



Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room A & B - Town Hall**, on **Monday, 21 January 2019 at 7.30 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in black ink that appears to read "Anna Maria Brown".

Head of Legal, 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, K Sudan, J Tarrant, G Thomas and L Vitler

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

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

Part A Business (Open to the Public)

		Pages
1.	Apologies for Absence	
2.	Disclosures of Interest In accordance with the Council's Code of Conduct, Councillors of the Council are reminded that it is a requirement to declare interests where appropriate.	
3.	Lobbying Declarations The Planning Code of Conduct requires Councillors who have been lobbied, received correspondence or been approached by an interested party with respect to any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the agenda.	
4.	Minutes To approve as a correct record the minutes of the Planning Committee held on 17 December 2018	5 - 8
5.	Planning Application CR/2016/0083/ARM - Phase 2C, Forge Wood (North East Sector), Crawley To consider report PES/289 (a) of the Head of Economy and Planning. RECOMMENDATION to APPROVE.	Pound Hill North 9 - 34
6.	Planning Application CR/2018/0400/FUL - 7-15 Kelvin Lane, Northgate, Crawley To consider report PES/289 (b) of the Head of Economy and Planning.	Northgate 35 - 48

		Pages
	RECOMMENDATION to REFUSE	
7.	Planning Application CR/2018/0778/FUL - 44 Jersey Road, Broadfield, Crawley	Broadfield North
	To consider report PES/289 (c) of the Head of Economy and Planning.	49 - 56
	RECOMMENDATION to REFUSE	
8.	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 17 January 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.

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Agenda Item 4

Planning Committee (41)
17 December 2018

Crawley Borough Council

Minutes of Planning Committee

Monday, 17 December 2018 at 7.30 pm

Councillors Present:

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, K Sudan, J Tarrant, G Thomas and L Vitler

Officers Present:

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

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P C Smith	CR/2018/0473/FUL - Diamond Point, Fleming Way, Northgate, Crawley (Minute 4)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor P C Smith	CR/2018/0713/NCC - Former TSB Trustcard, County Oak Way (Minute 6)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.

2. Lobbying Declarations

No lobbying declarations were made.

3. Minutes

The minutes of the meeting of the Planning Committee held on 20 November 2018 were approved as a correct record and signed by the Chair.

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17 December 2018

4. Planning Application CR/2018/0473/FUL - Diamond Point, Fleming Way, Northgate, Crawley

The Committee considered report PES/288 (a) of the Head of Economy and Planning which proposed as follows:

Change of use from B1 to Sui-Generis to provide a flight training facility with the addition of a mezzanine floor, external plant rooms, sprinkler tank and additional 43 car parking spaces including 12 disabled car parking spaces and 52 cycle spaces in lieu of HGV parking bays.

Councillors P C Smith and Tarrant declared they had visited the site.

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

The Committee then considered the application. Whilst a Member sought confirmation of the consultation zone in terms of the Health and Safety Executive, the Committee indicated its support for the proposals, and considered that the development would be a complementary addition to the Manor Royal Business Area.

RESOLVED

Permit, subject to:

- (i) The completion of a S106 Agreement to secure the Manor Royal contribution set out in para 5.17 of report PES/288 (a).
- (ii) The conditions set out in that report.

5. Planning Application CR/2018/0675/FUL - 1 & 4-7 Gales Place, Three Bridges, Crawley

The Committee considered report PES/288 (b) of the Head of Economy and Planning which proposed as follows:

Replacement of existing south and part east boundary fencing (1.75m high close boarded timber panel/trellis with 1.83m concrete posts) with new 2.0m high timber panel/trellis fencing and concrete posts and replacement of three existing timber gates to serve Nos 5, 6 & 7 Gales Place (revised description).

Councillors B J Burgess, Jaggard, Stone, and Tarrant declared they had visited the site.

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

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

- Confirmed that the road serving the dwellings (Gales Place) ran through the centre of the site - west to east, leading to Three Bridges First School. To the south was School Path that ran from the eastern corner of the parade of shops to North Road. This path provided the pedestrian access route to the school.

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17 December 2018

- Explained that whilst the fencing would be higher than the existing boundary treatment, it would be comparable to permitted development limits of a maximum of 2m in height and so would not be an unusual or incongruous feature. It was not considered that this additional height would have an adverse impact on the street scene and the character and surroundings of school Path.
- Explained further that there was a street light located on the path, and with additional lighting from the housing adjacent to the path, there should not be any harmful loss of light to that path.
- Advised that the approved existing fencing for the development was, by condition, 1.8m high and so to vary it required planning permission.
- Commented that the increased height of the fencing panels would provide a more solid boundary up to 1.78m high, but with the trellis element on the top, the overall impact would be softened.
- Reiterated that the proposed fencing would address privacy and security issues raised by the occupants of this development

RESOLVED

Grant, subject to the conditions set out in report PES/288 (b)

6. Planning Application CR/2018/0713/NCC - Former TSB Trustcard, County Oak Way

The Committee considered report PES/288 (c) of the Head of Economy and Planning which proposed as follows:

Variation of Condition 2 (approved plans) to increase external racking storage to the rear of the unit to improve health and safety conditions and Condition 5 (parking spaces/turning facilities) for improvements to site traffic to alleviate confusion and manage traffic flow more safely, pursuant to CR/2015/0397/FUL for external alterations and change of use from business (B1) to a storage and distribution use (B8) with ancillary trade counter and showroom for the display, sale and storage of building supplies with car parking, servicing and associated works.

Councillor P C Smith declared he had visited the site.

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

The Committee then considered the application.

RESOLVED

Permit, subject to the conditions set out in report PES/288 (c).

7. Planning Application CR/2018/0862/TPO - 18 Selham Close, Ifield, Crawley

The Committee considered report PES/288 (e) of the Head of Economy and Planning which proposed as follows:

T1 Oak - remove tree, infected with Ganderma Resinaceum for safety reasons.

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Councillor Thomas declared he had visited the site.

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

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

- Explained that due to the proximity of this tree to the recently permitted side and rear extension to 18 Selham Close (ref: CR/2018/0594/FUL), it would be preferable that the replacement tree should be a low water demand species such as a Tulip tree.
- Advised that no concerns had been raised regarding the health of other oak trees in the same vicinity.

RESOLVED

Consent, subject to:

- (i) The conditions set out in report PES/288 (e)
- (ii) The decision being delegated back to the Head of Economy and Planning on expiry of the consultation period (20 December 2018) to issue the decision on the 21st December 2018.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair took this opportunity to wish all Members of the Committee a merry Christmas and a happy New Year, and declared the meeting closed at 8.06 pm

Chair

Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 21 January 2019
REPORT NO: PES/289(a)

REFERENCE NO: CR/2016/0083/ARM

LOCATION: [PHASE 2C, FORGE WOOD, \(NORTH EAST SECTOR\), CRAWLEY](#)
WARD: Pound Hill North
PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 2C FOR THE ERECTION OF 249 DWELLINGS, CAR PARKING INCLUDING GARAGES, INTERNAL ACCESS ROADS, FOOTPATHS, PARKING AND CIRCULATION AREA, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS (REVISED DESCRIPTION AND AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 2 May 2016

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Ltd & Taylor Wimpey Ltd
AGENTS NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

CSA/667/205 Rev, Phase 2C Residential Soft Landscape Proposals Sheet 2 of 3
CSA/667/206 Rev, Phase 2C Residential Soft Landscape Proposals Sheet 3 of 3
CSA/667/207 Rev, Phase 2c Residential Hard Landscape Proposals Sheet 1 of 3
CSA/667/209 Rev, Phase 2c Residential Hard Landscape Proposals Sheet 3 of 3
CSA/667/204 Rev , Phase 2C Residential Soft Landscape Proposals Sheet 1 of 3
18097_SK100, General Arrangement Layout Plan
P.1141_10 Rev, Phase 2C Refuse Strategy
P.1141_01 Rev, Phase 2C Site Layout
P.1141_05 Rev, Phase 2C Garden Areas Assessment Plan
P.1141_06 Rev, Phase 2C Building Heights
P.1141_07 Rev, Phase 2C Affordable Housing Location Plan
P.1141_09 Rev, Phase 2C Site Layout
CSA/667/208 Rev, Phase 2c Residential Hard Landscape Proposal Sheet 2 of 3
18097 - DS0P2, Refuse Vehicle Drive Swept Path Analysis - Sheet 2 of 3
18097 - DS0P3, Private Cars Drive Swept Path Analysis - Sheet 3 of 3
18097 - DS0P1, Fire Tender Drive Swept Path Analysis - Sheet 1 of 3
18907 - SK101 Rev, Drainage Strategy Plan
P.1141_03-21 Rev, Apartment Block 1 Floor Plans Plots P106-117
P.1141_03-22 Rev, Apartment Block 1 Elevations Plots P106-117
P.1141_03-23 Rev, Apartment Block 2 Floor Plans Plots P118 - 132
P.1141_03-24 Rev, Apartment Block 2 Elevations Plots P118-132
P.1141_03-27 Rev , Apartment Block 4 Floor Plans Plots P252 - 266
P.1141_03-26 Rev, Apartment Block 3 Elevations Plots P246 - 251
P.1141_03-25 Rev, Apartment Block 3 Floor Plans Plots P246 - 251
P.1141_03-28 Rev, Apartment Block 4 Elevations Plots P252 - 266
P.1141_03-29 Rev, Apartment Block 5 Floor Plans Plots P267-278
P.1141_03-30 Rev, Apartment Block 5 Elevations Plots P267 - 278
P.1141_03-39 Rev, Apartment Block 10 Floor Plans Plots P216-227
P.1141_03-38 Rev, Apartment Block 9 Elevations Plots P327-341
P.1141_03-36 Rev, Apartment Block 8 Elevations Plots P300-314
P.1141_03-37 Rev, Apartment Block 9 Floor Plans Plots P327-341
P.1141_03-33 Rev, Apartment Block 7 Floor Plans Plots P315-326

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P.1141_03-31 Rev, Apartment Block 6 Floor Plans Plots P279-290
P.1141_03-32 Rev, Apartment Block 6 Elevations Plots P279-290
P.1141_03-35 Rev, Apartment Block 8 Floor Plans Plots P300-314
P.1141_03-34 Rev, Apartment Block 7 Elevations Plots P315-326
P.1141_03-40 Rev, Apartment Block 10 Elevations Plots P216-227
P.1141_B13_03 Rev, Apartment Block 13 Second Floor Plan Plots P174-197
P.1141_B13-01 Rev, Apartment Block 13 Ground Floor Plan Plots P174-197
P.1141_B13-04, Apartment Block 13 Front & Side Elevations Plots P174-197
P.1141_B13-02 Rev, Apartment Block 13 First Floor Plan Plots P174-197
P.1141_B13-05, Apartment Block 13 Rear & Side Elevations Plots P174-197
P.1141.CLAY.01, Clayton Elevations & Floor Plans - Plot P134
P.1141.LEIC.01, Leicester Elevations & Floor Plans
2459-D-02-Rev , Lighting Layout
P.1141.CLAY.03, Clayton Elevations & Floor Plans
P.1141.3B5P.01, (Affordable) Elevations & Floor Plans
P.1141.CHED.01, Chedworth Elevations & Floor Plans Plots P95 & P231
P.1141.HAT.02, Hatfield Elevations & Floor Plans
P.1141.HAN.01, Hanbury Elevations & Floor Plans Plots P137, 138, 243 & 244
P.1141.CLAY.04, Clayton Elevations & Floor Plans Plot P99
P.1141.CLAYC.01, Clayton Corner Elevations & Floor Plans Plots P133, 153, 198, 228, 295 & 298
P.1141.3B5P.02, (Affordable) Elevations & Floor Plans Plots 173 std & handed
P.1141.3B5P.03, (Affordable) Elevations & Floor Plans - asstd Plots between P100 & P293
P.1141.CORF 01, Corfe Elevations & Floor Plans Plots P96 & 98
P.1141.WP2420A.02, WP2420A (Affordable) Elevations & Floor Plans Plots P104, 105, 144, 205-214, 236-240
P.1141.CLAY.02, Clayton Elevations & Floor Plans Plot P245
P.1141.HAT.01, Hatfield Elevations & Floor Plans Plots P135, 136, 154, 155, 158-165, 204, 229,230, 232, 233, 296 & 297
P.1141.WP2420A.01, WP2420A Elevations & Floor Plans Plots P112, 235 & 241
TPP 7827-2C-02 Rev , Tree plan 09 10 18
P.1141 WP3520C.01, Elevations & Floor Plans
P.1141 04 B, Street Scences
P.1141_03_01A, Corfe Space Standards
P.1141.corf.01A, Corfe Elevations & Floor Plans Plots P96 &98
P.1526.BIN_03, Bin Stores - Phase 2
P.1526.BIN_04, Bin Stores - Phase 2
P.1526.BIN_01, Bin Stores and cycle stores - Phase 2
P.1141_CS Rev, Cycle Store Strategy
P.1141_14_11 Rev, Architectural Details - Window Cills
P.1141_14_04 Rev , Architectural Details - Brick Corbelling
P.1141_14_08 Rev, Architectural Details - Brick Coursing
P.1141_14_09 Rev, Architectural Details - Stone Coursing
P.1141_14_03 Rev, Architectural Details - Decorative Barge Board
P.1156JB.01, Architectural Details - Juliette Balcony
P.1141_14_05 Rev , Architectural Details - Canopies
P.1141_14_12 Rev , Architectural Details - Chimneys
P.1141_14_10 Rev , Architectural Details - Window Headers
P.1141_14_07 Rev , Architectural Details - Creasing Tile Feature
P.1141_14_02 Rev , Architectural Details - Tile Hanging
P.1141_14_06 Rev , Architectural Details - Window Styles

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Planning Department
No objection – all dwellings are located outside the area of the site that is predicted to be exposed to aircraft noise levels that the Secretary of State deemed to be unacceptable. No objections therefore to siting or layout.

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	Details of noise mitigation to be assessed as part of a condition 34 submission.
2. GAL Aerodrome Safeguarding	comments made on landscaping details.
3. National Air Traffic Services (NATS)	No objection
4. WSCC Highways	Comments made on design, materials and parking
5. Crawley Cycle & Walking Forum	Comments made on cycle storage
6. Network Rail	Comments made on requirements for the safe operation of the railway – to be covered by informative
7. Environment Agency	No objection
8. Thames Water	Request a Grampian style condition be imposed as they consider there is inadequate sewerage capacity to accommodate the development. However, they advise that discussions are ongoing to agree a deliverable solution.
9. Southern Water Ltd	There is an inset agreement in place between Southern Water and Independent Water Networks Ltd for the supply of water services. The connection point to the water supply network and the agreed demand flow rate must be complied with.
10. CBC Drainage Officer	Calculations and modelling required
11. WSCC Lead Local Flood Authority	No response
12. Independent Water Networks Ltd	No response
13. Sussex Building Control Partnership	No response
14. Police	Advice given on security issues - to be covered by informative and condition
15. UK Power Networks	No response
16. Ecology Officer	No objection subject to condition
17. CBC Property Division	No comments to make
18. CBC Planning Arboricultural Officer	No objection
19. CBC Housing Enabling & Development Manager	No objection to affordable housing numbers, tenure split, housing mix and layout
20. CBC Refuse & Recycling Team	Comments on bin storage facilities
21. CBC Energy Efficiency & Sustainability	No comments to make as matter will be dealt with in the condition 23 submission
22. CBC Environmental Health	No objection

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NEIGHBOUR NOTIFICATIONS:-

Application publicised via press and site notices.

RESPONSES RECEIVED:-

4 responses received from residents of Forge Wood - commenting that no further development should be approved until existing works are completed, concerns over construction traffic and damage caused to properties and that too much development has been allowed.

An objection has been received from First Plan on behalf of the operators at Crawley Goods Yard. This notes that the flat barrier block follows the recommendation in the s73 noise report but object unless it is confirmed that both the employment block and flat barrier block are constructed prior to occupation of any residential unit in 2C and that this should be secured by means of a s106 legal agreement. Comment is made that this has been the approach taken with regard to phase 2B.

Also concern is expressed that the reserved matters have been submitted before the noise mitigation details for this phase. A condition 34 discharge application is required so that everything is considered comprehensively for both phase 2C and that for 2B.

REASON FOR REPORTING TO COMMITTEE:-

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

BACKGROUND:-

General

- 1.1 Outline planning permission for the North East Sector neighbourhood, now known as Forge Wood, was originally granted by the Secretary of State on 16th February 2011 under reference CR/1998/0039/OUT.
- 1.2 The outline planning permission established the principle of a mixed use neighbourhood to include up to 1,900 dwellings, 5,000 sq m of employment floorspace, 2,500 sq m of net retail space, a local centre/community centre, a primary school, recreational open space, landscaping, the relocation of a 132KV power line adjacent to the M23 and other associated works.
- 1.3 More recently a Section 73 - variation of conditions application CR/2015/0552/NCC (referred to in this report as the s73 application') was permitted on 15th November 2016, which issued a new outline planning permission for Forge Wood with updated decision notice relating to a new Master Plan, Design Statement and revised conditions.
- 1.4 The principle of the new neighbourhood, the quantum of development, as well as the access arrangements and principal road junctions have therefore been established. Various Reserved Matters applications have been considered by the Planning Committee for specific land parcels across the 4 phases of the development.

The western part of Forge Wood - Phase 2 and the Employment Building

- 1.5 The western part of the Neighbourhood (which lies to the west of the Central Parkland and the Gatwick Stream) comprises the residential parcels of Phase 2 and the employment building (part of Phase 3).
- 1.6 In respect of Phase 2, CR/2015/0628/ARM has been approved for the infrastructure works (roads and drainage). The residential sub phase 2A has been approved under CR/2015/0740/ARM and has been constructed. Sub phase 2D was approved under CR/2016/0114/ARM and is under

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construction. The employment building and the residential sub phase of 2B were considered at the October 2018 Planning Committee when it was resolved to grant planning permission subject to a S106 legal agreement. The remaining element is thus sub phase 2C.

- 1.7 With regard to sub phase 2C, this subject application (CR/2016/0718/ARM) was submitted in February 2016. Since then and during the consideration of the s73 application, there were concerns over noise issues for Phases 2B and 2C, and specifically the relationship between the railway line, Crawley Goods Yard and the new dwellings. It was decided that a revised and updated noise report and chapter for the Environmental Statement (ES) was required. This was needed to inform the s73 application. It was also decided that the overarching approach to noise at this level needed to be resolved before detailed consideration could be given to the individual reserved matters applications.
- 1.8 The revised ES and s73 application details set out that a combination of mitigation measures would be required for the residential phases 2B and 2C including a 100m noise exclusion zone/buffer at the western boundary (where dwellings are not permitted due to noise and air quality issues), and the erection of a non-residential building to act as a barrier to screen the dwellings from the industrial noise. Other measures also required were an appropriate layout of the residential parcels themselves to ensure the design, internal layout and siting of the individual dwellings mitigated the noise impact with sound insulation measures and, where necessary appropriate mechanical ventilation.
- 1.9 Furthermore, condition 34, which requires the submission of a scheme to protect the dwellings from noise, needed to be re-worded as part of the s73 application. The condition 34 details would then be subsequently submitted as a conditions discharge request and this would be considered alongside the relevant reserved matters applications.
- 1.10 Thus, more recently, and since the issuing of the s73 permission, the approach to this part of the Forge Wood development has been reassessed in the light of these requirements. The residential parcels of sub phases 2B and 2C (CR/2016/0083/ARM) and the application for the employment building (CR/2016/0858/ARM) have been revisited and the revised plans have been considered as a whole. This report deals with sub phase 2C. The applications for the employment building and 2B were considered in October 2018. In addition the applicants have advised that a conditions discharge application for condition 34 (noise mitigation) for the dwellings in 2C is to be submitted imminently. An update on this position will be given at the meeting.

THE APPLICATION SITE:-

- 2.1 The application site for sub phase 2C is part of Phase 2 and has a site area of 4.7ha. It forms part of the western development parcels within the wider development site of Forge Wood. This parcel is centrally located within Phase 2, with 2A to the north and 2B to the south. Its north western boundary lies alongside the London-Brighton railway line, on the other side of which is the Good Yard. Its south western boundary wraps around the employment area. The site borders the central parkland to the east.
- 2.2 The topography of the site and surrounding area is broadly flat and slightly higher towards the western side of the site. The Gatwick stream runs from south to north through central parkland area to the east. The site is identified as an archaeologically sensitive area. There are mature trees located on the west along the railway line and between this parcel and the employment land.
- 2.3 The site is located to the west of the Gatwick Stream floodplain which forms the new central parkland. The closest residential units to the designated floodplain are the large 3-storey apartment blocks along the eastern part of the site.

THE PROPOSED DEVELOPMENT:-

- 3.1 This amended application seeks the Approval of Reserved Matters for Phase 2C of Forge Wood. The

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249 dwellings, of which 48.5% would be affordable units, comprise a mix of 3 storey apartments and houses of 2-2 ½ storeys in height as follows:

- 25 x 2 bedroom semi-detached and terraced dwellings;
- 70 x 3 bedroom detached, semi-detached and terraced dwellings;
- 4 x 4 /5 bedroom detached dwellings
- 33 x 1 bedroom (2 person) apartments;
- 27 x 2 bedroom (3 person) apartments;
- 90 x 2 bedroom (4 person) apartments.

- 3.2 The phase is accessed via the spine road which serves phase 2 and connects to the wider neighbourhood via the two bridge crossings, with the northern crossing leading into the local centre area in phase 1. The dwellings in this sub phase are located to the east and west of this central spine road. The new section of spine road serving Phase 2C will also provide one of the access points into the employment land located to the west (adjacent to the railway line).
- 3.3 There are four main character areas within Phase 2C:
- ‘CA1 / Main Street’ – This character area consists of the semi-detached and terraced properties and 2 blocks of flats east and west of the main spine road
 - ‘CA2 / Parkland Edge’ – This character area consists of mix of terraced and semi-detached houses with 8 x three storey apartment blocks to the east of Main Street bordering the central parkland.
 - ‘CA3 / Neighbourhood Housing’ – This consists of a mix of terraced and semi-detached houses, located to the west of Main Street.
 - ‘CA4 / Courtyard housing comprising a block of flats along the western boundary. It is this Character Area that has seen the largest change to the layout as now submitted. Previously this part of the site was shown as two separate block of flats. The amended layout now is for one building of 24 flats, which together with the employment building will provide for the noise mitigation for this sub phase. The block has an L-shaped footprint forming a courtyard arrangement set around three retained mature oak trees.
- 3.4 The following documents have been provided in support of the application:
- Design Statement;
 - Planning Statement;
 - Surface Water Drainage Strategy
 - Residential Landscape Management Plan;
 - Arboricultural Impact Assessment;
 - Ecological Assessment.
 - Noise Report
- 3.5 The application has been the subject of a number of substantial revisions since its initial submission, with the latest set of amendments only being received very recently on 4th January 2019. Relevant re-consultation has taken place and where applicable the report reflects the current comments – however it has not been possible to conclude this process in all cases and so Members will be updated at the meeting itself, which may involve some reworded or additional conditions.

PLANNING POLICY:-

The National Planning Policy Framework July 2018 (NPPF)

- 4.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and

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environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is a presumption in favour of sustainable development.

4.2 Relevant paragraphs are:

- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up – to – date development plan should be approved without delay.
- Section 5: delivering a sufficient supply of homes – this seeks to significantly boost the supply of housing.
- Section 6: Building a strong, competitive economy – significant weight should be placed on the need to support economic growth and productivity.
- Section 11: Making effective use of land – decisions should promote 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.
- 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.
- Section 15: Conserving and enhancing the natural environment – decisions should prevent new and existing development from contributing to, being put at risk from , or being adversely affected by, unacceptable levels of pollution including air and noise. Potential adverse impacts on health and quality of life are to be taken into account. In respect of noise, decisions should mitigate and reduce to a minimum potential adverse impacts and avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse impact on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

- 4.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise.
- 4.4 The Plan was adopted on 16th December 2015.
- 4.5 Housing policy H2 identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings within the period to 2020. Policy H3 requires all housing development to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. Affordable and low cost housing should be provided as part of the housing mix and policy H4 specifies the requirement for affordable housing. In this case the affordable housing requirements for Forge Wood are already addressed through conditions 1, 62 and 63 on the outline permission.
- 4.6 Overarching policy SD1 sets out the presumption in favour of sustainable development in line with 6 strategic objectives which include progress towards climate change commitments, providing a safe and secure environment for residents and visitors and meeting the social and economic needs of the current and future population and policy CH1 supports development in line with the neighbourhood principle (of which this sub-phase of Forge Wood complies with).
- 4.7 Policy CH2 sets out the principles for good urban design and states:
- To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:*
- a) respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets;

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- b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas;
- c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people;
- d) make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks;
- e) provide recognisable routes, intersections and landmarks to help people find their way around;
- f) consider flexible development forms that can respond to changing social, technological and economic conditions; and
- g) provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.

Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.

- 4.8 Policy CH3 sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.
- 4.9 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 4.10 Policy CH5 sets out the internal space standards for all new dwellings in line with the Nationally Described Space Standards and also requires development to include appropriate provision of external space.
- 4.11 Policy CH6 seeks to ensure landscape proposals for residential development contribute to the character and appearance of the town and seeks to ensure 1 new tree for each dwelling and where trees are lost, seeks mitigation in line with the published replacement standards.
- 4.12 Policy CH7 identifies the central parkland area directly to the east of the application site as structural landscaping and an important feature that should be protected and enhanced. This aspect has been considered and identified as an integral landscape feature in the overall masterplanning of Forge Wood.
- 4.13 Policy CH12 seeks to protect heritage assets. The site has been identified as an archaeologically sensitive area and condition 19 on the outline permission covers these requirements.
- 4.14 Policy EC4: Employment Development and Residential Amenity seeks to ensure that economic functions of areas are not constrained by inappropriate residential development and equally that no adverse effect to the amenity of residential areas occurs from economic development.
- 4.15 Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.
- 4.16 Policy ENV6 sets out the requirement for all development to maximise carbon efficiency with all new dwellings being required to have strengthened on-site energy performance standards while policy

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ENV9 seeks to ensure development is planned and designed to minimise the impact on water resources and promote water efficiency.

- 4.17 Policy ENV8 seeks to ensure development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere. The suitability of this site was considered as part of the outline application, through the overall masterplan layout and via the site wide drainage strategy covered by condition 16. The reserved matters applications are required to include the specific drainage details for the relevant phase/sub phase.
- 4.18 Policy ENV11 seeks to protect people's quality of life from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Residential and other noise sensitive development in areas that are exposed to significant noise from existing or future industrial, commercial or transport noise sources will be permitted where it can be demonstrated that appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users of the development will be made acceptable. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users. Proposals will be required to appropriately mitigate noise through careful planning, layout and design.
- 4.19 Policy IN1 seeks to ensure satisfactory infrastructure provision on and off site and where necessary mitigation (this site was considered as part of the outline application, through the overall masterplan layout and via planning conditions).
- 4.20 Policy IN2 requires residential development to be designed and connected to high quality communications infrastructure and to ensure that fibre optic or other cabling does not need to be retrofitted.
- 4.21 Policy IN4 requires development to meet its needs when assessed against the Council's car parking and cycle parking standards.

Supplementary Planning Guidance and Documents

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

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PLANNING CONSIDERATIONS:-

- 5.1 The principle of the new neighbourhood, the quantum of development and the main access arrangements have been established with the grant of the original outline planning permission (CR/1998/0039/OUT) and the subsequent application CR/2015/0552/NCC which resulted in the issue of a new outline planning permission for Forge Wood.
- 5.2 This application is for the approval of Reserved Matters, that is, for the detailed design and layout only and the LPA cannot refuse it on grounds which go to the principle of the development. It can only consider detail relevant to that particular application.
- 5.3 The key issues to consider in determining this application are:
 - Is the proposal in substantial accordance with the approved Masterplan and Design Statement?
 - Design approach and links with existing and subsequent phases of the development.
 - Housing mix and affordable housing
 - Adequacy of the dwellings for future occupiers including parking and servicing requirements
 - Noise impacts
 - Sustainable design considerations
 - Impacts on ecology, trees and landscaping
 - Surface Water Drainage
 - Foul Drainage
 - CIL

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

- 5.4 The Masterplan and Design Statement for Forge Wood sets out the general structure and layout of the overall development and identifies character areas. This application site is comprised of areas designated as Main Street, Neighbourhood Housing, Parkland Edge and Courtyard Housing as set out in the Design Statement.
- 5.5 The approved Masterplan shows Phase 2C with higher density development of 3-4 storeys flats on the eastern section of the site overlooking the central parkland. To the north west is the Courtyard Housing area. The remaining land for this sub phase shown on the Masterplan forms the 'Neighbourhood Housing' and 'Main Street' which is made up of lower density housing. The Masterplan shows an area of open space to the west of the residential development in phase 2, with mature trees separating the housing from the commercial area. Access paths are shown providing integration between Phase 2C and part of Phase 3 (the commercial area).
- 5.6 The Masterplan incorporates a 100m Noise Buffer area from the railway goods yard and no dwellings are permitted within this area as controlled by condition 64 of the outline permission due to the existing noise and air quality environment. The dwellings in this sub phase are positioned outside of the buffer zone and so meet this locational requirement of the Masterplan and condition 64 of the outline permission.
- 5.7 The general road arrangements correspond with that shown on the Masterplan and the finer details of the overall layout. This sub phase has been developed from the road layout and other details shown in the Phase 2 infrastructure application.
- 5.8 In terms of the approved Design Statement, the objectives are:

Main Street

- Create a low speed highway network where the carriageway is subservient to the urban form.
- Provide a highly permeable development to encourage pedestrian and cycle movement.
- Create a sequence of clearly designed spaces to aid orientation and local identity.
- Building heights to be predominantly 2 to 2½ storeys with occasional 3 storey development to punctuate or enclose key spaces or to terminate vistas.
- On curtilage parking to be discrete, set back behind main building line or in courtyards.

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- On street parking to be in groups of no more than 3 spaces.
- Varying road width with a minimum of 5.5 metres with a footpath on either side although not necessarily contiguous with the carriageway.

Neighbourhood Housing

- Create a low speed highway network where the carriageway is subservient to the urban form.
- Provide highly permeable development to encourage pedestrian and cycle movement.
- Provide mainly 2 to 2½ storey housing with occasional 3 storey houses.
- Create a series of lower key, clearly designed spaces to aid orientation and local identity.
- Provide high quality landscape to green the residential environment
- Provide a coordinated approach to front gardens/privacy strips.

Parkland Edge

- Create a strong backdrop to the central area of parkland of 3 and 4 storey apartments or townhouses
- Vehicular access from the rear with pedestrian and cycle links on the parkland edge
- Occasional breaks in the building frontage to allow views from deeper within the development
- Use of key buildings/architectural features to terminate vistas from the opposite side of the valley
- Complementary frontage to internal spine road
- Buildings to frame views to the spine road to aid orientation

Courtyard Housing

- Single aspect dwellings alongside the railway with non-habitable rooms to the rear
- Buildings orientated around landscape courtyards with links to the central parkland
- Homezones developed behind the main access roads
- Detailed layout to seek to retain as many mature trees as possible

- 5.9 The proposal comprises a mix of 2, 2½ and 3 storey development and the overall layout of roads and streets and the dwellings within them continues the approach established in earlier phases of Forge Wood, and are considered to be in accordance with the objectives set out in the approved Design Statement and consistent with the overall character of the neighbourhood and the specific character areas now established for Forge Wood.
- 5.10 In terms of density, condition 1 of the outline permission requires the development to be built out at an average density no lower than 41 dph in respect of the net residential area. The net developable area of this sub phase is shown as 4.25 ha which provides an average density of approximately 59 dph. Whilst 2A and 2D have lower densities, (at 31dph and 42 dph respectively) the average density across phase 2 as a whole is likely to be achieved with Phase 2B and 2C providing a higher average density. This would compensate for the lower densities of phase 2A and 2D. Thus phase 2B is acceptable as phase 2 overall would meet the overall requirements of the condition, which is required to ensure the most effective use of the land.
- 5.11 A high density residential development in itself is not unacceptable and, following the guidance in the NPPF, lower densities would not be an efficient or effective use of the land at Forge Wood, which is the largest key housing site in the Local Plan under Policy H2, and would affect the ability to deliver the required housing numbers to address the Borough's housing need. Condition 4 of the outline permission imposes a maximum of 1900 units. The aim is to achieve as close to the 1900 units as possible and to achieve the most effective use of the land to provide housing, subject to the context, detailed design, layout, housing mix, noise issues etc. These elements are considered in more detail below.

The Design approach and links to subsequent phases of the development

- 5.12 The proposed layout and detailing of the 2 and 2½ storey houses and 3 storey flats within the character areas continues the overall design approach established in earlier phases of Forge Wood. The house types and designs are generally similar to those that have been approved in other phases, but with some variations to address the character area within which they are located and the local site context.

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- 5.13 The details also incorporate refinements to the scheme which have emerged and are ongoing as the neighbourhood has been built out. The proposed detailing and palette of materials for the dwellings are also broadly in line with the approved Design Statement. The specific materials can be further considered and agreed in more detail through condition 38 attached to the outline planning permission.
- 5.14 During the consideration of the application a number of issues have been identified that have required revisions, including the layout and design approach of particular areas of this sub phase, particularly to address noise issues, the location of the affordable units, amenity space provision, street scene impact, garden sizes, hard and soft landscaping, parking provision and layout, cycle parking, circulation within the site for vehicles and pedestrian linkages, and alterations to the design approach/detailing relevant to each of the identified character areas.
- 5.15 The amendments that have been submitted include the following:
- Flat barrier block in north western part of the site
 - The location of the affordable units across the phase rationalised having regard to unit type , following revisions to the layout as a whole and to assist in management and maintenance issues
 - Amended plans have addressed the design differences between the balconies on the flats. The projecting balconies on the private flats have been removed as this feature appeared incongruous with the design of other dwellings along the parkland edge. Juliette balconies are to be used for all flats, reflecting the approved design approach for the flats on the more recent phases (such as 2A, 2B, 3A, 3B and 4A) and would be tenure blind.
 - Garden sizes and shapes improved through reconfiguration of the layout throughout all parts of this sub-phase.
 - Parking arrangements have been revised to provide an appropriate level of spaces in convenient locations for the units, especially the flats
 - Improvements have been made to visitor parking to create additional spaces in appropriate locations, in line with WSCC Highways requirements.
 - Paths added through the parkland to the west across to the employment area
 - Cycle storage facilities amended to provide additional storage and in improved locations with appropriate designs
- 5.16 In terms of the architectural detailing, individual design features are shown on the various house types and detailed information has been provided. However, precise details of the Juliette balconies are required and a condition is suggested to require the submission of the appropriate details.
- 5.17 Overall it is considered that significant improvements have been made to the design approach and layout of this phase from the initial submission, resulting in an acceptable design and layout.
- 5.18 The layout is also considered to connect with the key linkages identified in the Master Plan, including the footpath and cycle links into adjacent parcels to the north and south (Phase 2A and 2B) , to the east across to the central parkland and to the local centre in Phase 1 and those to the south connecting to Crawley Avenue.
- 5.19 Moreover, this sub phase has also been designed to integrate with details of the employment building sub phase (CR/2016/0858/ARM) and the details have also been assessed alongside the details and layout for phase 2B (CR/2015/0708/ARM) to the north, both of which were resolved to approved at the October Planning Committee meeting, subject to a s106.

Housing Mix and Affordable Housing

- 5.20 A total of 249 units are proposed, comprising a mix of houses and flats, divided between 128 private market units and 121 affordable dwellings.

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5.21 In terms of the **private dwellings**, the mix is:

6 x 1 bed flats
72 x 2 bed flats
4 x 2 bed houses
42 x 3 bed houses
4 x 4 /5 bed houses

5.22 This range of private market dwellings is considered to be acceptable and provides for an appropriate mix of dwelling sizes.

5.23 The provision of **affordable housing** is specifically covered by condition 62 of the outline permission, as well as policy H4 of the Local Plan.

5.24 Condition 62 requires 40% affordable housing provision in each phase of the Forge Wood development of which no less than 70% shall be social rented accommodation and the remainder as intermediate affordable housing.

5.25 Of the 249 dwellings proposed, 121 are affordable and therefore the level of provision is 48.5% for this particular sub phase. Condition 62 requires the 40% to be achieved across a whole phase. In the case of the approved parcels of Phase 2, sub phase 2A delivers 24%, sub phase 2B is 41% and sub phase 2D has 40%.

5.26 Thus whilst 2B has slightly overprovided, there was an outstanding shortfall on this phase as a whole and so this has been made up on this current remaining parcel 2C. Overall, Phase 2 would achieve 41.5% of affordable housing provision.

5.27 A similar approach was taken in phase 1, where different levels of affordable housing on the sub phases were considered to be appropriate and have been/are to be reconciled on other sub phases.

5.28 For phase 2C the mix of the affordable and market discount units provided is:

27 x 1 bed flats
45 x 2 bed flats
21 x 2 bed houses
28 x 3 bed houses

5.29 The tenure split of these 121 affordable units is 84 units for affordable rent and 37 units for discount, which is a 69.4 : 30.6 ratio. This is very close to the 70:30 criteria for the tenure split set out in condition 62, and as such is considered to be acceptable.

5.30 The amendments that were requested by officers in relation to the affordable housing locations, unit type, internal layouts and parking arrangements have now been made and it is considered that there is now an acceptable mix of tenures, and mix of houses and flats across this sub-phase and the range and location of dwellings would be appropriate and policy compliant.

5.31 The affordable houses within the layout are for a mix of for social rent and discount market sale and are located in cul de sacs, on the east and west sides of the parcel, behind the main spine road houses. It is not considered the positioning of the affordable units results in an unacceptable clustering of the dwellings, as the houses are dispersed linearly to both sides of the internal phase 2C spine road.

5.32 With regards to the flats, there are 9 blocks in the eastern part of the site, of which 4 blocks are affordable units, providing 21 units for discount market sale and 27 units for affordable rent. These blocks show the same general massing, design, parking arrangements and internal layout as the private flats in blocks 1, 5, and 7 - 9, all of which overlook the central parkland area.

5.33 The remaining block of affordable flats is the western courtyard block (block 13) of 24 units, which has been specifically designed for this sub phase to act as an additional noise mitigation barrier, in

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addition to the employment building. This is in the Courtyard Housing Character Area and comprises an 'L' shaped block set around a landscaped courtyard, which includes 3 retained mature oak trees.

- 5.34 Overall the general arrangement of affordable units is considered acceptable and the number of units and their position is not considered to result in an excessive or inappropriate cluster of affordable dwellings in this sub phase.
- 5.35 The design and detailing of the affordable dwellings is very similar to the market housing and it is considered the development will be tenure blind. The difference from the private market housing is that the affordable units do not have garages. Otherwise the level and form of detailing between the house types is consistent. The amendments to the layout have looked at the provision of adequate garden space and parking provision for the affordable units to ensure that the affordable units are assimilated into the overall layout in a sympathetic manner. There is now a degree of variety in the parking provision, and a reduction in the extent of frontage parking. This ensures that affordable housing is not an obviously different element of the development.
- 5.36 Overall it is considered that the dwelling mix would be appropriate, providing an adequate mix of dwelling sizes and styles to address the nature of the housing market, creating a varied form of development, both for this phase and taking into account the Forge Wood development as a whole.

Adequacy of the dwellings for future occupiers including parking and servicing

- 5.37 Internal dwelling sizes for all dwellings are in accordance with the National Space Standards and Policy CH5.
- 5.38 In respect of amenity space and garden sizes guidance contained within Policy CH5 and the Council's the Urban Design SPD outlines minimum floor area standards for private amenity space. It also states that '*external space standards are of particular importance to affordable housing. Since affordable housing tends to be fully occupied after construction, garden sizes for affordable housing should be met given the likely level of full occupancy*'.
- 5.39 With regard to the flats in this sub phase, the flat blocks are set in landscaped grounds, particularly the blocks in the eastern side of the site facing the central parkland. The flats in block 10 and 13, on the western side, have landscaped grounds, with Block 10 having an outlook to the wooded area to the west. Block 13, which is the barrier block has a single eastern and northern outlook onto the treed courtyard, which is a specific design criteria of the Design Statement. This states:

The Courtyard Housing creates an inward looking residential area which turns it back on and screens the industrial estate and railway from the main body of the development. It will comprise mainly 3 storey apartments, which will also act as an acoustic barrier against the noise sources to the west. The apartments will be focussed around landscaped courtyards

- 5.40 These arrangements for Block 13 have been extensively revised during the consideration of this application to comprise a single block, to ensure an appropriate layout for the courtyard and the access points and to incorporate sympathetically the refuse stores, cycle stores and parking spaces. Whilst the units are single aspect with their outlook to the east onto the treed courtyard, the building is set away from the western boundary by some 15m and from the employment building to the south by some 20m and this part of the site would also be landscaped. Overall this is considered to be a spacious layout for these units.
- 5.41 With regards to the 99 houses in this sub phase, it is acknowledged that not all of the units would accord with the Councils Outdoor Space Standards for garden sizes, although they all comply with the minimum separation distances. 18 of the houses do not meet the outdoor space standards, and of those, 2 being within 10% of the standards and 13 being within 25% of the standards.
- 5.42 Officers acknowledge that the garden sizes for houses are not fully in accordance with the outdoor space standards. However, this application has been the subject of various revisions, each time including further improvements made to the sizes and shapes of the gardens, and in particular to

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those of the affordable housing units. As a result the garden sizes have significantly improved from the original submission. It should be noted however that the particular constraints that apply to this site mean that has not been possible to achieve further revisions to reach 100% compliance with garden sizes.

- 5.43 Of particular note for this sub phase is the shape of this residential land parcel and the need to be set away from the railway line and Goods Yard to the west, and to the east the constraints of the Central Parkland and flood compensation area alongside the Gatwick Stream. In addition, the road layout and associated infrastructure (including drainage features) have had to be accommodated. Given the constraints of the site and the requirement to provide 1900 new dwellings across all phases, including affordable housing, it is considered that the proposed garden sizes would be acceptable.
- 5.44 Of the 18 dwellings that do not meet the standards the scheme has now been amended and redesigned to a point where the additional rear garden space for these could not be achieved without resulting in harm to the aesthetic urban environment, the public realm open space and soft landscaping. The applicant has provided a detailed explanation of why each specific plot cannot be amended further, without causing harm to other aspects of the development. In addition, given the location of the site and surrounding open space, in particular the close proximity of the central parkland and nearby woodland it is considered that the development would also benefit significantly from the additional nearby open space.
- 5.45 Overall when assessing the application as a whole and having regard to the delivery of the neighbourhood as a package, the significant areas of open space and landscaping and also taking into account that garden sizes are set out as guidance not policy, and the lesser weight that this affords, it is considered that the development will have an appropriate level of amenity space overall and officers are of the view that the scheme should be considered acceptable.
- 5.46 In respect of privacy and overlooking, the Urban Design SPD states a separation distance of at least 21m between rear windows of proposed dwellings is required unless an appropriate design solution is adopted. Through the various discussions on this scheme, officers have sought to improve the situation, and so now for the houses the rear window to rear window distance has been achieved to safeguard outlook and privacy.
- 5.47 With regard to the flats, the 9 blocks on the eastern side of the site are set out in a close relationship, but are in landscaped courtyards and are in close proximity to the central parkland, which give a spaciousness to the overall layout in this part of Phase 2C. In addition, where possible the layout has been adjusted to ensure that there is no direct habitable room window to window situations at the closest points. This has been achieved by revising the internal layout of the flats, having facing blank gables, repositioning windows so there is no direct overlooking, ensuring that any rooms affected are dual aspect, and by angling the blocks , so any view is oblique.
- 5.48 While the layout around the flats is tight it is considered on balance acceptable and in general all flats have an acceptable outlook and setting.
- 5.49 It should be noted that the privacy between the dwellings should not be worsened post construction as permitted development rights for roof alterations and extensions for the houses were removed by the outline permission and therefore future alterations to these houses are controlled and so require planning permission. Flats do not have any permitted development rights in any case, and so any change or additional windows to the flats would automatically need planning permission.
- 5.50 With regards to parking provision parking spaces within the development are in accordance with standards and as revised on the amended plans are now readily accessible to the units they serve. The requirements are 1.5 spaces per 2 bed house and 2-3 spaces for 3+ bed units. For the houses the parking provision proposed is in the form of garages or surface parking either to the front or side of the dwellings.
- 5.51 Parking for the flats is in the form of surface spaces in a courtyard arrangement in the immediate surrounds of the flats. The flats have one allocated parking space per unit, plus visitor spaces.

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- 5.52 WSCC have commented that the principle of the proposed layout is acceptable with carriageway and footway widths according with the guidance in Manual for Streets. The proposed use of shared surfaces in certain areas is considered appropriate. Comments have been made in relation to the surfacing materials and detailing, but these and other detailed constructional matters will all be dealt with as part of the highway adoption agreement process. They have requested a parking strategy statement. The plans have been subsequently amended and further details provided. WSCC comments on these latest changes will be reported at the committee meeting.
- 5.53 Cycle storage for the houses is either within the garages or by a storage shed in the garden. For the flats cycle stores are to be provided within the curtilage of the flat blocks or attached to the building. . The Cycle Forum had commented on the layout of the cycle stores for the flats and have requested that they be provided with two cycle spaces per unit in accordance with the standard in the Urban Design SPD. This issue has been the subject of a number of discussions regarding the number of spaces and the design and location of the cycle stores. Revised plans have been recently submitted and the comments of the Cycle Forum will be reported at the Committee meeting. It is your officers' initial view that the cycle storage provision does need further refinement and thus a condition is recommended so that this can be subsequently resolved.
- 5.54 With regard to refuse and recycling arrangements, the amended layout now shows that individual houses have refuse storage facilities within curtilages and would have the usual kerbside collection point. Flats would have communal collection from the bin stores attached to the buildings or from the separate bin store buildings in their courtyards.
- 5.55 CBC Refuse & Recycling Team had initially raised comments regarding the bin store and collection arrangements, in terms of the size of the stores, their locations and technical details. They have been consulted on the revised plans and an update will be given at the meeting. A condition is suggested to ensure that appropriate facilities are provided.

Noise considerations

- 5.56 Noise is a significant issue across Forge Wood and especially on phase 2 arising from the proximity of Gatwick Airport, plus the railway line and Goods Yard. Noise was a key consideration at the Planning Inquiries in respect of the original outline application, as well as the more recent s73 application. Whilst this particular application was submitted in February 2016, it was not progressed as noise issues and their appropriate mitigation for Phase 2 at that time were not resolved.
- 5.57 The details of the reserved matters applications for the residential parcels therefore need to have regard to the noise environment in respect of the layout of that part of the site, including the positioning and orientation of the dwellings, and their internal layout and design. In addition, the outline planning permission under condition 34 requires a scheme to demonstrate the dwellings on a phase or sub phase have sufficient protection against aircraft, railway, road and industrial noise sources.
- 5.58 In respect of **aircraft noise** from both a single and two runway airport , GAL have commented that all the new dwellings are located outside of the area of the site that is predicted to be exposed to noise levels that would be unacceptable for dwellings (above 66dBALeq as set out in condition 33). They thus have no objection to the siting or layout of the dwellings. However, the dwellings would be located between the 57dBA – 63dBA noise contours, where dwellings are acceptable in principle from a noise perspective, but as they would be potentially be exposed to aircraft noise, specific measures to protect the dwellings would be needed and this would be submitted via condition 34.
- 5.59 With regard to **noise from the railway and Goods Yard**, this aspect was considered as part of the s73 application and the ES and a combination of mitigation measures are required for the 2B and 2C parcels of Phase 2. This includes the 100m noise exclusion zone/buffer where dwellings are not permitted and, within the residential parcel itself, the erection of a non-residential building to act as a barrier block to screen the dwellings from the industrial noise is required. Other measures necessary relate to the design, internal layout and siting of the new dwellings, together with sound insulation measures, and where necessary appropriate mechanical ventilation.

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- 5.60 The dwellings on 2C are located outside of the 100m exclusion zone and the non-residential building which is to be the noise barrier along the western part of the site is formed by the commercial employment building. This was shown as such in the original Masterplan and so is part of the approved layout for the development in this part of Forge Wood. The erection of the commercial employment building has thus always formed part of the noise mitigation proposals that are required in this location, as otherwise residential development here would be unacceptable on environmental grounds.
- 5.61 Previously (April 2016) an application for the employment building had not been submitted and so the concern was that it could not be demonstrated that the submitted residential layout for 2B or 2C was acceptable from a noise point of view as details of the noise mitigation proposals were unknown.
- 5.62 Now details of the employment building in the associated Reserved Matters application (CR/2016/0858/ARM) has been considered by the Planning Committee, and in relation to the considerations for the Committee for this residential sub phase of 2C, the building meets the desired criteria in terms of its position, length, height and mass, in order to provide the effective noise mitigation and would safeguard future residents for this sub phase.
- 5.63 In addition, arising from the noise modelling undertaken for the s73 application and the ES, a requirement for further physical mitigation for phase 2C was identified to be provided within the layout of 2C itself. This has now been incorporated into the revised application proposals in the form of a three storey block of flats to form a supplementary barrier at the north western part of the site (Block 13).
- 5.64 Block 13 has been specifically designed for this sub phase, in terms of its position and footprint, scale and massing and the internal layout of the flats. The flats will be principally single aspect, with habitable rooms facing east, away from the railway line and Goods Yard. There are some windows facing west, but these are to halls, bathroom and landings. In addition, the flats would benefit from mechanical ventilation.
- 5.65 The Environmental Health Officer has commented that..

'There have extensive discussions on the noise issues of Phase 2C. There are a number of challenges for this phase with regards noise with the proposed second runway, the London to Brighton Railway Line and the Goods Yard. Of these the Goods Yard is most problematic as the noise from the goods yard, if too intrusive for future residents could cause a Statutory Noise Nuisance to the residents and potentially resulting in enforcement action against the goods yard operators. For this reason the design has a continuous 10m high Employment Building which acts as a very effective noise barrier for both the Goods Yard and the railway line. The noise from the goods yard may still occasionally be heard but only in the most extreme circumstances and at a level not to be considered disturbing. However to the north of the employment building there is a residential block (Block 13) which doesn't benefit from the barrier effect of the Employment Building and is also exposed to high levels of noise from the railway line. It has been agreed that this building will be 'single aspect' by not having windows to bedrooms and living rooms facing towards the railway line and the goods yard. This creates an acceptable acoustic living environment for the residents. There are windows to the communal hallways and some bathrooms but as these are not 'living' spaces they can be openable windows. Any windows to the open plan kitchen areas will need to be sealed windows as the kitchen areas are a part of the open plan living spaces proposed for these dwellings.'

'With regards the noise from the second runway and railway line, all the dwellings in Forgewood will be fitted with additional mechanical ventilation which is available for the residents to use if they wish to exclude the high noise levels from aircraft. The ventilation rates are high enough to deal with summer warming so that residents aren't forced to open windows due to the heat, if they are carrying out an activity which requires a quieter environment, like sleeping or reading etc. They will still have the option of opening the windows if they wish. The mechanical ventilation will consist of small fans in each room'

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drawing air out which is replaced by air been drawn through the acoustically insulated trickle vents.'

- 5.66 In addition to these specific physical noise mitigations measures (the employment building and the flat barrier block 13), noise mitigation measures are required for the dwellings themselves, which include the internal layout of the new dwellings, together with sound insulation measures, and where necessary appropriate mechanical ventilation. The outline planning permission under condition 34 requires a scheme to demonstrate the dwellings on a phase or sub phase have sufficient protection against aircraft, railway, road and industrial noise sources. The applicants have advised that this scheme for 2C is to be submitted shortly in association with this residential reserved matters application and is to include a construction/phasing sequence to ensure that the necessary mitigation is in place prior to occupation of the dwellings.
- 5.67 As the provision of the employment building and the flat barrier block are so crucial to the residential environment for the dwellings on 2C, it is considered that, similar to the conclusions reached for phase 2B, that a s106 legal agreement is required. This would link these separate commercial and residential applications together and restrict occupation of the dwellings until the employment building and barrier blocks have been constructed to a standard that provides the appropriate level of noise mitigation. A draft s106 has been submitted and negotiations on the precise wording of the relevant clauses are proceeding and is to include a plan showing the construction sequencing. It is envisaged that there is a single s106 that would cover both phase 2B and 2C, plus the employment building.

Sustainable design considerations

- 5.68 In respect of condition 23 this requires an assessment of the buildings to meet sustainable design and construction measures offsetting 10% of predicted carbon emissions (energy) through a combination of sustainable design and construction or on-site renewable energy. The sustainable construction or 'fabric first' approach would have no impact on the exterior of the buildings as designed however, the introduction of renewables most likely PV panels would have a visual impact on the design of the dwellings and it is proposed that in such circumstances details of any PV panels to be installed is controlled via a condition to safeguard the visual quality of the development.

Impact on ecology, existing trees and landscaping

- 5.69 The Ecological report submitted with this application has concluded that the habitats within phase 2C are considered to be of some ecological value however there are habitats of comparatively greater value in the wider site area (i.e. Woodlands and Gatwick Stream to the east and west of the site). The site has been regularly surveyed for protected species to ensure existing habitats are protected and/or suitable mitigation is provided.
- 5.70 None of the trees within and adjacent to the site were recorded as having potential to support roosting bats. With the exception of the Gatwick Stream to the east, the habitats present within the application site are not recorded to be of any particular importance for foraging or commuting bats. The landscape scheme for the wider site includes new areas of hedgerow and tree planting that will compensate for any losses that occur and will help to maintain connectivity and foraging opportunities for bats. In addition, the improved management of the woodlands within the wider site, with the removal of invasive species and the provision of new native planting will help to improve biodiversity and enhance foraging opportunities available for bats in the long term. The new Sustainable Urban Drainage System including the swales with the associated planting and habitats will also provide further enhancement for foraging opportunities. Bat boxes will also be provided within the woodlands throughout the wider site to increase roosting opportunities.
- 5.71 The majority of the application site comprises habitats that are not suitable for common reptiles however a low number of Grass Snakes have been recorded across the wider site. Natural England's standing advice for reptiles has been considered in relation to the grass snakes, the loss of this habitat was accepted with the grant of outline permission and the proposed measures in the ecology report are for relocation of any species to areas within the wider site unaffected by

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development. This approach along with the precautions recommended during construction are considered adequate.

- 5.72 Regarding the presence of Great Crested Newts (GCN) within the site and wider area, none have been recorded in pond P9 and P10, with a small population within ponds P6 and P9b and ditches P7 and P8. The nearest waterbody P9b is approximately 40m west of the application site. Survey work recorded these features to be dry. However, the habitats present within the application site provide potential terrestrial opportunities for this species. In accordance with the relevant Licence a capture and exclusion exercise will be completed and they will be moved to the new ponds and retained habitat on the wider site.
- 5.73 The advice received from the Ecology consultant concluded there are no biodiversity conservation grounds for refusal, subject to full implementation of the recommendations contained in the submitted Ecology report.
- 5.74 There were no objections raised by the Arboricultural officer to the recommendations set out in the Arboricultural report subject to tree protection measures being in place during construction in line with the recommendations.
- 5.75 Policy CH6 states that where a development would result in a loss of trees, applicants must mitigate this loss through replacement or new tree planting in an appropriate location. The applicant is proposing to remove 3 trees of moderate (Cat B) quality and 9 trees of low (Cat C) quality. The like-for-like replacement trees on the Forge Wood development is not a viable solution due to the Greenfield nature of the site. The proposed tree planting schedule is considered acceptable and in general compliance with policy CH6, the proposed soft landscaping drawings show ample planting of semi-mature specimens around the development which will improve the street scene and compensate for this minimal loss of existing trees. Across the wider site there is a comprehensive landscaping plan, with extensive tree planting.
- 5.76 In conclusion, the principle of this loss of countryside and habitat was accepted by the outline permission and ecology study, the design and layout of the dwellings is considered to provide adequate mitigation for the protected species and safeguards are appropriate for the retained trees /hedges.

Drainage

Surface Water

- 5.77 The drainage strategy submitted for the site pursuant to condition 16 shows the sewer alignments would be under the main roads and this is shown in the plans approved for the phase 2 spine roads under CR/2015/0628/ARM along with the agreed positioning of the swales as indicated on site wide strategy.
- 5.78 The Phase 2C application was initially submitted in February 2016, and was being assessed alongside the phase 2A, 2B and the spine road applications. In order to determine the spine road application, the drainage strategy for phase 2 was subject to further discussion following the initial concerns raised by the Environment Agency and Drainage officer. An amended document was prepared and the overall drainage strategy was agreed for phase 2 as part of the spine road application.
- 5.79 Since that time the drainage strategy has been further amended to reflect current site wide position and in particular for phase 2C it has been updated to relate to the substantial revisions to the layout that have arisen for this parcel. The strategy for phase 2C is to drain towards the swales to the east of the site, these features holding the water until its release into the Gatwick Stream.
- 5.80 The Environment Agency have no objections to the latest plans. The CBC Drainage Officer has requested further details, including modelling and calculations. An update will be given at the meeting on this situation.

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- 5.81 The future long term maintenance and management of the drainage features is included in the site wide drainage strategy under condition 16. The approach is that the drainage would be the responsibility of a private management company and finalised details of the arrangements and financial safeguards have been submitted for this condition.

Foul drainage

- 5.82 Thames Water has consistently commented that the existing waste water infrastructure is unable to accommodate the needs of the development and have recommended that a 'Grampian Style' condition be imposed requiring an on and off-site drainage strategy for the proposed works. It is not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application as such issues should have been conditioned at outline stage. The appeal Inspector did not impose a specific condition in respect of foul water drainage. The applicants are in any event required to make satisfactory provision for waste water and will have to reach agreement with Thames Water. This can be achieved outside of this reserved matters application.
- 5.83 The applicants have previously confirmed that they already have a foul drainage strategy and agreement with Thames Water which covers the whole development. More recently they have also advised that that under S106 of the Water Industry Act (WIA), Thames Water have previously granted the right to connect to the public foul sewer network in two locations, namely Radford Rd and the junction of Balcombe Rd/Steers Lane. Subsequent to that agreed position, GTC, the appointed drainage adopting body for this development have developed matters further with Thames Water including a potential new sewer to the sewage treatment works, all under the WIA.
- 5.84 Thames Water have subsequently confirmed that discussions are ongoing with the developers to agree a deliverable solution, with the preferred option being the construction of a rising main to discharge flows to Crawley Sewage Treatment Works.

CIL

- 5.85 The Forge Wood development is CIL liable, but as set out in the Committee report for CR/2015/0552/NCC (meeting date 8th November 2016), liability is only triggered and be chargeable where additional floorspace is approved over and above that envisaged with the original outline planning permission. To address this point condition 4 on the revised outline permission sets a maximum floorspace figure for the Forge Wood development as a whole. A CIL informative for the decision notice for this sub phase would therefore be required setting out the procedure.

CONCLUSIONS:-

- 6.1 This application for Phase 2C at Forge Wood as amended is considered to have addressed the design parameters and relevant conditions imposed on the outline planning permission and is considered to be in substantial accordance with the Masterplan and Design Statement.
- 6.2 The design approach and layout is considered to follow the approach established in earlier phases in respect of house types / designs and would allow a continuation of the cohesive development pattern and distinctive character to Forge Wood. Some points of design and detail remain outstanding and it is considered that these could be adequately addressed via condition, or amended plans. Members will be updated at the meeting, where necessary, including the latest comments from consultees.
- 6.3 The dwellings are considered to comply with the adopted space standards, with generally adequate gardens in terms of size and an appropriate level of parking provision in line with adopted standards. The layout while tight in places is, in terms of its design, landscaping and materials considered to provide an attractive and legible layout and safeguards the privacy and amenities of future occupants. The layout and design is considered to appropriately address the environmental safeguards required through outline conditions in terms of ecology and drainage.

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- 6.4 The key issue has been the acceptability of the residential layout proposed in relation to noise and the relationship with the activities at the Goods Yard. The application for the employment building has now been considered by the Planning Committee and in overall terms of its relationship to this residential phase, the employment building meets the desired criteria in terms of its position, length, height and mass, in order for it to provide the effective noise mitigation and safeguard future residents. In addition, the amended plans for Phase 2C now include a flat barrier (block 13) which provides further noise mitigation measures within the parcel itself.
- 6.5 As was the case with phase 2B, because the employment building is so crucial to the delivery of the residential parcels, a s106 agreement is needed to link these separate applications together and to ensure that the employment building is constructed so that it provides the appropriate noise mitigation prior to occupation of the houses and flats. The s106 which will relate to phase 2B and 2C is to include the following obligations:
- To restrict occupation of the flat barrier blocks unless and until the employment building has been substantially completed and
 - To restrict occupation of any dwelling (apart from the flat barrier blocks) unless and until the employment building and the flat barrier block for that sub phase have been substantially completed

RECOMMENDATION RE: CR/2016/0083/ARM

The recommendation is to **APPROVE** this reserved matters application, subject to completion of a s106 Agreement as set out in paragraph 6.5, the receipt of comments from consultees on the amended plans, and the imposition of the following conditions and informatives:

1. 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.
REASON: For the avoidance of doubt and in the interests of proper planning
2. Provision shall be made for high speed broadband to serve all dwellings on the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.
3. Provision shall be made for combined aerial facilities to serve all flat development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Before the properties approved in this phase are occupied, details of the design and location of lighting to be provided in the forecourt and parking areas shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.
5. Notwithstanding the submitted details and prior to first occupation of the residential flats which they are to serve, details of the refuse stores and secure cycle stores for the flats shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the door design and the dropped kerbs to serve the facilities. Thereafter the refuse stores and cycle stores for the houses and flats shall be constructed in accordance with the approved details and operational prior to the first occupation of the flats for which they are intended to serve.
REASON: To safeguard the appearance of the development and ensure the operational requirements of the development are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

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6. No solar panels or renewables which may be required pursuant to the discharge of condition 23 shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.
REASON: To control the design of the development in detail in accordance with GD3 of the Crawley Borough Local Plan 2015 - 2030
7. No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the Tree Protection Plan 7827/2C/02 Rev A and in accordance with measures in the submitted Arboricultural Impact Assessment ref JTK/7827/Phase2C/so. Within the areas thereby fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots with a diameter of 25mm or more shall be left un-severed
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
8. The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment 'November 2015 - 4039.EcoAss.vf'- Phase 2C Residential provided by Ecology Solutions.
REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030
9. All landscaping works shall be carried out in accordance with the approved soft landscaping specification scheme (667/204 Rev F; 667/205 Rev F; 667/206 Rev F). No alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of visual amenity and because the scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds.
10. The hard landscaping works shall be carried out in accordance with the approved hard landscaping details shown on plans 667/207 Rev G; 667/208 Rev G; 667/209 Rev G, apart from the fencing around parking bays 91 – 93 , which shall comprise 1.5m close boarded fencing and 0.3m trellis. No alterations to these landscaping details are to take place unless submitted to and approved in writing by the Local Planning Authority.
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.
11. All planting, seeding or turfing comprised in the approved details of landscaping within Phase 2C 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 dwellings hereby approved shall not be occupied until the SUDS drainage measures for the catchment area in which phase 2C is situated have been fully implemented in accordance with the details agreed under CR/2015/0628/ARM and this Reserved Matters application.
REASON: To ensure that the development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
13. No above ground works on the dwellings shall take place until details of the design and location of external flues and gas pipes to be provided to serve the dwellings (including flats/apartments) have been submitted to and approved in writing by the Local Planning Authority, and the external flues and

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gas pipes shall thereafter be implemented in accordance with the agreed details before first occupation.

REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with CH3 of the Crawley Borough Local Plan 2015 – 2030.

INFORMATIVES

1. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from www.aoa.org.uk/policy-campaigns/operations-safety/)
3. The Gatwick Stream is a designated main river. The prior written consent of the Environment Agency is required under Section 109 Water Resources Act 1991 for any works in, over or under the change of the watercourse or on the banks within eight metres of the top off the bank. Any new outfall structure to the Gatwick Stream would require the Environment Agencies prior Consent.
4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The development should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be direct to the Risk Management Team tel:02035779483 or email wwqriskmanagement@thameswater.co.uk Application forms should be completed online via www.thameswater.co.uk/wastewaterquality
5. The applicant's attention is drawn to the consultation responses from WSCC Highways, including that dated 15th November 2018 regarding materials and surfacing.
6. The applicant's attention is drawn to the consultation response from Sussex Police dated 19th November 2018 regarding Secured by Design issues.

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7. The applicant's attention is drawn to the consultation response from Network Rail dated 11th February 2016 regarding the requirements for the safe operation of the railway and the protection of the adjoining land

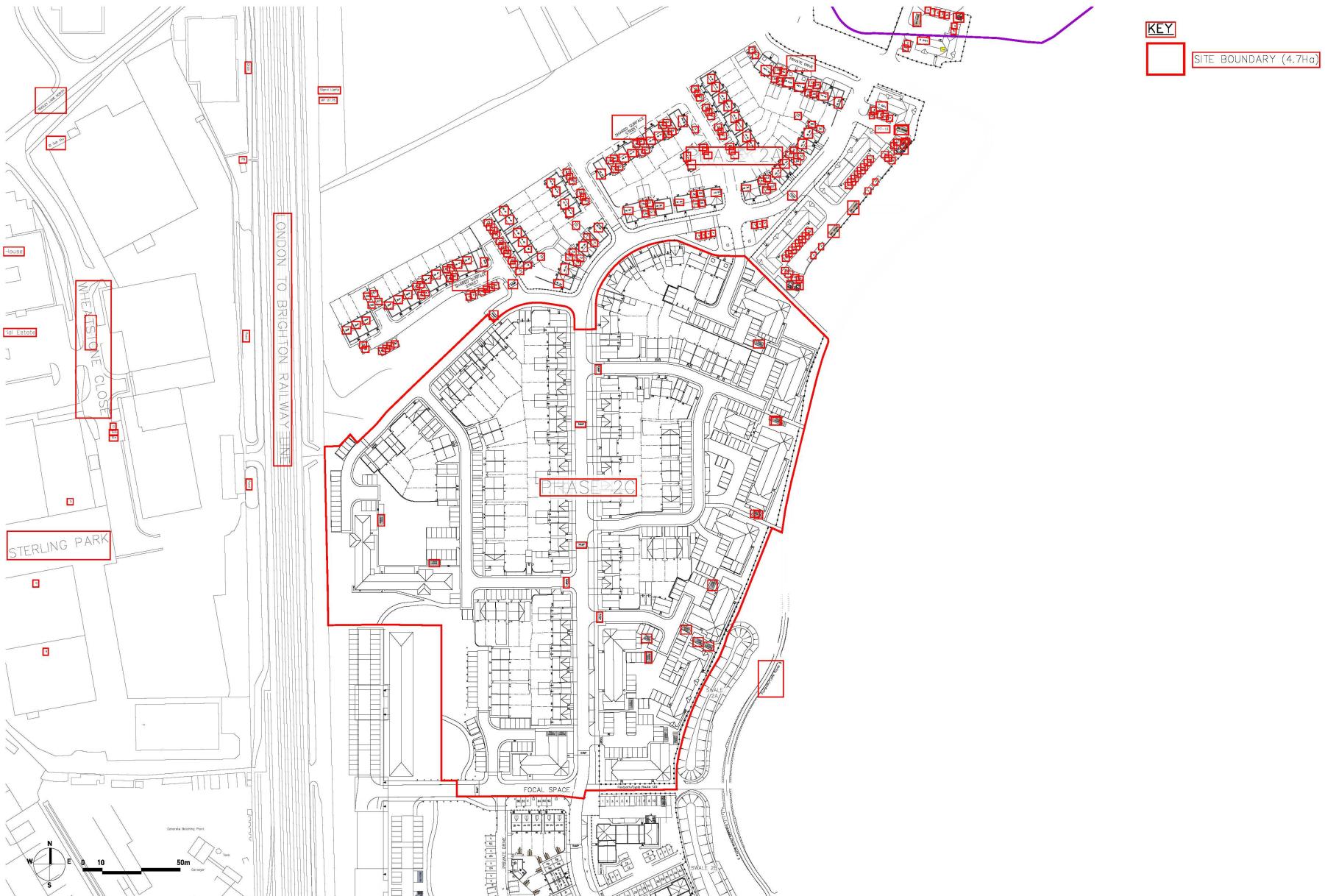
1. NPPF Statement

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 through pre-application discussions/correspondence.
- Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate 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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NES CRAWLEY: PHASE 2C - SITE LAYOUT

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 21 January 2019
REPORT NO: PES/289(b)

REFERENCE NO: CR/2018/0400/FUL

LOCATION: [7-15 KELVIN LANE, NORTHGATE, CRAWLEY](#)

WARD: Northgate

PROPOSAL: DEMOLITION OF EXISTING UNIT AND REDEVELOPMENT OF THE SITE TO PROVIDE A MODERN EMPLOYMENT UNIT OF 3,255 SQ M (GIA) FOR FLEXIBLE EMPLOYMENT PURPOSES WITHIN USE CLASSES B1C/B2/B8 WITH ANCILLARY OFFICES, CAR PARKING, LANDSCAPING, SERVICE YARD AREAS AND ANCILLARY USES AS WELL AS ASSOCIATED EXTERNAL WORKS.

TARGET DECISION DATE: 24 August 2018

CASE OFFICER: Mr T. Nutt

APPLICANTS NAME: Maizelands Limited & Arringford Limited

AGENTS NAME: Michael Sparks Associates

PLANS & DRAWINGS CONSIDERED:

31061 / PL / 201, Block Plan
31061 / PL / 203, Floor Plans
31061 / PL / 204, Elevations
31061 / PL / 205, Tracking
31061 / PL / 210, Site Layout Plan
31061 / PL / 211, Illustrative Elevations
31061 / PL / 200, Site Location Plan
755.19.02 , Planting Layout
31061 / PL / 207, Site layout Plan for B2 Use

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|--|--|
| 1. GAL Aerodrome Safeguarding | Bird Hazard Management Plan as condition and cranes Informative. |
| 2. WSCC Highways | No objection. Conditions to ensure vehicular access prior to commencement and parking and cycling provision prior to occupation. |
| 3. Thames Water | No objection. |
| 4. Sussex Police | No objection. |
| 5. CBC Drainage Officer | No objection. |
| 6. CBC Planning Arboricultural Officer | No comments. |
| 7. CBC Environment Team | No response. |
| 8. CBC Contaminated Land | No response. |
| 9. CBC Environmental Health | No objection. |
| 10. Cycle Forum | Insufficient cycle parking provision and access issues raised. |
| 11. CBC Retail & Employment | No objection. |
| 12. Ecology Officer | No comments. |
| 13. WSCC Lead Local Flood Authority | No objection – SUDS condition. |
| 14. CBC Manor Royal | No comments. |
| 15. CBC Economic Development | No objection. |

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- | | |
|--|--|
| 16. Southern Water Ltd
17. CBC Energy Efficiency & Sustainability | No objection subject to informative.
The proposal should be amended to incorporate measures to facilitate future connection to a District Energy Network. |
|--|--|

NEIGHBOUR NOTIFICATIONS:-

A site notice was displayed on 02/07/2018 and press notice published on 27/06/2018.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

The application is for a 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site is 0.65 hectares in size located centrally within the Manor Royal Business District and is set between Kelvin Way and Kelvin Lane, both single carriageway roads. The site contains a grey metal clad building previously used as a news distribution warehouse with associated offices. It has a footprint of 49m x 33m with an overhanging canopy on its western side measuring 19m x 31m and a canopy on the southern side measuring 6m x 26m with a brick elevation underneath. There are 32 car parking bays delineated on the eastern side of the site with car parking also taking place on the western side of the site and under the southern canopy although not marked out for such use.
- 1.2 The application site lies within the Manor Royal Main Employment Area and a Priority Area for a District Energy Network as defined in the Crawley Borough Local Plan 2015-2030.
- 1.3 Vehicle access/egress to the site currently operates as a one way system entering from Kelvin Lane and exiting onto Kelvin Way. There are two vehicle access points from Kelvin Lane to the North. The eastern access is for vans and pedestrians and is close to the office entrance on the north-east corner of the building and the western entrance is for HGVs into the service yard. There is one vehicle exit from Kelvin Way to the south for vans and HGVs. Kelvin Lane has approximately 19 on street parking spaces with the remaining areas double yellow lined. Kelvin Way has approximately 75 on street parking spaces. Neither road is within a controlled parking zone. At the time of the officer's site visit there were a few spaces available in total. The site can be travelled to by a combination of bus and walking from Three Bridges train station taking between 15-30mins and bus from Crawley and Gatwick stations around 15mins.
- 1.4 There are two trees protected by Tree Preservation Orders on site next to the access to Kelvin Way.
- 1.5 The site is level and rectangular in shape with a mix of boundary treatments; intermittent hedging on the south side, a low brick wall and a high fenced compound on the north side, a narrow grass buffer on the western side and a narrow grass buffer and 3m high palisade fencing on the eastern side. The surrounding buildings outside the application site are similar in their materials, colour and size.
- 1.6 Kelvin Lane is classified as a 'minor road' in the Manor Royal Design Guide as linking more prominent 'secondary' roads Newton Road and Faraday Road. The surrounding street scene is characterised by 2 storey offices, warehouses and distribution businesses which have generally consistently sized setbacks from the highway. There are a range of front boundary treatments along the road reflecting the type of uses.

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THE PROPOSED DEVELOPMENT:-

- 2.1 The application as amended seeks permission for the redevelopment of the site and erection of a two storey building (total floorspace 3,165sqm) for a flexible employment use falling within use classes B1c (light industry), B2 (general industrial), B8 (storage or distribution) with ancillary first floor offices and associated car parking, landscaping and service yard areas. The applicant states that the aim is to redevelop the site with contemporary facilities to attract new business and employment to the area.
- 2.2 The scheme has been amended since the application was submitted, in response to concerns raised by consultees and the case officer by:
- Increasing the amount of cycle provision by 6 spaces and including a dropped kerb and access path to the cycling provision to the west.
 - The replacement of the folding gate at Kelvin Lane with a sliding gate.
 - Increasing the distance between the southern elevation and the highway, creating a buffer strip of landscaping. The proposed unit now lies 4m from the highway rather than 2m and includes a 2m landscape buffer rather than a 0.8m buffer. This has reduced the floorspace by 90sqm (2mx45m area)
 - Submitting a plan showing an amended parking layout specifically for B2 use of the site. The applicant has suggested this could be covered by a condition should the site be used for B2 use.
- 2.3 The layout proposes a single unit in a rectangular form towards the eastern side of the site with its active frontage facing onto Kelvin Lane to the North. The proposed unit would measure 45m wide and 61.8m deep and 13m at its maximum height. The building would be set back 2m from Kelvin Lane with the area in-between the highway and the building comprising a 0.8m wide landscaped area and footpath. The building would be set back 4m from Kelvin Way which would include a 2m wide landscaped area across that frontage. Hardstanding is proposed to the west of the building for use by HGVs with 4 loading/unloading doors on the western elevation for HGV use and 6 bays for car parking. Hardstanding is proposed to the east of the building with 23 parking spaces and 6 cycle spaces marked out.
- 2.4 The unit would mostly be clad in horizontal profiled metal in a mixture of grey and silver. A banding of white composite cladding 2m wide would wrap around the top part of the buildings corners and across the North elevation above the office windows. This would sit above a banding of silver composite cladding and grey composite cladding. The roof would be a grey colour and slightly curved, rising a metre in height to the centre from east and west.
- 2.5 The office element, which would be at the first floor level, would front onto Kelvin Lane opposite the Enterprise Centre and Windsor Place which contain small businesses with office use. The entrance to the proposed office section would comprise a glazed entrance door with flat metal wall cladding panels and ribbon windows. A flat roof canopy would project from the office entrance by 2m wrapping around the corner of the building.
- 2.6 There are three access points proposed which are as existing. Access to the hardstanding to the west of the proposed building would be from both Kelvin Way and Kelvin Lane and access to the parking area on the east side of the site would be from Kelvin Lane. The northern access onto Kelvin Lane would be moved to the east. Cycle access would be from Kelvin Lane with its own dropped kerb access. Pedestrian access would be from the eastern entrance from Kelvin Way giving immediate access to the building entrance and offices. A new substation would be required to serve the new building and this has been positioned to the south west of the site next to the entrance gates.
- 2.7 The parking arrangement shows a total of 29 car parking spaces in total, including 4 disabled spaces within the site and 3 electric charging points and a total of 22 cycle spaces. A service yard is shown on the west side with 4 loading bay doors, providing 4 parking spaces for HGVs.
- 2.8 The following documents have been submitted in support of the application:
- Design and Access Statement
 - Planning Statement

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- Transport Statement
- Travel Plan
- Ecological Appraisal
- Tree Survey
- Drainage & Flood Risk Assessment
- Drainage Maintenance Assessment
- Ventilation & Odour Control Statement
- Sustainability Statement
- BREEAM Pre-Assessment Report
- External Lighting Proposals

PLANNING HISTORY:-

- 3.1 CR/2018/0448/DEM
7 - 15 KELVIN LANE, NORTHGATE, CRAWLEY for PRIOR NOTIFICATION OF PROPOSED DEMOLITION
PRIOR APPROVAL IS NOT REQUIRED
- 3.2 CR/1993/0023/FUL: 7-15 KELVIN WAY, CRAWLEY.
NEWSPAPER DISTRIBUTION WAREHOUSE AND OFFICES, WITH 24 HOUR ACCESS.
PERMITTED
This is the permission for the existing warehouse operated by Smiths News. The approved plans show a separation of the office element from the warehouse through separate access arrangements and parking. 62 parking spaces were provided in total.

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 9 - In assessing...specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 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 Borough Local Plan (2015-2030) (adopted December 2015)

- 4.2 The relevant policies include:

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- Policy SD1 Presumption in Favour of Sustainable Development states that the Council will work proactively with applicants and stakeholders to jointly find solutions which mean development can be approved where possible whilst securing development that improves the economic, social and environmental conditions of Crawley.
- Policy CH2 Principles of Good Urban Design sets out the principles of good urban design. Development proposals will be required to assist in the creation, retention or enhancement of successful places in Crawley. Amongst other things development will be required to: "create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas" and provide information to demonstrate how the policy principles are achieved through the development.
- Policy CH3 Normal Requirements of All New Development requires all proposals to be based on a thorough understanding of the significance and distinctiveness of the site in its immediate and wider context, be of high quality in terms of urban, landscape and architectural design and relates sympathetically to their surroundings, retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, demonstrate how 'Secure by Design' principles have been incorporated, meet requirements for the safe and proper use of the site in particular with regard to access , circulation, manoeuvring, loading etc. and to comply with all relevant Supplementary Planning Guidance (such as the Manor Royal SPD).
- 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.
- Policy CH6 Tree Planting and Replacement Standards states that 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 EC1 Sustainable Economic Growth states that Crawley's role as the key economic driver for the Gatwick Diamond will be protected and enhanced. The policy seeks to build and protect the established role of Manor Royal as the key business location (for B Use Classes) and encourage main employment areas as the focus for sustainable economic growth.
- Policy EC2 Economic Growth in Main Employment Areas identifies Manor Royal as a main employment area and states proposals for employment generating development will be supported where they contribute to the specific characteristics of the main employment area.
- Policy EC3 Manor Royal deals specifically with Manor Royal and states that development compatible with the area's economic function and role will be permitted if it falls within a B Use Class and would result in the reuse, intensification or change of use of the land or buildings. All development should contribute positively to the overall setting and environment of the Main Employment area as a business district through high quality design and landscaping in accordance with the Manor Royal SPD.
- Policy ENV2 Biodiversity: All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- 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. All development should consider how it would achieve the sustainability objectives listed in the policy.
- Policy ENV7 District Energy Networks states that the development of district energy networks (DEN) and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs. Any major development within the borough should demonstrate how they have considered connecting to a DEN, developing their own system for supplying energy, include site wide communal energy systems or be "network ready" designed to connect to a DEN.
- Policy ENV8 Development and Flood Risk states that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 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

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achieved the requirements of this Policy within their Sustainability Statement as required by Policy ENV6.

- Policy ENV10 Pollution Management and Land Contamination seeks to prevent unacceptable risks from environmental pollution and land contamination. Uses must not lead to a significant increase in levels of pollution or hazards and any impacts must be appropriately mitigated and must be located to avoid unacceptable disturbance or nuisance to the amenities of adjoining land uses and occupiers.
- 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 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 (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 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 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 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.

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- 4.6 Kelvin Way and Kelvin Lane are identified as part of the minor road network within Manor Royal where:
- "provision of a landscaping buffer can improve public areas across the highway network and ensure there is quality interaction between private plots and the public realm. All developments on minor roads should demonstrate how they enhance the visual experience of the local road network, create a more legible relationship between roads and pavements, benefiting vehicle users and pedestrians, and create seasonal interest through landscaping that also improves the clarity in the hierarchy of the road network"* (page 26/27).
- 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.
- 4.10 It also includes in Annex 1 the Borough's indicative minimum parking standards.
- For B2 General Industrial the requirements are:
- Car parking – 1 space per 40 sq m
Lorry parking – 1 space per 500 sq m
Disabled parking – 1 space or 5% of total parking provision
Cycle parking – 1 space per 200 sq m for staff and 1 space per 500 sq m for visitors
Motorcycle parking – 1 space per 10 car parking spaces.
- 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% of total parking 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.
- This application is also for B1c light industrial for which there is no specific standard.
- 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):

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- 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 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 flexible B1c/B2/B8 use in this location would be acceptable
- Whether development can meet its operational needs including access, impact on highways and parking
- Design and appearance of the proposal, landscaping and impact on street scene and wider area
- Impact on amenity of neighbouring properties
- Drainage
- Trees
- Provision of Manor Royal Public Realm Contribution
- Sustainability
- Gatwick Airport

Whether the principle of B1c, B2, and B8 uses in this location would be acceptable

- 5.2 The proposed development would create additional B class floorspace and is for a flexible use of B8 (storage and distribution), B2 (general industrial) and B1c (light industrial). This would allow for the site to be used solely for one of those uses or any combination of them. 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 within the Manor Royal employment area, the principle of the proposal is supported by Local Plan Policies EC1, EC2 and EC3.

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

- 5.3 Access to the development would be through existing access/egress points but with the northern access adjacent to the office entrance onto Kelvin Lane moved slightly to the east. WSCC Highways are satisfied with this modification in light of the Road Safety Audit and swept path diagrams submitted. Highways are also satisfied with the access arrangements as it has been demonstrated that safe and suitable access can be provided. They also consider that there would be no material increase in traffic movement on surrounding roads over the existing use and are therefore satisfied that the proposal would not result in a 'severe' residual impact.
- 5.4 The original car parking arrangement submitted showed a total of 29 car parking spaces, including 4 disabled spaces within the site and 3 electric charging points. This did not meet the adopted

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minimum standard of 32 spaces for a B8 (storage and distribution) use or 79 spaces for a B2 (general industrial) use. There is no adopted standard for B1c but the applicant argues, and officers accept, that it is likely that the parking needs would be similar to that of a B2 use. The original provision of car parking spaces was considered acceptable for a B8 use, as it is just short of the adopted minimum standard and, with limited use of on street spaces, likely to be sufficient for the operation of a B8 use. However, the provision of parking spaces for a B2 use falls short by 50 spaces, which officers raised as a significant concern. Subsequently the applicant submitted an alternative layout plan for B2 use showing 68 spaces. This still falls short of the minimum standard by 11 spaces.

- 5.5 A generic travel plan has been submitted which shows that the site is accessible by public transport and that use of this form of transport would be encouraged. Whilst this is welcomed, it is considered that this should be provided in addition to meeting the minimum parking standards and not as a reason for provision substantially lower than the minimum standards. To justify lower provision the travel plan should be specific to this application and would need to specify an end user demonstrating that a lower level of provision is acceptable on site specific grounds, for example showing where these overflow parking demands can be accommodated, that there is sufficient capacity and that it would not create a highway issue. The WSCC Highway consultation response states that realistically given the type of use proposed, the majority of visits would be by car.
- 5.6 As this is a speculative application for flexible uses with no end user, in an area with immediate on-street parking pressures observed during the site visit, officers do not consider that there are grounds to deviate significantly from the council's minimum parking standards. The shortfall of spaces for B2/B1c is significant and there is limited on-street availability. Therefore, the number of spaces proposed for B2/B1c uses is considered insufficient to meet the likely operational needs of these B uses leading to greater parking pressure and congestion affecting the efficient operation of the proposed unit, nearby businesses and ease of use of the highway.
- 5.7 Whilst the applicant has increased car parking provision on the site layout plan for B2 use, this has also resulted in a cramped layout with HGVs turning close to parking bays and parking bays that would obstruct access to/from the proposed bin store. It is considered that this poor layout is as a result of overdevelopment with the site being too small to accommodate a unit of the size proposed and meet the requirements necessary for its safe and proper use, in particular with regard to access, circulation and manoeuvring, vehicle parking, loading and unloading, and the storage and collection of waste/recycling.
- 5.8 A service yard is proposed on the west side with 4 loading bay doors. The plans show an HGV parked in front of each door. The B2 layout submitted shows 2 lorries parked so that there is additional car parking in the service yard area. The parking standard for lorry parking requires 6 spaces for B8 and B2 uses. The tracking diagram provided demonstrates that two other HGV spaces could not be provided, but the applicant has not provided any justification for not meeting this minimum standard for lorry parking. Also, no provision has been made for motorcycle parking for which this proposal would require 8 spaces in accordance with the Urban Design SPD parking standards.
- 5.9 Whilst acceptable in B8 terms, the proposal is contrary to Local Plan Policies CH3 and IN4, and Annex 1 of the Urban Design SPD for the proposed B1c and B2 uses due to insufficient provision of car, lorry and motorcycle parking and related overdevelopment of the site for the proposed B2/B1c use.

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

- 5.10 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.
- 5.11 The development proposes a predominantly single storey building with a two storey section on the north side forming ancillary offices. The offices would form the key frontage facing and set back 2

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metres from Kelvin Lane. The immediate streetscene opposite the site along Kelvin Lane is of two storey offices set back behind parking areas separated from the highway by low level hedges. Contrasting with this, immediately to the east and west of the site are large metal clad industrial units with 2-3m palisade fencing as the boundary with Kelvin Lane. These units are set back with the hardstanding in-between used for parking or storage containers. Whilst the proposed building is not set back from Kelvin Lane to the extent of the surrounding units, the active frontage and low level hedging reflects the open character of the developments opposite which have a more sympathetic relationship with the streetscene than the existing palisade fencing. The south side of the building would be set back from the Kelvin Way by 4 metres with a 2m strip of landscaping included following concerns raised by officers that the originally submitted 2m set back and 0.8m landscaping was inadequate. The set-back is now similar to nearby units to the east and west with a similar landscape buffer and is therefore a continuation of the existing streetscene along Kelvin Way. Whilst the positioning of the proposed unit reduces the gap between the highway and the building compared with the existing unit, the inclusion of a landscape buffer and matching the building line of the adjacent unit on the south side and the active frontage and open nature on the north side is considered acceptable.

- 5.12 In terms of layout, the scheme has been designed so that the primary frontage and entrance is distinctive and clearly visible from the road. Pedestrian access would be from Kelvin Lane directly to the building entrance to enable legibility and accessibility. The service area would be located on the less prominent part of the site and largely screened by trees adjacent to the north and south access points. The proposed substation in the south west corner is close to the highway and not screened. It is suggested that this could be integrated further within the site to avoid impacting the streetscene.
- 5.13 The submitted plans show 2.4m high palisade fencing along the southern boundary of the site. Whilst it is understood that this is needed in this location for security of the service yard, it is recommended that the fencing is incorporated within or behind the landscaping to soften its visual impact rather than locating it adjacent to the highway as currently proposed. It is also recommended that with the increased width of landscaping on the south side trees in addition to shrubs should be considered to soften the impact of the south elevation.
- 5.14 The scale and massing of the proposed building is in keeping with the similar warehouse units either side of the proposed building and is considered appropriate for the proposed use and therefore acceptable.
- 5.15 The unit would mostly be clad in horizontal profiled metal in a mixture of grey and silver. A banding of white composite cladding 2m wide wraps around the top part of the buildings corners and across the North elevation above the office windows. This sits above a banding of silver composite cladding and grey composite cladding. The roof would be grey colour and slightly curved rising a metre in height to the centre from east and west.
- 5.16 The variety of materials and colours along with the curved roof and breaking up of the walls with vertical and horizontal elements provide some interest to the elevations and reduces the bulk and scale of the unit. This is considered to provide a visual interest within the immediate streetscene and a quality design and appearance in the context of the proposed use.
- 5.17 Overall, the proposal as amended is considered to relate sympathetically to its surroundings in terms of design, size, massing and landscaping. The palette of materials is also considered to be in character. The details of the landscaping and boundary treatment could be addressed by condition if the scheme was otherwise acceptable.

Impact on amenity of neighbouring properties

- 5.18 The site is surrounded by a mix of business uses which have landscaped parking areas. It is considered that the proposal would not adversely impact upon the amenities of the neighbouring businesses by way of overlooking, dominance or overshadowing, and general activity, for example noise, smells and/or vibration. However, it is considered that the insufficient provision of car/motorcycle and lorry parking and the current pressure for on street parking in the area would

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impact on the amenity of neighbouring businesses which already rely on the on-street parking available along Kelvin Way and Kelvin Lane.

- 5.19 The proposal is therefore contrary to Local Plan Policy CH3 as the insufficient parking provision would adversely impact upon the ability of neighbouring businesses to meet their operational needs.

Drainage

- 5.20 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. Further clarification was sought and received on the calculation data and subsequently the drainage officer considered the drainage design acceptable. Drainage would be addressed by condition if the proposal was otherwise acceptable.

Trees

- 5.21 The application site contains two trees of moderate quality at the southern entrance which are subject to Tree Preservation Orders. These trees would be retained. Four trees of lower quality are present on the site. The Himalayan Birch at the north-west entrance is proposed to be retained and the Bird Cherry and 2 x Silver Birches to the south east of the site are proposed to be removed. The submitted Planting Layout shows 4 additional trees, 3 small leaved lime trees and a Himalayan Birch are proposed either side of the north entrance. This differs from the Block Plan which shows a further 4 trees either side of the northwest access but with no details of the type of trees.
- 5.22 It is considered that the proposed replacement trees and shrub planting would be in accordance with Local Policies CH3 and CH6. Conditions clarifying details of the soft landscaping and securing tree protection would be attached to any approval.

Provision of Manor Royal Public Realm Contribution

- 5.23 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 would be £6,330 based on the amended gross internal floorspace of 3,165sqm. The money would contribute towards either County Oak Pocket Park, and/or proposed wellbeing trail/street furniture within the vicinity of the development.

Sustainability

- 5.24 The development has considered sustainability measures within its design and sought to address compliance with policies ENV6, ENV7 and ENV9 through the submitted Sustainability Statement. The performance of the proposal in relation to them is further supported by a Building Regulations UK Part L (BRUKL) output document and BREEAM pre-assessment report. The BREEAM pre-assessment report indicates that the proposal is targeting the minimum standards for BREEAM 'Excellent' in the Energy and Water issue categories. This represents a positive response to the BREEAM policy requirements in ENV6 and ENV9. Measures to improve water efficiency and carbon efficiency in accordance with policy ENV6 Sustainable Design and Construction and policy ENV9 Tackling Water Stress would be attached to any approval.
- 5.25 In response to policy ENV7 the Sustainability Statement argues that none of the options set out in policy ENV7 are feasible in relation to the development, given the absence of a district energy network in the vicinity, the unfeasibility of establishing a new network based on the development itself, and the 'speculative nature of the development and the uncertainty of the future energy demands.
- 5.26 The Forward Planning Team commented that while it is accepted that there is currently no network to connect to and that the development itself could not feasibly provide a new network, it is not considered that the speculative nature of the development prevents it from taking some measures to be 'network ready' (i.e. capable of connection to a future District Energy Network). At present work on a district energy network in Manor Royal is at the feasibility stage and Policy ENV7 reflects

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the council's intention to support the establishment of district energy in Manor Royal, and this is being pursued corporately by the council as part of the Re-energise Manor Royal project.

- 5.27 A number of new developments within the Business District have been granted permission subject to conditions following confirmation from the applicant that they would incorporate measures to make the developments 'network ready' (e.g. ducting on external walls and identification of potential pipe runs to the edge of the site).
- 5.28 On this basis it is considered that the proposal should, as a minimum, be amended to incorporate measures to facilitate future connection to a District Energy Network.
- 5.29 The proposal is therefore currently contrary to the Policy ENV7 hierarchy as it does not demonstrate how they have considered being "network ready", and the proposal optimally designed to connect to a District Energy Network on construction or at some point after construction.

Gatwick Airport

- 5.30 Gatwick Airport Aerodrome Safeguarding have examined the proposal and consider that it could conflict with safeguarding criteria. It is therefore necessary to manage the roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport. A condition requiring submission of a Bird Hazard Management Plan would be attached to any permission.

CONCLUSIONS:-

- 6.1 The proposal is supported in principle as an employment use in the Manor Royal industrial area. However, whilst it is considered acceptable in terms of its design and visual impact, it would result in a significant undersupply of parking provision to meet its operational needs for the B1c and B2 uses proposed. In attempting to provide additional parking closer to the B2 parking standard the proposal results in overdevelopment and consequential issues with the safe and proper use of the site, in particular with regard to access, circulation and manoeuvring, vehicle parking, loading and unloading, and the storage and collection of waste/recycling. It is also considered that this would also adversely impact upon the ability of neighbouring businesses to meet their operational needs with additional on-street parking demand in an area with limited availability.
- 6.2 In addition to this the proposal does not sufficiently demonstrate how connection to the District Heat Network has been considered and an agreement is not in place to ensure the Manor Royal Public Realm contribution is secured.
- 6.3 The proposal is therefore contrary to Local Plan Policies CH3, EC3, ENV7, IN1, IN4 and Annex 1 Parking Standards of the Urban Design SPD and should be refused.

RECOMMENDATION RE: CR/2018/0400/FUL

REFUSE

1. The applicant has failed to provide sufficient evidence to justify the provision of car, lorry and motorcycle parking at a level significantly below the Council's minimum standards. The proposal would not therefore be able to satisfactorily meet its own operational requirements and would result in significant on-street parking pressure to the detriment of the proposed business and existing neighbouring occupiers, contrary to Local Plan Policies CH3, IN4 and Annex 1 Parking Standards of the Urban Design SPD.
2. The applicant has failed to sufficiently address the hierarchy and consider the feasibility of incorporating measures to facilitate future connection to a District Energy Network contrary to Local Plan Policy ENV7.

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3. An agreement is not in place to ensure that the Manor Royal Public Realm contribution is secured. The development is therefore contrary to Policies IN1 and Policy EC3 of the Crawley Borough Local Plan 2015 and the Crawley 2016 Community Infrastructure Levy Regulation 123 List.

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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 - 21 January 2019
REPORT NO: PES/289(c)

REFERENCE NO: CR/2018/0778/FUL

LOCATION: [44 JERSEY ROAD, BROADFIELD, CRAWLEY](#)

WARD: Broadfield North

PROPOSAL: ERECTION OF A CONSERVATORY TO THE FRONT AND SIDE OF PROPERTY.

TARGET DECISION DATE: 1 January 2019

CASE OFFICER: Ms Z. Brown

APPLICANTS NAME: Miss C Abernethy

AGENTS NAME: Extra Windows Ltd

PLANS & DRAWINGS CONSIDERED:

EXT 06, Elevations plan

EXT 03, Existing And Proposed Side Elevations plan

EXT 02, Existing And Proposed Elevations Plan

EXT 01, Existing And Proposed Floor Plan

CBC 001, Site location plan

EXT 04, Block Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

None required.

NEIGHBOUR NOTIFICATIONS:-

23, 25, 46, 48, and 50 Jersey Road.

RESPONSES RECEIVED:-

Two letters of objection have been received stating that the proposal is “totally against the character” of Jersey Road and would be “aesthetically detrimental to the streetscene”. There are no other conservatories on the front of other properties on Jersey Road. The proposal would change the appearance of the house and would set a precedent for other properties to build on the front of their properties. Concerns were also raised over the potential loss of light on the front windows of the neighbouring property, a loss of privacy and increased noise. Concerns were also raised over the existing fence which runs around the front garden and a request made that an enforcement investigation be carried out. One objection states that there is an open plan covenant on the estate which should be enforced.

REASON FOR REPORTING TO COMMITTEE:-

The application has been called in by Councillor Quinn and Councillor Irvine.

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THE APPLICATION SITE:-

- 1.1 The application site relates to a ‘back to back’ two storey dwelling located on Jersey Road, within the neighbourhood of Broadfield. The property is brick built with a concrete tiled roof and forms part of a group of four dwellings. There is a small front garden on the southern elevation. A 1.8m high close boarded fence extends around the southern and eastern boundaries of the front garden, and there is a high hedge along the western boundary. The entrance to the property is from a porch on the eastern side elevation. The porch is attached to the porch for No. 46 Jersey Road. A set of glazed doors have been installed on the southern front elevation providing access to the front garden area.
- 1.2 A decked area has been installed in the front garden. There are no identified site constraints.
- 1.3 It should be noted that this application does not refer to the existing fence which extends around the perimeter of the front garden. The applicant has verbally stated that the fence has been erected for more than four years. There is no planning history regarding the fence and it has been referred to the Enforcement Officer for investigation.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a conservatory on the southern (front) elevation of the dwelling, which would also project beyond the east elevation. The proposed conservatory would project 2.8m from the southern (front) elevation of the dwelling, and 1.8m from the eastern (side) elevation, and would measure 3.7m in width, with an eaves height of 2.3m and a maximum height of 3m. The conservatory would provide additional ground floor living space.

PLANNING HISTORY:-

- 3.1 No recent planning history for the site. However, the original permission for the estate LB/22/81 included a condition 3:

“Notwithstanding the provision of the Town and County Planning General Development Order (1977) no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most parts of the proposed buildings which front on a highway, unless permission is granted by the Local Planning Authority on an application in that behalf”.

PLANNING POLICY:-

- 4.1 National Planning Policy Framework (July 2018) (NPPF)
 - 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. At the heart of the NPPF is a presumption in favour of sustainable development.
 - 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.

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4.2 Crawley Borough Local Plan 2015-2030

The relevant policies include:

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

4.3 Urban Design Supplementary Planning Document (adopted October 2016)

The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. It is a material planning consideration. It contains guidelines on the standards the Council expects for alterations and extensions to dwellings (Part 3). In particular relevant guidance is as follows:

- An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering an extension it is important to think about the impact the development may have on your neighbours and the wider area.
- Development should incorporate materials and colours that match the existing dwelling or, where appropriate, contrast with it. If planning permission is granted for a development, the conditions laid out in the permission often detail any necessary steps required regarding materials and finishes.
- Extensions should consider existing roof pitches. A house extension with a roof pitch that is different to the existing one can look out of place, while an extension with a matching roof pitch will likely be more suitable.
- The roof form above an extension will contribute to the appearance of the extension and the dwelling as a whole. A roof design that sits in harmony with the existing roof will usually be more acceptable'.
- 'Front extensions and porches should be subservient to the rest of the house and should not extend across the whole width of the property. They should project no more than 1.5m from the original front wall of the main dwelling and be in keeping with the character of the area and property'

PLANNING CONSIDERATIONS:-

The main considerations in the determination of this application are:

- The design & appearance of the proposed development and its impact on the dwelling & wider area
- The impact on the occupants of neighbouring properties and amenity

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The design & appearance of the proposed development and its impact on the dwelling & wider area

- 5.1 Jersey Road contains groups of ‘back to back’ two storey dwellings, terraced and semi-detached properties. All of the dwellings are brick built, with mono-pitched roof porches or pitched canopy roofs over the entrances. The majority of the dwellings do not have on-site parking, instead there are communal parking areas in front and to the rear of the properties. The ‘back-to-back’ properties facing Jersey Road have small grassed front gardens which contribute to softening and the openness of the street scene which is otherwise dominated by parking areas. The grassed front gardens are open, with boundaries demarcated by flower beds or shrubs. As a result, the streetscene feels largely open.
- 5.2 The application site faces Jersey Road with a front garden area. An unauthorised 1.8m high panel boarded fence has been erected around the front garden area, and glazed doors have been installed on the front elevation. However the property has not been extended. The boundary fence is out of character and dominant within the streetscene. It appears to breach an ‘open plan’ condition attached to the original permission for the estate (LB/22/81), and is the subject of an enforcement investigation.
- 5.3 The main considerations for the proposed front extension are its scale, width, height, design and the impact it has on the appearance of the dwelling, the streetscene of Jersey Road and general character of the area. Policy CH2 (Principles of Good Urban Design) of the Crawley Borough Local Plan states that all proposals for development are required to respond to and reinforce locally distinctive patterns of development and landscape character. Policy CH3 (Normal Requirements of All New Development) states that all proposals for new development are required to make a positive contribution to the area, be of high quality in terms of their urban and landscape design and relate sympathetically to their surroundings in terms of scale, density, height, massing, landscape, layout, details and materials. The Urban Design SPD states that an extension should relate appropriately to the parent dwelling’s character and style, dimensions, materials and finishes. Specifically it states that a front extension can be one of the most significant alterations to the appearance of your house and to the street in which it stands. Therefore front extensions and porches should be subservient to the rest of the house and should not extend across the whole width of the property.
- 5.4 The proposed extension would project 2.8m from the front (southern) elevation of the dwelling, and 1.8m beyond the eastern side elevation. It would measure 3.7m in width, with an eaves height of 2.3m and a maximum height of 3m. The Urban Design SPD states that a front extension should not extend across the whole width of the property, and should project no more than 1.5m from the front elevation of the dwelling. The scale, width and projection of the proposed extension would be excessive and would not accord with the guidance contained within the Urban Design SPD. The proposal would be a dominant and bulky addition to the front of the dwelling, which would be detrimental to the appearance of the ‘back-to-back’ properties and the streetscene of Jersey Road, unbalancing the appearance of the dwellings, which are otherwise unchanged on the front elevations. The proposal would also still be extremely visible as it would be 1.2m higher than the existing panel boarded fence, which is unauthorised anyway and may be liable to enforcement action and removal.
- 5.5 There are no similar extension along this part of Jersey Road and the streetscene, and the proposal would not be sympathetic to the character of the property. Typically a conservatory style extension is positioned to the rear of the dwelling, and not the front as proposed. As a result the proposal is considered to a totally inappropriate addition to the dwelling and would fail to respect the character of the neighbouring properties.

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- 5.6 To conclude, the scale, width, height and design of the proposed extension is considered to be detrimental to the appearance of the dwelling, would be an incongruous addition to the front elevation, and would adversely impact the streetscene of Jersey Road. The proposal would be extremely prominent and bulky on the front elevation of the dwelling and would not respect the consistent character and appearance of the properties within the immediate vicinity. The proposal is therefore contrary to Local Plan Policies CH2 and CH3, the NPPF which seeks sympathetic and high quality design, and the guidance found within the Urban Design SPD on front extensions.

The impact on the occupants of neighbouring properties and amenity

- 5.7 In regards to the impact on neighbouring property No. 48 Jersey Road to the west, the proposed extension would be positioned on the eastern side of the front elevation, and would project 2.8m from the front elevation of the dwelling. The Urban Design SPD states that a single storey extension should not encroach into an area measured 45 degrees from the nearest edge of a neighbours. The proposal would not encroach into an area measured 45 degrees from the edge of the nearest window at No. 48 however, given its scale and height, it would have some overbearing impact on the front of the neighbouring property. Despite these concerns it is not considered that the proposal would cause demonstrable harm, which would warrant a reason for refusal on grounds of residential amenity. Overall the proposal is not considered to have any detrimental impact on the amenities enjoyed by occupants of the neighbouring property No. 48, and would accord with the relevant Local Plan policies, and the Urban Design SPD.

Other matters:

- 5.8 Objections have been raised to the existing unauthorised boundary fence and the covenant over the property. As highlighted above, the fence does not form part of this application and is the subject of an ongoing enforcement investigation.
- 5.9 In regards to the comments regarding the covenant on the property, it does not constitute a material planning consideration and any planning approval would not override its requirements. It should be noted that Officers have spoken to the Council's Property team, which has confirmed that the covenant could be enforced by either the beneficiary of the covenant or adjacent landowners, and that this would be a civil matter.

CONCLUSIONS:-

- 6.1 In conclusion it is considered that the proposed front extension, by virtue of its positioning, scale and design would be an incongruous addition to the front elevation of the dwelling, and would detrimentally impact the appearance of the dwelling and streetscene of Jersey Road, and would unbalance the front elevations of the 'back-to-back' properties. As a result the proposal would be contrary to Policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030), the guidance contained within the Urban Design SPD and the NPPF (2018).

RECOMMENDATION RE: CR/2018/0778/FUL

REFUSE - For the following reason:-

1. The proposed single storey front extension, by virtue of its positioning, scale and design, would be an incongruous addition to the front elevation of the dwelling, would fail to respect the character, design and appearance of the existing dwelling and would cause harm to the appearance of the 'back-to-back' properties and wider streetscene of Jersey Road. The proposal is therefore contrary to policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030), the guidance set out in the Urban

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Design Supplementary Planning Document (2016) and the National Planning Policy Framework (2018).

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:

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

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

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ArcGIS Web Map

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