing or dominating neighbour's houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and gardens in which they stand (3.22)
- A rear extension should retain a minimum garden depth of 10.5m measured to the rear boundary (3.28)
- A two storey extension on a detached dwelling should not encroach into an area measured by drawing a 60 degree angle (perpendicular to the window) from the nearest edge of the neighbour's closest window (3.31)

Part 4 - Mount Close Area of Special Local Character

- The dwellings are mostly detached Arts and Crafts style cottages of one and two storeys in height, though the eastern part was developed in the fifties and sixties. They sit centrally in their plots and have large front and back gardens with heavy planting and landscaping along the front of the plots. There are lots of large trees in the street. There are no pavements along the road except for wide grass verges and the driveways leading to each property. Cars are predominantly parked within the properties which creates a clutter free feel to the streets. Recommendations for development are:
 - avoid infill development,
 - protect grass verges, trees and hedges, and
 - maintain the spacious feel.

Crawley ASEQs Heritage Assessment Review (Alan Baxter, April 2010)

- 4.4 Heritage Consultant Alan Baxter reviewed Crawley's Conservation Areas and Areas of Special Local Character (then known as Areas of Special Environmental Quality) in 2010 which was used as evidence in the formulation of the current Crawley Local Plan. In regards to Mount Close the review states the following:

- Mount Close and Barnwood Close have a very coherent character deriving from the fact that they were developed at the same time (with the exception of the eastern part of Mount Close). They contain picturesque detached houses and garages constructed in the Arts & Crafts style, probably in the 1930s, with traditional materials and detailing including half-hipped roofs, gabled dormer windows and prominent porches. As the drawings illustrate the buildings are set far back from the road and are very well-spaced. Thick front hedges create a sense of privacy and numerous mature trees and wide grass verges without pavements add to the landscape character. The Closes are set either side of a scheduled moat, a historic landscape feature now heavily wooded. Although the architecture is of interest it is not sufficient to merit conservation area designation and its status as an ASEQ is appropriate.

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PLANNING CONSIDERATIONS:-

5.1 The key issues in the determination of this application are as follows:

- Impact on the visual amenities of the site and streetscene and character of the Area of Special Local Character (ASLC)
- Impact on amenity of neighbouring properties
- Highways and Parking
- Impact on Trees

Impact on the visual amenities of the site and streetscene and character of the Area of Special Local Character (ASLC)

5.2 The application site, and other properties in Mount Close, have deep landscaped gardens to the front with thick front hedges, partially screening views of the dwellings which are well set back from the road.

5.3 The extension would be at the rear of the dwelling and would therefore retain the 1 ½ storey scale and character of the front elevation including the Arts and Crafts architectural details, porch and front dormer. It is acknowledged that the two storey design of the extension would not match the 1 ½ storey design of the main dwelling or the other dwellings in the western side of the ASLC. However, the first floor accommodation would be within in the roof space and a lower eaves line has been introduced which is lower than the eaves height of a more standard sized two storey extension and closer to the eaves of the existing building. The ridge would be 0.2m below the main ridge height and would contribute to the overall subservience of the extension. The bulk of the roof would be reduced by the double gable roof form and the half hips which would match the style of the main roof.

5.4 External materials would comprise white painted brick and a brick plinth and plain clay roof tiles, all to match existing. The rear dormer would be repositioned on the eastern side of the roof. Architectural details would be copied such as the brick cills, exposed rafter feet, bonnet hip tiles and roof overhang to the sides. There would be diamond leaded lights at first floor level and Georgian French doors on the ground floor that would open onto an extended raised patio area. Architectural details were added during assessment of the application comprising matching Arts and Crafts styled stacked brick under-eaves brackets to match and a vertical line of inset brick detailing at the join of the extension with the rear elevation of the house, to allow the historic scale and evolution of the dwelling to be interpreted.

5.5 The existing internal floor area of the dwelling is approximately 100sqm and would be increased by a further 60sqm. Whilst this is a significant percentage increase, the site is set within a large plot and a garden length of 34m would be retained. The extension would extend across no more than two –thirds of the dwelling and is considered to be proportionate.

5.6 Due to the general upward slope in the land in Mount Close to the south east, views of the side extension could be obtained from the north-west. The dwelling is well set back from both Crawley Lane and Mount Close and public views of the extension be further restricted by the screening provided by existing vegetation to front and rear, and the garage to the side of the existing building. The spacious and landscaped setting of the cottage, which is identified as a significant characteristic of the ASLC would not therefore be adversely affected by the rear extension.

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- 5.7 To conclude, although the extension would not match the 1 ½ storey scale of the dwelling and surrounding dwellings, it is considered that due to the siting of the extension to the rear, its design, detailing, and overall scale would appropriately relate to the building and its setting. The significant characteristics of the Mount Close Area of Special Local Character, comprising the traditional styles and materials of the dwellings and their spacious and landscaped settings, would be retained, as a result of this application. It is therefore considered that the application would have an acceptable impact on the visual amenities of the site, and the streetscene and would preserve the character of the Mount Close ASLC in accordance with Policies CH2, CH3 and CH14 of the Crawley Local Plan and the relevant provisions of the Urban Design SPD.

Impact on neighbouring amenity

- 5.8 The property most impacted by this extension would be no.4 Mount Close to the north west which is a 1 ½ storey chalet style Arts and Crafts dwelling. The two storey rear extension would be visible from the rear patio area of No. 4 as it would protrude beyond the rear building line of No. 4 by 3.6m, would have an eaves height of 4m and a roof with a ridge height of 6.9m, sloping away from the side boundary. The application site is also at a slightly higher level than No. 4. However, the rear garden of No.4 is relatively open and wide and has an expansive outlook to the south west. No.3 and No.4 are angled away from each other and so the extension would be angled away from No.4 reducing its impact in terms of dominance. The extension would be 3.6m from the side boundary with No.4 and 6.15m from the rear elevation of No.4. The extension would not intersect an angle drawn at 60 degrees (perpendicular to the window) from the nearest edge of the closest window on the rear elevation of No.4, which is to a living area, indicating that it would have an acceptable impact on neighbouring amenity and would not be overbearing and cause a loss of outlook. The distance between the extension and the neighbours house and the orientation to No.4 would not result in a detrimental impact by way of overshadowing to this neighbouring property. It is therefore considered that the extension as proposed would not have a significant impact on the amenity of the occupants of No.4.
- 5.9 There would be no impact by way of being overdominant to nos. 1A and 2 Mount Close to the east, given the extension would be approximately 7.5m from the boundaries of those sites and 30m to the rear elevations of those houses.
- 5.10 The extension would have two rear bedroom windows. Views to No. 4 to the west and the rear garden of of Nos 1 and 1A Mount Close to the east would be at an oblique angle and would be screened by vegetation along the property boundaries. The rear elevation of the extension would be 34m away from the rear property boundary to Crawley Lane, 25m from the rear elevation of the dwelling at No.19 Crawley Lane and 35m to the rear of Nos. 1 and 1A Mount Close. As such it is considered that the application would have no adverse impact on neighbouring amenity by way of loss of privacy.
- 5.11 It is considered that the application would have an acceptable impact on neighbouring amenity and would accord with Policy CH3 of the Crawley Local Plan 2030 and the relevant provisions of the Urban Design SPD in this regard.

Highways and Parking

- 5.12 A 3 plus bedroom dwelling in this location is required to provide for 2-3 off street parking spaces. There is sufficient hardstanding on the site to accommodate this number of vehicles and the application complies with Policy CH3 in that it is able to meet the operational requirements necessary for the safe and proper use of the site in regards to parking provision.

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Impact on Trees

- 5.13 The extension is not within any root protection zones of trees on or near the site, and would not have a harmful impact to the health and vitality of any trees in the vicinity of the application site.

CONCLUSIONS:-

- 6.1 Due to the siting at the rear, the design, detailing and overall scale of the extension, it is considered that it would be sympathetic to the scale and appearance of the existing building and would preserve the character and identified significance of the ASLC. The extension would have an acceptable impact on the amenities of neighbouring occupiers, would be able to accommodate the required number of off street parking spaces and would not have a detrimental impact on the health and vitality of the trees in the vicinity of the site. As such it would accord with Policies CH2, CH3 and CH14 of the Crawley Borough Local Plan 2030 and the relevant provisions of the Urban Design SPD and NPPF (2012).

RECOMMENDATION RE: CR/2017/1064/RG3

PERMIT subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no windows or other windows/dormers (other than those shown on the plans hereby approved) shall be formed in the side (north-western) elevation and roof slope of the extension facing No.4 Mount Close above ground floor level without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities of adjoining residential properties, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

- Liaising with members, 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.

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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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ArcGIS Web Map

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Agenda Item 7

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 July 2018
REPORT NO: PES/283(c)

REFERENCE NO: CR/2018/0330/RG3

LOCATION: [SOUTHWELL, BALCOMBE ROAD, POUND HILL, CRAWLEY](#)
WARD: Pound Hill South and Worth
PROPOSAL: RECONFIGURATION OF EXISTING HOSTEL ACCOMMODATION TO PROVIDE 7 FAMILY ROOMS OF TEMPORARY ACCOMMODATION FOR HOMELESS FAMILIES WITH COMMUNAL KITCHEN AND STORAGE FACILITIES

TARGET DECISION DATE: 29 June 2018

CASE OFFICER: Ms K. Ingram

APPLICANTS NAME: Crawley Borough Council

PLANS & DRAWINGS CONSIDERED:

Southostel/2018/0001, Block Plan
Southostel/2018/0005, Location Plan
Southostel/2018/0006, Construction Management Plan
Southostel/2018/0003, Proposed floor plans
4659-3-050-01, Drainage Assessment Plan
Southostel/2018/0004, Elevations (no change)
Southostel/2018/0002, Existing floor plans

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	WSCC - Highways	No objection subject to compliance with CMP
2.	Thames Water	No objection subject to informative
3.	West Sussex Fire Brigade	Waiting for response
4.	CBC - Housing Strategic Service (HMO's)	No objection, advice given about layout
5.	CBC - Crawley Homes	No response received
6.	CBC - Refuse & Recycling Team	Waiting for response
7.	CBC - FP - Energy Efficiency & Sustainability	No objection subject to condition
8.	WSCC - Police	Advice given on security measures
9.	NATS	No objection

NEIGHBOUR NOTIFICATIONS:-

Pound Hill
36 and 37 Hillcrest Close;
21, 22 and 23 Mayfield.

Turners Hill Road, Flats 1 to 24 The Pines;
1 Green Bushes.

Balcombe Road
Forge Lodge;
Forge Villa;

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The Forge;
Forge Cottage;
The Cooperative Food Store/Texaco Garage.

RESPONSES RECEIVED:-

One letter of representation has been received. No objection was raised to the internal changes but the letter states that the privacy and protection of occupants would be better retained if the front metal fence were not removed. A key/fob system should be used for entry.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 The application site relates to Southwell, a large two storey brick and tile hung Edwardian building on the eastern side of Balcombe Road, Pound Hill on the roundabout junction with Worth Road. The building is set within a substantial plot with a large garden and is well screened from Balcombe Road by trees and hedges. The site contains a number of visually important trees in the side and rear garden and along the front boundary. The western side of the site up to the rear of the building is designated as Structural Landscaping under Policy CH7 of the Crawley Local Plan 2030.
- 1.2 There is a large area of tarmac hardstanding to the south of the building which has space for 6 vehicles and a turning area. The access to the site is centrally located on the western side and is onto the roundabout in Balcombe Road. There is green mesh security fencing with a length of 22m set back up to 14m from the western/front boundary which also bisects the parking area. Four parking spaces are inside of the fence, and 2 spaces on the outer side of the fence. The remainder of the site has green palisade 2m high security fencing set in 1-3m from the northern, eastern and southern property boundaries and is also 3.5m from the front of the building. It only extends into ½ way into the site from the northern boundary. There is a marginal rise in land levels towards the rear of the site.
- 1.3 The site is owned by Crawley Borough Council and the building is currently restricted to use as an 11 bedroom hostel providing supported living accommodation for homeless young people aged 16 and 17 (Sui Generis). It was last operated by the YMCA but has been vacant since September 2017, as YMCA chose not to renew their lease.
- 1.4 The area is predominantly residential in character. The site is adjoined to the south by a row of detached dwellings on the former Balcombe Road Forge site, to the east (rear) by the rear gardens of residential properties within Mayfield and Turners Hill Road and to the north by the Texaco/Co-op garage and the car park for 'The Pines' block of flats. Opposite the site on the other side of Balcombe Road is a vehicle sales premises.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is seeking planning permission for a change of the layout and operation of the existing 11 bedroom managed hostel (sui generis) to 7 x temporary hostel accommodation units for homeless families (sui generis), with two ground floor communal kitchens, a communal living area, a communal utility room, a buggy/bike storage room and an enlarged ground floor plant room. The heating and hot water system would be updated.
- 2.2 The seven units in the hostel (three on the ground floor and four on the first floor) would each have en-suite facilities, a kitchenette area and storage units as well as being furnished with beds and chairs. Overall there would be 3 double rooms with space for a cot or single bed and 4 larger rooms with a double bed and 1 to 2 single beds and/or cots. In total the building could accommodate a maximum of 19 adults/children and 4 babies.
- 2.3 A 22m length of the mesh front security fencing and gate that crosses the driveway/parking areas would be removed but the green palisade fencing inside the rest of the property boundaries and to

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the front of the building would remain. The parking area and existing low intensity lighting will be retained.

- 2.4 The residents of the hostel would be homeless families on the Housing Register and seeking permanent housing. On average, it is expected that a resident would be in occupation for between 12-15 months in the hostel. The hostel would be run by Crawley Homes.

PLANNING HISTORY:-

- 3.1 CR/2003/0730/RG3 - CHANGE OF USE FROM DWELLING HOUSE TO 11 BEDROOM HOSTEL WITH ADMINISTRATIVE ACCOMMODATION AND ERECTION OF SINGLE STOREY EXTENSION TO FORM KITCHEN (AMENDED PLANS RECEIVED 26/11/03) – Permitted, implemented
- 3.2 CR/2003/0543/RG3 - CHANGE OF USE FROM DOMESTIC DWELLING TO HOSTEL – Withdrawn
- 3.3 CR/2003/0538/RG3 - OUTLINE APPLICATION FOR THE ERECTION OF A HOSTEL FOR SOCIAL HOUSING – Withdrawn
- 3.4 CR/2003/0112/RG3 - REFURBISHMENT OF TWO STOREY HOUSE TO PROVIDE HOSTEL ACCOMMODATION (POSSIBLE 21 PERSONS) - Withdrawn

PLANNING POLICY:-

National Planning Policy Framework (2012)

- 4.1 The NPPF states that the 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). The National Planning Policy Framework introduced the concept of a presumption in favour of sustainable development to approve development that accords with the development plan unless there would be significant adverse impacts or be contrary to policies in the NPPF.
 - Paragraph 17 (Core planning principles) states that planning should proactively drive and support sustainable economic development to deliver the homes, business, industrial units and infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and meet the housing, business and other development needs of an area and respond to wider opportunities for growth. In addition, development should always secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
 - Paragraphs 50-51 (Delivering a wide choice of high quality homes) seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and should deliver a wide choice of housing to meet the needs of different groups in the community. Paragraph 51 seeks to bring vacant buildings back into residential use in line with local housing strategies
 - Paragraph 56 (Requiring good design). Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better and more inclusive for people. Decisions should promote or reinforce local distinctiveness without stifling innovation or imposing development styles.

Crawley Borough Local Plan (2015-2030)

- 4.2 The relevant policies include:
- Policy SD1 (Presumption in Favour of Sustainable Development) states development will be supported where it complements Crawley's character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel; provides a safe and secure environment for its residents and visitors; and accords with the policies and objectives set out in this Plan unless material considerations indicate otherwise.

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- Policy CH1 (Neighbourhood Principle) states the neighbourhood principle will be protected and enhanced by maintaining the neighbourhood structure and development within the neighbourhoods should mainly be residential, in-keeping with the existing neighbourhood.
- Policy CH2 (Principles of Good Urban Design) states that new development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character.
- Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to among other things be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context retaining important features which make a positive contribution to the area, be of a high quality in terms of their urban, landscape and architectural design and relate to their surroundings in terms of scale and be supported by a future management plan for shared hard and soft landscaping, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings, not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance, traffic generation and general activity and be able to meet its own operational requirements necessary for the safe and proper use of the site, and should comply with any relevant supplementary planning guidance.
- Policy CH5 (Standards for All New Dwellings) (including conversions) states all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents through the application of the Lifetime Homes Standards. The minimum size for each dwelling should be based on the National internal and local external space standards.
- Policy CH7 (Structural Landscaping) states that development proposals should protect the role areas of soft landscaping have on screening, softening and contributing to the appearance of the town and its neighbourhoods.
- Policy H1 (Housing Provision) states that the Council will positively consider proposals for the provision of housing to meet local housing needs, taking a pro-active approach to identifying suitable sites for housing development. All reasonable opportunities will be considered including brownfield sites, surplus green space, town centre living and opportunities on the edge of Crawley. The council will continue to work with neighbouring authorities in exploring opportunities to meet unmet housing need over the Plan period.
- 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 ENV6 (Sustainable Design and Construction). In order to maximise carbon efficiency, all homes will be required to meet the strengthened on site energy performance standards of Building Regulations and take an active approach to reducing its need to consume energy. All development comprising the refurbishment of over 100sqm of internal floorspace should submit a Sustainability Statement demonstrating how the sustainability objectives within the Policy are met
- Policy ENV9 (Tackling Water Stress) states that, where viable development should meet the optional Building Regulations requirement for tighter water efficiency, demonstrated in the Sustainability Statement
- Policy ENV11 (Development and Noise) states people's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (as existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users.
- Policy IN1 (Infrastructure Provision) states development will be permitted where it is supported by the necessary infrastructure on and off site. The council will seek to implement CIL through the relevant processes.
- Policy IN3 (Development and Requirements for Sustainable Transport). Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety. Development will be permitted unless the cumulative impact on the transport network is severe and cannot be satisfactorily mitigated.
- Policy IN4 (Car and Cycle Parking Standards) states development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards. These standards are

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contained within the Planning Obligations and s106 Agreements, Supplementary Planning Documents (SPD) or any subsequent similar document.

Supplementary Planning Documents

- 4.3 The Supplementary Planning Documents are non-statutory documents which supplement the policies of the Local Plan. Those applicable to this application are:
- Urban Design SPD 2016:
This SPD includes the Crawley Borough Parking Standards which are minimum standards based on likely demand in terms of car ownership. A hostel requires 1 space per 4 residents.
 - Planning and Climate Change SPD 2016:
This SPD includes further guidance on the sustainability policies of the Local Plan (Policies ENV6, ENV9 and IN3).
 - Green Infrastructure SPD 2016– Sets out the Council's approach to trees, open space and biodiversity and gives guidance on supporting and enhancing Structural Landscaping.

PLANNING CONSIDERATIONS:-

- 5.1 The key issues in the consideration of this application are:
- Principle of the proposed alterations
 - Details of the accommodation proposed
 - The impact on the character of the building and surrounding area
 - The impact on the amenities of occupiers of neighbouring properties
 - Parking and highways
 - Sustainability
 - Community Infrastructure Levy

Principle of the proposed alterations

- 5.2 The proposal would involve a change to the current hostel use for young vulnerable adults by introducing 7 x hostel units of temporary accommodation for homeless families in this predominantly residential area.
- 5.3 Temporary accommodation hostel units are not residential (C3 - dwellinghouse) uses in planning terms as a hostel is sui generis. The continued use of the site as hostel accommodation would however continue to provide living accommodation for a community group with an identified specific housing need within the town.
- 5.4 As the submitted Planning Statement shows the Council's Homelessness Strategy 2014-19 states that the Council will look to increase its temporary accommodation portfolio to minimise the use of more expensive nightly paid accommodation. At the time of submission Crawley Borough Council currently have 170 Homeless households in all forms of accommodation, 12 of which are in nightly paid accommodation (as B&Bs) and 2 households are accommodated outside the borough. The proposal will result in both cost savings for the Council and greater certainty to homeless households within the borough.
- 5.5 The site is in a sustainable location within walking distance of a number of local facilities comprising the adjacent Co-Op/Texaco shop. Pound Hill Parade with its range of shops and services and Pound Hill Junior School are also approximately 600m from the site. A number of pre-schools and nursery schools are also nearby and the closest secondary school (Oriol) is approximately 1.5km from the site.
- 5.6 The principle of the proposed use is therefore considered to be consistent with NPPF objectives to provide needed types of housing in sustainable locations and would help to accommodate those in

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urgent need of housing. It is not considered that there is an objection in policy terms in the Local Plan to the changes proposed as the building would remain in a hostel use.

Details of accommodation proposed

- 5.7 The proposed physical works involve internal reconfiguration to provide the 7 x units of temporary family accommodation. Each family unit would have a private bathroom facility, a kitchenette and storage units and this accords with the Crawley Homes survey that demonstrated that there is a demand for private bathroom facilities as well as WIFI access within such hostels. In terms of shared facilities there would be two modernised kitchens, a communal living area, communal washing and drying machines, a buggy storage room, a communal WC and a communal bathroom. The existing heating and hot water system would be modernised and upgraded.
- 5.8 The existing mesh security fence across the driveway which was installed in connection with the hostel for vulnerable young people aged 16-17 is no longer considered necessary. The remaining palisade fencing would be retained.
- 5.9 Following comments from Sussex Police regarding Secured by Design, it has been confirmed that the main entrance door will have a door entry and video phone linked to each unit within the building and the main door release will be by person only. Individual rooms will have security locking and window locking systems will be upgraded. Internal lighting within communal areas will be linked by movement detectors.
- 5.10 The proposed units would not meet the Local Plan internal space standards for individual flats under Policy CH5 of the Local Plan. However, the proposal is for hostel accommodation with communal facilities for people in acute housing need and the proposed standard of accommodation is likely to be higher than that available elsewhere to address such short term housing needs. The units would be relatively self-contained, but with updated communal kitchen facilities and a communal bathroom and sitting area as well as a communal garden. It is considered that the proposal would likely represent an acceptable standard of temporary hostel accommodation.

Impact on the character of the building and wider area

- 5.11 The works are restricted to the reconfiguration of the internal layout at ground and first floor level and would not have any impact on the external appearance of the building or the trees on the western side of the site, which are designated as Structural Landscaping under Policy CH7 of the Crawley Local Plan.
- 5.12 The removal of the front security mesh fence and gate would have a positive impact on the visual amenities of the site and streetscene. The remaining palisade fencing is not easily visible being set inside the site and screened by the vegetation on the site and is green in colour.

The impact on the amenities of occupiers of neighbouring properties:

- 5.13 The approved use of the property is for a hostel but the level of activity is likely to be higher than the approved use as the type of residents would change from individuals to families and the number of maximum residents would increase from 11 to 19 and 4 babies. Some noise from children playing outside in the garden can be expected, although this must be compared against the lawful use of the site as a hostel for 16-17 year olds. The site is well screened from the adjoining properties by thick and tall mature vegetation on all boundaries, and the building has a sizeable curtilage. The site has 6 vehicle spaces and complies with the minimum parking requirements for a hostel accommodation and it is unlikely that all of the residents would own vehicles. It is therefore considered that the impact on neighbouring amenity by way of raised level of activities on the site would be acceptable.
- 5.14 In terms of potential loss of privacy, no extensions or physical alterations are proposed or changes to existing windows that could affect the privacy enjoyed by neighbours. Measures to meet Secured by Design objectives, as set out above, will address site safety and security concerns.

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- 5.15 The submitted Statement of Community Involvement refers to a public consultation event held at the site on 05/09/17 from 3pm to 6.30pm. Nine members of the public attended. In relation to neighbouring amenity, concerns were raised about parking and having an open communication channel with the Council housing officers.
- 5.16 The hostel would be actively managed by a dedicated Hostel Officer who would deal with any on-site issues along with other housing management professionals. The team is to be managed by a Tenancy Services Manager together with Area Housing Managers supported by other housing officers and a large team of generic Housing Officers. The site would be visited a number of times during the week.
- 5.17 To assist in the management of the hostel and to reduce any adverse impact on residential amenity, all occupiers of the hostel will enter into a Licence Agreement with Crawley Borough Council requiring them to comply with various agreements including measures to limit noise and other potential disturbances. The conditions restrict for example, overnight visitors, smoking, the playing of loud music and anti-social behaviour. Breaching any condition may lead to immediate eviction. These Licence Agreements are used by Crawley Borough Council for other hostels in the Borough.
- 5.18 Overall the proposed change of use would result in an increase in the level of occupation of the site, but in regards to there being a potential increase in noise and activity above that of the lawful hostel use for 16-17 year olds, it is considered that the impact from family occupation would be acceptable. Potential impacts from the use would be actively managed by housing staff and the proposed works would raise no potential overlooking concerns and a loss of privacy to neighbours. Subject therefore to completion of a satisfactory Section 106 agreement to secure the appropriate ongoing management of the hostel, the proposed conversion to a hostel of 7 x temporary units of accommodation for homeless families is therefore considered to comply with the relevant Local Plan policies in terms of residential amenity.

Parking and highways

- 5.19 The proposed changes to the hostel would result in a maximum capacity of 19 adults/children and 4 babies. Under the Crawley Borough Council Parking Standards hostels for temporary accommodation require 1 space for 4 residents and 1 visitor space for every 20 residents which requires 5-6 spaces on the site. The site has a hardstanding area marked out for 6 vehicles with a turning area and therefore the proposal meets the required standards.
- 5.20 The proposed change of use may increase the car use compared to the previous use and so WSCC (Highways) were consulted on the application. They have no objection to the scheme on highway safety grounds subject to implementation of the Construction Management Plan submitted with the application.
- 5.21 The ground floor buggy/bike storage room is designed to accommodate 4 buggies for the first floor units and can also hold 3-4 bicycles. It is considered that that more is required for 7 family units and a condition is recommended that a separate store for bicycles is provided prior to the occupation of the upgraded hostel.
- 5.22 The application would therefore accord with Policies CH3 and IN4 of the Crawley Borough Local Plan 2030 in this regard and the Crawley Borough Council Parking Standards.

Sustainability

- 5.23 The scheme also involves the installation of an upgraded heating/hot water system and kitchen/bathroom facilities. As the application comprises a change of use of the hostel and the refurbishment of more than 100sqm of floorspace the application is accompanied by a sustainability statement addressing the policy objectives in Policies ENV6 and ENV9 of the Local Plan. The statement identified a number of measures which would increase the environmental performance of the building, including low temperature/large surface area radiators; additional insulation and double glazed units. The water usage calculation figures also indicate that the site will meet current standards of water efficiency. Subject therefore to a condition requiring the development to be

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completed to the specifications in the Sustainability Statement, the proposal would comply with Policies ENV6 and ENV9 of the Local Plan.

Community Infrastructure Levy

- 5.24 Potentially the development is CIL liable. However, there would be no net increase in floorspace from the proposal and it would remain a type of affordable housing, and would therefore be subject to an exemption from CIL payments. In this case, it is not considered that a CIL payment would be required and an Informative is recommended to be included in the decision notice to inform the applicant.

CONCLUSIONS:-

- 6.1 The proposal would make a significant contribution towards meeting acute local housing needs, is located in a residential area and the proposed use is not dissimilar to the existing lawful use. It is not considered likely to have a significantly harmful impact upon neighbouring amenity or the character of the surrounding area. The application would comply with sustainability objectives in the Local Plan for change of use and refurbishment of a building, and an appropriate level of parking provision would be available. The proposal would therefore accord with the relevant policies in the Crawley Local Plan and supplementary planning documents.

RECOMMENDATION RE: CR/2018/0330/FUL

PERMIT - Subject to the satisfactory completion of a Section 106 Agreement to secure the appropriate ongoing management of the hostel to meet local homeless needs and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The hostel accommodation hereby permitted shall be used as 7 units of temporary accommodation for homeless families and the property shall be occupied by no more than nineteen adults/children and four babies at any time as indicated within the approved supportive documentation and floor plans unless otherwise agreed in writing by the Local Planning Authority.
REASON: To control the use of the site and in the interests of amenity in accordance with policies CH3 of the Crawley Borough Council Plan 2015-2030.
4. The car parking spaces, as shown on drawing No. SouthHostel/2018/0001 Rev A shall be kept available for the parking of vehicles by residents and visitors of the property at all times.
REASON: To ensure adequate provision of parking clear of the highway in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The hostel use hereby permitted shall not be occupied until provision for a separate secure cycle storage (in addition to the proposed ground floor buggy/cycle room) has been made within the site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The cycle parking facilities shall then be maintained and shall not be used for any other purpose other than the parking of cycles.
REASON: To ensure that adequate and satisfactory provision is made for the parking of cycles in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and SPD 'Parking Standards'.

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6. The water fittings installed in the development shall comply with the specifications given in the submitted Sustainability Statement.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with policy ENV9 of the Crawley Borough Local Plan 2030.
7. During the construction of the works the scheme for provision of on-site parking for construction workers and storage of materials shall be implemented in accordance with Construction Management Plan drawing no. Southostel/2018/0006.
REASON: To ensure adequate off street parking during construction in the interests of highway safety and in accordance with Policy CH3 of the Crawley Borough Local Plan 2030.

INFORMATIVES

1. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with applicant and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking 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.



ArcGIS Web Map

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Crawley Borough Council
Town Hall, The Boulevard,
Crawley, West Sussex,
RH10 1UZ
Tel: 01293 438000



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 July 2018
REPORT NO: PES/283(d)

REFERENCE NO: CR/2018/0348/FUL

LOCATION: [28 KINGSCOTE HILL, GOSSOPS GREEN, CRAWLEY](#)
WARD: Gossops Green
PROPOSAL: ERECTION OF FIRST FLOOR SIDE EXTENSION

TARGET DECISION DATE: 22 June 2018

CASE OFFICER: Miss S. Hobden

APPLICANTS NAME: Mr I Siddiqui
AGENTS NAME: PA Design Services

PLANS & DRAWINGS CONSIDERED:

PA0297-01, Site Location, Block Plan & Existing & Proposed Floor Plans & Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

Not applicable.

NEIGHBOUR NOTIFICATIONS:-

26, 30, 31, 32, 33 and 35 Kingscote Hill;
163 and 165 Buckswood Drive.

RESPONSES RECEIVED:-

6 responses from 4 households were received raising the following concerns:-

- The proposed first floor side extension would be overly dominant and cause a loss of light and outlook.
- The front porch would extend past the original building line spoiling the character of the street-scene.
- The property would appear over developed due to modifications that have already taken place as well as the proposed development.
- Overlooking/loss of privacy.
- The porch and side extension will aesthetically change the character of both houses.
- The first floor side extension would create a terracing effect by filling up the gaps between the properties.
- Impact on parking in the street.

REASON FOR REPORTING TO COMMITTEE:-

This application was considered by the Committee at the 2nd July 2018 meeting when it was resolved to defer the application for further consideration, in regards to the front roof light and use of the roof space, the

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relationship between the site and the adjacent dwellings and the pitched roof over the single storey rear extension.

The application had been referred to the Committee due to the number of objections received and officer recommendation to permit.

THE APPLICATION SITE:-

1.1 The application site comprises a two storey, semi-detached dwelling located on the west side of Kingscote Hill. The dwelling is brick built with tile hanging at first floor level and a tiled roof with chimney, it has a converted garage with parking in front for two cars and pitched roof over the front door and bay window. The properties in this row have a staggered building line and land levels slope down to the south and rise to the north. The boundaries are marked by close board fencing. The dwelling has a single storey rear extension with flat roof and there is a shed in the rear garden.

THE PROPOSED DEVELOPMENT:-

2.1 Planning permission is sought for a first floor side extension. The proposed first floor extension would extend over part of the existing footprint of the converted garage and rear extension, it would be set back from the front elevation by 1.5m and have a width of 2.7m. It would also be set down from the ridge by 0.5m. The first floor rear element would extend 2.8m beyond the original rear elevation of the main house. This rear section would measure 3m in width and 7m in height and have a hipped roof. A small mono pitch roof at ground floor level would be constructed over the remaining single storey part of the existing rear extension.

Application amendments

2.2 The proposed development has been amended since originally submitted to reduce the first floor rear extension by 1.2 metres and omit the proposed front porch and pitched roof over the converted garage.

2.3 The latest plan amendments now show a section plan showing the loft space to be served by the roof light, a revised rear elevation to show the pitched roof over the remaining part of the single storey rear extension and a revised block plan.

PLANNING HISTORY:-

3.1 CR/173/61A – Amended layout plan and revised details of house types 305, 319 and 319A in respect of the proposed erection of 79 dwellinghouses and garages with vehicular access (Section no. 2) land on both sides of Buckswood Drive and adjacent to Crawley By-Pass, Gossops Green, Crawley – Permitted.

PLANNING POLICY:-

National Planning Policy Framework (2012)

4.1 Chapter 7 (Requiring good design), paragraph 56 indicates, 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

4.2 The development plan was adopted in December 2015. The relevant policies include:

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- 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 development) states all proposals for development in Crawley will be required to make 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 ENV6 (Sustainable Design and Construction) All development, including the alteration and extension of existing buildings, should consider how it may achieve the sustainability objectives in relation to carbon.

Supplementary Planning Documents

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 design of extensions. In particular, it states that:

- *'An extension with good design in mind will relate appropriately to the parent dwellings 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.'*
- *'Extensions should consider existing roof pitches. A roof design that sits in harmony with the existing roof will usually be more acceptable.'*
- *'As with front extensions, an extension on the side of a property will be prominent. The filling up of the gaps between houses by the construction of two storey side extensions can make detached, or semi-detached houses in a street look like terrace houses. A design solution that can be used to prevent the 'terracing effect' will leave a 2 metre setback between the side extension and the adjacent property or site boundary. Furthermore, where a side setback may not be suitable, it could be explored by setting the side extension in from the front elevation.'*

PLANNING CONSIDERATIONS:-

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

- The impact on the design and character of the dwelling and the street-scene.
- The impact on neighbour amenity.
- The impact on parking arrangements.

The impact on the design and character of the dwelling and the street-scene.

5.2 The proposed first floor side extension would be sited on the northern side elevation of the dwelling over part of the existing footprint of the converted garage and rear extension. It would be set 0.5m below the existing roof ridge. It would leave a 0.9m gap to the side boundary and a 2.4 metre gap between the side extension wall and the neighbouring property to the north. The guidance contained within Urban Design SPD advises that two storey side extensions should leave a gap of at least 2 metres between the extension and the adjacent property or site boundary, the development achieves this and it is therefore considered that it would not create a 'terracing effect'.

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- 5.3 The proposed extension would be clearly visible within the street scene, however given the size and design, including the matching roof design and materials, it is considered that the proposed extension would not be an unsympathetic and disproportionate addition to the existing dwelling. In addition the extension would extend over part of the existing footprint of the single storey rear extension and would therefore retain an adequate rear garden area.
- 5.4 It is considered that the proposed first floor side extension would not cause harm to the appearance of the application site, the street scene or the surrounding area and would therefore comply with the relevant local plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF in this regard.

The impact on neighbour amenity.

- 5.5 In terms of the impact on neighbour amenity, the main consideration is the impact on the occupiers of 26 Kingscote Hill located to the north and 30 Kingscote Hill to the south.
- 5.6 The proposed extension would be located approx. 2.4 metres away from the side elevation of the garage and approx. 3.4 metres away from the side elevation of the single storey side extension at no. 26. An objection was received in relation to loss of light, outlook and over dominance. Amendments were submitted to reduce the first floor rear element, and further revised plans have been received to address any discrepancies in respect of the block plan. A 60° angle measured from the nearest edge of the neighbour's first and ground floor windows, as now shown on the plans, indicates that the extension would not encroach into this area. Furthermore, no. 26 is situated on higher ground level and as such the extension is not considered to have an overshadowing or overbearing impact. The extension would also have a hipped roof to the rear that would pitch away from the neighbouring property thus reducing the loss of light. It is therefore considered the amended proposal would have an acceptable impact on the amenities enjoyed by the neighbour in terms of overshadowing/loss of outlook/loss of light.
- 5.7 In respect to no. 30 to the south of the application property, the proposal is not considered to have an impact on no. 30 as the extension would be located approx. 5 metres away from the shared boundary. Furthermore, the extension has been reduced in depth and would not encroach into the area measured 60° measured from the neighbours nearest window and door apertures and the proposed first floor side window has been moved to the rear elevation, consequently there would be no overlooking. However, a condition is recommended to remove the right to install any windows at first floor level on the northern and southern side elevations to protect neighbours' privacy.
- 5.8 The distance maintained between the rear windows of 163 Buckswood Drive and the rear facing window of the extension would measure approx. 22 metres. The guidance contained within Urban Design SPD advises that two storey extensions should maintain a minimum distance of 21 metres therefore, the proposal would not be considered to result in a harmful increase in the overlooking of these properties.
- 5.9 The proposal is therefore considered acceptable in this regard and would comply with the relevant local plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

The impact on parking arrangements.

- 5.10 The application proposal would involve the creation of additional rooms at first floor level. The roof light would serve the loft area as illustrated in the section drawing on the revised plans.

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The parking standards for a three plus bedroom dwelling is 2-3 off-street parking spaces. The application property currently has a hardstanding area to accommodate 2 vehicles therefore, the parking arrangements are considered to comply with the adopted parking standards for a dwelling of this size and in this location.

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, the amenities enjoyed by the occupants of neighbouring properties and would comply with the adopted parking standards therefore, the proposed development 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).

RECOMMENDATION RE: CR/2018/0348/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 below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls (and roof(s)) of the proposed first floor side extension hereby permitted shall match in colour and texture those of the existing building(s).
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the northern side and southern side elevations of the proposed first floor side extension, facing no.26 and no. 30 Kingscote Hill without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities of adjoining residential properties, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

- 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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ArcGIS Web Map



Crawley Borough Council
Town Hall, The Boulevard,
Crawley, West Sussex,
RH10 1UZ
Tel: 01293 438000

1:1,000



Crawley Borough Council

Report to Planning Committee

30th July 2018

Objections to the Crawley Borough Council Tree Preservation Order - Land Parcel Adj(acent) to Coronet Close, Pound Hill - 02/2018

Report of the Head of Economic and Environmental Services – PES 300

1. Purpose

- 1.1 This report relates to the 'Land Parcel Adjacent to Coronet Close, Pound Hill - Tree Preservation Order Number 02/2018'. The Committee is requested to consider the representations received and determine whether to confirm the Tree Preservation Order with or without modification for continued protection or, not to confirm the Tree Preservation Order.

2. Recommendation

- 2.1 It is recommended that the Committee **CONFIRM** the Tree Preservation Order Land Parcel Adj to Coronet Close, Pound Hill - 02/2018 without modification.

3. Reasons for the Recommendation

- 3.1 Consideration has been given to the comments received during the public consultation period however, having regard to the considerable importance of the woodland to amenity, it is considered worthy of protection for the reasons outlined in this report.

4. Background

- 4.1 The site which is the subject of this Order is a designated Ancient Woodland and Structural Landscaping site known as Burleys Wood located to the south of Byerley Way, east of Coronet Close and north of Sedgefield Close. A copy of the TPO plan is attached to this report.
- 4.2 This Order was served on the 13th February 2018 in response to alerts from local residents that trees within BurleysWood were being felled. Following a site visit by the Arboricultural and Enforcement Officers at approx. 11am, the decision was made to serve a TPO on the site with a woodland designation.
- 4.3 The woodland makes a significant contribution to the amenity of the local area, and this is formally recognised within the Local Plan as the site is identified as "structural landscaping". It was therefore considered expedient to serve a Woodland TPO on the site in order to retain and protect the amenity that this woodland provides to the area.
- 4.4 The provisional Tree Preservation Order was made on *13th February 2018* and remains provisionally in force for a period of six months (until 13th August 2018). If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

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5. Notification/ Consultation/Representation

- 5.1 Following the making of the Order, the Council notified the owner(s)/occupiers(s) of the land and other interested parties that a provisional Tree Preservation Order has been made. The following addresses were notified:

Owners and occupiers of the land:

3242 Investments Limited, 51 Goldsmith Road, Birmingham, B14 7EH

Owners and occupiers of adjoining land affected by the TPO:

8a Byerley Way
6 Byerley Way
4 Byerley Way
2 Byerley Way
1 Coronet Close
2 Coronet Close
3 Coronet Close
11 Sedgefield Close
12 Sedgefield Close

Other interested parties:

Taylor Wimpey UK
Laing Homes Ltd

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the Order. The notification period for objections ended on 20th March 2018. Confirmation of the order is required within six months of the date upon which the Order was provisionally made.
- 5.3 A single representation has been made in support of the Tree Preservation Order stating the woodland's local amenity value and wildlife importance as reasons for a permanent Tree Preservation Order.
- 5.4 A single objection has been received from the owners of the land, 3242 Investments Ltd relating to the making of the Tree Preservation Order, the reasons for objecting to the order are summarised below:

Neighbour amenity and safety

- *"A single collapsed Willow is present at the northern end of the site and has reached the end of its useful life and will need to be removed in the foreseeable future. It should not be included in the TPO."*

Area of felled trees and immediate surroundings

- *"A rectangular area approximately 57m by 35m was cleared of trees on 13th February 2018 before the TPO was served and came into force. The Council's Tree Officer visited site at about 11am on 13th [February] 2018 and spoke to me. He did not indicate that the trees being felled were protected nor did he mention any intention to make a TPO"*
- *The etiolated (drawn up) young Birches adjacent to the northern boundary of 11 Sedgefield Close and the eastern boundary of 3 Coronet Close are distinct from the remainder of the protected woodland and should not be included under the designation of woodland.*
- *The temporary TPO encompasses an area that was not woodland at the point in time when the TPO was served and is no longer woodland now.*

6. Amenity Value/Assessment

- 6.1 The woodland subject to protection by this order comprises a mixed deciduous woodland that forms a remnant of a much more extensive area of Burleys Wood that once covered this area prior to the residential development of Pound Hill. This site forms part of two distinct areas of woodland identified

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as ancient woodland (ref. 1476388) which link to each other. The second related parcel of woodland is a Council owned area to the south-west of this TPO site.

- 6.2 The area of woodland the subject of this TPO includes a number of mature trees previously the subject of individual protection, and areas of less mature tree growth due to felling and replanting/reseeding. The woodland currently has mature and semi mature trees at its eastern end. Much of the site has recently had a large number of its trees felled, however, there is much regrowth in this area from young trees or from the stumps of the felled trees. This area is therefore recovering from recent works undertaken and still retains a large number of trees, although there are now few of large size. The area forms a fundamental part of the mature retained woodland to the east and links this area of woodland to the council owned woodland to the south west.
- 6.3 The area provides a significant undeveloped and tree covered site which provides a landscaped backdrop to nearby development. The trees are visible from nearby roads and the more mature specimens above the tops of nearby houses, and the site has also been used by nearby residents as open space for a considerable time for walking and recreation. Although privately owned, the site is open to the public from a number of directions including from Byerley Way/Coronet Close to the west, Byerley Way to the north (Public footpath that runs close to the site and then towards the M23 to the east) and forms important linkage to amenity land further to the east which has public access.
- 6.4 The integrity of the woodland has been affected by the recent felling of trees however the impact upon the medium and long term amenity of this area will not be significant as there is already substantial regrowth of trees since the beginning of this year. The wider amenity of this area will recover, and the area will therefore continue to provide amenity to the area whilst ensuring the wider integrity and amenity of the woodlands in the area that includes the retained woodland to the east and the council owned woodland to the south-west.
- 6.5 The woodland is therefore considered to have good amenity value now and its long term protection will provide long term high amenity value within this area.

7. Response to Objection Received.

Neighbour amenity and safety

- 7.1 The Willow tree was formally part of the woodland and its death and decay would have been a normal part of the woodlands ecosystem had the woodland not been removed. Woodland orders are created specifically to protect this natural cycle of death and regeneration and woodland orders do not require the replacement of trees that die naturally and protects those trees that subsequently regenerate naturally. Should the Willow begin to pose a risk to safety or start causing damage to adjacent properties, an application can be submitted for its removal.

Area of felled trees and immediate surroundings

Site visit

- 7.2 During the site visit the contractors and project arboriculturist were well aware of the protected trees further to the east and that the area being cleared did not contain protected trees, and there was therefore no need to bring this to their attention. At this time there was no apparent breach of any Tree Preservation order and as the expediency of serving a TPO on the site needed further consideration/consultation with other Council departments, the serving of a TPO was not discussed during the site visit.

Whether a woodland TPO can be made?

- 7.3 A woodland is any land that is covered in trees. The felled trees in the cleared area have regenerated and now have up to 3m of regrowth in just 5 months and there are also sapling trees covering the site that were not removed during the works carried out on the 13th February together with seedlings that have germinated subsequently throughout the woodland. Since a tree is considered to be a tree

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regardless of its size/age or past 'management' etc. and since this site is clearly still covered by trees, this site is still to be considered woodland.

- 7.4 The group of remaining young Birch were part of the woodland and the site remains woodland regardless of whether the tree cover was, for a short time, removed. Under the protection afforded to the site under a woodland order, the tree cover can regenerate and will enjoy the same level of protection as the trees currently on site. The remaining group of birch will once again form part of the woodland as a whole.
- 7.5 It is considered normal woodland management practice to clear sections of woodland from time to time for various reasons and to allow natural regeneration, this does not alter the fact that it is still woodland due to there being no actual change in land use and due to the significant richness of the soil ecology/seed bank that still remains. In order for the site to no longer be considered woodland the site would have to remain devoid of trees for a significant amount of time. The site would also need to undergo a significant change in land use and since the site is subject to national designation as Ancient Woodland as a Local Plan designation as Structural Landscaping, both of which seek to retain and enhance woodland areas. These designations are key considerations for any development proposals and provide further protection to the status of the woodland. It is therefore considered reasonable to continue to regard the site as woodland and protect it as such with a woodland order. The argument that a woodland order should not apply given the long term potential and amenity of this area of woodland therefore is considered to carry little weight in deciding whether or not to confirm the Tree Preservation order.
- 7.6 The confirmation of the woodland order will ensure the continued protection of not only the trees left standing and those that are regenerating following the felling operation carried out by the owners of the site, but also all trees that naturally germinate and grow in the future. It will ensure the continued tree cover of the site that provides by local residents and prevent any further acts such as the one that occurred on the 13th February 2018 from happening again.

8. Implications

Human Rights Act 1998

- 8.1 The referral of this matter to the Planning Committee is in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. Those persons who made representations in objection to the TPO are entitled to attend the Planning Committee meeting and to make any further verbal representations at the meeting. The Planning Committee must give full consideration to any such representations.
- 8.2 Article 8 and Article 1 of the First Protocol – the right to respect for private/family life and the protection of property – also needs to be considered. These are qualified rights and can only be interfered with in accordance with the law and if necessary to control the use of property in accordance with the law and if necessary to control the use of property in accordance with the general interest. The recommended continued protection of this woodland by confirming the TPO is considered to be in the general interest of the community and is considered to be both proportionate and justified.

Planning legislation

- 7.3 The law relevant to the protection of trees is set out in Part VIII of the Town and Country Planning Act 1990 as amended and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

8. Background Papers

- 8.1 Crawley Borough Council Tree Preservation Order Land Parcel Adj To, Coronet Close, Pound Hill - 02/2018

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Email: [russell.spurrell@Crawley.gov.uk](mailto:russell.spurrell@ Crawley.gov.uk)

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Photos of site taken approx. 5:00pm following felling operation.



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Photos of site taken on 13th July 2018



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SCHEDULE

SPECIFICATION OF TREES

Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
NONE		

Groups of Trees (within a broken black line on the map)

Reference on Map	Description	Situation
NONE		

Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
W1	Mixed woodland comprising mainly the following species: Mixed Broadleaves	Grid Ref: TQ-30073-37304

Reference to an Area (within a dotted black line on the map)

Reference on Map	Description	Situation
NONE		



Tree Preservation Order No 02/2018
Land Parcel Adj To, Coronet Close, Pound Hill

Clem Smith
Head of Economic and Environmental Services

The scale shown is approximate and should not be used for accurate measurement.

Scale 1:1250

Date 30/05/2018

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