

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room A & B - Town Hall**, on **Tuesday, 20 November 2018 at 7.30 pm**

Nightline Telephone No. 07881 500 227



Head of Legal and Democracy and HR

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, P C Smith, M A Stone, J Tarrant, G Thomas and L Vitler and one Labour vacancy.

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

Published 9 November 2018

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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 - 8
To approve as a correct record the minutes of the Planning Committee held on 22 October 2018.	
5. Planning Application CR/2017/0519/FUL - The Imperial, Broadfield Barton, Broadfield, Crawley	9 - 30
Broadfield North	
To consider report PES/287 (a) of the Head of Economy and Planning.	
RECOMMENDATION to PERMIT.	
6. Planning Application CR/2018/0139/FUL - Town Hall, The Boulevard, Northgate	31 - 46
Northgate	
To consider report PES/287 (b) of the Head of Economy and Planning.	
RECOMMENDATION to PERMIT	
7. Planning Application CR/2018/0343/FUL - 44 Albany	47 - 58
West Green	

		Pages
	Road, West Green, Crawley	
	To consider report PES/287 (c) of the Head of Economy and Planning.	
	RECOMMENDATION to PERMIT.	
8.	Planning Application CR/2018/0433/FUL - Land of the Former White House Building and Adjacent Car Park Area, London Road, Langley Green, Crawley	Langley Green 59 - 74
	To consider report PES/287 (d) of the Head of Economy and Planning.	
	RECOMMENDATION to PERMIT.	
9.	Planning Application CR/2018/0557/FUL - 27 Crabbet Road, Three Bridges, Crawley	Three Bridges 75 - 88
	To consider report PES/287 (e) of the Head of Economy and Planning.	
	RECOMMENDATION to PERMIT.	
10.	Objections to the CBC Tree Preservation Order - Yew Tree to rear of 28 Church Street - 12/2018	West Green 89 - 94
	To consider report PES/308 of the Head of Economy and Planning.	
11.	Supplemental Agenda	
	Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

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 **Thursday 15 November 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

Crawley Borough Council

Minutes of Planning Committee

Monday, 22 October 2018 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

A Belben, N J Boxall, B J Burgess, K L Jaggard, S Malik, A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas and L Vitler

Also in Attendance:

Councillor C J Mullins

Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Jean McPherson	Group Manager (Development Management)

Apologies for Absence:

Councillor T Rana

Absent:

Councillor M L Ayling

1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor J Tarrant	CR/2018/0549/FUL - Goffs Park, Horsham Road, Southgate, Crawley. (Minute 4)	Personal and Prejudicial Interest – as the Chair of the Friends of Goffs Park Group. Councillor Tarrant left the meeting before consideration of this application and took no part in the discussion or voting on the item.

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Planning Committee (31)
22 October 2018

2. Lobbying Declarations

The following lobbying declaration was made by a Councillor:

Councillor Irvine had been lobbied regarding application CR/2018/0549/FUL

3. Minutes

The minutes of the meeting of the Planning Committee held on 25 September 2018 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2018/0549/FUL - Goffs Park, Horsham Road, Southgate, Crawley

The Committee considered report PES/286 (a) of the Head of Economy and Planning which proposed as follows:

Erection of a temporary ice rink and related temporary structures (to house cafe and reception) and equipment to operate for 72 days between 10 November 2018 to 20 January 2019 and for the same length of time annually in the period November – January until January 2023 (total period of five years) (amended description).

Councillors A Belben, Boxall, Jaggard, P Smith, Stone, Tarrant and Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. In so doing she explained that a key issue was parking. WSCC Highways had confirmed that there were no road capacity or safety issues, but the key concern was over parking and this had been the subject of discussions with officers, WSCC and the Applicant. An Events Plan had been submitted which gave details about the operation of the use, including the parking situation. Given the concerns particularly over parking and the objections received, a one-year permission approach had since been discussed and agreed with WSCC Highways in order to test the situation. The Highways Authority acknowledged the difficulty in resisting the overall proposal on parking grounds based on the Applicant's submitted evidence and the Events Plan. Whilst overall the proposal would provide a seasonal leisure facility and attract increased visitors to the park and town (in accordance with the relevant economic policies), this needed to be balanced against the potential impact on parking and highway safety. Thus given the submitted evidence which had been provided by the Applicant, the temporary nature of the use and the agreement of the Highways Authority, officers recommended a planning permission to be granted for one year to test the location's feasibility in terms of parking arrangements and assess the impact.

The Principal Planning Officer also advised the Committee that since the publication of the report the Council's Archaeological Officer had commented that whilst the application site was in an archaeological notification area, the proposed works were limited in nature and would pose negligible risk to below ground deposits.

Mr Richard Bradley (the Applicant) and Mrs J Roskilly (speaking on behalf of the Friends of Goffs Park Group) addressed the meeting in support of the application.

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

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Planning Committee (32)
22 October 2018

- Confirmed that whilst other locations within Crawley might have been available, the application received was for the site in Goffs Park, and as such the application had to be determined on the basis of that site.
- Emphasised that in terms of the reinstatement of the site on the expiry of the application event, this was covered by the requirements in Condition 1
- Clarified that the application was received and validated at the end of August and was dealt with as quickly as it could have been.
- Explained that in terms of the Goffs Park car park (which was free of charge), the Applicant had stated that the Borough Council had offered to give them a key to open the barrier to this car park at the start of each day and lock again at night. At present this car park was full by 8am with commuters, but with the barrier to the car park intended to be opened at 9am, this would give ice rink users an opportunity to park there.
- Commented that she was not aware of any site work associated with the application having already been started, but emphasised that whether it had or not, the application would be determined at this meeting.
- Reiterated that given the submitted evidence and the temporary nature of the use, a permission granted for one year would allow the matters of parking demand, traffic movements, highway safety and other issues (such as signage) to be assessed, and for more evidence to be gathered to understand the significance of these impacts and whether such a use would be acceptable in future years.

The Committee continued to consider carefully the application information.

At the request of Councillor Boxall, and in accordance with Council Procedure Rule 18.5, the names of the Members voting for and against the motion (to permit) and abstentions were recorded as set out below:

For the Proposal (to permit):

Councillors Fiveash, Irvine, Malik, Skudder, P C Smith and Thomas (6).

Against the Proposal (to permit):

Councillors A Belben, Boxall, B J Burgess, Jaggard, Stone and Vitler (6).

Abstentions:

None.

With the vote being 6 for the proposal and 6 against the proposal, the Chair used his casting vote, which was for the proposal.

The proposal (to permit) was therefore CARRIED, and it was

RESOLVED

Permit, subject to the conditions set out in report PES/286 (a).

5. Objections to the CBC Tree Preservation Order - 38 Hazelwick Road - 10/2018

The Group Manager (Development Management) introduced report PES/305 of the Head of Economy and Planning, which sought to determine whether to confirm this

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Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Councillors A Belben and B J Burgess declared they had visited the site.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

RESOLVED

Confirm.

6. Section 106 Monies - Quarters 1 and 2 2018/19

The Committee considered report PES/304 of the Head of Economy and Planning.

The report summarised all the Section 106 (S106) monies received, spent and committed to project schemes in Quarters 1 and 2 of the financial year 2018/19.

RESOLVED

That the update on S106 monies received, spent and committed in Quarters 1 and 2 of the financial year 2018/19 be noted.

Closure of Meeting

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

I T IRVINE
Chair

Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 20 November 2018
REPORT NO: PES/287(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:

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

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

The application is being returned to the Committee for determination because the S106 Legal Agreement was not completed within the timescale of 30th September 2018 that was required by the resolution of the Planning Committee on 30th July 2018. The S106 agreement was finally completed on 30th October 2018. The application is therefore in breach of the resolution, but as the application has not yet been refused and the S106 agreement has now been successfully completed, it is considered that it is appropriate to re-present this to the Committee to vary the resolution to permit the issuing of the planning permission.

This planning application has twice previously been considered by the Planning Committee and resolved to be permitted subject to the completion of the s106 agreement. Both of the previous reports from are appended to this report.

No additional representations have been received.

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The adoption of the NPPF 2018 was addressed by the officers at the Planning Committee of 30th July 2018 and there are not considered to be any other material changes that would adversely impact upon the resolution previously taken.

There is now a completed S106 agreement in place and the recommendation therefore is to permit in accordance with the resolution of 30th July 2018.

RECOMMENDATION RE: CR/2017/0519/FUL

To PERMIT subject to the conditions as set out in the earlier report for the 9th October 2017 Planning Committee (as attached).

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REPORT CONSIDERED AT 30 JULY 2018 COMMITTEE

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

APPENDIX 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

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

APPENDIX B

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
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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 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 |

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8. CBC - Drainage Officer
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.
9. West Sussex Fire Brigade
No comment received.
10. CBC - Housing Enabling & Development Manager
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.
11. UK Power Networks
No comment received.
12. CBC - Environment Team
No comment received
13. CBC - Environmental Health
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.
14. Cycle Forum
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.
15. CBC - Refuse & Recycling Team
Agreed that the amended layout would be acceptable subject to ensuing level access to the residential bin storage area.
16. CBC - FP - Energy Efficiency & Sustainability
No objection subject to a condition to ensure a suitable level of sustainability is achieved for the development.
17. CBC - FP - Retail & Employment
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.
18. WSCC - Surface Water Drainage (SWD)
No objection.
19. CBC - FP - Housing
No objection in principle. The site would provide a windfall to the level of housing provision with 40% affordable being provided.
- 20.. CBC - Planning Arboricultural Officer
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.

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:

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- 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.
- 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.

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PLANNING HISTORY:-

- 3.1 In 1976 out line 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.
- 4.5 Part 8 emphasis 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.

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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.
- 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.

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- 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:

- 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.

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- 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 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.

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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 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.

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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 front 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.
- 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 of the building without branches spreading across balconies or up

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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 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.

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- 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 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.

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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 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

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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.
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.

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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.
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;

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- 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.
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.

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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.

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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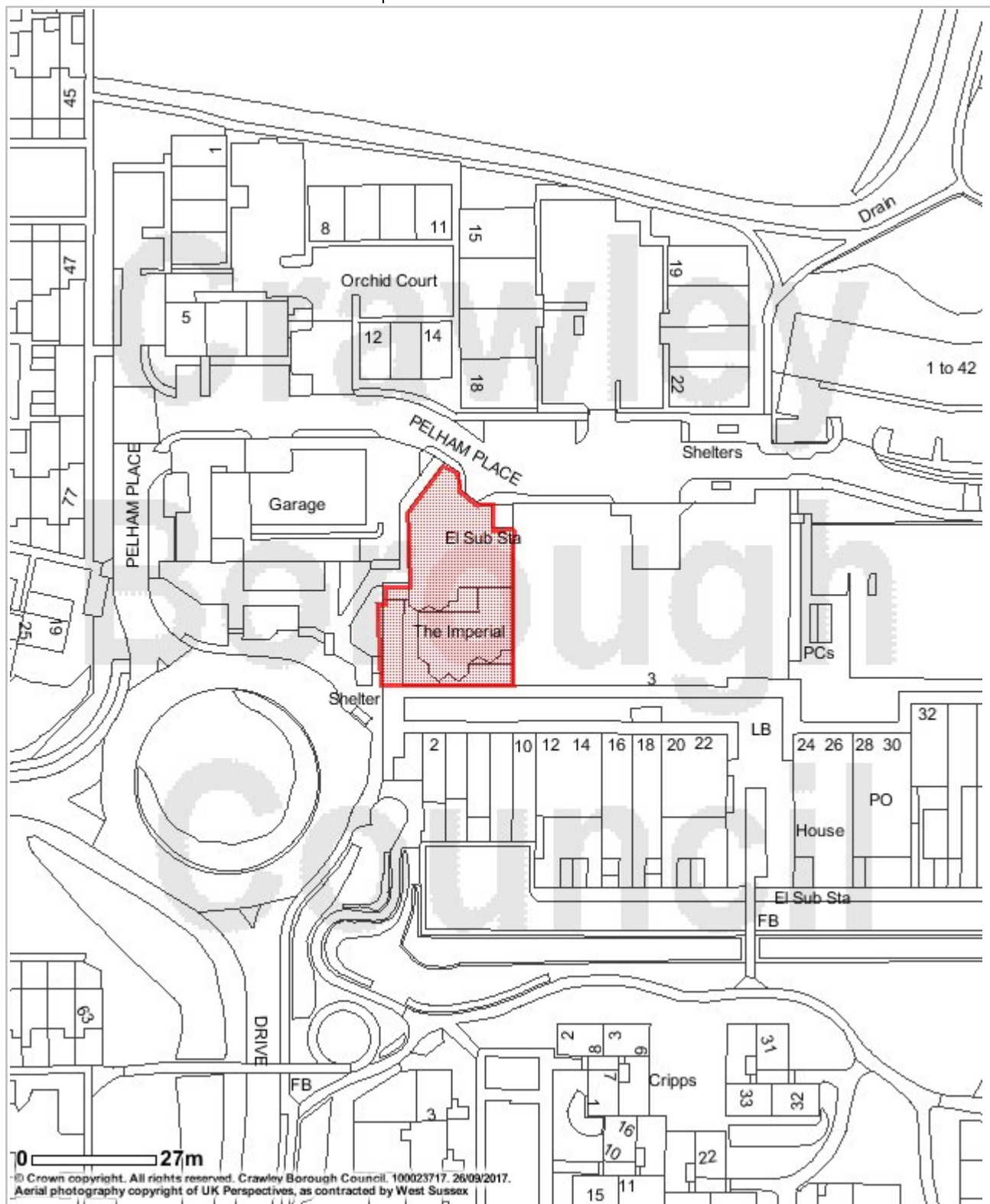


Crawley Borough Council,
Town Hall,
The Boulevard,
Crawley,
West Sussex RH10 1UZ
Tel: 01293 438000
Fax: 01293 438603

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 - 20 November 2018
REPORT NO: PES/287(b)

REFERENCE NO: CR/2018/0139/FUL

LOCATION: [TOWN HALL, THE BOULEVARD, NORTHGATE, CRAWLEY](#)

WARD: Northgate

PROPOSAL: ERECTION OF A DISTRICT ENERGY CENTRE BUILDING AND ASSOCIATED CONTROL ROOM/STORE, UNDERGROUND PIPE WORK ROUTE TO PROVIDE HEATING AND ELECTRICITY TO THE BUILDINGS INCLUDED WITHIN THE WIDER TOWN HALL REDEVELOPMENT MASTER PLAN AND OTHER DEVELOPMENTS WITHIN CRAWLEY TOWN CENTRE

TARGET DECISION DATE: 20 June 2018

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Westrock Ltd

AGENTS NAME: DMH Stallard

PLANS & DRAWINGS CONSIDERED:

DH-NET-09-001, DH Network Layout
EC-GA-02-005, Energy Centre GA Sheet 1 of 2
EC-GA-02-006, Energy Centre GA Sheet 2 of 2
764-CPA-DC-ZZ-DR-A-0600, DEC Existing Elevations
764-CPA-DC-RF-DR-A-0203, DEC Roof Level Plan
764-CPA-DC-GF-DR-A-0210, Existing Town Hall MSCP Ground Floor Plan
764-CPA-DC-GF-DR-A-0201, DEC Ground Floor GA Plan
764-CPA-DC-01-DR-A-0211, Existing Town Hall MSCP 1st Floor Plan
764-CPA-DC-ZZ-DR-A-0601, DEC Proposed South and West Elevations
764-CPA-DC-ZZ-DR-A-0602, DEC Proposed North and East Elevations
764-CPA-DC-ZZ-DR-A-0603, DEC Proposed East Elevation
764-CPA-DC-ZZ-DR-A-0700, DEC Sections AA and BB
764-CPA-DC-ZZ-DR-A-0701, DEC Sections CC and DD
764-CPA-DC-ZZ-DR-A-0800, DEC 3D Views
764-CPA-DC-00-DR-A-0100, Site Location Plan
764-CPA-DC-00-DR-A-0101, DEC Masterplan
764-CPA-DC-01-DR-A-0202, DEC Mezzanine Level GA Plan
764-CPA-DC-ZZ-DR-A-0801, DEC 3D Views 2

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|------------------------------------------|-------------------------------------|
| 1. | WSCC - Highways | No objection subject to condition |
| 2. | Thames Water | No comments |
| 3. | CBC - Drainage Officer | No comments |
| 4. | CBC - Property Division | Comments received |
| 5. | West Sussex Fire Brigade | No response received |
| 6. | UK Power Networks | Objection on Party Wall Act grounds |
| 7. | CBC - Environment Team | No objection |
| 8. | CBC - Contaminated Land | No objection in principle |
| 9. | CBC - Environmental Health - Noise | No objection subject to conditions |
| 10. | CBC - Environmental Health - Air Quality | No objection subject to conditions |

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11.	CBC - FP - Energy Efficiency & Sustainability	No objection
12.	CBC - FP - Urban Design	No objection (comments based on original scheme)
13.	CBC - Economic Development	No comments
14.	GAL - Aerodrome Safeguarding	No objection subject to conditions
15.	National Air Traffic Services (NATS)	No safeguarding objection
16.	Southern Water Ltd	No objection
17.	BT Openreach	No response
18.	Virgin Media	No response
19.	Gas Supply	Advice received
20.	Environment Agency	No comments from a planning perspective. Advice provided
21.	CBC Arboriculturist	Advice received

NEIGHBOUR NOTIFICATIONS:-

46 Northgate Road;
Army Reserve Centre;
Family Dental Centre Ltd Health Clinic;
British Telecom Telephone Exchange;
Caretaker Flat.

Site Notices were also placed in the vicinity of the site.

RESPONSES RECEIVED:-

One comment was received from a Crawley resident raising concerns about concentration of pollution at the site and stating that this may not be the best solution from an environmental point of view for the convenience of users.

REASON FOR REPORTING TO COMMITTEE:-

This is a significant proposal closely related to adjoining sites that have been subject to recent major applications and is also a site in which the Council has an interest as landowner.

THE APPLICATION SITE:-

- 1.1 The application site has an area of 0.13 hectares and is an unusual shape due to the proposed development's underground pipe network. The application site is primarily focussed on the Town Hall site, but also extends onto the former Kilnmead car park site, the adjoining Nos. 11-13 The Boulevard car park site and across Exchange Road towards the County Buildings' site. The largest parts of the site (which would house the proposed plant and related vehicular access) lie immediately to the west and north of the existing Town Hall multi-storey car park and southwards along the existing vehicular access from The Boulevard. The remainder of the site contains a number of narrow strips of land within which the underground pipework is proposed to serve adjoining and nearby sites.
- 1.2 The site lies within Crawley town centre. To the west is the Nos. 11-13 The Boulevard car park site, which has planning permission for redevelopment to form 91 flats. To the north-west is the Kilnmead site which is currently under development for a residential scheme. The telephone exchange lies to the north and County Buildings across Exchange Road to the east. Crawley College is to the south-east and the main town centre lies to the south.
- 1.3 The site lies within a Priority Area for District Heat Networks and also within the 'Land North of The Boulevard' Key Opportunity Site, both of which are defined in the Local Plan. The Dyers Almshouses Conservation Area and its Locally Listed Buildings lie to the west along Northgate Road. An area of Structural Landscaping runs north from the site along the public footpath to Kilnmead. The site lies within the Long Distance View Visibility Splay from Tilgate Park. The Boulevard is defined as a Linear Contained View under policy CH8 of the Local Plan.

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THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks full planning permission for a District Energy Centre building with control room and store and related pipework to provide heating and electricity to the Town Hall site, the adjoining car park site and the Kilnmead site. The pipework would also facilitate further expansion to serve other town centre development sites.
- 2.2 The proposal can be broadly divided into three key elements:
 1. The District Energy Centre itself would be located immediately to the west of the existing Town Hall multi-storey car park. It would comprise a two storey building with floor dimensions of 12.4 metres by 8.2 metres and a height of 10.1 metres. Within the building would be a 1.3 MW_e Combined Heat and Power Plant (CHP) and four boilers, although a smaller system would be installed initially to cater for lower demands from developments on and immediately around the Town Hall site. Five flues would project upwards from the roof of this building. The proposed flues would have a total height from ground level of 33.5 metres (106.06 AOD), a combined width of 3.6 metres and a depth of 1.4 metres. The five individual flues would be encased within a lattice metalwork structure;
 2. An existing store at ground floor level within the existing multi-storey car park and some land immediately to the north of the car park would be used for the Control Room, Energy Centre store and the Thermal Store. The Thermal Store would be located within the existing recess on the northern elevation of the car park. It would have dimensions of 3.8 metres by 3.8 metres with a height of 9.8 metres; and
 3. Underground pipework would extend north-westwards from the proposed District Energy Centre building to the Kilnmead car park site, southwards to The Boulevard (with links to the proposed residential buildings on the Nos. 11-13 The Boulevard site and within the Town Hall site) and then eastwards across the front of the Town Hall site, connecting into the proposed Town Hall office building and onwards over Exchange Road.
- 2.3 Access to the development would be from the existing vehicular access along the western side of the Town Hall building and, post redevelopment of the wider site, from the proposed access in a similar location.
- 2.4 The proposal has been amended since first submitted. The main change was the increase in flue height from the original 19.5 metres above ground level to 33.5 metres. This increase in height was to address air quality issues associated with the former lower flue height.
- 2.5 Along with drawings showing the proposal, the applicant has submitted the following documents in support of the application:
 - Design and Access Statement
 - Planning Statement
 - Concept Design Report
 - Utilities Overview Report
 - Air Quality Impact Assessment
 - Fire Safety Strategy
 - Tree Survey and Arboricultural Impact Assessment
 - Noise Impact Assessment
 - Sustainability and Energy Efficiency Statement
 - SUDS Report
 - Transport Assessment Addendum

PLANNING HISTORY:-

- 3.1 There is no relevant planning history on the current site, but there are a number of relevant adjoining applications.

Town Hall site

CR/2017/0997/OUT – Hybrid application comprising:

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- a) Detailed application for demolition of the existing Council offices and Civic Hall and erection of replacement Town Hall, offices and a public square and associated access, car parking, landscaping and ancillary works.
- b) Outline application for residential development comprising up to 182 units including commercial space with details of access. All other matters reserved (Layout, scale, landscaping and appearance).

Resolution to grant planning permission subject to a S106 agreement agreed at Planning Committee on 5 June 2018. The S106 agreement is currently being drafted.

CR/2002/0112/RG3 – Reconfiguration of existing road and footpath layout for vehicular and pedestrian access. Granted 25/03/02.

CR/585/1989 – Provision of new vehicular access and parking. Granted 22/09/89.

CR/631/1987 – Erection of Town Hall extension and multi-storey car park at side. Granted 07/12/87.

CR/673/1985 – Erection of extension to Town Hall. Granted 20/01/86.

CR/411/1983 – Conversion of existing garages and parking spaces to rates and collection office and construction of replacement garages. Granted 10/10/83.

CR/340/1974 – New office annexe. Granted 12/11/74.

CR/156/1971 – Erection of one single storey block for use as office accommodation and general storage and extension to car park. Granted 07/06/71.

CR/512/61 – Amended application for council offices.

CR/162/60 – Erection of council offices.

Nos. 11-13 The Boulevard

CR/2016/0662/FUL – Demolition of existing car park and the erection of a part 3 storey, part 6 storey and part 9 storey building to provide to provide a total of 91 flats with associated parking (amended plans received). Planning permission granted 19 July 2017 following completion of a Section 106 agreement to secure open space, tree planting, affordable housing and travel related contributions.

Kilnmead Car Park, Kilnmead

CR/2017/0444/FUL – Redevelopment of Kilnmead car park for residential comprising 37 affordable housing units (3 x two storey two-bed houses, 2 x two storey three-bed houses and a part 2-storey, part 3-storey and part 4-storey block of flats containing 13 x one-bed flats and 19 x two-bed flats) with associated parking & landscaping. Planning permission granted 30 January 2018 following completion of a Section 106 Agreement and construction now underway on site.

PLANNING POLICY:-

National Planning Policy Framework (NPPF)

- 4.1 The National Planning Policy Framework (NPPF) published in July 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- Section 2 – Sustainable Development – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
 - Section 8 – Promoting healthy and safe communities – this section discusses the importance of achieving healthy, inclusive and safe places which are accessible and support healthy lifestyles.

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- Section 11 – Making effective use of land – this section promotes effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or brownfield land.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Developments should add to the quality of an area over their lifetime, be visually attractive and sympathetic to local character and history. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. Planning should support the transition to a low carbon future in a changing climate, reduce greenhouse gas emissions and support renewable and low carbon energy and related infrastructure. When determining applications for renewable and low carbon development, applicants should not be expected to demonstrate the overall need for such energy and local planning authorities should approve the application if its impacts are (or can be made) acceptable.
- Section 15 – Conserving and enhancing the natural environment. Planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Planning decisions should sustain and contribute towards compliance with objectives and limits for pollutants. Planning decisions should assume that separate pollution control regimes will operate effectively.

Crawley Borough Local Plan 2015-2030

4.2 The following policies are relevant to this planning application:

- Policy SD1 (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3 (Normal Requirements of All New Development) – All proposals for development in Crawley will be required to be based on a thorough understanding of the site and its context, be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials, retain a good standard of amenity, retain trees and provide appropriate access, manoeuvring and circulation space.
- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH7 (Structural Landscaping) identifies key areas of soft landscaping which contribute to the character, setting and screening of the town.
- Policy CH8 (Important views) requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The Boulevard is defined as a Linear Contained View and the site lies within the Long Distance View Splay from Tilgate Park.
- Policy CH12 (Heritage Assets) protects designated and non-designated heritage assets by treating them as a finite resource and ensuring that their key features are not lost through development.

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- Policy EC6 (Development Sites within the Town Centre Boundary) states that sites within the Town Centre Boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough. Land North of The Boulevard is identified as part of one of four Key Opportunity Sites, from which minimum delivery of 499 net residential units will be required.
- Policy ENV1 (Green Infrastructure) advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV11 (Development and Noise) Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.

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: The SPD includes further design guidance on a range of developments. It addresses matters such as massing, materials and impact upon the public realm. It also sets out detailed guidance on acceptable relationships to residential development. The SPD also includes the Crawley Borough Parking Standards, which are minimum standards based on likely demand in terms of car ownership, taking into account the accessibility of the area by modes of transport other than the car.

Green Infrastructure SPD 2016: This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards and Structural Landscaping (Policy CH7)

Planning and Climate Change SPD 2016: This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3). In particular, it highlights the Council's work, through the 2011 Decentralised Energy Study, in identifying the potential for District Energy Networks (DEN) and subsequently establishing priority areas within the town. It also provides detailed advice on the benefits of DEN in terms of higher efficiency in the delivery of heating and power and issues to be addressed in bringing a proposal forward.

Crawley Community Infrastructure Levy Charging Schedule 2016: The Crawley CIL Charging Schedule is in effect from 17 August 2016 and is relevant to this application. It is applicable to all development which either creates 100 square metres or more of new build floorspace or which creates new dwellings of any size. The charges include a 'zero' charge for anything other than residential or retail development.

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PLANNING CONSIDERATIONS:-

5.1 The key issues for consideration in determining this planning application are:

- Principle of development
- Sustainability and climate change
- Design and appearance, including heritage impact
- Impact upon residential amenity
- Air quality
- Noise
- Trees
- Transport and servicing

Principle of development

5.2 The proposed development is for a District Energy Centre which would deliver heat and electricity to the proposed redevelopment scheme on the Town Hall site and also to other sites within the town centre. Policy ENV7 of the Local Plan states that District Energy Centres are decentralised systems that can deliver heating, cooling and energy more efficiently. The Council carried out a Decentralised Energy Study in 2011 and subsequently identified three priority areas for the delivery of District Energy Networks within the town in the Local Plan. The application site lies within the town centre priority area for the delivery of a District Energy Centre. Policy ENV7 states that 'The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs.'

5.3 The principle of the development fully accords with the hierarchy set out in Policy ENV7. It is considered acceptable in principle as the proposal would deliver a District Energy Centre within the town centre priority area and it would be well located to offer efficient and sustainable heating and energy to the Town Hall redevelopment scheme and also to a number of other town centre redevelopment sites.

Sustainability and Climate Change

5.4 Policies ENV6 and ENV7 of the Crawley Borough Local Plan are relevant to this application from the perspective of sustainable design, climate change mitigation/adaptation and energy efficiency. Policy ENV6 asks developments to consider 'the establishment of district energy networks within heat priority areas or near potential sources of waste energy and consider connection or futureproofing of developments for connection' and, as stated above, Policy ENV7 deals specifically with this town centre area. The Council, through its Sustainability team and its landowner role, has been developing a proposal for a town centre District Energy Network for some time. The aim of this has been to provide energy and heat more efficiently to town centre buildings, in the interests of sustainability and addressing climate change. These corporate aims are strongly supported by the two planning policies ENV6 and ENV7.

5.5 Decentralised energy generation and heat recovery systems offer an efficient energy source with less energy lost during distribution. The proposal would avoid the need for buildings or individual consumers to have boilers or fuel stores/pipework, saving on maintenance and replacement costs and potential risks. It offers a low carbon energy source which has been shown to be appropriate to Crawley and which has been implemented successfully in other urban areas.

5.6 The applicant's Sustainability & Energy Efficiency Statement states that Phase 1 of the proposed District Energy Network (to serve the proposed redevelopments of the Town Hall, Kilnmead car park and Nos. 11-13 The Boulevard) would save 213 tonnes of carbon per year. The subsequent Phase 2, although not specifically defined in the Sustainability & Energy Efficiency Statement, would involve expansion of the District Energy Centre to serve additional sites (such as Crawley College, Telford Place and County Buildings) and could create significant additional savings on top of those achieved through Phase 1.

5.7 Consideration of the emerging District Energy Network has formed a key part of the assessment of the recent planning applications at the Town Hall, Nos. 11-13 The Boulevard, Kilnmead and the Crawley College car park site. Each approval was subject to a planning condition requiring connection or detailed consideration of connection to the District Energy Network. The Town Hall

Agenda Item 6

development is subject to a requirement for the District Energy Centre to be brought into use before it is occupied. In some other cases, due to differing development timescales, alternative temporary CHP is proposed for individual sites ahead of any connection to the District Energy Network. According to the 'Concept Design Report' the proposed District Energy Centre is capable of accommodating a 1.3 MWe CHP unit, capable in turn of supplying 76% of the heat supplied to phases 1 and 2 of the network. A smaller system would be installed initially to cater for the demands from Phase 1. The current proposal would therefore help deliver the sustainability and energy efficiency measures of the nearby major developments.

- 5.8 Phasing of implementation of the District Energy Network will be crucial to its success and efficient installation. Careful phasing will help to provide maximum benefits in terms of climate change mitigation and security of energy supply and also help to reduce unnecessary costs of temporary plant. As the Forward Planning Sustainability officer stated in his comments, the applicant's Concept Design Report outlines an ideal scenario in which the heat network is able to begin supplying most of the network sites (including Crawley College, as the source of 70% of the total estimated energy demand) within a relatively short space of time. There is a risk though that not all expected sites will connect, which would reduce the efficiency of the CHP unit. Potentially, in the absence of a connection by Crawley College, a situation could result where an oversized CHP unit is not able to operate at all. Connection by Crawley College would help to realise a constant demand for heat/power throughout the day, rather than demand being focussed upon residential morning and evening peaks. These phasing risks will need to be managed by the developer. At present, it is understood that the necessary agreements to justify the larger network are being secured, but these are outside the planning system and dependent on the phasing of wider developments which is outside the applicant's control. It is not therefore possible to apply a planning condition to any approval for the District Energy Centre requiring phasing details of connections.
- 5.9 Overall, in sustainability terms, the proposal is considered a significant potential benefit for Crawley town centre which could offer low carbon, cheaper, efficient and reliable energy and heat for a number of surrounding major developments.

Impact upon amenity, particularly through air quality and noise

- 5.10 There are existing houses in Northgate Road which are around 45 metres from the proposed District Energy Centre plant and flues. As Members will be aware, there are also a number of residential schemes, either proposed or under construction, in the immediate vicinity. The development on the Kilnmead car park is under construction and will be located around 60 metres from the proposed District Energy Centre. The approved scheme at Nos. 11-13 The Boulevard for 91 flats would be located a minimum of only seven metres from the District Energy Centre building. The proposed residential block on the Town Hall site, which has a resolution to grant subject to a legal agreement, is shown on the illustrative plan (layout will be confirmed at reserved matters stage) as only three metres from the nearest wall of the proposed District Energy Centre building and, at a higher level, only six metres from the flues.
- 5.11 In terms of proximity and overshadowing/overdominance issues, the distance from the existing Northgate Road houses and the ongoing Kilnmead development is considered acceptable.
- 5.12 The proposed plant building would be located within seven metres of the proposed flats to the rear of the adjoining Nos. 11-13 The Boulevard site. This part of the building would be four storeys (13.5 metres) in height and contain single aspect flats facing towards the proposed District Energy Centre. The lower flats would face onto the brick walls of the District Energy Centre, whilst the upper flats would have an outlook across its roof and to the flues. Whilst the District Energy Centre would clearly have a fairly dominant impact upon the outlook from those flats, they would already look towards the western elevation of the significantly higher multi-storey car park. Whilst the relationship is not ideal, it is not considered that the proposal would significantly worsen the outlook from that which has previously been approved.
- 5.13 The Town Hall site residential block has only been agreed in outline. The illustrative plans do show some north facing windows in this block. The nearest ones would be slightly east of the proposed District Energy Centre and primarily face the existing multi-storey car park. It is likely that most of the windows in this elevation will be of a secondary nature and it is not considered that their outlook,

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which is already north facing and towards the multi-storey car park, would be significantly harmed by the proposal.

Noise

- 5.14 Given the very close proximity of existing and proposed houses/flats and the nature of the proposal, noise and air quality issues need careful consideration. The generators and boilers within the proposed District Energy Centre would clearly generate noise. At lower levels, the proposed building would be largely solid, but it would have 7.5 metre by 1.5 metre louvres on the north and south walls for ventilation purposes. The flues would discharge 34 metres above ground level.
- 5.15 The proposal would be located only 6-7 metres from the nearest proposed residential blocks to the south (Town Hall site) and west (Nos. 11-13 The Boulevard). There is potential for noise disturbance to existing and future residents in the surrounding area and the impact upon their amenity must be carefully considered. The applicant has submitted a Noise Impact Assessment, updated following earlier comments from Environmental Health, containing recommendations for insulating the plant room and installing silencers on the flues. This is intended to ensure that the District Energy Centre will not cause noise disturbance.
- 5.16 Environmental Health do not object to the proposal on noise grounds, but have commented that the acoustic data provided does not contain details of the expected noise spectrum, and so had to be gained from measurements of a similar unit elsewhere. The proposed flue silencer specification is therefore based on that noise spectrum to ensure that there is no tonality, which would increase the annoyance of the noise. Given the lack of site specific information, Environmental Health state that a post-completion noise survey of the District Energy Centre and its flues will be required to ensure that the proposed silencer specification is effective for the actual unit being installed. This can be secured by condition, along with mitigation measures if required. Subject to this assessment and any necessary mitigation, the proposal, despite its proximity to nearby flats, is considered acceptable on noise grounds.

Air quality

- 5.17 Air quality has been the subject of detailed discussion in processing the application and has resulted in the significant increase in flue height. At the request of Environmental Health, the applicant has reassessed the scheme and updated the Air Quality Impact Assessment. The main concern relates to NOx/NO2 emissions from the plant and the potential impact upon human receptor points. Of particular interest are the impact upon the proposed flats in closest proximity and the potential impact upon Air Quality Management Areas. The proposal incorporates Selective Catalytic Reduction (SCR) to provide emissions abatement.
- 5.18 The Council's Environmental Health Officer raised concerns that the proposal would need a permit under new regulations coming into force in December. The Environment Agency, the body implementing the new regulations, was consulted on the planning application. The Agency has raised no objection from a planning perspective, but confirmed that the proposal is likely to require a permit under the Environmental Permitting (England & Wales) Regulations 2016. This could result in further revisions to the scheme. However, the new regulations are brought forward under separate legislation and cannot be considered as a material planning consideration. Any resulting revisions would, if they result in material changes to the scheme, need to be resolved through future planning applications.
- 5.19 Setting the permit issue aside, the Environmental Health officer, in accordance with policy ENV12, requires the emissions from the plant to be acceptable in terms of impact upon nearby residents and the wider area. A condition is therefore requested to ensure that emissions from the scheme would meet the national air quality standards set out in the Air Quality Strategy.
- 5.20 Overall, subject to the recommended Environmental Health condition requiring demonstration that the scheme can meet the national air quality standards and subject to a maintenance and servicing plan, the scheme is considered acceptable in air quality terms.

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Design and appearance

- 5.21 The main visual impact of the proposal would be from the proposed flues, due to their proposed height. These would be 33.5 metres high. There would be five flues, each with a diameter of around 0.6 metres. The application proposes to surround the five flues with a decorative lattice metalwork structure to enhance their appearance. The latticework would have a width of around 3.6 metres and a depth of around 1.3 metres. At a lower level, the two storey plant enclosure building to the west of the Town Hall multi storey car park would also be visible for some residents and also pedestrians using the Kilnmead public footpath. The thermal store would also be publicly visible in longer distance views.
- 5.22 The proposed latticework structure could help to improve the appearance of the flues and this approach has been used with some success elsewhere. However, the District Energy Centre would be in a backland location and there is little scope to create a landmark building as such. The flues and latticework would be tall and slender, and the latticework could add visual interest, but it would be difficult to argue that they would have a positive visual impact.
- 5.23 The applicant has produced a series of images to illustrate the visual impact of the proposed flues from various locations in the surrounding area. Clearly, given their height, the flues would be visible from a number of different directions. From Northgate Avenue, one of the main routes into the town centre, the flues would be partially visible over the existing Town Hall multi-storey car park. Their visual impact, whilst slightly harmful, would be fairly limited in the context of existing car park, Town Hall buildings and the Telephone Exchange and its masts, and also due to the slim nature of the flues. Once the new Town Hall is constructed, their height would become less dominant.
- 5.24 The flues would be visible over the top of the two storey houses at the eastern end of Northgate Road. They would also be likely to be visible from near the Dyers Almshouses. However, The Platform (Woodall Duckham) building is already visible over houses along the south side of Northgate Road. The approved Nos. 11-13 The Boulevard and the proposed flats on the Town Hall site will also be visible over houses in the road. Given the context of Northgate Road with its two storey houses being situated adjacent to the town centre, which contains existing significantly taller buildings of up to eight storeys and the approved schemes around the Town Hall, the flues are unlikely to have a significant additional visual impact upon Northgate Road but could cause some limited harm.
- 5.25 The flues would be approximately 128 metres from the nearest boundary of the Almshouses. Although they would be visible, the intervening modern two storey housing and the nearby taller town centre buildings mean that any adverse visual impact upon the historic assets of the Conservation Area and locally listed buildings would be limited.
- 5.26 The flues would be visible from the north, although the trees along the public footpath (designated as Structural Landscaping) would partially screen views. The applicant has produced a closer view from the pedestrian footpath between Kilnmead and The Boulevard. Clearly along the footpath both the flues and the District Energy Centre building to the west of the multi-storey car park would be highly visible. They would be viewed though in the context of existing and proposed buildings which are bulkier and, in some cases, taller. Whilst again arguably causing some harm, the impact would be fairly limited.
- 5.27 In terms of designated views, the flues would lie within the visibility splay from Tilgate Park. Given the distance involved, the limited width of the flues and screening offered by existing and proposed taller/bulkier buildings, the impact of the flues in views from Tilgate Park would be negligible.
- 5.28 The potential for incorporating the flues within the proposed residential block of the Town Hall redevelopment when that building is constructed has been raised with the applicant. Officers consider that this could reduce their visual impact by incorporating the flues within a more substantial building. The agent has responded that this could raise new air quality, noise and potentially vibration issues affecting residential amenity. Further design work would apparently be required to address how emissions travel along flues with right angled turns, although officers note that the proposed flues already incorporate two right angled turns. The agent has also raised potential concerns about aviation safety and radar if the flues projected above the height of the residential block agreed by Gatwick. This approach would also require the District Energy Centre to be taken out of operation

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whilst the flues were altered. Whilst it seems certain that technical solutions could be found to noise, air quality, vibration, emissions and aviation issues, the applicant has not revised the scheme and the application needs to be determined in its current form.

- 5.29 At a lower level, the main building would have metal panelling at ground floor level, with brickwork above. It would have a flat roof. This building would be a maximum of ten metres high to the top of the rooftop plant, although the main part of the building would be 7.8 metres high. Its footprint would be 12.8 metres by 8 metres. It would sit directly alongside the western elevation of the multi-storey car park, which is 16.6 metres high. The main plant of the building (excluding flues) would only be visible to users of the footpath and from flats approved to the rear of the Nos. 11-13 The Boulevard site. Depending on fenestration, it would be visible from some of the proposed flats on the Town Hall site, which have been agreed in outline only. Given the proposed building's location surrounded by existing and proposed taller buildings and with very limited public visibility, the proposed elevations are considered acceptable. The applicant is proposing to make the plant building visually unobtrusive, but to give the brickwork some visual interest. The proposal is to use patterned brickwork to add interest to the upper elevations, with the building reflecting the materials to be used on the adjoining Nos. 11-13 The Boulevard scheme. This approach is considered appropriate in terms of materials and detailing, subject to a condition requiring further detail.
- 5.30 The proposed thermal store, immediately to the north of the multi-storey car park, would have limited public visibility. It would be partially visible to car park users, would not be visible from Exchange Road and would be partially visible from Kilnmead. Views from Kilnmead would be from around 100 metres away and the thermal store would only be visible against the backdrop of the car park. It is not considered that the proposed thermal store would have any significant visual impact. The control room, energy centre store and part of the proposed plant would be located within the existing multi-storey car park, including utilising the existing ground floor store. The impact on car parking spaces is discussed below but, in visual terms, the impact of this element of the proposal would be minimal.
- 5.31 The proposal would also involve significant lengths of underground pipework. This would have no visual impact upon the surrounding area.
- 5.32 Overall, the location of the proposed District Energy Centre behind existing and proposed buildings of up to ten storeys will serve to limit its visual impact. However, the District Energy Centre's flues, regardless of any visual interest created by the proposed metal latticework structure, are likely to have some harmful visual impact upon Northgate Road and other surrounding areas due to their height and external appearance. The flues and energy centre would also be fairly dominating in views along the Kilnmead footpath. These relatively limited, but adverse, visual impacts need to be weighed in reaching an appropriately balanced decision on the planning application.

Trees

- 5.33 There are existing mature trees lining The Boulevard and the public footpath to the west of the Town Hall site. The trees along The Boulevard are proposed to be retained. The removal of the line of Western Red Cedars along the public footpath to the west of the Town Hall was agreed as part of the Town Hall outline planning application. Other trees lie to the north-west between the proposed District Energy Centre and the Kilnmead development.
- 5.34 The applicant submitted a Tree Survey and Arboricultural Impact Assessment with the application. The Council's Arboriculturist has considered the report and is satisfied with its conclusions. As suggested within the applicant's report, a condition regarding tree protection and an arboricultural method statement is recommended.

Transport and servicing

- 5.35 The proposed District Energy Centre would create very limited traffic movements and these would be for maintenance purposes, rather than day to day journeys. The applicant has stated that vehicle trips for maintenance will be required only a few times a year. Access would be taken from The Boulevard using the existing access or, depending on development timescales and other planning permissions, the slightly revised access following Town Hall redevelopment. The Local Highway Authority is satisfied that the proposal would not have a significant impact upon local highways.

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- 5.36 The proposal would result in the loss of nine existing car parking spaces within the existing Town Hall multi-storey car park, two of which are Parent and Child bays. This loss of car parking was addressed in the assessment of the recent application for Town Hall redevelopment. The Local Highway Authority has stated that, given *“the central and sustainable location of the site and that the surrounding streets are controlled by a Controlled Parking Zone (CPZ) the loss of 9 car parking spaces is not considered to be a severe impact which would warrant a reason for refusal.”*
- 5.37 The proposed District Energy Centre is considered acceptable in transport terms.

Drainage

- 5.38 The applicant has submitted a SUDS report. The proposed approach to drainage continues the strategy agreed for the wider Town Hall site. The principle is to restrict surface water run-off to 50% of its existing rate. For the Town Hall scheme, storage tanks will be installed below the proposed public square. These will store water in order to reduce flows into the public sewer system. The proposed District Energy Centre will be connected to the proposed storage tank, enabling flows to be reduced sufficiently from their current levels.

Other issues

- 5.39 UK Power Networks lodged an objection in relation to the location of an existing electricity substation within 6 metres of the proposed works. The letter stated that no notice has been received from the developer under the Party Wall Act. Whilst this is noted, any planning permission would not override any rights that UK Power Networks may have under the Party Wall Act or any lease or right of access. In any case, the agent subsequently confirmed that notice has been served on UK Power Networks. It is not considered that planning permission could be refused on this basis.

CONCLUSIONS:-

- 6.1 The proposed development is an important part of the sustainability approach set out in the Local Plan. It would form a District Energy Centre offering a network to provide efficient, low carbon heat and power to the wider town centre. Given the number of forthcoming developments in the area, this appears a timely opportunity to deliver this scheme. As the report highlights, there could be some adverse visual impact from the flues upon surrounding streets and the proposed flats close to the site, though this could be partially mitigated by the design of the proposed metal latticework. The applicant has demonstrated that noise and air quality issues can be satisfactorily addressed. Other matters such as drainage and transport have also been resolved.
- 6.2 Overall, taking account of all relevant considerations, the highly significant sustainability and carbon efficiency benefits to be gained from the scheme are considered to outweigh the more limited visual impact and the impact upon the outlook from proposed adjacent flats. It is also worth highlighting that, if the proposed scheme does not proceed, CHP plants and related flues may be installed on individual proposed buildings in the area. Permission is therefore recommended subject to a number of conditions addressing issues such as the appearance and colour of the proposed metal latticework, noise and air quality.

RECOMMENDATION RE: CR/2018/0139/FUL

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. No above ground works on the District Energy Centre hereby approved shall take place unless and until a schedule and samples of all materials and finishes to be used for the external walls, roofs,

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flues, railings and metalwork, together with details of the proposed brickwork patterning and bonding, have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.

4. Notwithstanding the details shown on the submitted drawings, no above ground development shall take place until full details of the appearance, colour and materials of the proposed metal latticework structure to enclose the flues have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. The Plan shall include details of, but not necessarily be restricted to, the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - details of cranes and other tall construction equipment (including the details of obstacle lighting);
 - details of temporary lighting; and
 - details of public engagement both prior to and during construction works.The approved Construction Management Plan (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.
REASON: In the interests of highway safety, the amenities of the area and to ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) and does not endanger the safe movement of aircraft through interference with communication/navigational aids and surveillance equipment in accordance with policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

6. No development shall take place under a Tree Protection Plan and Arboricultural Method Statement covering trees on and around the application site has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.
REASON: To ensure the retention of vegetation important to the visual amenity and for the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015-2030.

7. Prior to the commencement of the District Energy Centre hereby approved, full details of the SUDS measures to be undertaken to reduce surface water drainage rates to 50% of their current rates in accordance with the Elliott Wood SUDS Report dated October 2017 and a site specific maintenance manual shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented and brought into use before the District Energy Centre hereby approved is brought into use.
REASON: To ensure sustainable treatment of surface water run-off in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

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8. Immediately upon the installation of the flues, obstacle lights shall be placed on the two outermost flues at 105.060m AOD. The obstacle lights must be low intensity Type B steady red with an intensity of 200 candelas. The obstacle lights must be maintained and remain illuminated at all times unless otherwise agreed in writing by the Local Planning Authority.
REASON: Obstacle lights are required on the flues to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015 – 2030.
9. The measured or calculated noise rating level (when assessed using BS4142:2014) for the combined effect of the Plant Room and Flues for the proposed Combined Heat and Power Plant associated with the proposed development, shall not exceed 44dB (LAeq1hr) one metre from the façade of any existing or approved noise sensitive premises (which includes the approved residential developments on the Town Hall and 11-13 The Boulevard site) between the hours of 07.00 and 23.00 and shall not exceed 36dB (LAeq15mins) between the hours of 23:00 and 07:00. After installation a survey, involving the measurement and calculation of noise emissions, shall be undertaken not less than 3 months after completion. The survey shall identify the level of compliance and any breaches of the maximum noise rating levels. A written report of the findings, identifying the level of compliance and, where required, details of any mitigation measures and a timetable for their implementation, shall be submitted to the Local Planning Authority within 1 month of the survey completion.
REASON: To ensure that noise levels associated with the development hereby approved are acceptable and do not cause unacceptable harm to residential amenity for existing and future residents in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
10. The District Energy Centre hereby approved shall include selective catalytic reduction (SCR) abatement on the Combined Heat and Power Plant (CHP), which shall be designed, operated and maintained to achieve pollutant concentrations not exceeding the air quality objectives set out in the National Air Quality Strategy. Unless otherwise agreed in writing by the Local Planning Authority, after installation of the CHP and boilers to serve Phase 1 of the wider developments as set out in the Callaghan Green Sustainability and Energy Efficiency Statement, a survey involving the measurement of emissions shall be undertaken not less than three months after completion. Unless otherwise agreed in writing by the Local Planning Authority, following installation of any replacement or additional CHP and boilers to increase the District Energy Centre's capacity to serve other developments in the wider area, a survey involving the measurement of emissions shall be undertaken not less than three months after their completion. The surveys shall identify the level of compliance and any breaches of the national air quality objectives. A written report of the findings, identifying the level of compliance and, where required, details of any mitigation measures and a timetable for their implementation, shall be submitted to the Local Planning Authority within one month of the completion of each survey.
REASON: To ensure that air quality associated with the development hereby approved is acceptable and does not cause unacceptable harm to residential amenity for existing and future residents in accordance with Policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
11. Details of the servicing and maintenance plan, including responsive as well as planned maintenance, for plant and equipment within the District Energy Centre hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the plant and equipment being brought into use. The District Energy Centre shall be operated in accordance with the agreed servicing and maintenance plan thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that maintenance and servicing arrangements are satisfactory to protect amenity for existing and future residents in terms of air quality and noise in accordance with Policies CH3, ENV11 and ENV12 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

1. The applicant is advised that the obstacle lights required under condition 8 may be able to be removed once the roof level of the proposed Block B building on the Town Hall site (planning application CR/2017/0997/OUT), or any revised scheme on the same site, reaches 105.060m AOD. The

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approval of the Local Planning Authority, who would consult GAL Safeguarding, will be required before the lights could be removed.

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

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

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 3030119) or www.southernwater.co.uk.
 4. The applicant is advised that they should contact West Sussex County Council Streetworks team should any Streetworks Licences be required for the underground duct work on the adopted highway. Further details can be found here (<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/street-workslicence/>) or by emailing street.works@westsussex.gov.uk.
 5. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
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 consultees and the agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/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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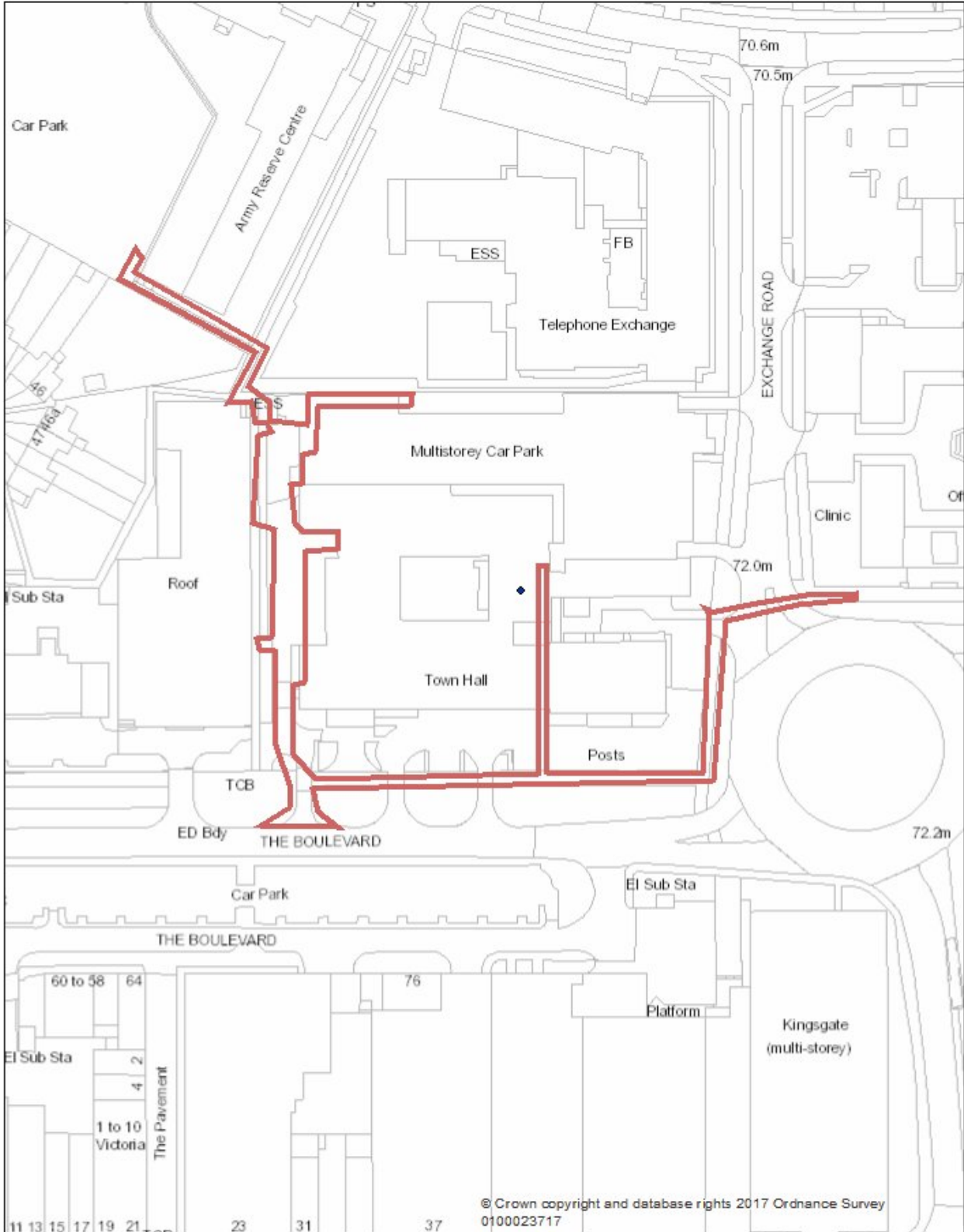


ArcGIS Web Map



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

1:1,250



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 20 November 2018
REPORT NO: PES/287(c)

REFERENCE NO: CR/2018/0343/FUL

LOCATION: [44 ALBANY ROAD, WEST GREEN, CRAWLEY](#)
WARD: West Green
PROPOSAL: DEMOLITION OF AN EXISTING BUNGALOW AND ERECTION OF 3 X 2.5 STOREY TERRACED HOUSES WITH ASSOCIATED PARKING.

TARGET DECISION DATE: 4 July 2018

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Klas Developments LTD
AGENTS NAME: Mr Jake McLewee

PLANS & DRAWINGS CONSIDERED:

A 11_2, STREET SCENE
A12_2, EXISTING FLOOR PLAN
A 13_2, PROPOSED ROOF AND GARDEN PLAN
A 14_2, FLOOR SPACE CALCULATION
A1_2, EXISTING ELEVATIONS
A 2_2, PROPOSED GROUND FLOOR PLAN
A 3_2, PROPOSED FIRST FLOOR PLAN
A 4_2, PROPOSED SECOND FLOOR PLAN
A 5_2, PROPOSED FRONT ELEVATION
A 6_2, PROPOSED EASTERN SIDE ELEVATION
A 7_2, PROPOSED WESTERN SIDE ELEVATION
A 8_2, PROPOSED REAR ELEVATION
A 9_2, BLOCK / LOCATION PLAN
A 15_2, PROPOSED SECTION

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--------------------------------------------|----------------------------------------------------------------------------------------------------|
| 1. | Network Rail | Advice provided |
| 2. | WSCC Highways | No objection subject to conditions |
| 3. | Thames Water | No response received |
| 4. | Sussex Building Control Partnership | No response received |
| 5. | CBC Drainage Officer | No objection subject to condition |
| 6. | CBC Housing Enabling & Development Manager | Advice provided |
| 7. | Homes & Communities Agency (HCA) | No response received |
| 8. | CBC Environmental Health | No response received |
| 9. | CBC Refuse & Recycling Team | Object due to lack of parking and existing difficulties for refuse vehicles accessing Albany Road. |
| 10. | CBC Energy Efficiency & Sustainability | No objection subject to water efficiency condition |
| 11. | CBC Urban Design | Advice provided |
| 12. | Ecology Officer | No response received |
| 13. | CBC Housing | Advice provided |

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NEIGHBOUR NOTIFICATIONS:-

12, 39, 41, 42, 45, 47, 54 and 104 Albany Road;

RESPONSES RECEIVED:-

Objections have been received from residents within seven properties on Albany Road. The objections raise concerns about design and visual appearance, parking and highways issues, amenity, trees and flooding.

They state that Albany Road has heritage value, blends older housing with more modern New Town schemes and that new development should improve rather than detract from the street's appearance. Three storey buildings would be out of character and proportion, the density is too high and there is no landscaping. The proposed parking would have an adverse visual impact. The existing bungalow breaks up the street frontage, but a terrace would be continuous. The first floor windows are too small and the bays and windows should be of similar size to neighbours. Houses would have unattractive side elevations facing neighbours. Revisions to the scheme are minimal and do not address the objections previously raised. The site would be better used for a pair of semi-detached houses. Three storeys is less suitable for older people. Minimum floor areas are not achieved and there is inadequate means of escape.

Inadequate parking spaces would be provided. Parking is an acute problem, including from hospital employees, with unlawful parking and obstruction occurring. The proposal would worsen this. On street demand will increase and cause road safety problems, including through vehicles reversing out of the proposed parking spaces. The occupants would considerably increase activity and noise in the street. Existing problems with vehicles being unable to pass each other and with access for refuse lorries and other larger vehicles due to existing parking demand. No provision is made for delivery vehicles. Proposed buildings are too far forward. Despite lack of injuries, vehicles have sustained collision damage. Significant increase in traffic movements and car ownership. Inadequate and not easily accessible cycle parking/bin storage proposed. Proposed cycle access to the rear creates a security weakness.

Adverse impact upon neighbours through overshadowing, loss of privacy and overlooking of adjoining gardens. Would also overshadow the street. Proposal would add to noise and activity due to intensity of use. Proposal would involve the loss of a 30 year old magnolia tree and also could increase flood risk.

REASON FOR REPORTING TO COMMITTEE:-

Application was called in by Councillor Sudan.

THE APPLICATION SITE:-

- 1.1 The application site currently contains a detached bungalow with attached single garage to the east. The bungalow has a projecting gable with bay window below, with the main part of the dwelling set back. There is a drive offering one car parking space in front of the garage. The remainder of the front garden is grassed/landscaped.
- 1.2 The surrounding area is residential and, although slightly mixed, is predominantly characterised by traditional two storey semi-detached houses and terraces, often with bay windows. The prevailing materials are brick or pebbledash walls, with the roofs originally slate but in many cases now tiled. There is a more recent house opposite the application site and other bungalows and modern houses to the west.
- 1.3 The Crawley to Horsham railway line lies immediately to the rear of the site, with Goffs Park beyond. The rear southern part of the site forms part of the 10 metre railway buffer zone. There are no other identified constraints affecting the site.

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THE PROPOSED DEVELOPMENT:-

- 2.1 Full planning permission is sought for the demolition of the existing bungalow and the erection of a terrace of three 2½ storey houses incorporating two rear dormers each.
- 2.2 The houses would be brick built with a slate roof. Each would have a ground floor canted bay window and entrance door at the front, with two sash windows at first floor level. There would be a contrasting brick course at first floor level, in an arch over the entrance doors and in quoin detailing on the corners. To the rear, the houses would have folding doors opening onto the garden, two windows at first floor level and two dormers in the roofspace.
- 2.3 One off-street car parking space is shown in each front garden. There would be a cycle and bin store in each rear garden, each with footpath access to the front.

PLANNING HISTORY:-

- 3.1 The application site has the following planning history:

CR/2017/0716/FUL – The demolition of an existing bungalow and the erection of a 3 storey, 8 unit residential building. Withdrawn 4 October 2017.

PLANNING POLICY:-

National Planning Policy Framework (2018):

- 4.1 The National Planning Policy Framework (NPPF) published in 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development.
 - Section 2 – Sustainable Development – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
 - Section 5 – Delivering a sufficient supply of homes. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
 - Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
 - Section 11 – Making effective use of land – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or ‘brownfield’ land.
 - Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

- 4.2 The following Local Plan policies are relevant to this application:
 - 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.

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- Policy CH1 (Neighbourhood Principle) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) states that all proposals for development in Crawley will be required to respond to and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area, be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- Policy CH4 (Comprehensive Development and Efficient Use of Land) states that development proposals must use land efficiently.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.
- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought.
- Policy ENV1 (Green Infrastructure) seeks to conserve and enhance Crawley's multi-functional green infrastructure network including private gardens.
- Policy ENV2 (Biodiversity) requires proposals to encourage biodiversity and enhance features of nature conservation value within and around development.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- Policy ENV11 (Development and Noise) advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport) advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.

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- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycle standards.

Supplementary Planning Guidance and Documents

4.3 The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application.

- Planning and Climate Change (October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
- Urban Design (October 2016) – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- Green Infrastructure (October 2016) – Sets out the Council's approach to trees, open space and biodiversity. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling.
- Developer Contributions Guidance Note (July 2016) – Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.
- Affordable Housing (November 2017) – Sets out in greater detail the Council's approach to affordable housing to assist with the implementation of policies H3 and H4 of the Local Plan.

PLANNING CONSIDERATIONS:-

5.1 The main issues for consideration are:

- Principle of development
- Design and visual appearance
- Residential amenity
- Transport and parking
- Trees and ecology
- Sustainability
- Other material considerations, including flooding and drainage issues.

Principle of development

5.2 The existing and proposed uses of the site are residential, as is the primary use in the surrounding area. The site lies a short distance to the west of Crawley town centre and is within the built-up area boundary.

5.3 The site currently contains a single bungalow. The proposal would provide a total of three houses within the same site, offering a small benefit in terms of housing delivery and helping to meet the town's needs. The proposal represents an intensification of existing residential use in a sustainable location within the built up area and, in principle, is acceptable in planning policy terms.

Design and visual appearance

5.4 The design of the scheme has been amended since it was originally submitted. The revised design is more traditional, with ground floor canted bay windows, a brick finish with detailing around windows/doors and a pitched slate roof. The use of render has been deleted from the scheme. The revised dormers are smaller and set within the rear roof slopes.

5.5 The surrounding area is residential in character and contains predominantly older terraced houses. The proposed houses would reflect the appearance and scale of the existing housing along Albany Road. The proposed terrace would be set back approximately 1.3 metres further into the site than the projecting gable of the existing bungalow. It would be set back around 2.5 metres from the adjoining houses to the east and west. To the east, Albany Road has a fairly consistent building line

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although it becomes more variable from the application site towards the western end of the road. Whilst the terrace would be set back from the building line to the east, it would not be out of character with the area.

- 5.6 Overall, the proposal is considered an appropriate design solution for the site which takes account of its surroundings and the traditional character of Albany Road.

Residential Amenity

- 5.7 Policy CH5 of the Crawley Borough Local Plan states that all dwellings must create a safe, comfortable and sustainable living environment, and also sets out the minimum sizes for dwellings which are based on the Nationally Described Space Standards. The proposed houses would be 3 bedroom, five person dwellings and would meet the minimum internal space standards of 93 square metres. They would therefore accord with Policy CH5 of the Local Plan.
- 5.8 The Urban Design SPD seeks 90 square metres of useable external private amenity space for each of the proposed houses. The rear gardens would be south facing, have a length of thirteen metres and extend down towards the railway line. According to the applicant's calculations, the smallest proposed garden, which is slightly narrower due to the pedestrian access to the rear serving the mid-terrace house, would have an area of 77 square metres. The largest rear garden would be 110 square metres. The three houses would each have acceptable private garden areas in keeping with the character of the surrounding area and they are considered acceptable in terms of provision for future occupants.
- 5.9 The scheme has been revised to incorporate secure covered cycle parking and refuse storage within the rear garden areas. Each house would have dedicated pedestrian access to the rear to facilitate refuse/recycling collections and the use of bicycles. The proposed layout is considered acceptable in this respect.
- 5.10 The proposed houses would create acceptable living accommodation for future residents.
- 5.11 The windows of the proposed houses would face north and south, with no windows proposed in either side gable. The rear wall would broadly align with neighbouring houses. The side gable walls would be 7.5 metres from No. 54 and 8 metres from the side of No. 42. Whilst No. 54 has its entrance and two windows on the side elevation, its main windows face to the front and rear. The relationship between the proposed houses and Nos. 42 and 54 would be typical of residential areas and fairly generous in terms of the gaps between the side elevations. It is not considered that the proposal would harm the amenity enjoyed by residents of the adjoining houses.

Transport and parking

- 5.12 The proposal incorporates three off-street car parking spaces to be accessed by two vehicular crossovers. The site currently has a vehicular crossover towards the eastern end of the front boundary. At the request of the Local Highway Authority, further information has been provided to demonstrate that the parking spaces would have dimensions of 6.0 metres by 2.4 metres, to allow for the entrance doors to the houses.
- 5.13 One off street car parking space would be provided for each house in its front garden area. Neighbours have raised significant concerns about inadequate parking provision being proposed and about on-street parking and manoeuvring issues in Albany Road. Concern is raised that the proposed off-street spaces would exacerbate road safety issues when vehicles are reversing out and that vehicles have difficulty passing each other on the road. The Council's Refuse and Recycling team has also raised concerns about the level of off-street car parking proposed. They highlight existing problems for refuse vehicles in accessing the road and feel that the development would exacerbate these. They recommend increased car parking on site or a reduction in the number of houses proposed.
- 5.14 It is apparent from comments received and from the case officer's site visit that Albany Road suffers some on-street parking problems, particularly towards its eastern end, as only a few properties have off-street parking provision. It lies just outside the West Green Controlled Parking Zone and may suffer overspill parking demand as a result. It is also located on the western edge of the town centre.

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In addition, cars tend to be parked on both sides of Albany Road, often partially on the kerb. The road is relatively narrow and the parking situation undoubtedly presents difficulties for larger vehicles in accessing the road.

- 5.15 Whilst these concerns are noted and there are clearly some parking and manoeuvring issues in the road, this situation is existing. The consideration for this application is whether the scheme would, in its own right, have a significant impact upon any existing problems. However, it is not for this proposal to address or solve existing parking and manoeuvring issues.
- 5.16 The Local Highway Authority has raised no objection to the scheme. The proposal would replace one bungalow with three houses. Three off-street parking spaces would be provided. The Council's car parking standards seek 2-3 spaces per house, which would give a total of 6-9 spaces. There is a shortfall against the parking standards, although this is an edge of town centre site and lies in a sustainable location where a lower level of parking can be acceptable. Following comment on the earlier scheme by the Local Highway Authority, improved visibility splays were achieved and these have been retained for the current proposal. The scheme would achieve the sightlines required, even for speeding vehicles travelling at 37 mph within this 30 mph road. In safety terms, the Local Highway Authority considers the visibility splays to be acceptable, subject to a condition on maintenance of planting height within the visibility splay.
- 5.17 Whilst there is a shortfall against the parking standards, the site lies very close to the town centre and other facilities. Potential residents would be aware of the parking provision before purchasing a property and it is considered that the level of parking proposed would be acceptable to serve the development itself. The proposal could make some limited additional demands upon on-street parking demand, but it cannot be expected to address existing parking and manoeuvring problems. No objection has been raised by the Local Highway Authority and officers do not consider that the parking provision would justify refusal of this small scale scheme.

Trees and ecology

- 5.18 There is an existing magnolia tree within the rear garden and the neighbours have commented positively upon its visual and screening impact. The revised scheme allows for retention of the tree. The proposal also includes two new trees within the rear gardens and, in doing so, complies with the Green Infrastructure SPD requirement for one new tree per additional new house. Subject to tree protection during construction and a condition to ensure implementation of the landscaping scheme, the proposal is considered acceptable in trees terms.

Sustainability

- 5.19 The applicant has submitted an Energy Statement, which demonstrates that the scheme will achieve a 5% saving over Building Regulations CO2 emissions levels and a saving of around 18% in energy use. The Sustainability Officer is satisfied that the proposed measures satisfactorily address policy CH6 in energy terms. The Sustainability Statement indicates that consideration is being given to meeting the 'optional' tighter Building Regulations part G requirement of limiting water consumption to 110 litres per person per day. This can be secured by condition. Overall, the applicant has demonstrated an acceptable approach to sustainability in line with Local Plan policy CH6.

Drainage and flooding

- 5.20 The applicant has submitted a Drainage Strategy Document. The Drainage Engineer confirms that the principles of the approach suggested are acceptable. Further details are required regarding surface water drainage and potential flooding, but these can be secured by condition.

Railway issues

- 5.21 The site backs onto the Crawley to Horsham railway line. Network Rail has provided detailed comments on the application addressing issues such as fencing, drainage, plant and materials, scaffolding, piling and other issues. The proposed houses would be situated around 14 metres from the railway boundary. Whilst clearly the railway is a sensitive area, given the distance involved, there is no reason to believe that the development would create operational or safety issues for the railway. No objection is raised, but Network Rail recommends that the applicant contacts its Asset Protection team to gain approval of the detailed works. This can be addressed by an informative and clearly any permission would not override the rights of the railway owners and operators.

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Affordable housing

- 5.22 Crawley Borough Local Plan Policy H4 states that 40% affordable housing will be required from all residential developments. The policy accepts that on-site provision may not always be achievable on small developments of 5 dwellings or less and, on this basis, the council will accept an off-site financial contribution. The applicant submitted a viability assessment with the application. Following review by an independent assessor, agreement has been reached with the applicant to make a contribution of £10,000 towards off-site provision of affordable housing. Whilst this is below the figure that would normally be sought in accordance with Policy H4 and the Council's SPD, officers and the Council's independent assessor consider that a reduced level of contribution has been justified by the applicant. The agreed figure strikes an appropriate balance between addressing Policy H4 and ensuring the deliverability of the proposed scheme.
- 5.23 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule is in effect from 17th of August 2016 and is also relevant to this application since the proposal is creating new residential units. The charge will be calculated and a CIL Liability Notice will be issued following a grant of permission.

CONCLUSIONS:-

- 6.1 The proposal would make a small contribution towards meeting Crawley's housing needs and would have an appropriate design and materials to fit comfortably in the Albany Road streetscene. The houses and gardens would be acceptable in terms of amenity for future residents. Despite the shortfall in on-site parking provision, the scheme is considered acceptable by the Local Highway Authority and, given its small scale, would not significantly exacerbate parking and manoeuvring problems in Albany Road. The scheme is acceptable in terms of trees, sustainability and drainage and would have no significant impact upon the railway. The applicant has agreed to make a financial contribution towards off-site provision of affordable housing.
- 6.2 As a result the proposal is considered to accord with the policies and objectives outlined in the Crawley Borough Local Plan (2015-2030), the Supplementary Planning Guidance notes and the NPPF (2018). It is therefore recommended to grant planning permission subject to the conclusion of a Section 106 Agreement to secure a financial contribution towards the provision of off-site affordable housing.

RECOMMENDATION RE: CR/2018/0343/FUL

PERMIT, subject to the completion of a Section 106 agreement to secure a £10,000 contribution towards the off-site provision of affordable housing 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 residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that they 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 tackling water stress in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030.
4. No above ground development shall take place until details of the proposed surface water drainage and means of disposal in accordance with the principles set out in the Drainage Strategy Document have been submitted to and approved in writing by the Local Planning Authority. No house shall be

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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 and does not cause potential flooding concerns in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

5. No above ground development shall take place unless detailed plans and particulars of the land levels and the finished floor levels of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The houses shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. No above ground development shall be carried out unless and until a schedule of materials and finishes, and samples of such materials and finishes, to be used for external walls and roofs of the development hereby approved have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details.
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.
7. No part of the development shall be first occupied until such time as the eastern vehicular access has been constructed to a width of at least 3 metres and the western vehicular access has been constructed to a width of at least 4.8 metres in accordance with the plans hereby approved.
REASON: In the interests of road safety in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
8. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with the plans hereby approved. These spaces shall thereafter be retained at all times for their designated use.
REASON: To provide car parking spaces for the use in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the car parking standards within the Urban Design Supplementary Planning Document.
9. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
10. No part of the development shall be first occupied until the refuse/recycling stores have been provided in accordance with the approved plans.
REASON: To provide appropriate storage facilities for refuse/recycling in the interests of amenity and in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
12. The existing magnolia tree shall be retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any tree removed without such consent or dying or being severely damaged or becoming seriously diseased during that period, shall be replaced in the

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following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure the retention of vegetation important to the visual amenity and for the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030 and the Green Infrastructure Supplementary Planning Document.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no windows or other openings shall be formed in either side elevation of the terrace hereby approved 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.

INFORMATIVE(S)

1. The water efficiency standard required under condition 2 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1
2. Network Rail strongly recommends the developer contacts Network Rail Asset Protection London South East at AssetProtectionsussex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.
3. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.
Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossoversfor-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossoversfor-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

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

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

5. 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:

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- 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.

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, consultees, respondents and the applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

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

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ArcGIS Web Map



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

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 20 November 2018
REPORT NO: PES/287(d)

REFERENCE NO: CR/2018/0433/FUL

LOCATION: [LAND OF THE FORMER WHITE HOUSE BUILDING AND ADJACENT CAR PARK AREA, LONDON ROAD, LANGLEY GREEN, CRAWLEY](#)

WARD: Langley Green

PROPOSAL: ERECTION OF A TWO STOREY BUILDING FALLING WITHIN USE CLASS B8 (STORAGE OR DISTRIBUTION) ALONG WITH ASSOCIATED LANDSCAPING, ANCILLARY FIRST FLOOR OFFICE AREA, PARKING AND SERVICE AREA (AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 19 September 2018

CASE OFFICER: Miss D. Angelopoulou

APPLICANTS NAME: Goya Developments & BP2017 (Crawley) LLP

AGENTS NAME: Mr Aaron McCaffrey

PLANS & DRAWINGS CONSIDERED:

10948 PL 002 RevF Proposed Site Plan
10948 PL 001 RevA Location Plan
10948 PL 003 RevA Proposed Ground Floor, First Floor & Roof Plans
10948 PL 004 RevA Proposed Elevations & Sections
10948 PL 005 RevA Proposed Site Sections
1802036-SK01 London Road Access
1802036-TK01 RevC Swept Path Analysis 16.5m Articulated Vehicle
1802036-TK02 RevC Swept Path Analysis 16.5m Articulated Vehicle
1802036-TK03 Rev C Swept Path Analysis 16.5m Articulated Vehicle
1802036-TK05 RevB Swept Path Analysis Access Arrangements
0124/BW/400 Rev 1 - District Heating Ducts.pdf
1802036-TK04 RevB Swept Path Analysis Rigid Truck.pdf

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | GAL Planning Department | No objection subject to informative if a second runway were provided at Gatwick. |
| 2. | GAL Aerodrome Safeguarding | No objection subject to conditions and informative. |
| 3. | WSCC Highways | Following additional information over access arrangements, pedestrian crossing and amended description; no objection is raised subject to conditions. |
| 4. | National Air Traffic Services (NATS) | No safeguarding objection to the proposal. |
| 5. | Thames Water | No objection. |
| 6. | Police | No objection but crime prevention advice provided for the proposal. |
| 7. | CBC Drainage Officer | Following further clarifications over the drainage design, no objection is raised subject to condition. |
| 8. | CBC Planning Arboricultural Officer | No response received. |
| 9. | CBC Environment Team | No response received. |
| 10. | CBC Contaminated Land | No objection. |
| 11. | CBC Environmental Health | No objection (condition only if the site would have been |

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12.	Crawley Cycle & Walking Forum	in B2 heavy industrial use). No objection but comments regarding the number of spaces etc. A shared use cycle/pedestrian path along the west side of London Road with connections to the existing shared cycle/pedestrian path approximately 60m south of the site has been identified as a desirable improvement to the cycle network.
13.	CBC Refuse & Recycling Team	No response received.
14.	Southern Water Ltd	No objection subject to informative.
15.	CBC Energy Efficiency & Sustainability	Following further information over Policy ENV7, no objection is raised subject to conditions.
16.	CBC Retail & Employment	No objection.
17.	CBC Urban Design	No objection but comments over landscaping as contained in Manor Royal SPD.
18.	Ecology Officer	No response received.
19.	WSCC Lead Local Flood Authority	No objection.
20.	CBC Manor Royal	No objection.
21.	Gatwick Diamond Grow Group	No response received.
22.	CBC Economic Development	No response received.

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised through an advert in the local press on 04/07/2018 and by site notices displayed in front of the site on 24/07/2018.

RESPONSES RECEIVED:-

An objection letter and a transport note have been submitted from Metrus, the occupiers of The Atrium to the north. The objections are summarised as follows:

- The development is not compliant with the Council's parking standards in relation to B2 or B1b or B1c uses as contained in the Council's SPD.
- The proposal would pose concerns in relation to highway safety though the shared access with The Atrium as detailed within Technical Transport Note prepared by Transport Planning Practice.
- The proposed landscaping proposes a 5m landscaping strip to the front of the site contrary to the Manor Royal Design Guide SPD that requires a minimum of 10m landscaping frontage.
- NPPF paragraph 182 states that "existing businesses should not have unreasonable restrictions placed on them as a result of development after they were established". The 'agent of change principle' emphasises that new development can be integrated effectively with existing businesses and the applicant is required to provide suitable mitigation prior to the completion of development. The Atrium occupier objects to the application proposal on the basis that the scheme design does not adequately take account of The Atrium and therefore fails to comply with the NPPF. The most significant concerns relate to the adequacy and safety of the car parking and access arrangements in the different development scenarios.

REASON FOR REPORTING TO COMMITTEE:-

The application is 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site is 0.57 hectares of previously developed land on the site of the former office building, known as the White House, which has been demolished, and land currently used as surface car park associated with the large office building to the south, known as Astral Towers.
- 1.2 The application site has been cleared of buildings and is almost entirely laid to hardstanding. The site is largely flat and featureless with little landscaping. In particular, it contains some low quality trees/hedges along the northern boundary and some low quality trees within the centre of the site and the surface car park.

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- 1.3 The site is located on the western side of London Road at the edge of the Manor Royal Business District. The access to the site is at the northern boundary from London Road and has a splitter island, where a bus stop is located, and is approached through an acceleration/deceleration lane. The application site lies within the Manor Royal Main Employment Area and the Priority Areas for District Energy Network as defined in the Crawley Borough Local Plan 2015-2030. The site is within the Long Distance View Splays from Tilgate Park and Target Hill as identified by the Local Policy CH8.
- 1.4 The White House, was a 5 storey building containing 2,400 sq m of floor space. The ground and first floors of the building provided car parking. Access to the White House was taken direct from the London Road (A23) by means of a shared access with the office development to the north, formerly known as Groundstar House, but now called The Atrium.
- 1.5 To the south of the site is Astral Towers, an 8 storey office building. There is a single storey extension at ground floor level to the north of the building with a retail unit and gym at ground floor level. Access to Astral Towers is currently from Betts Way to the south of the development.
- 1.6 To the north of the site is The Atrium, an office development beyond which are open fields. To the immediate west of the site is a Medical facility and the Wingspan site. The facility comprises a single storey building and a grassed field. The eastern boundary of the site is marked by the A23; on the other side of which is a mix of residential flats, hotel and storage uses. To the south west is a new retail development along with associated car parking (Wickes).

THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks planning permission for the redevelopment of the site and the erection of a two storey building (total floorspace of 3,065sqm), falling within use class B8 (storage or distribution) with ancillary first floor office area and associated landscaping, parking and service area.
- 2.2 The scheme has been amended since the application was submitted, through an amendment to the description of the proposal to omit B1b, B1c and B2 uses, and through revisions to the proposed depth of the landscaping that has led to the setback of the main building from London Road to the east. The layout proposes a single unit in rectangular form to the south of the site with its key frontage facing London Road, and its parking and servicing area to the north. The proposed unit would measure 75 metres in depth, 33 metres at its widest point and 13.4 metres in height. The building would be set back from London Road by 11-13m with a 9-10m wide soft landscaped area to the frontage facing London Road.
- 2.3 Access to the new development would be provided through the widening of the existing access/egress at the northern boundary off A23 London Road, which is shared with The Atrium to the north, to improve the access for larger vehicles. Pedestrian access would be off London Road directly to the building entrance. A new pedestrian crossing with dropped kerbs and tactile paving are also proposed close to the bus stop and the highway verge. A new substation would be required to serve the new site and this has been positioned to the centre of the plot to the northern side of the new building.
- 2.4 The car parking arrangement would provide a total of 32 car parking spaces, including 2 disabled spaces within the site. A cycle shelter with parking for 10 cycle spaces is also proposed in the centre of the site. One dual electric car charging point would be provided. A service yard is proposed to the north-west corner with 3 loading bay doors for HGVs.
- 2.5 The following documents have been submitted in support of the application:
 - Design and Access Statement
 - Planning Statement
 - Transport Statement
 - Travel Plan
 - Arboricultural Impact Assessment
 - Sustainability Statement – Issue 2 Transport Statement

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- Noise Impact Assessment
- Land Quality Assessment Statement
- Incoming Utility Requirements
- Phase I/II Geo-environmental and Geotechnical Site Assessment
- Preliminary Ecological Appraisal
- External Lighting Proposals
- Bird Management Plan
- BREEAM Ecology New Construction (2014) Assessment
- BREEAM New Construction: Pre-Assessment Report
- Drainage & Flood Risk Assessment
- Ventilation & Odour Control Statement

PLANNING HISTORY:-

3.1 The site has a long planning history and was formerly occupied by an office building known as the 'White House' which has since been demolished.

3.2 The site history indicates that until recently the land was part of the wider Astral Towers development site and there were applications for its redevelopment for offices under the following related planning references:

- CR/2016/0500/NCC
- CR/2012/0034/FUL
- CR/2012/0034/NM1

These involved demolition of the existing office building (The White House) and erection of a new office building comprising 11,362 sq.m GEA and a decked car park with vehicle access for the site taken off Betts Way .. A further access at the north end of the site was restricted by condition to provide access to the disabled parking and motorcycle parking spaces, and for service vehicles only.

3.3 Planning permission was previously granted for the wider Astral Towers development site, including the application site (former White House building), under reference CR/2008/0277/FUL and extension of time to this permission was granted under reference CR/2011/0397/FUL. This application proposed the replacement of the White House with 22,911 sq.m of offices in three office buildings, seven/eight, six and six/five storeys in height. Staff access to the new development would have been from the existing access to Betts Way, whilst service access would be taken from the shared access with the Atrium.

3.4 The application site, however, now appears to have been sold and be separated from the Astral Towers to the south. The current application in effect opens a new chapter in its planning history.

PLANNING POLICY:-

National Planning Policy Framework (July 2018) (NPPF)

4.1 The relevant paragraphs/sections include:

- Paragraph 11 – The presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay.
- Section 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a

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key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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

4.2 The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design in order to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas, and provide information to demonstrate how the policy principles are achieved through the development.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH4: Comprehensive Development and Efficient Use of Land. Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
- Policy CH6: Tree Planting and Replacement Standards. This Policy deals with tree planting and replacement standards and refers to the Manor Royal SPD for the relevant tree planting standards in Manor Royal.
- Policy CH8: Important views. The Important Views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within the Long Distance View Splays from Tilgate Park and Target Hill.
- Policy EC1: Sustainable Economic Growth. Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. To ensure that Crawley’s recognised economic role and function is maintained and enhanced the council will: i) Build upon and protect the established role of Manor Royal as the key business location (B Use Classes27) for Crawley at the heart of the Gatwick Diamond; and ii) Ensure that the town’s Main Employment Areas are the focus for sustainable economic growth.
- Policy EC2: Economic Growth in Main Employment Areas. This Policy identifies Manor Royal as Main Employment Area and states that proposals for employment generating development will be supported where they contribute to the specific characteristics of the main employment area.
- Policy EC3: Manor Royal. Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area’s economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.
- Policy ENV1: Green Infrastructure. This Policy states that Crawley’s multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- Policy ENV2: Biodiversity: All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.

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- Policy ENV6: Sustainable Design and Construction. Proposals for new non-domestic buildings should achieve BREEAM Excellent (for water and energy credits) where technically and financially viable.
- Policy ENV7: District Energy Networks. The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs. Manor Royal is identified as a priority area for delivery of a District Energy Network and the Policy requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9: Tackling Water Stress. For non-residential development, where technically feasible and viable, development should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits. Should BREEAM be replaced, or any national standards increased, then this requirement will also be replaced by any tighter standard appropriate to an area of serious water stress. Applicants must demonstrate how they have achieved the requirements of this Policy within their Sustainability Statement as required by Policy ENV6.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise. 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. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy 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.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards.

Supplementary Planning Documents (SPDs)

- 4.3 The Supplementary Planning Documents are non-statutory documents which supplement the policies of the Local Plan and are applicable to this application. In particular:

Manor Royal Design Guide SPD (July 2013)

- 4.4 This document is also relevant and constitutes the planning guidance in relation to the Manor Royal Business District to ensure new development makes a significant contribution to the uplift of the area and secures of high quality development which supports the key business function. It provides details of potential improvement projects that could be delivered by a variety of landowners and

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agencies to enhance the wider public realm as a whole where the application site is located. In particular, it requires all development to demonstrate the following:

- New buildings to be of high quality design and urban design.
- Proposals seek to provide active frontages to routes.
- Materials and finishes of good quality and support the principles of identity and sustainability.
- Proposals to achieve a high level of security.
- Surface Water drainage considered.
- Water efficiency measures considered.
- The development must positively contribute to the landscape and identity of Manor Royal.

4.5 The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. This is through achieving robust and consistent frontages along Manor Royal to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context and landscaping to reduce the visual impact of fences and barriers is encouraged.

4.6 London Road is identified as part of the primary road network within Manor Royal and it is stated that the impact and function of Primary Roads throughout the Business District is a critical component that contributes to how the area looks and is used. This SPD clearly states in this regard that:

'In general terms, the width of the existing dual carriageway is between 15 to 20m with 1 to 2m grassed highway verges but only in some areas. The road is generally 4 lanes wide but increases to 5 and 6 lanes at junctions. The road is visually dominant and detrimental to the street scene and the quality of the public realm is poor, except in the vicinity of the recently completed Thales offices and soft landscaping improvements. As highway verges are narrow or non-existent, the potential for the necessary improvements to the public realm are restricted to the roundabout and traffic island at the junctions with Fleming Way and Manor Royal respectively.

To mitigate the detrimental impact of the road and contribute to the creation of a higher quality streetscene, on the western side of London Road the minimum depth of on-site frontage planting requirement is 10m.'

Urban Design SPD (adopted October 2016)

4.7 The Urban Design SPD contains guidelines on the standards the Council expects for the public design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design. In addition, it states that applicants and developers are encouraged to consider all the end users that a development and any associated public realm will serve so as to strive to cater to all groups (children and young people, the elderly, disabled people etc).

4.8 In respect of non-residential development para 3.26 states:
"The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start".

4.9 For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.

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- 4.10 It also includes in Annex 1 the Borough's indicative minimum parking standards. For B8 warehousing the requirements are:
Car parking – 1 space per 100 sq m
Lorry parking – 1 space per 500 sq m
Disabled parking – 1 space or 5% total provision
Cycle parking – 1 space per 500 sq m for staff and 1 space per 1000 sq m for visitors
Motorcycle parking – 1 space per 10 car parking spaces.

Green Infrastructure SPD (adopted October 2016):

- 4.11 This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards.

Planning and Climate Change SPD (adopted October 2016):

- 4.12 This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3).

Developer Contributions Guidance Note (published July 2016)

- 4.13 This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought.

Regulation 123 List (July 2016)

- 4.14 Regulation 123 of the CIL Regulations requires the council to publish a list of infrastructure that it intends to fund wholly or partly through CIL money. The purpose of the list is to distinguish between those types of infrastructure that the council intends to fund through CIL and those areas where a Section 106 Planning Agreement or S278 Highways Agreement will be sought. This will ensure that a developer/landowner is not charged twice for the same piece of infrastructure. As set out in the Regulation 123 list, a Manor Royal contribution of £2 per square metre is required.

PLANNING CONSIDERATIONS:-

- 5.1 The main planning issues in the determination of this application are:
- Whether the principle of a B8 use in this location would be acceptable
 - Design and appearance of the proposal, landscaping and impact on street scene and wider area
 - Whether development can meet its operational needs including access, impact on highways and parking
 - Impact on amenity of neighbouring properties
 - Drainage
 - Trees
 - Provision of Manor Royal Public Realm Contribution
 - Sustainability
 - Other matters relate to GAL Safeguarded Land

Whether the principle of a B8 use in this location would be acceptable

- 5.2 The application site is situated within the Manor Royal Main Employment Area as defined by Local Plan Policies EC1, EC2 and EC3. Policy EC3 places a clear focus on the delivery of business uses in Manor Royal, seeking to protect and reinforce its core business function by promoting development within the B-use classes, and encouraging the reuse and intensification of land or buildings within the main employment area. As the proposed development is for the creation of additional B-Class floorspace (B8) within the Manor Royal employment area, the proposal is therefore considered to accord with Local Plan Policies EC1, EC2 and EC3.

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Design and appearance of the proposal, landscaping and impact on street scene and wider area

- 5.3 Policies CH2, CH3 and EC3 also require that all development should contribute positively to the overall setting and environment of Manor Royal through high quality design and landscaping. Policy EC3 specifically makes reference to the Manor Royal Design Guide SPD, which affords this document significant weight. Design will need to be carefully considered at this prominent site, particularly given its frontage onto London Road, which is identified in the SPD as a Primary Road.
- 5.4 The development proposes a two storey building in a rectangular form with its key frontage facing London Road that would be setback from London Road by 11-13m. The immediate streetscene along the western side of London Road comprises Astral Towers (8 storey building with 10m setback from London Road at its closest point) and The Atrium (6 storey building with 14m setback from London Road). While the proposed building would project forward past the adjoining Astral Towers and The Atrium buildings, it is considered that, given its two storey size and the proposed landscaping along the London Road frontage, its position, massing and scale is acceptable and appropriate for a warehousing unit. The surrounding employment area contains two storey buildings to the east and to the south, such as Unbeatable Car Eastman House and Wickes, and as such the proposed building at the proposed scale and footprint would sit comfortably within the surrounding employment area as a whole.
- 5.5 Following concerns raised by the officers regarding the proposed landscaping depth along London Road frontage, the landscaping scheme and building's footprint have been revised to improve the public realm along this primary road. The proposal would now have a 9m to 10m wide raised planter to London Road with proposed trees, hedges and soft landscaping in accordance with the Manor Royal SPD. Additional trees would be planted around the site along with some soft landscaping and hedges to reduce the impact of the car parking area within the streetscene. As a result of these amendments, and subject to a condition for a detailed hard and soft landscaping scheme, the proposal is considered to contribute to the creation of a higher quality streetscene and it is considered acceptable in this regard.
- 5.6 The proposal would include white cladding and glazing on its front elevation facing London Road along with an entrance canopy. The other elevations would have profiled metal cladding in silver colour, with loading bay doors and personnel doors in Anthracite, and metal profiled roof sheeting and roof lights. The proposal is considered to provide a visual interest within the immediate streetscene and high quality design and appearance considering that the building would be used as warehousing. The proposal would also provide clear legibility for users.
- 5.7 The layout of the proposal is also considered acceptable. The scheme has been designed so that the primary frontage is distinctive and the building is clearly visible from the road. Pedestrian access would be off London Road directly to the building entrance to enable legibility and accessibility. The service area and new substation are located on the less prominent part of the site which is considered acceptable. The parking area as stated above would also be screened by the proposed trees, hedges and soft landscaping subject to the appropriate condition.
- 5.8 In addition, the site is also within the Long Distance View Splays from Tilgate Park and Target Hill as identified by the Local Policy CH8. It is considered unlikely that the proposal in this location would obstruct these views, given the two storey height and the existing 8-storey adjoining building to the south.
- 5.9 Overall, the proposal as amended is considered to be a visual enhancement within the immediate streetscene and the building's design, size, massing and landscaping considering the type of use as warehouse would be seen as a positive contribution within Manor Royal Industrial Estate. The palette of materials is also considered to be in character.

Whether development can meet its operational needs including access, impact on highways and parking

- 5.10 Access to the new development would be provided through the widening of the existing access/egress at the northern boundary off A23 London Road, which is shared with The Atrium. WSCC Highways originally requested additional information regarding the access arrangements

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and the relationship of the site to The Atrium in highway terms. The applicants submitted the requested information and WSCC Highways stated that *'there is no remaining issue with the relationship between the site access and The Atrium access, provided that road markings are put in place as shown in the drawings'*. Following the comments of WSCC on the additional information, a further objection letter and a transport note has been provided on behalf of the neighbouring occupier of The Atrium stating in summary that the proposals represent an increased safety risk to the current users of The Atrium and requesting that WSCC review their additional information. WSCC Highways have been re-consulted to provide additional comments on the new information submitted by the objection, the comments on which will be reported verbally to the Planning Committee.

- 5.11 A new pedestrian crossing with dropped kerbs and tactile paving are also proposed close to the bus stop and the highway verge. Whilst WSCC Highways originally requested the pedestrian crossings to be on both sides of the traffic island, they finally accepted the applicants' arguments that the northern pedestrian crossing section would not be directly related to this development as it would be beneficial only to The Atrium occupiers. The proposed pedestrian crossing appears to be wholly on highways land and a section 278 highway agreement may be needed in this regard. The applicants would be advised via an informative. WSCC Highways also requested several conditions to be attached to the decision that cover the highway access, parking and turning on site, construction parking plan, revised travel plan and wheel cleaning facilities.
- 5.12 The application has been amended since its submission to remove reference to the unit being used for Classes B1a (research and development), B1c (light industry), and B2 (general industry) as the development could not comply with the parking standards required for these uses. The development as now amended is for B8 (storage or distribution) and in terms of car (including disabled) and cycle parking provision now meets the adopted minimum standards. Three loading/unloading bays would be provided within the building. Whilst the individual lorry parking spaces have not been shown on site (minimum requirement for 6), externally the building would have a self-contained service area with adequate space for lorry parking.
- 5.13 Overall, the scheme is considered acceptable in transport and highways terms subject to specific conditions, and the proposal as amended would meet the minimum parking standards in accordance with the relevant Policies and the Urban Design SPD.

Impact on amenity of neighbouring properties

- 5.14 The site is surrounded by various business uses, all of which have landscaped parking areas and can operate 24 hours. It is considered that the proposal would not adversely impact upon the amenities of the neighbouring businesses by way of overbearing presence, light loss, loss of privacy or noise disturbance.
- 5.15 The site is adjacent to a very noisy road and the nearest residents are First Choice House (opposite side of the A23) and also Little Dell to the north-west. The Council's Environmental Health Team stated that the submitted noise report has tested several scenarios regarding noise from existing plant and also for some proposed uses. They have all demonstrated that because of the high background noise levels the noise from the proposed development would not adversely affect the nearest residents, especially if it is B8 use. Therefore it is considered that the proposal would not adversely impact upon the amenities of the neighbouring residential properties in terms of noise and would therefore accord with Local Plan Policies CH3 and ENV11.

Drainage

- 5.16 The application was submitted with a Drainage & Flood Risk Assessment (FRA). WSCC Lead Local Flood Authority raised no objection and the Council's Drainage Officer reviewed the information submitted in more detail. He stated that the FRA is comprehensive, and following further clarifications on the calculation data and the 30 year design life, the drainage design would be acceptable subject to an implementation condition.

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Trees

- 5.17 The application site contains some low quality trees/hedges along the northern boundary and some low quality trees within the centre of the site within the surface car park. The proposal would remove these trees to facilitate development and the proposed site plan shows increased soft landscaping with trees, hedges and grass along all the boundaries of the site. The existing trees outside the site would be retained in accordance with the submitted Arboricultural Method Statement. The proposal would therefore provide replacement trees and it is recommended a condition is imposed requiring further details of the hard and soft landscaping in accordance with Local Policies CH3 and CH6.

Provision of Manor Royal Public Realm Contribution

- 5.18 In line with Policy IN1 and as set out in the Regulation 123 list (July 2016), a Manor Royal Contribution is required to be secured through a S106 Agreement (based on a figure of £2 per sq m of new floorspace). The total contribution is £5,870 based on the amended gross internal floorspace of 2,935sqm. The money would contribute towards either County Oak Pocket Park or proposed wellbeing trail within vicinity of the development.

Sustainability

- 5.19 The development has considered sustainability measures within its design and sought to address compliance with policies ENV6, ENV7 and ENV9. The Council's Forward Planning Team commented that the BREEAM pre-assessment report indicates that the proposal is targeting the minimum standards for BREEAM 'Excellent' in the Energy and Water issue categories and this represents a positive response to the BREEAM policy requirements in ENV6 and ENV9. They sought further information over the 'network ready' requirement of Policy ENV7 to connect to a future District Energy Network in Manor Royal. The application would include its own substation but a drawing numbered 0124/BW/400 Rev 1 has been received showing underground ducts from the building to service road for future pipe connections to district heating network. The proposal is therefore acceptable in this regard subject to appropriate conditions.

Other matter related to GAL Safeguarded Land

- 5.20 It is noted from the GAL Aerodrome Safeguarding and the GAL Planning Department that, following further design work, part of the application site would lie within the land which GAL anticipates would now be required for in the event of consent being granted for a second runway, although at present this is not reflected in the Crawley Borough Local Plan 2015-2030 as safeguarded land. As such GAL considers that should permission be granted for this application, the applicants should be made aware of the prospect that part of the land would be needed for the construction of a second runway, were it to be supported in the future. This would be done via an informative.

CONCLUSIONS:-

- 6.1 The proposal is supported in principle as an employment use in the Manor Royal industrial area and it is accepted that there is a need for high quality new business floorspace within the Manor Royal Business District. The scheme has been amended since the application was submitted, through an amendment to the description of the proposal to omit B1b, B1c and B2 uses, and through revisions to the proposed depth of the landscaping that has led to the setback of the main building from London Road to the east. Given these amendments and the character of this particular part of Manor Royal, the overall proposal is considered to be a visual enhancement within the immediate streetscene. The building's design, size, massing and landscaping would be seen as a positive contribution within Manor Royal Industrial Estate in accordance with the Urban Design SPD and the aspirations of the Manor Royal SPD. The level of parking proposed is considered acceptable for the use now proposed. In addition the proposal would not cause significant detrimental impact to neighbouring users, drainage and trees.
- 6.2 For the reasons outlined above, the application would accord with the relevant NPPF policies, the Local Plan policies, the Urban Design SPD and the Manor Royal SPD. It is therefore recommended

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that the scheme is granted planning permission subject to the recommended conditions and the conclusion of a Section 106 Agreement to secure the Manor Royal Public Realm Contribution.

RECOMMENDATION RE: CR/2018/0433/FUL

PERMIT - Subject to the conclusion of a Section 106 agreement to secure the financial contributions of £5,870 for the Manor Royal Public Realm Contribution, 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. No above ground development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. The works of the development hereby approved shall only be undertaken in accordance with the Arboricultural Impact Assessment, which includes the Arboricultural Method Statement and Tree Protection Plan, provided by SJ Stephens Associates and dated 29th May 2018.
REASON: To ensure the retention and maintenance of trees in accordance with Policies CH2 and CH3 of Crawley Borough Local Plan 2015-2030.
5. No above ground development shall be carried out unless and until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme (hard and soft). The approved details of the landscaping shall be carried out in the first planting and seeding season, following the first occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the buildings shall not be extended or altered in any way including any additional floorspace as defined with Class H of Part 7 of Schedule 2 of the order unless permission is granted by the Local Planning Authority on application in that behalf.
REASON: A more intensive use of the site would be likely to cause congestion or adjacent roads contrary to policies IN1 and IN4 of the Crawley Borough Local Plan.
7. The premises shall be used solely for the purposes of Use Class B8 (Storage or Distribution) and no other Use Class as defined by the Town & Country Planning (Use Classes) Order 2005, without the prior written consent of the Local Planning Authority
REASON: To ensure that adequate parking and servicing space on site is provided for any alternative uses in order to comply with the requirements of Policy IN4 of the Crawley Borough Local Plan 2015-2030.

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8. Before the development is occupied the proposed dropped kerbs and tactile paving at the mouth of the access to London Road must be constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030.
9. The development hereby approved shall not be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for lorry parking. The scheme shall include space for the loading and unloading of large vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning areas shall be used and retained exclusively for their designated purpose.
REASON: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030.
10. The proposed parking spaces and service yard layout shall be provided prior to the occupation of the development hereby approved and shall be retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.
REASON: To ensure that adequate and satisfactory provision is made for the parking and manoeuvring of vehicles clear of all highways in accordance with Policies CH3 and IN4 of the Crawley Local Plan 2015-2030, and the parking standards set out in the Urban Design SPD 2016.
11. The cycle shelter areas as shown on the approved plans and detailed in the Design and Access Statement shall be provided prior to the occupation of the development hereby approved. The cycle shelter areas shall be retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.
REASON: To encourage sustainable travel options in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD 2016.
12. The building shall not be occupied until plans and details have been submitted to and approved by the Local Planning Authority for the storage of refuse/recycling provision to serve the industrial unit has been submitted and agreed in writing. The agreed details must be laid out and available for prior first occupation of the unit.
REASON: To ensure the operational and servicing requirements of the development are met in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
13. 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),
 - details of public engagement both prior to and during construction works.
- REASON: In the interests of highway safety and the amenities of the area in accordance with Policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.
14. Prior to the first occupation of the development the applicant shall:
- (a) Submit for the written approval of the Local Planning Authority a Travel Plan in accordance with the aims and objectives of the National Planning Policy Framework and in general accordance with WSCC guidance on travel plans.
 - (b) The applicant shall then implement the approved travel plan and for each subsequent occupation of the development maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

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REASON: To encourage sustainable travel options and in accordance with Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.

15. Before occupation of the development, measures to enable the development to be 'network ready' in the event that a District Energy Scheme is delivered in the vicinity shall be implemented in accordance with drawing no. 0124/BW/400 Rev 1 unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability in accordance with Policy ENV7 of the Crawley Borough Local Plan 2015-2030.
16. Within three months of the completion of the development a copy of a post-construction report, verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.
17. The Bird Hazard Management Plan shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roof in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds in accordance with Policies CH3, IN1 and IN3 of the Crawley Borough Local Plan 2015-2030.
18. No solar collectors and PV panels shall be installed until full details have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved details are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policies IN1 and IN3 of the Crawley Borough Local Plan 2015-2030.
19. The development hereby approved shall be implemented in accordance with the approved Drainage & Flood Risk Assessment provided by Bradbrook and dated May 2018, and with the approved Drainage Design and Maintenance Statement provided by Bradbrook and dated August 2018.
REASON: To reduce the risk of flooding in accordance with Policy ENV8 of Crawley Borough Local Plan 2015-2030.
20. The development hereby approved shall be implemented in accordance with the measures set out in the Preliminary Ecological Appraisal provided by phlorum and dated April 2018.
REASON: To ensure that the proposals avoid adverse impacts on biodiversity in accordance with Policy ENV2 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

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. The applicant is advised that part of the application site would lie within the land which GAL anticipates would now be required for in the event of consent being granted for a second runway. For further information please refer to the letter dated 28th June 2018 by GAL's Planning Advisor.

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3. The applicant is advised that from Highway's records it appears that the entire section of road which contains the proposed crossing is in highways land and a Section 278 highway agreement may be needed. The applicant is advised to contact WSCC Highways for further information.
4. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

5. 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

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 agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans and additional information to address identified issues during the course of the application.

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

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ArcGIS Web Map



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

1:1,250



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 20 November 2018
REPORT NO: PES/287(e)

REFERENCE NO: CR/2018/0557/FUL

LOCATION: [27 CRABBET ROAD, THREE BRIDGES, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: ERECTION OF 2NO. ONE BEDROOM FLATS (AMENDED PLANS RECEIVED).

TARGET DECISION DATE: 19 October 2018

CASE OFFICER: Ms Z. Brown

APPLICANTS NAME: Independent Town Planning Services
AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

KP1, Proposed floorplans and elevations
KP2, Block plan
KP3, Site location plan

PLANS & DRAWINGS CONSIDERED:

KP1 Rev 2, Proposed floorplans and elevations
KP2 Rev D, Block plan
KP3 Rev 2, Site location plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	WSCC Highways	Conditional.
2.	Thames Water	No comments received
3.	Sussex Building Control Partnership	No comments received.
4.	CBC Refuse & Recycling	Comments.
5.	Southern Water Ltd	No objection.
6.	CBC Energy Efficiency and Sustainability	Conditional.

NEIGHBOUR NOTIFICATIONS:-

46, 48, 50, 51, 53, 55 and 57 Mill Road;
25 Crabbet Road.

RESPONSES RECEIVED:-

Five letters of representation were received objecting to the proposal on the following grounds:

- Impact on local traffic and access to driveway at No. 53 Mill Road, and parking in the vicinity of the site
- The proposed building will block sunlight to dwellings on the western side of Mill Road, and properties to the south of the application site.
- Will cause overlooking on the properties on the western side of Mill Road
- The design is out of keeping with the character of the area and streetscene

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- It was highlighted that the site sits on the edge of flood zone 2, however the site is in fact 40m from the floodzone, as a result a Flood Risk Assessment is not required.
- It was also highlighted that there are two trees on the site. It is of note that neither have Tree Protection Orders.

Following the amended plans being received the neighbouring properties were re-consulted between the period of 19/10/2018 – 02/11/2018.

THE APPLICATION SITE:-

- 1.1 The application site relates to an area of garden which belongs to 27 Crabbet Road, located on the western side of Mill Road between Nos. 46 and 48 Mill Road, within the neighbourhood of Three Bridges. The garden of 27 Crabbet Road is an L-shape, and has access on to Mill Road. The application site measures 179 sqm, and is within a residential area predominantly consisting of pairs of semi-detached houses. The site is currently grassed and there is a slight level change of approximately 0.3m between the southern element of the garden and the application site.
- 1.2 During the course of the application the red line of the site was amended slightly to include approximately 11sqm more of the garden of 27 Crabbet Road, in order to provide adequate private outdoor amenity space for the future occupants of the proposed flats. This increased the site area to 190sqm.
- 1.3 There is an established character along the western side of the street, which comprises of two storey dwellings, with hipped and gabled roofs of regular heights and proportions, and on the eastern side pitched roofs with front projecting porches. The properties are evenly spaced along the road, and sited in a staggered row which responds to the curve of Mill Road. There is a two storey block of flats on the corner of Mill Road and Crabbet Road.
- 1.4 The site lies within the built up area boundary, there are no other site constraints, however the site does lie north of the Hazelwick Road Conservation area, and to the east lies a strip of Structural Landscaping along Hazelwick Avenue.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a two storey block of flats, comprising of 2no. 1 bedroom flats, arranged on the ground and first floor. The building would be an L-shape with a two-storey front projection with hipped roof. A porch would be positioned on the front elevation of the building, providing access to the ground floor flat, a second porch would be positioned on the northern elevation of the building providing access to the first floor flat.
- 2.2 Vehicular access to the flats would be from Mill Road. Two parking spaces would be provided in front of the building. To the rear, two private gardens would be provided for the future occupants.
- 2.3 Two new trees are proposed on the south-east corner of the site.
- 2.4 During the course of the application amended plans were received. The red line of the site was amended slightly to the west so that private gardens could be provided for the future occupants. The first floor window on the northern elevation was also amended to obscure glazed to ensure there is no overlooking on the occupants of the neighbouring property. Refuse and recycling storage was also shown on the block plan.
- 2.5 The applicant has submitted the following documents with the application:
 - Design and Access Statement
 - Supporting letter dated 08/10/2018.
 - Sustainability Statement October 2018

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PLANNING HISTORY:-

- 3.1 CR/2017/0447/FUL – CONSTRUCTION OF A SINGLE STOREY DETACHED TWO BEDROOM BUNGALOW. Refused.

Reasons:

1. The proposed dwelling, by virtue of its size, design and relationship with site boundaries together with the pattern and character of the surrounding development, is considered to represent a cramped and an unsympathetic form of development out of character with the locality and harmful to the Mill Road streetscene. The scheme would be contrary to Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the advice in the Urban Design SPD.
2. The proposed development, by virtue of its siting, bulk and scale, would have an adverse impact upon the amenities enjoyed by the occupants of No. 27 Crabbet Road due to the resultant overbearing impact, loss of outlook and reduction in private garden area contrary to Policy CH3 of the Crawley Local Plan (2015-2030), the guidance contained within Urban Design Supplementary Planning Document (2016) and the relevant paragraphs of the National Planning Policy Framework (2012).
3. By virtue of the layout of the proposed dwelling, internal space standards and external private amenity space, the scheme would result in a cramped internal layout and provide inadequate living accommodation to the detriment of future inhabitants. The application is therefore contrary to policy CH5 of the Crawley Borough Local Plan 2015-2030 and the Nationally Described Space Standards 2015.

The application site was larger than the current application measuring 233 sqm, and extended across the rear garden of No. 27 Crabbet Road. As a result it significantly reduced the garden area of No. 27 Crabbet Road. The proposed design of the dwelling was also not considered to relate well to the character of the locality, and was an unsympathetic form of development on the site.

- 3.2 CR/2010/0341/FUL: ERECTION OF A NEW TWO BED DETACHED DWELLING & CONSTRUCTION OF A HARD STANDING AREA (AMENDED PLANS RECEIVED): Refused and dismissed at appeal.

Reasons:

1. The proposed dwelling by virtue of its siting, form and design would have an adverse impact on the street scene of Mill Road. This would be contrary to policies GD1, GD2 and H22 of the adopted Crawley Borough Local Plan 2000 and EN5 of the Core Strategy of the Local Development Framework 2008.
2. The proposed dwelling, by virtue of its siting, massing, scale, form and relationship to boundaries, would result in a cramped form of development on the site which would harm of the character of the area contrary to PPS3 and policies GD1, GD2 and H22 of the Crawley Borough Local Plan 2000 and policies EN5, H4 and H6 of the Core Strategy of the Local Development Framework 2008.
3. The proposed dwelling would have a detrimental effect on the amenities of the neighbouring residents, particularly no.27 Crabbet Road by virtue of its overbearing relationship due to the size, siting and proximity to its boundaries with neighbouring dwellings. This would be contrary to: Supplementary Planning Guidance Note 4 - 'Private Outdoor Space'; policy GD1 of the adopted Crawley Borough Local Plan 2000; and, policies H4 and H6 of the Core Strategy of the Local Development Framework 2008.
4. An agreement is not in place to ensure that the appropriate infrastructure provisions to support the development and the development is therefore contrary to 'saved' policies GD3, GD35 and GD36 of the Crawley Borough Local Plan 2000 and contrary to policy ICS2 of the Crawley Borough Core Strategy of the Local Development Framework 2008 and the 'Planning Obligations and S106 Agreements' Supplementary Planning Document.

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The Planning Inspector concluded that the proposal would result in a departure from the style and proportions from the established character of surrounding houses, and would appear as an intrusive and incursion to the present arrangement of houses, detracting from the character and appearance of the area. The proposal would also adversely affect the living conditions of the occupants of No. 27 Crabbet Road, and the proposal would harmfully undermine the strategy contained in the SPD for improvements to transport infrastructure and services and open space, sport and recreation facilities made necessary by development.

It is of note that the application site was significantly larger than the current application, and extended across the rear garden of No. 27 Crabbet Road, significantly reducing the garden area.

3.3 CR/2005/0502/FUL: ERECTION OF 1 X 2 BEDROOM DWELLING: Refused

1. The proposed dwelling by virtue of its design, width, roof shape, and siting would have an adverse impact on the streetscene of Mill Road. This would be contrary to policies GD1, GD2, H5 and H22 of the adopted Crawley Borough Local Plan 2000.
2. In the opinion of the Local Planning Authority the proposed dwelling would have a detrimental effect on the amenities of the neighbouring residents, in terms of privacy through overlooking and the size and siting of the dwelling in proximity to its boundaries. This would be contrary to policies GD1 and H5 of the adopted Crawley Borough Local Plan 2000.
3. It is considered that the proposal would not provide a satisfactory environment for those who will occupy the development due to the inadequate provision of private outdoor amenity space, the relationship of the dwelling to other properties and the quantum of the internal space. This would be contrary to policies GD1, H5 and H20 of the adopted Crawley Borough Local Plan 2000.

The proposed dwelling was not considered to relate well to the character of the other dwellings in the streetscene. It would be set forward of No. 46 Mill Road and would appear overly dominant.

PLANNING POLICY:-

4.1 National Planning Policy Framework (2018):

The National Planning Policy Framework (NPPF) published in 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

- Section 2 – Sustainable Development – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 5 – Delivering a sufficient supply of homes. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 11 – Making effective use of land – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or 'brownfield' land.

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- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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

The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals, the council will take a positive approach to approving development which is sustainable.
- Policy CH1: Neighbourhood Principle will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH4: Comprehensive Development and Efficient use of land requires all development proposals to 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.
- Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards.
- Policy CH6: Tree Planting and Replacement Standards. Landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. Where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme.

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- Policy H4: Affordable and Low Cost Housing. 40% affordable housing will be required from all residential developments. The council will expect a minimum of 70% of the affordable housing to be Affordable Rent or Social rent where other forms of subsidy exist, and up to 30% intermediate rent. For sites of 5 dwellings or less or sites less than 0.2ha in size, a commuted sum towards off-site affordable housing provision will be sought.
- 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 any subsequent increased requirements.
- Policy ENV9: Tackling Water Stress. New dwellings should where viable and technically feasible, meet the Building Regulations optional requirement for tighter water efficiency.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy 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.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards.

Supplementary Planning Documents

The Supplementary Planning Documents are non-statutory documents which supplement the policies of the Local Plan. Those applicable to this application are:

4.3 Urban Design SPD 2016:

The SPD includes further design guidance and examples on residential development and sets out further guidance on minimum rear window to window distances (21 metres for two storeys) and outdoor amenity space standards: for a dwelling for 4 occupants the external private amenity space standards are 75 sqm.

It also includes the Crawley Borough Parking Standards which are minimum standards based on likely demand in terms of car ownership, taking into account the accessibility of the area by modes of transport other than the car. The minimum standards are 1.2 spaces for 1 bed dwellings. Regarding cycle parking it is stated that: *'All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For one bed dwellings 1 cycle parking space should be provided and 1 space per 8 dwellings for visitors will be required'*.

4.4 Green Infrastructure SPD 2016:

This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards.

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4.5 Planning and Climate Change SPD 2016:

This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3).

4.6 Affordable Housing SPD 2017

The Council has recently adopted the Supplementary Planning Document which provides guidance, examples of good practice and the expectations of the Council in relation to the interpretation of the Local Plan policy requirements for the provision of affordable housing (Policies H3 and H4).

PLANNING CONSIDERATIONS:-

5.1 The existing use of the site is residential curtilage for No. 27 Crabbet Road. The site is within walking distance of Three Bridges Station, and a number of local facilities including schools, doctor's surgeries and Three Bridges shopping parade. The proposal represents the intensification of the residential use of a site, located within the built up area. In principle it is considered acceptable in planning policy terms, subject to addressing the more detailed matters considered below.

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

- The design and appearance of the proposal and its impact on the street scene and character of the area
- The impact upon neighbouring properties and occupants amenities
- The adequacy of accommodation and amenity space for future occupiers
- Impact on highways and parking provision
- Trees and landscaping
- Sustainability
- Provision of infrastructure contributions
- Provision of Affordable and Low Cost Housing

The design and appearance of the proposal and its impact on the street scene and character of the area

5.3 The application site is located on the western side of Mill Road, and forms part of the rear garden of 27 Crabbet Road. The surrounding area is residential in character, with semi-detached properties along Mill Road and Crabbet Road, and a two storey block of flats to the north of the application site.

5.4 The proposal includes the erection of a two storey building, comprised of 2no. 1 bedroom flats, fronting Mill Road. On the western side of Mill Road the residential properties are arranged in a staggered line. The properties to the south 44-46 Mill Road are set approximately 7m from the edge of the highway, and Nos. 40 and 42 Mill Road are set forward, approximately 5m from the edge of the highway. The block of flats to the north of the application site are set 2.4m forward of 44-46 Mill Road.

5.5 The proposed two storey building would be set in line with the front elevation of 48-50 Mill Road. The main element of the building would be set in line with the front elevation of 44-46 Mill Road, with the two storey front projecting 2m forward. It is considered that given the staggered building line of surrounding properties the proposed positioning is acceptable and would not detrimentally impact the character of the area or appearance of the streetscene.

5.6 The proposed building would be brick built, with detailing around the window and doors. There would be a two storey hipped roof projection on the front elevation of the building. Although dwellings within the immediate vicinity do not have two storey front projections, the design feature is not considered to be incongruous and would not detrimentally impact the appearance of the streetscene or the

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character of the area. Similarly the roof design of the main building would be in keeping with the hipped roofs of the properties on the western side of Mill Road.

- 5.7 The proposal would have appropriately proportioned and positioned white uPVC windows and doors, which would match the dwellings in the immediate vicinity.
- 5.8 Overall the proposal is considered to be of an appropriate layout, design and scale and would relate well to the differing styles and character of properties on Mill Road. As a result it is considered to accord Policy CH2 and CH3 of the Crawley Borough Local Plan which required proposal to respond to local distinctive patterns of development and be of high quality design.

The impact upon neighbouring properties and occupants amenities

- 5.9 The properties most likely to be impacted by the proposal would be No. 46 Mill Road to the south, Nos. 48-50 Mill Road to the north, and No. 27 Crabbet Road to the west.
- 5.10 The proposed building would be located 1m from the southern boundary of the site shared with No. 46 Mill Road, and there would be a gap of 3.6m between the proposed building and No. 46, which is in accordance with the Urban Design SPD guidance which states that a gap of 2m should be retained between an extension and a neighbouring property. The proposal would be positioned in line with the front elevation of No. 46 Mill Road. In regards to overlooking, a high level obscure glazed first floor window is proposed on the southern side elevation, as a result there is not considered to be any impact of overlooking or loss of privacy on the amenity enjoyed by the occupants of this neighbouring property.
- 5.11 In regards to the impact on Nos. 48-50 Mill Road located to the north, the proposed building would be positioned 3.4m from the northern boundary of the site, and there would be a gap of 8m between the northern elevation of the proposed building and neighbouring property 48-50 Mill Road, which is in accordance with the Urban Design SPD guidance. The proposed building is not considered to cause any overbearing impact, however would cause some shading on the amenity areas on the southern side of the building. Despite this it is considered on balance that given the separation distance the overall impact would be limited. Nos. 48-50 has a first floor side window facing the application site. There are two windows proposed on the northern side elevation of the dwelling, however the first floor window is proposed to be obscure glazed, as a result there is not considered to be any overlooking or loss of privacy.
- 5.12 The proposed building would be located within the garden of No. 27 Crabbet Road. A garden area of 135sqm would still be retained for No. 27 Crabbet Road, which is in accordance within the minimum external private amenity space standards for dwellings of 5-6 occupants which is 90sqm. As a result there would still be adequate outdoor amenity space provided. The proposed building would be located approximately 2m from the western boundary of the site, and the site steps down to the east. Although there would be some overbearing impact on the garden area of No. 27 Crabbet Road, it is not considered to significantly detrimentally impact the amenity enjoyed by the occupants. This is helped by the slight level changes between the garden area of No. 27 and the application site. Two windows are proposed on the ground floor western elevation of the building, these are not considered to have any detrimental impact on the amenity enjoyed by the occupants. One obscure glazed window is proposed at first floor level, however, as it is obscure glazed, it is not considered to have any impact of overlooking or loss of privacy.
- 5.13 In regards to the impact on the garden area of No. 27 Crabbet Road, the proposed building would cause some shading to the southern end of the garden, as there would be only a 2m gap between the building and the site boundary. It is not considered that the building would significantly impact

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amenity enjoyed by the occupants of No. 27 though. The garden of No. 27 Crabbet Road is fairly wide at 8.6m and is south facing. The occupants of the dwelling would still have a clear outlook southwards from their rear windows. As a result, it is considered, on balance, that the impact on the amenity of occupants of No. 27 Crabbet would be limited.

- 5.14 Concerns were raised over the potential impact of loss of privacy on the occupants of properties on the eastern side of Mill Road. There would be a gap of 19.4m between the proposed front windows of the building and No. 53 Mill Road opposite. This is considered to be in accordance with the Urban Design SPD guidance and there is not considered to be an impact of overlooking or loss of privacy on these neighbours.
- 5.15 Overall the proposed development has been designed to minimise the impact on neighbouring properties, and ensure there is no significant impact of overlooking, loss of privacy or overbearing impact. As a result the proposal would therefore accord with the relevant Local Plan Policies, the Urban Design SPD (2016) and the NPPF (2018).

The acceptability of the proposed development for future occupiers

- 5.16 Policy CH5 of the Crawley Borough Local Plan states that all dwellings/flats must create a safe, comfortable and sustainable living environment, and sets out the minimum sizes for dwellings which are based on the Nationally Described Space Standards. Both flats would meet the minimum internal space standards for a 1 bedroom, 2 occupant, 1 storey dwelling which is 50sqm, and would therefore accord with Policy CH5. It is acknowledged that a number of the windows on the building would be obscure glazed and the first floor flat would also have several high level windows. Although it is not ideal for the kitchen of the first floor flat to be obscure glazed, given its size, adequate light would still be provided. Similarly although it would be preferred that the lounge of the first floor flat was dual aspect, the proposed high level window on the southern elevation would still provide adequate light into the dining area.
- 5.17 In regards to external private amenity space, the Urban Design SPD recommends that 5sqm of useable external private amenity space is provided for a 1 or 2 person flat. Both flats would have a small private garden area measuring 15sqm (ground floor flat) and 22sqm (first floor flat) to the rear of the building, which would be in accordance with this guidance.
- 5.18 Two parking spaces would be provided on site, which is in accordance with the Crawley Borough Parking Standards for 1 bedroom dwellings. There is currently no designated area for secure covered cycle storage, however it is considered appropriate to attach a condition to secure this prior to occupation. Separate refuse and recycling storage for each flat would be provided on the southern and northern sides of the building.
- 5.19 Overall the proposal is considered to accord with the space standards outlined in Policy CH5 and IN4 of the Crawley Borough Local Plan (2015-2030).

Impact on parking and highways

- 5.20 Vehicular access to the site would be on the eastern side via the existing dropped kerb and cross over. West Sussex County Council Highways have commented that, given the small scale of the proposed residential development, the access is acceptable.
- 5.21 It has been highlighted that as the site is only accessible from Mill Road, it is essential that a comprehensive construction management plan would be sought to reduce the impact and disturbance on surrounding residential properties. It is considered appropriate to request this via a condition.

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- 5.22 The parking arrangements for No. 27 Crabbet Road would remain unchanged as the property has vehicular access from Crabbet Road and there is a driveway in front of the property.
- 5.23 Two parking spaces would be provided on the site which would be in accordance with the Crawley Borough Parking Standards contained within the Urban Design SPD (2016), and Policy IN4 of the Crawley Borough Local Plan.

Trees and landscaping

- 5.24 There are two existing trees on the site which have been raised in comments from neighbouring properties. It has been confirmed by the agent in an email dated 02/11/2018 that, given the age and size of the existing trees, they will be replanted as part of the overall landscaping scheme.
- 5.25 Policy CH6 requires that landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. There would be a requirement of two additional trees. The proposed block plan shows the two additional trees on the south-eastern corner of the site, as a result the proposal would accord with the requirements of Policy CH6.
- 5.26 In regards to the landscaping of the site, it is considered to attach a condition requesting a detailed soft and hard landscape plan is provided, including boundary treatments for the site and includes the location of the new and retained trees.

Sustainability

- 5.27 Policy ENV6 and ENV9 of the Crawley Borough Local Plan are relevant to this application. Policy ENV6 requires applicants to submit a Sustainability Statement which demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable. Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into Part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- 5.28 A sustainability statement has been submitted as part of the application. The statement confirms that the development proposes some improvement on Building Regulation requirements, and indicates that further assurance regarding the level of performance being targeted can be provided by submitting summaries of the energy demand and CO₂ consumption at a later stage. It is considered appropriate to attach a condition to request this.
- 5.29 In regards to the water efficiency of the units and requirement of Policy ENV9 it is considered to attach a condition requesting additional information to be submitted.

Affordable housing and infrastructure contributions:

- 5.30 Crawley Borough Local Plan Policy H4 states that 40% affordable housing will be required from all residential developments and this is the amount of affordable housing that can be secured via any S106 agreement. It is accepted that on-site provision may not always be achievable on small developments of 5 dwellings or less. On this basis, the council will accept an off-site financial contribution. The required contribution is £14,420 and will be secured through a S106 Agreement.
- 5.31 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule is in effect from 17th of August 2016 and is also relevant to this application

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since the proposal is creating new residential units. The charge will be calculated and a CIL Liability Notice will be issued following a grant of permission.

CONCLUSIONS:-

- 6.1 The application site is located within the Built Up Area boundary and would provide 2no. residential properties. The proposed building is considered to be of an acceptable scale, design and positioning, and would not appear overly prominent in the streetscene of Mill Road or detrimentally impact the visual amenity of the area. The development would meet the Nationally Described Internal Space Standards, and would meet the external private amenity space standards contained within the Urban Design SPD. Adequate on-site parking would also be provided, and two additional trees would be planted on site.
- 6.2 It is considered that there would be no significantly detrimental impact on the amenities enjoyed by the occupants of No. 46 Mill Road to the south, Nos. 48-50 Mill Road to the north or No. 27 Crabbet Road to the west, in terms of overbearing impact, overlooking or loss of light.
- 6.3 The proposal is considered to be of an appropriate scale, size, height and design and is considered to have addressed the reasons for refusal in CR/2017/0447/FUL, CR/2010/0341/FUL and CR/2005/0502/FUL. The proposed building would relate well with the design of properties within the immediate vicinity of the site, and would ensure that adequate amenity space is still provided for the occupants of No. 27 Crabbet Road, a contrast to the three previously refused applications. The proposed flats would also meet the Nationally Described Space Standards unlike the previous proposals.
- 6.4 As a result the proposal is considered to accord with the policies and objectives outlined in the Crawley Borough Local Plan (2015-2030), the Supplementary Planning Guidance notes and the NPPF (2018). It is therefore recommended to grant planning permission subject to the conclusion of a Section 106 Agreement to secure a financial contribution towards the provision of off-site affordable housing.

RECOMMENDATION RE: CR/2018/0557/FUL

PERMIT subject to a Section 106 agreement to secure a financial contribution of £14,420 towards off-site provision of affordable housing 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. No above ground development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No above ground development shall be carried out unless detailed plans and particulars of the land levels and the finished floor levels of the dwellings have been submitted to and approved in writing by

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the Local Planning Authority. The building shall be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

5. The first floor windows on the southern, northern and western elevations of the building shall at all times be glazed with obscured glass, and apart from any top-hung vent, be fixed to be permanently non-opening.
REASON: To protect the amenities and privacy of the adjoining properties in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. No windows (other than those shown on the plans hereby approved) shall be constructed in the southern, northern or western elevations of the building hereby permitted which joins the boundaries shared with No. 46 Mill Road, No. 48-50 Mill Road and No. 27 Crabbet Road without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining property in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. No part of the development shall be occupied until 1no. covered and secure cycle parking spaces for each flat have been fully provided and made available for use by residents. The cycle parking spaces shall be maintained as such thereafter.
REASON: To encourage sustainable travel options and in accordance with Policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD 2016.
8. The development shall not be occupied until the parking spaces, shown on the submitted plans have been provided and constructed. These space shall thereafter be retained at all times for their designated purpose.
REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD.
9. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
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.
10. No above ground development shall be carried out unless and until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, including boundary treatments. All planting including the two additional trees, seeding or turfing comprised in the approved details of landscaping (drawing ref KP2 Rev D) shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the occupation of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in accordance with policy CH3 and CH7 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 no 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.

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12. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Sustainability Statement, have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030.
13. The dwellings hereby approved shall not be occupied 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.

INFORMATIVE

1. The water efficiency standard required under condition 11 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A, paragraph A1

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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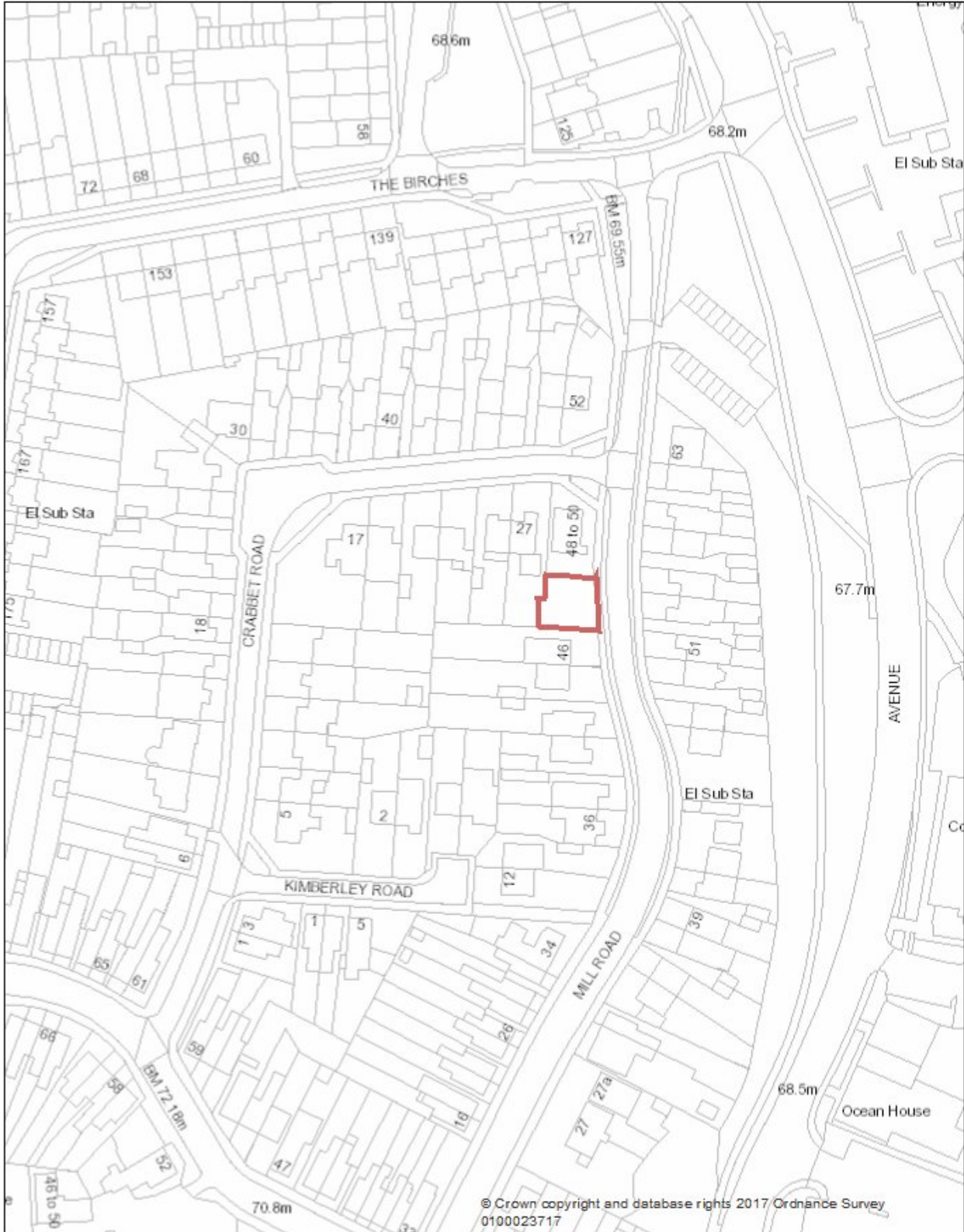


ArcGIS Web Map

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



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Crawley Borough Council

Report to Planning Committee 20th November 2018

Objections to the Crawley Borough Council Tree Preservation Order - Yew Tree to Rear of 28 Church Street - 12/2018

Report of the Head of Economy and Planning PES 308

1. Purpose

- 1.1 This report relates to a yew tree to the rear of 28 Church Street, West Green currently protected under TPO Reference No: 12/2018. The Committee is requested to consider the objection(s) 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 Yew Tree to Rear of 28 Church Street - 12/2018 without modification.

3. Reasons for the Recommendation

- 3.1 The tree is considered under threat due to a request for its felling received by the Local Planning Authority. The tree is considered worthy of protection as it has good shape and form and good amenity value and is visible in the surrounding area. The tree has a well-balanced and healthy crown and has significant long term potential.

4. Background

- 4.1 The tree the subject of this order is located between 28 Church Street and 60-62 Ifield Road, on a strip of land between 60-62 Ifield Road and the outbuilding to the rear of 28 Church Street. The crown of the tree overhangs the outbuilding and service yard of 28 Church Street as well as the neighbouring properties of 60-62 and 64 Ifield Road.
- 4.2 The tree is within St Peters Conservation Area and was protected following receipt of a Section 211 notice to fell the tree. Upon visiting site and assessing the tree it could be seen that the tree was a particularly fine example with good visibility from Ifield Road/Church Street, Alpha Road and Prospect Place and was considered to contribute significantly to the green amenity of the area.
- 4.4 The provisional Tree Preservation Order was made on 15th June 2018 and remains provisionally in force for a period of six months until 15th December 2018. If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

5. Notification/ Consultation/Representation

- 5.1 In order to confirm 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:

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Owners and occupiers of the land:

- 28 Church Street, Crawley, RH11 7BG
Rosemount, The Pitts, Ventnor, PO38 1NT

Owners and occupiers of adjoining land affected by the TPO:

- 60-62, Ifield Road, Crawley, RH11 7BQ
- 64, Ifield Road, Crawley, RH11 7BQ
- 26, Church Road, Crawley, RH11 7BG

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 July 2018. Confirmation of the order is required within six months of the date upon which the Order was provisionally made.

5.3 A representation has been received from the occupier of the land objecting to the Tree Preservation Order.

5.4 The reasons for objection are as follows:

- The tree has outgrown its position and is causing damage to the outbuilding, the roots have also extended beneath 60-62 Ifield Road. A structural report was provided as evidence.
- The size of the tree makes maintenance and improvement of the outbuilding impossible.
- Concerns have been raised regarding the toxicity of the tree and adverse health effects.
- The tree blocks light from the surrounding area.

6. Amenity Value/Assessment

6.1 The imposition of a TPO does not prohibit remedial works to be undertaken, provided that the works are justified and consent has been granted, containment pruning is a normal part of managing a tree in an urban setting and applications for a reasonable level of pruning are likely to be approved provided that these works will not result in an erosion of the tree's health or amenity.

6.2 The engineer's report states that the outbuilding has been damaged, chiefly the roof, by the movement of the crown in high winds. Clearance pruning of selected branches is often required when trees are in close proximity to buildings and again this is something that can be applied for. The report also mentions that the west wall and floor slab is cracked though the author admits that this is not as severe as would normally be expected given the proximity of the tree. It would be entirely possible to rebuild the outbuilding with foundations which would mitigate the impact of root action and to regularly prune the crown in order to maintain adequate clearances.

6.3 Finally the report states that the roots of the tree are affecting the drainage from the neighbour's external WC and is more than likely affecting the main drains to the house although this is supposition and no evidence of this has been submitted. There has been no written representation received from the neighbouring property in relation to the TPO.

6.4 The objector states he suffers from itchy skin, aching joints and lethargy which he considered could be caused by the yew tree pollen. There is considered inadequate evidence to implicate the tree on health grounds. There is no proof that the yew is a male tree (which is the source of cytotoxic pollen sometimes attributed to these symptoms). No medical evidence has been provided by the objector to confirm these symptoms or implicate the tree. Many trees flower and release pollen for a limited period and can trigger hay fever for a temporary period. The flowering season of Yew is only approx. 6 weeks from mid March to the end of April. This is not considered justification for removal of the tree.

6.5 The objector states that the tree blocks light from the yard to the rear of the property, where the tree is located and that he uses the yard to sit in the evenings as this is his only 'garden'. The land to the rear is primarily a service yard for the shops and should not therefore be considered as a garden. If

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the tree is causing shading to the area this would not be considered an issue or justification for removing the tree since this does not adversely affect the intended use of the area.

7. Implications

Human Rights Act 1998

7.1 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.

7.2 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 tree 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 The Crawley Borough Council Tree Preservation Order Yew Tree To Rear Of 28, Church Street - 12/2018

Contact Officer: Russell Spurrell
Direct Line: 01293 438033
Email: russell.spurrell@crawley.gov.uk

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SCHEDULE

SPECIFICATION OF TREES

Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
T1	Common Yew	Grid Ref: TQ-26299-36649

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
NONE		

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

Reference on Map	Description	Situation
NONE		



Tree Preservation Order No 12/2018
Yew Tree To Rear Of 28, Church Street

Clem Smith
Head of Economy and Planning Services

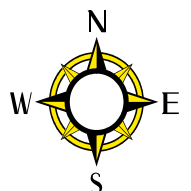


The scale shown is approximate and should not be used for accurate measurement.

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Scale 1:1250

Date 29/10/2018



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